

**21 January 2025 at 7pm**

**Council Chamber, Civic Centre, Chelmsford**

## **Membership**

Councillor J. Sosin (Chair)

## **and Councillors**

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

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

# PLANNING COMMITTEE

21 January 2025

## AGENDA

1. Chair's Announcements

2. Apologies for Absence

3. Declarations of Interest

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

4. Minutes

To consider the minutes of the meeting on 3 December 2024.

5. Public Question Time

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

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

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

6. 20/02064-OUT – Strategic Growth Site, North of Woodhouse Lane, Broomfield, Chelmsford, Essex

7. 21/00881-FUL – Broomfield Hospital, Hospital Approach, Broomfield, Chelmsford, CM1 7ET

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

9. 24/01468-FUL – Pippins Place, Helmons Lane, West Hanningfield, Chelmsford, Essex, CM2 8UW

10. 24/01373-FUL – Land South West of Brooklands, Sheepcotes Lane, Little Waltham, Chelmsford, Essex

11. Planning Appeals

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 3 December 2024 at 7pm

Present:

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

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

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Cllr Hall. No substitutions were made.

### 3. Declarations of Interest

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

### 4. Minutes

The minutes of the meeting on 1 October 2024 were confirmed as a correct record and signed by the Chair.

### 5. Public Question Time

Public Questions and Statements had been submitted in advance for Items 6 and 7, they are summarised under the relevant item. [The questions and statements submitted in advance can be viewed via this link.](#)

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

The Committee considered an application for the construction of six dwellings, along with alterations to an existing pond with a new aerator and a new playground area. The Committee

heard that the proposal site was within a garden that had been privately owned for 30-40 years which was fully enclosed with hedges and trees, which could not be seen into from the public street. The Committee were informed that the garden had been very well maintained, with a large pond. The Committee heard of some recent planning history on the site, which had included the refusal of a scheme for eight houses which had also been dismissed at appeal stage, mainly due to concerns with the significant loss of 31 trees. The Committee were informed that the scheme now before them, did not have an unacceptable loss of trees, instead it included some replacement trees, the retention of the hedge along the front boundary of the site, along with the use of hedges to demark garden boundaries between the six properties. The Committee were also informed that the hedging increased the biodiversity and green nature of the scheme.

The Committee heard that officers were content with the neighbour relationships, any overlooking as a result of the development would be onto driveways, rather than gardens and the design of the properties was in keeping with neighbouring houses, including steeply pitched roofs and a similar mix of materials. The Committee were informed that the proposal was in the urban area where new housing was deemed acceptable, trees were being retained or replaced as necessary and the design and neighbour relationships were acceptable, therefore the application had been recommended for approval.

The Committee heard from members of the public both in support of and against the application and also noted the submitted statements that were not read out at the meeting. In summary those speaking for the application informed the Committee that the application was robust and of a high quality, had resolved every planning issue raised, was within a private garden, with carefully designed separation distances between the properties and complied with local and national policies. The Committee also heard that the scheme was crucial within the current housing climate, was on private land with no public right of way and that the development of the site would allow other families to benefit from new housing in the area.

In summary, those speaking against the application highlighted concerns about previous refusals at the site, no need for additional housing in South Woodham Ferrers, the ability to look over and enjoy the space, the historic use of the site, covenants being ignored, habitat loss, and claimed assurances that the site would not be built on. The Committee also heard that there would be a negative impact on wildlife, the designs were out of character and that the scheme was similar to previous refusals.

The Committee also heard from a local ward member, who spoke against the application. They raised concerns in line with those heard from local residents and stated that in the late 1970's, when the land had been scheduled for development, the site had been designated as public open space and over time had instead been added to the curtilage of the private garden of number 14. They stated that if the owner was struggling to maintain the land, it could be returned to open space, biodiversity claims were not accurate and they had not had time to engage with their own biodiversity experts. They also informed the Committee that there were significant local objections to the scheme and that it did not differ enough from previous refusals.

In response to the points raised, officers reiterated that as detailed in their report, the land in question was simply a private garden with no local plan designation over it. The history of the site may be interesting and the original intention may have been different, but the land remained a private garden and therefore the application could only be considered with that understanding. Officers also highlighted that the bio-diversity net gain was not required due to when the application had been submitted, but had been offered by the applicant anyway, pre-

commencement conditions were expected for applications such as this one and they were content that the ecology of the site had been correctly looked at.

In response to points and questions raised by members of the Committee, officers stated that;

- The pond was within the current garden and the owner could fill the pond in if they wished to do so.
- The scheme now before the Committee did not lead to the removal of most trees as the previous one did and the canopy view would be kept.
- The planning inspectorate did not have any concerns with the principle of housing at the site when considering the previous applications and appeal.
- The management and maintenance of hedges on the site was covered for five years by condition.
- The impact on the highway network would be insignificant, due to the small scale of the development, visibility was in excess of requirements and in highway terms there would not be any detriment to safety of efficiency.
- It was unusual for an application to provide a potentially public play area but this was something an applicant could do if they wished, the Council would have no involvement in the maintenance of it though.
- A condition could be added to remove the class E permitted development rights, which would mean planning applications would have to be submitted for any outbuildings. It was also noted that permitted development rights for any extensions to the six properties had already been included.
- The bio diversity net gain had been secured by condition, therefore leading to the protection of the hedges.

The Committee held a vote to approve the application, subject to the conditions detailed in the report and an additional condition to remove the Class E permitted development rights.

**RESOLVED** that the application be approved, subject to the conditions detailed in the report and an additional condition to remove Class E permitted development rights for the six properties.

(7.02pm to 7.48pm)

## 7. [21/01545/OUT – Land North of Warren House, Roxwell Road, Writtle, Chelmsford, Essex](#)

The Committee considered an outline application for Strategic Growth Site 2 comprising up to 880 new homes, a primary school, travelling showpersons site, sports facilities and other uses, plus associated landscaping and habitat creation, public open space and play facilities, roads and infrastructure (all matters reserved except access), together with a detailed scheme in the south east corner for Phase 1A comprising of 311 houses plus associated roads, parking and infrastructure (Landscaping reserved for Phase 1A). The Committee heard that the development would deliver 35% affordable homes and conformed with the Local Plan. The Committee were informed that the application was not a hybrid one, as there were reserved matters for both elements of the application.

The Committee were informed that the site had been allocated in the Local Plan as a sustainable urban extension to the urban area and had resulted from an approved masterplan, which had been looked at by both the Policy Board and Cabinet. The Committee also heard that the application had been accompanied by an Environmental Statement and would be a positive contributor economically and socially. The Committee were informed that the development was required to meet the Council's identified growth needs and would

satisfactorily meet the requirements of Strategic Growth Site Policy 2. The Committee heard that the application mitigated its own impact and had been recommended for approval by officers subject to the conditions in the report, the additional one highlighted in the green sheet and the completion of the Section 106 agreement.

The Committee heard from members of the public both in support of and against the application and also noted the submitted statements that were not read out at the meeting. In summary those speaking for the application informed the Committee that the application was in accordance with the local plan, had been through an extensive master planning process, supplied vital housing and crucial infrastructure, provided the required affordable housing, mitigated any highway impacts through new additions to the highway network and bus routes and provided a travelling showpersons site. The Committee also heard that the design of the homes would be in keeping with the local area, community facilities would be provided and the development was a holistic sustainable one that future residents and the nearby community could enjoy.

In summary, those speaking against the application highlighted concerns about a previous Statement of Common Ground with the Parish Councils, to provide traffic mitigation measures throughout the village of Writtle, but the proposal only offered mitigations to a certain point within Writtle, which would lead to an immensely detrimental effect upon the environment of Writtle. The Committee also heard concerns about flooding on Lawford Lane and the need for a condition or financial contribution to alleviate it, the width of cycleways and queries on earlier ideas regarding modifications to the Roxwell Road/Chignal Road junction.

The Committee also heard from two Councillors in the adjoining St Andrews Ward. They highlighted that they were pleased with the pedestrian/cycle links into their ward and the importance of sustainable transport, concerns with differing widths of the links, the management of the links, the use of the pedestrian/cycle links by motorised bikes and e scooters and requested more details about the improvements to the area behind Avon Road. They also informed the Committee that they were pleased to see the Avon Road play area, getting much needed improvements and queried why the additional bus loop would not be in place until the 600<sup>th</sup> occupation. They also raised concerns about the impact on local GP surgeries and asked why the proposed new facility would not be in use until later in the development. The Committee also heard that there would be a lack of amenities at the start of the development, leading to increased driving, the transfer to the City Council of the strategic open spaces to give residents clarity, energy matters including the use of solar and heat pumps, improvements to the St Andrews ward whilst the new residents relied on the pre-existing amenities and other improvements that could be sought via Section 106 agreements.

In response to points and questions raised by members of the public, ward Councillors and members of the Committee, officers stated that;

- The Statement of Common Ground referred to had been at the local plan examination stage, since then the transport assessments had been scrutinised by Essex County Council and there had been important considerations made in the design of the scheme to mitigate highway impacts and a different conclusion had been reached in comparison to the Parish Council.
- The width of the bridge links to the East of the site would be dealt with via conditions and they would be built prior to first occupation.
- Specific details of play area improvements would not be expected at this stage and the details would be considered by colleagues in Parks Services.
- An either/or provision had been put in place for ongoing maintenance of open spaces. The Council's preference was to take on responsibility but it was not within the

Council's control whether a developer transfers the land to the Council, but it was a policy of the Council that where the Council was offered to take responsibility for management of public open space it would do so, hence why it had been outlined as an either/or option instead.

- A balance needed to be struck with the occupation trigger for the introduction of the bus service, to avoid future viability issues if initial take up is low due to low occupation rates.
- The NHS required a facility on the site and the role of the planning authority was to obtain the commitment to build a facility in line with the NHS consultation response, again it would be rare for the facility to be open at first occupation.
- Due to the urban nature of the scheme, it was common for amenities to be secured through different phases of the development, due to pre existing facilities nearby.
- Mitigations for the St Andrews ward would be looked at with the developer but they needed to be realistic, meet planning tests and be related to the impact of the new development.
- The 35% affordable housing would be detailed via the S106 agreement and was a legally binding agreement,
- It was not always clear at this stage if the pedestrian/cycle routes would be shared or separated, but it was anticipated that they would be separated.
- It was anticipated that the healthcare facility would come on board at the 500 occupation mark and the school between 300-600 occupations.
- The crossing would form part of the new roundabout on Roxwell Road, serving the Eastern side of the site with primary vehicular access and that was expected before first occupation.
- The ten year time limit for the development was normal for similar applications.
- The 35% affordable housing was for both the 311 subset and the overall 880 homes.
- The travelling showpersons site would not be adopted by the City Council and would normally be dealt with by the developer.
- The Police had been consulted at pre application and masterplan stage and the development contained normal measures such as limiting alleyways and plenty of on plot parking, the use of CCTV was for the individual homeowners to decide upon.
- The application was different to ones further away from the City Centre, as some infrastructure was already nearby and would be utilised as a result.
- The transport assessment took into account the busiest peak hour impact on the network and it had looked at other growth factors, so included impacts up until 2032, the package of measures provided was comprehensive and along with the robust assessment, Essex Highways were satisfied that there would not be a severe impact in Highway terms.
- Officers could look to deal with the provision of the healthcare facility at Section 106 stage and would take on board the views of members that it should be provided at an earlier stage than the expected 500 occupations currently (potentially 400<sup>th</sup> occupation).
- Visitor parking was provided within the proposals along with overprovision of spaces at some of the larger properties.

**RESOLVED** that Subject to an agreement, as indicated in the report presented to the Committee, being entered into pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the conditions detailed in the report and the additional condition on Road construction as detailed on the green sheet of amendments.

(7.49 pm to 9.58 pm)



## 8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 1<sup>st</sup> September and 15<sup>th</sup> November 2024 be noted.

The meeting closed at 9.58 pm.

Chair

## **PLANNING POLICY BACKGROUND INFORMATION**

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

## **SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA**

### **MPSPD:**

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

### **DM1:**

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

### **DM7:**

Policy DM7 - New Build & Structure in the Green Wedge - Planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge designation and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.

### **DM8:**

Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.

### **DM9:**

Policy DM9 - Infilling in the Green Belt, Green Wedge & Rural Area - Planning Permission will be granted for infilling where the site is a small gap in an otherwise built up frontage and

where the development would not detract from the existing character or appearance of the area and would not unacceptably impact on the function and objectives of the designation. In the Green Belt, infilling may only be limited and only where the site is located within a village.

#### **DM13:**

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

#### **DM14**

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

#### **DM15**

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

#### **DM16**

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

#### **DM17**

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

#### **DM18**

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

#### **DM20**

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

## **DM23**

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

## **DM24**

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

## **DM25**

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

## **DM26**

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

## **DM27**

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

## **DM29**

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

## **DM30**

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

## **SPS1**

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

## **SPS2**

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

## **SPS3**

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

## **SPS4**

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

## **SPS6**

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

## **SPS7**

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

**SPS9**

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

**SPS10**

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

**SPS11**

Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.

## **VILLAGE DESIGN STATEMENTS**

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

## **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) was updated in December 2023. It sets out the Government's planning policies for England and how these should be applied.

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

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

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

## **PLANNING POLICY BACKGROUND INFORMATION**

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

### **Local Plan review**

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



**Planning Committee**  
**21<sup>st</sup> January 2025**

<b>Application No</b>	:	20/02064/OUT Outline Application
<b>Location</b>	:	Strategic Growth Site North Of Woodhouse Lane Broomfield Chelmsford Essex
<b>Proposal</b>	:	<b>Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access.</b>
<b>Applicant</b>	:	Mr Robert Eburne Bloor Homes Limited
<b>Agent</b>	:	Mr Andrew Fisher
<b>Date Valid</b>	:	15th December 2020

**Appendices:**

Appendix 1	S106 Heads of Terms
Appendix 2	Drawing No(s) to be listed on any decision notice
Appendix 3	Summary of consultations (since June 2023)
Appendix 4	June 2023 Committee Report, Green Sheet and Minutes
Appendix 5	August 2022 Committee Report, Green Sheet and Minutes
Appendix 6	Site Location Plan



## 1. Executive summary

- 1.1. At the meeting of the Planning Committee in June 2023 it was resolved that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to: the completion of the Section 106 agreement referred to in the report to the meeting and the conditions set out in the report to the meeting.
- 1.2. Since the resolution of the Planning Committee to approve the application, the S106 agreement has been drafted and the finer details of clauses negotiated by the City Council, Essex County Council and Bloor Homes. A full list of heads of terms is included at Appendix 1.
- 1.3. Since the June 2023 Committee resolution minor amendments to the suggested conditions and heads of terms for the Section 106 agreement have become necessary.
- 1.4. These amendments include:
  - 1.4.1. Flexibility on the First Homes S106 provisions
  - 1.4.2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign
  - 1.4.3. Removal of Biodiversity Net Gain S106 provisions
  - 1.4.4. Essex Coast RAMS tariff
- 1.5. The amendments are minor and policy compliant, they are, however, referred to the Planning Committee to make a decision as they do not accord with the specific details, heads of terms and conditions listed in the previous report (Appendix 4) which went before the Planning Committee in June 2023 and where the Committee resolved to approve planning permission.
- 1.6. Given the minor nature of the amendments required, it continues to be Officers' view that the proposal is acceptable, subject to conditions and the completion of the S106 agreement (as detailed in Appendix 1).

## 2. Background

- 2.1. In August 2022 the Committee considered an outline application for residential development for up to 512 dwellings, including affordable housing and custom build homes (Use Class C3), a Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure on land to the north of Woodhouse Lane, Broomfield, which had been allocated as a strategic growth site in the Local Plan. All matters except for primary access were reserved. A Green Sheet of additions and alterations was distributed before the meeting. A copy of the Committee report and Green Sheet is appended at Appendix 5.
- 2.2. At the meeting, it was clear from the members' discussion of the application that the Committee was of the view that the development should not proceed without the link road or, as an alternative, the provision of a Park and Ride service. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option.

- 2.3. Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful. It was resolved that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:
- the completion of the Section 106 agreement referred to in the report to the meeting,
  - the conditions set out in the report to the meeting; and
  - securing delivery of the link road.
- 2.4. Since the meeting of the Planning Committee, Officers worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the hospital link road.
- 2.5. In March 2023 the NHS Trust confirmed that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This was despite the applicant's offer to pay a maintenance sum to The NHS Trust.
- 2.6. In light of this, the parties agreed an 'Alternative Transport Strategy' in lieu of the hospital link road in the form of funding of £1,350,000 to be provided by the Applicant to fund, primarily, a Park and Ride shuttle bus service. This was accepted by officers and the Local Highway Authority and the Planning Committee subsequently resolved that the application be approved subject to: the completion of the Section 106 agreement referred to in the report to the meeting (including an obligation to secure the 'Alternative Transport Strategy' and the conditions set out in the report to the meeting (see Appendix 4).

### 3. Amendments since previous Planning Committee resolution (June 2023)

- 3.1. Since the resolution of the Planning Committee to approve the application, the S106 agreement has been drafted (see Appendix 1 for heads of terms) and the finer details of clauses negotiated by the City Council, Essex County Council and Bloor Homes.
- 3.2. Since the June 2023 Committee resolution minor amendments to the suggested conditions and heads of terms for the Section 106 agreement have become necessary.
- 3.3. These amendments include:
- 3.3.1. Flexibility on the First Homes S106 provisions
  - 3.3.2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign
  - 3.3.3. Removal of Biodiversity Net Gain S106 provisions
  - 3.3.4. Essex Coast RAMS tariff
- 3.4. The reasons for the amendments are set out in the table below:

Amendment	Reason	Proposal
1. Flexibility on First Homes provisions	The recently published December 2024 version of the National Planning Policy Framework (NPPF) no longer requires 25% of affordable housing to be provided as First	The intention is to enable the First Homes to be delivered either as First Homes or Shared Ownership properties.

	Homes (see NPPF footnotes 31 and 90).	
2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign	The provision of residential travel packs and a smarter choices campaign are to be an obligation of the S106 agreement. To avoid duplication, the conditions are proposed to be removed.	The intention is to remove conditions 28 and 29 as they are a duplication of obligations in the S106 agreement. The requirements for the smarter choices campaign will also be updated.
3. Removal of Biodiversity Net Gain S106 provisions	Biodiversity Net Gain provisions were erroneously retained on the June 2023 report. Biodiversity net gain is not required as a S106 obligation following the removal of the proposed link road.	The development would continue to deliver the same quantum of biodiversity net gain as previously proposed, but as it will be delivered on-site it is not required as a S106 obligation.
4. Essex Coast RAMS tariff	Essex Coast RAMS contribution listed in S106 obligations to be increased.	Increase Essex Coast RAMS contribution to £156.76 per dwelling in line with current tariff.

3.5. Due to the length of time that has passed since the June 2023 resolution of the Planning Committee, an Ecological Constraints Note has been provided so that the ecological information supporting the application remains up-to-date. The ecologist carried out a walkover survey and concluded that the habitats had not materially changed since the previous surveys. Officers are content with this conclusion.

#### 4. Summary of Consultations (Since June 2023)

- 4.1. Since the Planning Committee resolved to approve the application, subject to the completion of a S106 Agreement and compliance with conditions, in June 2023, the following responses have been received:
- 4.2. Essex County Council Highways – The details of the Smarter Choices campaign are acceptable to the Highway Authority and would, in conjunction with the other mitigation sought by the Highway Authority as outlined in our recommendation to Planning dated 18th May 2023, adequately mitigate the impact of the development.
- 4.3. Local Residents - One representation has been received expressing concern about the impact of the development in relation to traffic congestion.
- 4.4. Full details of responses received since the previous Planning Committee (June 2023) meeting are included at Appendix 3.
- 4.5. All consultation responses prior to the previous Planning Committee meeting (June 2023) are included in the previous committee reports which are attached at Appendix 4 and Appendix 5.

#### 5. Planning Considerations

##### 1. First Homes

- 5.1. The application initially included provision for 9% of the total units to be delivered as First Homes. Based on 512 units being delivered, this equated to 47 units and would have complied with the Council's First Homes Planning Advice Note. In addition, the previous Planning Committee reports also required a First Homes financial contribution to be secured by the S106 agreement. This was to ensure that the same overall value was secured when compared against Shared Ownership properties.
- 5.2. The previous Planning Committee resolutions, based on the reports, required *"35% of total units to be affordable with 22% of total units affordable rent, 9% First Homes and the balance (4%) Shared Ownership."*
- 5.3. In December 2024 the Ministry of Housing, Communities and Local Government (MHCLG) published a revised version of the National Planning Policy Framework (NPPF). Footnote 31 of the December 2024 NPPF says that *"the requirement to deliver a minimum of 25% of affordable housing as First Homes, as set out in 'Affordable Homes Update' Written Ministerial Statement dated 24 May 2021, no longer applies. Delivery of First Homes can, however, continue where local planning authorities judge that they meet local need."* This is also confirmed by footnote 90 of the December 2024 NPPF.
- 5.4. It is therefore recommended that the proposed affordable housing obligations are amended to require: *35% of total units to be affordable with 22% of total units to be affordable rent and either:*
- (a) 9% of the total units to be First Homes and the balance (4%) to be Shared Ownership, in which case there will be a First Homes financial contribution;*
- or*
- (b) 13% of the total units to be Shared Ownership, in which case there is no longer a requirement for a First Homes financial contribution.*

## *2. Residential Travel Packs and Smarter Choices Campaign*

- 5.5. The June 2023 committee report stated that, in line with the recommendations of the Local Highway Authority, a residential travel plan and a commitment to a Smarter Choices campaign to encourage modal shift towards sustainable transport means were required as mitigation to be secured by the S106 agreement. The report also included conditions 28 and 29 which set out the scope of the required residential travel plan and Smarter Choices campaign.
- 5.6. Paragraph 57 of the December 2024 NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. As such, it is recommended that conditions 28 and 29 are deleted, as their requirements are a duplication of the S106 obligations that relate to residential travel plans and the Smarter Choices campaign and therefore the conditions are not necessary or reasonable.
- 5.7. Throughout S106 drafting negotiations, the scope of the Smarter Choices campaign has been refined. This would now cover a period of seven years from occupation of the first dwelling and would include (subject to a £500,000 cost cap):
- Annual bus travel incentives – provision of bus tickets for each household

- Travel awareness leaflets- for all households in the parish of Broomfield and on Blasford Hill
- Cycle incentive – two Dr Bike Events per year with invitations to all households in the parish of Broomfield and on Blasford Hill
- Monitoring

5.8. The scope of the Smarter Choices campaign has been thoroughly reviewed and negotiated by the Local Highway Authority and officers. The Local Highway Authority have provided a consultation response (detailed in Appendix 3) which states that there is no objection to the proposed Smarter Choices Campaign, and that the details of the Smarter Choices campaign would, in conjunction with the other mitigation sought by the Highway Authority, adequately mitigate the impact of the development.

5.9. The scope of the Smarter Choices campaign is considered to be appropriate and acceptable such that it would promote sustainable travel to/from the area surrounding the site, would encourage a modal shift to sustainable means, and would contribute towards the mitigation of the transport impacts of the development.

### *3. Biodiversity Net Gain*

5.10. The previous committee reports (Appendix 4 and Appendix 5) set out biodiversity net gain as an obligation that was to be secured in the S106 agreement. This was because the link road element of the initial proposal required biodiversity net gain to be delivered off-site.

5.11. When the link road was removed from the proposal, the June 2023 report erroneously still listed biodiversity net gain as an obligation to be secured by the S106 agreement.

5.12. The proposal has not been amended since the link road was removed and therefore biodiversity net gain has been removed from the list of S106 obligations. The same quantum on biodiversity net gain would be delivered on site, but is not required as part of the S106 agreement as the reserved matters application for landscaping and conditions can adequately secure the net gain.

### *4. Essex Coast RAMS tariff*

5.13. The June 2023 report listed the Essex Coast RAMS contribution as £137.71 per dwelling. It is recommended that this is amended to reflect the current tariff of £156.76 per dwelling.

## **6. Legal Obligations**

6.1. The full list of S106 obligations for the development are set out in Appendix 1 to this report. For completeness, amendments to the s106 planning obligation requirements for the overall development are highlighted below:

- 6.1.1. Affordable Housing – Flexibility introduced to allow the First Homes to either remain as First Homes or be replaced as Shared Ownership;
- 6.1.2. Inclusion of residential travel plan (including residential travel packs) and Smarter Choices campaign;
- 6.1.3. Removal of obligation relating to biodiversity net gain;
- 6.1.4. Essex Coast RAMS contribution of £156.76 per dwelling (or higher amount as may be applicable at the date of payment).

## **7. Community Infrastructure Levy (CIL)**

7.1. This application may be CIL liable and there may be a CIL charge payable. CIL would be calculated based on reserved matters applications.

## **8. Planning Balance (Conclusion)**

- 8.1. The conclusions reached in the planning balances carried out as part of the June 2023 committee report (Appendix 4) and the August 2022 committee report (Appendix 5) have not materially changed as a result of the suggested amendments. The amendments are minor and a result of refinement.
- 8.2. The application site has been allocated in the Chelmsford Local Plan. It is a sustainable extension to the existing settlement of Broomfield. The application follows an approved masterplan and has been planned in a sustainable way. The development would maximise opportunities for walking and cycling, rather than the private car.
- 8.3. The development would generate jobs through the construction process and in the longer term through the onsite healthcare facility and early years and childcare facility. The construction of up to 512 dwellings on the site would increase spending locally which would add to the local economy.
- 8.4. The proposed development would be in a location where local schools, shops and healthcare facilities could be accessed on foot, by cycling or through public transport. The development would, subject to S106 obligations, provide safe and accessible alternative travel modes to the private car.
- 8.5. The development is required to meet the Council's identified growth needs. The development would provide a range of house types and tenures, including affordable rent homes, Shared Ownership homes, Custom Build, Wheelchair User homes and accessible or adaptable homes. Provision would also be made for specialist residential accommodation (either by financial contribution or on-site provision), a healthcare facility, community space and early years and childcare facility. Financial contributions would be made towards local education provision. The development would include local open space, a children's play area and natural and semi-natural open spaces.
- 8.6. The development would result in a biodiversity net gain, substantial new tree planting and the creation of natural and semi-natural open spaces. The developer has advised that the scheme will be 'gas free' and that houses will be heated by air source heat pumps and solar energy. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, by requiring water efficiency building regulations to be met and also for non-residential buildings to be built to BREEAM 'Very Good' level.
- 8.7. There are no other material considerations that need to be taken into account since the committee's previous consideration of the application in June 2023. The Broomfield Neighbourhood Plan carries limited weight at this stage in decision making.
- 8.8. Overall the proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

## **RECOMMENDATION**

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

### **Procedure**

#### Condition 1 – Reserved Matters

No development shall commence within any phase until plans and particulars showing precise details of the appearance, landscaping, layout and scale (hereinafter called the “Reserved Matters”) within the phase have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the Reserved Matters details approved.

Reason:

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

#### Condition 2 – Time limits

(i) Application for the first Reserved Matters application shall be made no later than the expiration of 3 years beginning with the date of this planning permission.

(ii) Applications for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 6 years from the date of this planning permission.

(iii) Implementation of a Reserved Matters approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

Reason:

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

#### Condition 3 – Parameter plans

Plans and particulars of the Reserved Matters referred to in Condition 1 for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority, and shall accord with the following Parameter Plans (subject to such minor variation that may be subsequently agreed in writing by the local planning authority):

- 25746-RG-M-86D Public Open Space
- 25746-RG-M-82A Land Use
- 25746-RG-M-83C Building Heights
- 25746-RG-M-84E Access and Movement
- 25746-RG-M-44F Tree and Building Removal

Reason:

In order to achieve satisfactory development of the site.

#### Condition 4 – Compliance with approved plans

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

Reason:

In order to achieve satisfactory development of the site.

#### Condition 5 - Phasing

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

Reason:

In order to achieve satisfactory development of the site.

#### **Pre-commencement**

#### Condition 6 - archaeology

- (i) Prior to the commencement of the development an archaeology mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to and approved in writing by the local planning authority following the completion of the archaeological evaluation.
- (ii) No development or preliminary groundworks shall commence on those areas containing archaeological deposits until fieldwork, as detailed in the archaeology mitigation strategy subject of part (i) of this condition, has been carried out.
- (iii) Within six months of the completion of the fieldwork, unless otherwise agreed in writing with the local planning authority, a post-excavation assessment shall be submitted to and agreed in writing with the local planning authority. This shall include a post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

Archaeological geophysical survey and archaeological evaluation have taken place, indicating areas of significant archaeological features which need further investigation. A phased archaeological condition is needed to ensure appropriate mitigation. This is in line with the National Planning Policy Framework and Policy DM15 of the Chelmsford Local Plan.

#### Condition 7 – Contamination

No development shall commence within each phase or sub-phase of the development until a scheme to deal with the risks associated with the contamination of the land associated with that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate the following components:-

- (i) A preliminary risk assessment which identifies:- Previous uses, Potential contaminants associated with those uses, A conceptual model of the site including sources, pathways and receptors, Potentially unacceptable risks arising from contamination at the site.
- (ii) A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (iii) The site investigation results and a detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken,



(iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.  
The scheme shall be implemented as approved unless any changes are otherwise agreed in writing with the local planning authority.

Reason:

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is identified and remediation measures appropriately undertaken to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

#### Condition 8 - SuDS

As part of Reserved Matters submissions for each phase or sub-phase, a detailed surface water drainage strategy shall be submitted for approval. The strategy shall broadly accord with the submitted Flood Risk Assessment and Drainage Strategy by Stantec (May 2022) and include consideration of a range of SUDs measures such as green roofs, rainwater harvesting, rain gardens, water butts and permeable paving.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy DM18 of the Chelmsford Local Plan.

#### Condition 9- Levels

Prior to any construction works within each phase or sub-phase, including the spine road, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the adjacent phases, surrounding area and neighbouring buildings shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details.

Reason:

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

#### Condition 10- BREEAM

- a) The neighbourhood centre building, healthcare facility and early years building hereby permitted shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of the neighbourhood centre building, healthcare facility or early years building, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;
- c) the neighbourhood centre building, healthcare facility or early years building shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.
- d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the neighbourhood centre building, healthcare facility or early years building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

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

Condition 11– PROW safeguarding

No development shall take place within the phases or sub phases adjoining the Public Right Of Way Number 29 (PROW 225\_29) until a scheme (including temporary re-routing, fencing, barriers, crossing points) to safeguard public use of the existing public right of way has been submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved plan.

Reason:

To ensure the existing public right of way is retained and available throughout the development period.

Condition 12– Hard Landscape

No development shall commence within each phase or sub-phase of the development until details of the following have been submitted to and approved in writing by the local planning authority:-

- (i) The proposed roads/footways/footpaths and cycleways within that phase or sub-phase of the development including all relevant horizontal and longitudinal cross sections showing existing and proposed levels, gradients, surfacing and means of surface water drainage,
- (ii) How the design of the streets and spaces take into account mobility and visually impaired users, and
- (iii) A panel composed of samples of all materials to be used in the paving of the ground surfaces including details of the product name, number, colour and manufacturer.

Reason:

To ensure that the proposed hard landscape is visually satisfactory, able to be maintained in the long term, suitable for drainage purposes, does not prejudice the lasting quality of the locality and which ensures that materials sourcing is resource efficient in accordance with Policies DM24, DM18 and S2 of the Chelmsford Local Plan.

Condition 13- Construction Method Statement

No development within each phase or sub-phase of the development shall commence until a Construction Method Statement for that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The statement shall include details of the following relating to such phase or sub-phase of the development:-

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials,
- vii. hours of deliveries,
- viii. a scheme to minimise offsite flooding caused by surface water run-off and groundwater during construction, and
- ix. a scheme to prevent pollution caused by surface water run-off and groundwater during construction.

The approved statement shall be adhered to throughout the duration of the construction period of the relevant phase or sub-phase of the development. Until final surfacing is completed, footway and shared surface base courses shall be provided and maintained in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering pedestrian routes.

Reason:

In the interests of highway safety and to ensure the environmental impact of the construction of the development is adequately mitigated and to safeguard the amenities of the occupiers of neighbouring residential properties and future residents of the development in accordance with Policies S2, DM24 and DM29 of the Chelmsford Local Plan.

#### Condition 14– Badger Report

As part of Reserved Matters submissions for each phase or sub-phase a badger monitoring report shall be submitted for approval.

Reason:

In the interests of safeguarding badgers in accordance with Policy DM16 of the Chelmsford Local Plan.

#### Condition 15– Arboriculture

As part of Reserved Matters submissions for each phase or sub-phase the following documents shall be submitted for approval:

- (i) an impact assessment & arboricultural method statement. To include:
  - (a) Details of trees and hedges to be retained and removed,
  - (b) Details of tree surgery work to retained trees,
  - (c) Specification for tree protection including layout and type of tree protection for construction including change that may occur during development,
  - (d) Location and installation of services, utilities and drainage,
  - (e) Details of construction within the root protection area of retained trees,
  - (f) A full specification for the construction of the new access and parking areas, including details of the bespoke cross-over and cellular confinement specification, and the extent of the areas. Details must include the relevant sections through them,
  - (g) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste,
  - (h) Tree protection plan,
  - (i) Boundary treatments within the root protection areas,
  - (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision.
- (ii) strategic soft landscaping design
- (iii) landscape and ecological maintenance plan
- (iv) landscape and ecological management plan

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

#### Condition 16– Custom Build Design Code

No development within any phase or sub-phase of the development which will include custom build housing shall commence until a design code for custom build units has been submitted to and agreed in writing with the local planning authority. This shall be in accordance with the Council's Self-Build and Custom Build Planning Advice note dated April 2022. Subsequent reserved matters applications for custom build units shall accord with the approved design code.

Reason:

To ensure satisfactory development of the site and ensure the development is visually satisfactory in accordance with policy DM23 of the Chelmsford Local Plan.

## **During Construction**

### Condition 17– Public Art

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

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

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

Reason:

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

### Condition 18– Boundaries

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

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

### Condition 19– KEGS boundary

Prior to its installation, details of a fence to be installed on the western boundary of the site with the King Edward VI Grammar School playing field shall be submitted to and agreed in writing with the local planning authority. The fence shall be installed prior to the first occupation of any part of the development.

Reason:

To ensure the proposed development is visually satisfactory and to restrict access to the neighbouring private land.

### Condition 20– Refuse & Recycling

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

Reason:

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

### Condition 21– Lighting

Prior to their installation details of any means of external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

To ensure that the proposed development is visually satisfactory and does not adversely affect biodiversity in accordance with policies DM23 and DM16 of the Chelmsford Local Plan.

Condition 22– new roundabout

Within six months of commencement of the development hereby permitted, a new roundabout junction on B1008 as shown indicatively on Ardent plan 184281-002F shall be provided. The junction shall include a toucan crossing on the northern arm, parallel crossing on the western arm and uncontrolled drop kerb crossing on the southern arm.

Reason:

To enable construction and residential access to the site.

Condition 23– completion of spine road

Prior to occupation of the 200th dwelling, the spine road from B1008 to Woodhouse Lane, including the junction to Woodhouse Lane and associated works to Woodhouse Lane, shall be completed and available for use. The spine road shall include a bus turnaround area towards the south-western extent of the spine road, within phase 2, and junction with Woodhouse Lane, and associated works to Woodhouse Lane (east) to enable a prohibition of motor vehicles traffic regulation order (TRO) to be implemented.

The spine road shall comprise:

- a) A 6.75 metre single carriageway
- b) LTN 1/20 complaint two-way cycleway (3m) with segregated footway (2m) on southern side with no individual frontage access
- c) parallel crossing points to accommodate cyclists and pedestrians
- d) Drop kerbs on south side opposite side road junctions on the north side to allow cyclists to join the southern cycleway
- e) Uncontrolled crossing points at agreed locations along the route, to include features to enable ped/cycle permeability throughout the site
- f) A verge and 2m footpath adjacent to carriageway on northern side
- g) Traffic calming measures
- h) Bus stops and bus turnaround facilities
- i) Connections to the western section of Woodhouse Lane, with associated works to Woodhouse Lane to enable a prohibition of motor vehicles traffic regulation order (TRO) to be completed.

Reason:

To provide access to the site to accommodate public transport and other sustainable travel modes

Condition 24 – provision of cycleway and pedestrian improvements Chelmsford to Gt Waltham

There shall be no occupation of the site until the cycleway and pedestrian improvements to section 1 of the Chelmsford to Great Waltham cycle route from Corporation Road to Goulton Road, to include footway widening along the route, parallel crossing (Kings Road), North Avenue central reserve crossing, resurfacing and signs and lines have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 25– cycle way provision eastern side of B1008

There shall be no occupation of the site until an LTN 1/20 compliant cycleway and pedestrian improvements to the eastern side of B1008 north of the access roundabout, as shown indicatively on Ardent plan 184281-013A, have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 26– additional bus stops B1008

There shall be no occupation of phase 1 until new additional bus stops north and southbound on the B1008, at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure properties within phase 1 of the development are within 400m walking distance of a bus stop.

Condition 27– additional bus stops spine road

There shall be no occupation of phase 2 until bus stops on the spine road, at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure all properties are within 400m walking distance of a bus stop

Condition 28– parking spaces and layout

The number of parking spaces and how these are laid out (including dimensions) shall be in accordance with the Essex Parking Standards Design and Good Practice September 2009. This applies to all vehicular parking spaces including disabled requirements together with cycle parking and facilities for powered two wheelers.

Reason:

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

Condition 29– cycleways

The network of strategic cycleway routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority and designed to accord with the adoptable highway standard applicable at the time. The cycle routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

Condition 30 – walking routes

The network of footpath routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority. The walking routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

Condition 31– Public Right of Way

(i) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) Footpath 29 Little Waltham between Woodhouse Lane and the proposed spine road shall be upgraded to cycletrack and removed from the PROW network.

(ii) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) 29 Little Waltham between proposed Spine Road and northern site boundary shall be upgraded to footway and removed from PROW network.

Reason:

To provide fit for purpose routes reflecting the change of circumstances and the expectation of occupiers of the new development.

Condition 32– Ancillary infrastructure

No ancillary infrastructure including pipes, flues, vents, meter boxes, external letterboxes, fibre wires and cables required by statutory undertakers and to be incorporated as part of the building design shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the detailed finish of the proposed development is visually satisfactory and does not prejudice the lasting quality of the locality in accordance with Policy DM24 of the Chelmsford Local Plan.

Condition 33– Street lighting and signage

No street lighting, street name plates and any other signage shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory, to avoid street clutter, to minimise the number of sign posts in public spaces, to maximise the placing of lights and signs on building faces and to ensure lasting environmental quality in accordance with Policy DM24 of the Chelmsford Local Plan.

Condition 34– Materials

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

Reason:

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

**Prior to first occupation**

#### Condition 35 – SuDS maintenance plan

Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements for SuDS features including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and agreed in writing by the Local Planning Authority.

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

Reason:

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

#### Condition 36– SuDS maintenance

The applicant or any successor in title must maintain yearly logs of maintenance to the surface water drainage system which shall be carried out in accordance with the approved Maintenance Plan subject of condition 35. These logs must be available for inspection upon a request by the Local Planning Authority.

Reason:

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

#### Condition 37– Contamination verification

Prior to the first occupation or first use of each phase or sub-phase, any remediation of the site found necessary shall be carried out. A validation report to that effect and a long term monitoring and maintenance plan in respect of groundwater shall be submitted to the local planning authority for written approval prior to the first occupation of the relevant phase or sub-phase and the development shall be carried out in accordance with that scheme.

Reason:

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is remediated appropriately to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

#### Condition 38– Carriageway Construction

The carriageways of the proposed estate roads shall be laid out and constructed up to and including at least road base level, prior to the commencement of construction of any residential dwelling or building intended to take access from that road.

Reason:

To provide a satisfactory interim standard of access and safety and linkage with the existing highway network.

#### Condition 39– Final Surfacing of Roads and Paths

The carriageways, footways, shared surfaces, footpaths and cycleways within each phase or sub-phase of the development shall be completed with final surfacing prior to the occupation of 90% of the units within that phase/sub-phase of the development unless the road is a construction route in which case the final surfacing shall be completed following the cessation of use of that road as a construction route.

Reason:

In the interests of highway safety.



#### Condition 40– Vehicle Parking

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

#### Reason:

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

#### Condition 41 – Cycle Parking

No dwelling or commercial floorspace, community, or educational facility shall be brought into use until such time as the approved cycle parking areas for that part of the development have been made available for use. The cycle spaces shall not thereafter be used for any purpose other than the parking of cycles in conjunction with that part of the development which they serve.

#### Reason:

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

#### Condition 42– Broadband

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

#### Reason:

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

#### Condition 43– EV charging

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

#### Reason:

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

### **Ongoing**

#### Condition 44– Water Efficiency

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 45– M4(2)

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 46 – PD rights boundary treatments

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) no wall, gate or other means of enclosure other than approved under reserved matters shall be constructed beyond the roadside front or side elevation of properties within the site without the written consent of the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 47– Unbound material

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

Reason:

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

**Post Occupation**

Condition 48– planting report

Within 24 months of the first occupation of each phase or sub-phase of the development a tree and hedge planting report detailing the results of the first 12-month defect inspection shall be submitted to and agreed in writing with the local planning authority. Any remedial works shall be carried out in accordance with a timetable to be submitted to and agreed in writing with the local planning authority.

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

**Notes to Applicant**

- 1 Hours of work during construction

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](http://www.chelmsford.gov.uk/construction-site-noise)

Party Wall Act

The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 2 The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

Notice should be in writing and accompanied by a block plan (e.g. 1/500) clearly identifying the building(s) to be demolished.

- 3 More information about BREEAM and the Code for Sustainable Homes is available on the BRE website: [www.breeam.org](http://www.breeam.org) or contact the BREEAM office, Tel: 01923 664462. Information about the Code for Sustainable Homes is also available at the Department for Communities and Local Government's website: [www.communities.gov.uk](http://www.communities.gov.uk).
- 4 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 5 The proposed development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended) which will be applied to any Reserved Matters application(s) submitted in connection with this outline application. Reserved Matters application(s) must be accompanied by a CIL Additional Questions Form as well as CIL Form 2 - Claiming Exemption or Relief if claiming Social Housing relief. There are further details and links to these forms on the Council's website at [www.chelmsford.gov.uk/cil](http://www.chelmsford.gov.uk/cil).
- 6 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.

- 7 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are: Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
  
- 8 The new street and its junction and/ or connection with the existing highway should be formed to the requirements and satisfaction of the Highway Authority (Essex County Council). Attention in this respect is drawn to Section 184 of the Highways Act 1980. Contact details are: Development Management Team, Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU. Telephone via Contact Essex: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

*Affordable Housing*

- 35% of total units to be affordable with 22% of total units as affordable rent and either:
  - (a) 9% of the total units to be First Homes and the balance (4%) to be Shared Ownership, in which case there will be a First Homes financial contribution; or
  - (b) 13% as Shared Ownership, in which case there is no longer a requirement for a First Homes financial contribution.

The size of the Affordable Rented units will reflect the requirements of Table 3 in the POSPD except in the circumstances where the number of residential units built at the site exceeds the 450-allocation identified in the Local Plan. In these circumstances a different housing size table will be applied but only to the Affordable Rented proportion above the 450-allocation number. In this case the affordable rent units above the 450 number will reflect Table 3 in the Housing Additionality Affordable Housing for Rent Planning Advice Note (January 2022) i.e., a greater proportion of four-bedroom homes.

- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes.
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase.

*Specialist Residential Accommodation (SRA)*

- SRA to be either provided on site or through payment of a contribution of £457.50 per new residential dwelling. (BCIS All-in Tender Price Index).

*Self/Custom Build*

- Self/Custom Build housing to be provided at 5% of the total number of units.

*Highways and transportation*

- A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service. Up to £350,000 of the contribution to be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.
- Northeast by-pass contribution of £2.5million (Civil Eng Index linked).
- Cycle/footbridge over Essex Regiment Way contribution of £0.4million (Civil Eng Index linked).
- Junction improvements contribution of £1m (Civil Eng Index linked).
- Cycle route south from new access roundabout contribution of £300,000 towards a cycle route between the site access roundabout and Croxton Lane (Civil Eng Index linked).

- Closure/downgrading/alterations to Woodhouse Lane.
- Developer to submit details of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane.
- Construction and delivery of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction, and associated works to Woodhouse Lane, in accordance with details in application 21/00881/FUL and design to be agreed by the highway authority prior to 200th occupation.
- A bus strategy to be submitted to and approved by the highway authority prior to occupation.
- Developer to provide a bus service to the site to the specification of the highway authority prior to occupation of the 60<sup>th</sup> dwelling.
- Residential Travel Plan (including car club scheme and residential travel packs) as well as annual monitoring fee of £2817 until a year after full occupation (Government's Consumer Price Index (CPI)).
- Smarter Choices campaign and annual monitoring fee of £5,000 (Government's Consumer Price Index (CPI)) until a year after full occupation.
- Restriction on occupations until the new access roundabout, the spine road, works to Woodhouse Lane, cycle facilities and bus stop infrastructure have been carried out and a certificate of completion issued under s.278.

#### *Open space*

- Local open space to be provided to be laid out and secured in accordance with the planning permission.
- Local open space maintenance plan to be submitted and agreed.
- Open space commuted payment for maintenance of £234.82 per dwelling for open space (local and natural) maintenance bond to be submitted and secured, along with local authority step in powers should the developer wish to maintain the open spaces (in accordance with Tables 9 and 10 of the Planning Obligations Supplementary Planning Document). (Not index linked – POSPD para. 14.20).
- Strategic open space contribution in lieu of on-site delivery of parks sports and recreation grounds at £1,052.00 per dwelling (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).

#### *Education*

- Provision of a stand-alone early years and childcare nursery on land within the site of no less than 0.13ha. An area of 0.13 hectares of land to be secured and remediated to be transferred to ECC or other agreed body for a nominal sum at the formal request of the education authority.

- Contributions in accordance with ECC formula (as set out in Table 5 below) for Early Years, Primary and Secondary education to be paid in tranches as agreed with the education authority.

Table 5: Education	Factor			Cost per place
	1 bed	Flat	House (2+ bed)	
Early Years & Childcare	0	0.045	0.09	£20,508
Primary	0	0.15	0.3	£20,508
Secondary	0	0.1	0.2	£24,929
<b>Formula = [Number of dwellings x factor] x cost per place (+ Public Sector Building Non-housing (PUBSEC Index))</b>				

*Healthcare*

- Provision of land for a health facility with space for the new building appropriate access, parking and servicing arrangements to accommodate a building of around 1,000 sq. m to be secured and remediated. The site is to be subsequently transferred to Chelmsford City Council for a nominal sum on receipt of a formal request of the health authority.
- Contribution of £253,900 [£496.18 per dwelling] to support the development proposal.

*Community Facility*

- A community facility to be provided within the health facility building.

*Essex Coast RAMS*

- Contribution of £156.76 per dwelling.

*Monitoring*

- Contribution to cover Strategic Sites and Affordable Housing Monitoring cost and ECC Monitoring cost.

**Plans to be listed on any Decision Notice:**

RG-M-01/A  
184281-016  
184281-004/A  
184281-013/A  
184281-002/F  
Planning Statement  
Flood Risk Assessment  
Barton Willmore response to scope of the cumulative effects assessment  
Mitigation Specifications  
Scoping Responses  
Harvest Mouse Report  
Breeding Bird Survey Report  
Great Crested Newt His Assessment & Edna Result  
Grassland Report  
Extended Phase 1 Habitat Survey Plan  
Health Impact Assessment  
Summary & Residual Effects  
Noise & Vibration  
Transport & Access  
Landscape & Visual  
Alternatives & Design Evolution  
Construction Methodology & Phasing  
Cultural Heritage  
EIA Methodology  
Ecology & Nature Conservation  
Site & Development Description  
Socio-Economics  
Water Resources & Flood Risk  
Air Quality  
Agricultural Land  
Environmental Statement \_ Non-Technical Summary  
Phase 2 Ground Investigation Report  
Figures  
Hedgerow Assessment  
Reptile Survey Report  
Habitats regulations assessment  
Wintering Bird Survey Report  
Dormouse Survey Report  
Survey Methods  
Model inputs \_ results processing  
Glossary  
Road Transport emission factors



Traffic Data  
Bat Report  
Heritage Statement  
Archaeological trail trench evaluation report  
Archaeological Desk-Based Assessment  
Accurate visual representations and methodology  
Arboricultural Impact Assessment  
Table of visual effects  
Table of landscape effects  
Guidance notes for reduction of obtrusive light  
Extracts from planning policy \_ evidence base documents  
Site context photos  
Site Appraisal Photos  
EIA Scoping Report  
Previous iterations of the land use and access parameter plan  
Landscape Management Tables  
Geophysical Survey  
Model Verification  
Monitoring Data  
Agricultural Land Classification \_ Soil Resources  
Policy  
time history graphs  
Survey Data  
Traffic Data 2  
Survey Equipment  
Statement of community involvement  
Biodiversity impact assessment  
Environmental Statement  
EIA Scoping Opinion 2  
Barton Willmore Response to EIA Scoping Opinion  
Environment Statement Addendum/December 2021  
Transport Assessment/December 2021  
Covering Letter/December 2021  
Planning Statement Addendum/December 2021  
Design \_ Access Statement/December 2021  
25746-RG-M-86D  
25746-RG-M-82A  
25746-RG-M-83C  
25746-RG-M-84C  
25746-RG-M-44F  
25746-RG-M-84E  
EIA conformity letter  
Link Road Discussion Table  
Letter from Estates and Facilities  
Alternative Transport Strategy  
Covering Letter  
SCI addendum

Planning Statement Addendum  
Transport Assessment  
Transport Technical Note/184281-06 April 22  
March 2023  
Ecological Constraints Note 5/3/2024

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Essex County Council Highways

Comments
<p>8/1/2025</p> <p>Bloor have contacted the Highway Authority to seek ECC's agreement to amend a Highways element of their planning consent which was approved at Planning Committee subject to S106.</p> <p>Part of the Highway mitigation package (outlined in the Committee Report dated 20th June 2023) was the provision of a "Smarter Choices Campaign" for the existing Broomfield Village. A Smarter Choices scheme is in essence a Travel Plan to encourage sustainable travel but does not cover the proposed development (a separate Travel Plan requirement will do that) and instead would be rolled out to the existing properties in Broomfield parish and on Blasford Hill, with a view to encourage existing residents to use sustainable travel modes which in turn would reduce reliance on the private car and free up capacity on the nearby highway network.</p> <p>The Smarter Choices Campaign has been secured via Condition 29 of the draft conditions and as an element of the S106, as outlined in the Committee Report dated 20th June 2023.</p> <p>During negotiations, it was agreed that the Smarter Choices campaign definitions would need to be set out in the S106 including a cost cap.</p> <p>As part of the S106 negotiations the following Smarter Choices campaign has been agreed with the Highway Authority:</p> <ul style="list-style-type: none"><li>• A timescale be applied to the provision of the Smarter Choices campaign of 7 years from first occupation,</li><li>• Provision of single journey bus tickets per household,</li><li>• Travel awareness leaflets and cycle incentive events,</li><li>• Monitoring,</li><li>• A cost cap of £500,000 for the Smarter Choices Campaign.</li></ul> <p>It is understood these changes will need to be approved by Planning Committee, please can you reiterate to the Planning Committee that the above changes are agreed with the Highway Authority and are necessary in order for the S106 to progress. The details of the Smarter Choices campaign, as set out above, are acceptable to the Highway Authority and would, in conjunction with the other mitigation sought by the Highway Authority as outlined in our recommendation to Planning dated 18th May 2023, adequately mitigate the impact of the development.</p>

## Local Residents

### Comments

One further response since June 2023:

I recently read with dismay that you have approved 512 new homes near Broomfield hospital without a link road. I live in Broads Green just to the North of the proposed development, it seems that you have not taken into account the already growing numbers of vehicles cutting through the village to avoid congestion around Broomfield hospital. The roads in our village are not wide enough for 2 vehicles in many places so are not suitable for through traffic. This is an accident waiting to happen. Now you are proposing adding even further congestion with no mitigation whatsoever! It's quite unbelievable. I understand there is a proposed park and ride. This to me just emphasises the complete lack of understanding you have of the problem. The largest factor contributing to traffic all the way up Main Road back to the hospital is the buses, there are no laybys for the bus stops so they just clog up the roads. Now the solution to combat all the extra traffic is more buses!!! You honestly couldn't make it up.





**Planning Committee**  
**20<sup>th</sup> June 2023**

<b>Application No</b>	:	20/02064/OUT Outline Application
<b>Location</b>	:	Strategic Growth Site North Of Woodhouse Lane Broomfield Chelmsford Essex
<b>Proposal</b>	:	<b>Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access.</b>
<b>Applicant</b>	:	Mr Robert Eburne Bloor Homes Limited
<b>Agent</b>	:	Mr Andrew Fisher
<b>Date Valid</b>	:	15th December 2020

**Appendices:**

Appendix 1	Summary of consultations (since August 2022)
Appendix 2	August 2022 Committee Report & Green Sheet
Appendix 3	August 2022 Committee Minutes
Appendix 4	Bloor Homes Ltd & NHS Trust Letters
Appendix 5	Drawings

**1. Executive summary**

1.1. At the meeting of the Planning Committee in August 2022 it was resolved that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out in the report to the meeting; and
- securing delivery of the link road [into Broomfield Hospital].

- 1.2. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the hospital link road. Sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).
- 1.3. In March 2023 the NHS Trust confirmed their position in a letter to Officers (Appendix 5). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the applicant's offer to pay a maintenance sum to The NHS Trust.
- 1.4. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' in lieu of the hospital link road.
- 1.5. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.
- 1.6. Officers and the Local Highway Authority have undertaken extensive investigation and analysis of the supporting documentation and the additional information submitted as part of the application. This has concluded that the traffic impact that results from the proposal, and in lieu of the link road, could be suitably mitigated through a package of appropriate mitigation, sustainable transport measures and financial contributions towards additional mitigation, including the proposed contribution of £1,350,000.
- 1.7. With the exception of traffic matters relating to the link road, all other matters considered previously remain unchanged. The conclusions reached in the planning balance carried out as part of the August 2022 committee report (Appendix 2) have not materially changed following the removal of the hospital link road and the inclusion of the alternative transport strategy in the form of a financial contribution mainly towards the Park and Ride shuttle bus service.
- 1.8. Overall it is Officers view that the proposal is acceptable, subject to conditions and the completion of the S106 agreement.

## **2. August 2022 Planning Committee**

- 2.1. In August 2022 the Committee considered an outline application for residential development for up to 512 dwellings, including affordable housing and custom build homes (Use Class C3), a Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure on land to the north of Woodhouse Lane, Broomfield, which had been allocated as a strategic growth site in the Local Plan. All matters except for primary access were reserved. A Green Sheet of additions and alterations was distributed before the meeting. A copy of the Committee report and Green Sheet is appended at Appendix 2.

- 2.2. At the meeting, it was clear from the members' discussion of the application that the Committee was of the view that the development should not proceed without the link road or, as an alternative, the provision of a Park and Ride service. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option.
- 2.3. Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful. It was resolved that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:
- the completion of the Section 106 agreement referred to in the report to the meeting,
  - the conditions set out in the report to the meeting; and
  - securing delivery of the link road.
- 2.4. A copy of the Minutes of the meeting is appended at Appendix 3.

### **3. Subsequent Discussions**

- 3.1. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the link road. Sustained and prolonged efforts have been made by Officers and the Applicant to secure the delivery of the link road through positive and constructive dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).
- 3.2. Whilst a Memorandum of Understanding (MOU) was signed by The NHS Trust (January 2019) as part of the Local Plan adoption process, it became clear as part of discussions that as time went on, the NHS Trust were reluctant to support the proposed link road.
- 3.3. On 29th September 2022 officers were advised in an email from the Agent acting on behalf of the NHS Trust that The NHS Trust would prefer that the link road is not constructed (Appendix 4). They reluctantly accepted that the road through their estate could be provided, but only on the condition that The NHS Trust would not accept any cost or liability now or in the future for provision or maintenance of the link road.
- 3.4. In March 2023 the NHS Trust confirmed their position in a letter to Officers (Appendix 4). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the Applicant's offer to pay a maintenance sum to The NHS Trust. In addition, The NHS Trust state that the link road and internal road network configuration which apparently would need related/consequent investment could not be accommodated within their capital programme.
- 3.5. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' based on a Park and Ride Shuttle Bus.



3.6. The positions of both the Applicant and The NHS Trust are set out in letters appended at Appendix 4.

#### 4. Proposal

4.1. The Applicant now proposes the 'Alternative Transport Strategy' in lieu of the link road and has amended the current planning application (and related application 21/00881/FUL) accordingly.

4.2. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.

4.3. The application is EIA (Environmental Impact Assessment) development. An addendum to the Environmental Statement has been submitted to respond to the changes. This has been subject to consultation and has been taken into account in the consideration of this application. Not delivering the hospital link road will not adversely affect the conclusions of the full Environmental Statement.

#### 5. Summary of Consultations (Since August 2022)

5.1. Following the submission of the revised proposal, the following consultation responses were received:

5.2. Broomfield Parish Council – Very disappointed that the new access road to the Hospital site is likely to be scrapped. Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service. However, it is strongly opposed to spending the entire capital sum on this single initiative. The spine road must be built with the capacity for a link road onto the Hospital site to be added as originally planned, at a later date. However, should the Hospital Trust revert to its earlier desire for a second regular access, that would need to be funded through NHS capital funding streams and not by further development. The availability of up to £1.35M to mitigate traffic impacts on the B1008 is a great but unique opportunity. It must not be entirely spent on one single measure, but must be used carefully to support a wider strategy.

5.3. Essex County Council Highways - Subject to a package of appropriate mitigation, the traffic impact that results from the proposals could be suitably mitigated through a package of sustainable transport measures and financial contributions towards additional mitigation.

5.4. Essex County Council Green Infrastructure – Do not object.

5.5. Little Waltham Parish Council – No comments.

5.6. Full details of consultation responses received since the previous Planning Committee meeting are included at Appendix 1.

5.7. All consultation responses prior to the previous Planning Committee meeting are included in the original committee report which is attached at Appendix 2.

## 6. Planning Considerations

- 6.1. A link to Broomfield Hospital is a requirement of Local Plan Growth Site Policy 8 and Strategic Policy S9 of the Chelmsford Local Plan. The hospital link road formed part of the adopted masterplan for the application site and was allocated as a measure to mitigate an increase in vehicular traffic on Blasford Hill. At the time of the adoption of the Local Plan in May 2020 it was understood that the formation of the link road was an objective shared by the Hospital Trust.
- 6.2. As set out above, sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust). Both the Applicant and the NHS Trust have however now concluded that an agreement cannot be reached and that an alternative transport strategy should be secured.
- 6.3. Whilst the submitted Transport Assessment seeks to demonstrate that the link road is not required in traffic terms, modelling work undertaken for the approved Northeast Bypass demonstrates that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019 and will be in 2024 (excluding Bloor development) and 2036 (including Bloor development). Therefore, mitigation is required in lieu of the hospital link road. A financial contribution is proposed and considered to be necessary, which is to be spent primarily on providing Park and Ride Shuttle services to Broomfield Hospital and fare incentives to encourage staff, patients and visitors to use this service. Up to £350,000 of the contribution could be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan, if required.
- 6.4. Officers and the Local Highway Authority have undertaken extensive investigation and analysis of the supporting documentation and the additional information submitted as part of the application. This has concluded that the traffic impact that results from the proposal could be suitably mitigated through a package of appropriate mitigation, sustainable transport measures and financial contributions towards additional mitigation.
- 6.5. Mitigation measures to be secured by the s106 agreement would include:
- a financial contribution of £1,350,000 to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service. Up to £350,000 of the contribution to be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan;
  - £2.5m towards Phase 1 of the Chelmsford Northeast Bypass;
  - £1m towards off site road junction improvements;
  - £0.4m towards a pedestrian cycle bridge over Essex Regiment Way to link to Chelmsford Garden Community;
  - provision of a cycle route north from the proposed new roundabout towards Little Waltham;
  - contributions towards a cycle route between the site access and Croxton's Lane;
  - a residential travel plan;
  - commitment to a Smarter Choices Campaign – to encourage modal shift to sustainable means;
  - fully fund a bus service to the site to the specification of the highway authority.

6.6. It should be noted that all mitigation measures are the same as those previously considered by the Planning Committee in August 2022 with the exception of:

- the inclusion of a £1,350,000 financial contribution in lieu of the hospital link road; and
- the removal of improvements and contributions towards the Section 2 of the Chelmsford to Great Waltham cycle route as this has now been completed and is therefore no longer required.

6.7. Whilst the hospital link road is no longer proposed, changes and closures to parts of Woodhouse Lane are still required. These are subject of application 21/00881/FUL. These amendments and closures are required to provide improved access for residents of Woodhouse Lane, to remove a potential vehicle through route from the development on the existing narrow lane to Hospital Approach and Blasford Hill and to provide safe and sustainable walking and cycling routes. Whilst theoretically it would be possible for vehicles to cut through Farleigh Hospice from their service entrance on Woodhouse Lane out onto North Court Road, the proposed closures are unlikely to make this a realistic prospect. This opportunity also already exists. Through the related application for the closures to Woodhouse Lane a condition could secure the provision of signage at the service entrance to discourage use.

## 7. Legal Obligations

7.1. For completeness, the planning obligation requirements for the overall development are set out under the headings below:

### *Affordable Housing*

- 35% of total units to be affordable with 22% of total units affordable rent, 9% First Homes and the balance (4%) Shared Ownership. The size of the Affordable Rented units will reflect the requirements of Table 3 in the POSPD except in the circumstances where the number of residential units built at the site exceeds the 450-allocation identified in the Local Plan. In these circumstances a different housing size table will be applied but only to the Affordable Rented proportion above the 450-allocation number. In this case the affordable rent units above the 450 number will reflect Table 3 in the Housing Additionality Affordable Housing for Rent Planning Advice Note (January 2022) i.e., a greater proportion of four-bedroom homes.
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes.
- First Homes financial contribution to make up the 5% difference in the discount applied to Shared Ownership will be £247 per sq. m for each First Home flat and £202 per sq m for each First Home House. As an alternative to paying the First Homes Financial contribution the s.106 will provide scope for the developer to either discount First Homes at 40% or 50% from market value or, provide an enhanced affordable housing rented offer of similar value. (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase.

### *Specialist Residential Accommodation (SRA)*

- SRA to be either provided on site or through payment of a contribution of £457.50 per new residential dwelling. (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).

### *Self/Custom Build*

- Self/Custom Build housing to be provided at 5% of the total number of units.

### *Highways and transportation*

- A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service. Up to £350,000 of the contribution to be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.
- Northeast by-pass contribution of £2.5million (Civil Eng Index linked).
- Cycle/footbridge over Essex Regiment Way contribution of £0.4million (Civil Eng Index linked).
- Junction improvements contribution of £1m (Civil Eng Index linked).
- Cycle route south from new access roundabout contribution of £300,000 towards a cycle route between the site access roundabout and Croxton Lane (Civil Eng Index linked).
- Closure/downgrading/alterations to Woodhouse Lane.
- Developer to submit details of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane.
- Construction and delivery of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction, and associated works to Woodhouse Lane, in accordance with details in application 21/00881/FUL and design to be agreed by the highway authority prior to 200th occupation.
- A bus strategy to be submitted to and approved by the highway authority prior to occupation.
- Developer to provide a bus service to the site to the specification of the highway authority prior to occupation of the 60<sup>th</sup> dwelling.
- Residential Travel Plan (including car club scheme) annual monitoring fee of £2817 until a year after full occupation (Government's Consumer Price Index (CPI)).
- Smarter Choices campaign annual monitoring fee of £5,000 (Government's Consumer Price Index (CPI)) until a year after full occupation.
- Restriction on occupations until the new access roundabout, the spine road, works to Woodhouse Lane, cycle facilities and bus stop infrastructure have been carried out and a certificate of completion issued under s.278.

### *Open space*

- Local open space to be provided to be laid out and secured in accordance with the planning permission.
- Local open space maintenance plan to be submitted and agreed.
- Open space commuted payment for maintenance of £234.82 per dwelling for open space (local and natural) maintenance bond to be submitted and secured, along with local authority step in powers should the developer wish to maintain the open spaces (in accordance with Tables 9 and 10 of the Planning Obligations Supplementary Planning Document). (Not index linked – POSPD para. 14.20).
- Strategic open space contribution in lieu of on-site delivery of parks sports and recreation grounds at £1,052.00 per dwelling (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).

### *Education*

- Provision of a stand-alone early years and childcare nursery on land within the site of no less than 0.13ha. An area of 0.13 hectares of land to be secured and remediated to be transferred to ECC or other agreed body for a nominal sum at the formal request of the education authority.
- Contributions in accordance with ECC formula (as set out in Table 5 below) for Early Years, Primary and Secondary education to be paid in tranches as agreed with the education authority.

Table 5: Education	Factor			Cost per place
	1 bed	Flat	House (2+ bed)	
Early Years & Childcare	0	0.045	0.09	£20,508
Primary	0	0.15	0.3	£20,508
Secondary	0	0.1	0.2	£24,929
<b>Formula = [Number of dwellings x factor] x cost per place (+ Public Sector Building Non-housing (PUBSEC Index))</b>				

### *Healthcare*

- Provision of land for a health facility with space for the new building appropriate access, parking and servicing arrangements to accommodate a building of around 1,000 sq. m to be secured and remediated. The site is to be subsequently transferred to Chelmsford City Council for a nominal sum on receipt of a formal request of the health authority.
- Contribution of £253,900 [£496.18 per dwelling] to support the development proposal.

### *Community Facility*

- A community facility to be provided within the health facility building.

### *Biodiversity Net Gain*

- Provision of biodiversity net gain.

- Contribution of £137.71 per dwelling.

#### *Monitoring*

- Contribution to cover Strategic Sites and Affordable Housing Monitoring cost and ECC Monitoring cost.

### **8. Community Infrastructure Levy (CIL)**

8.1. This application may be CIL liable and there may be a CIL charge payable. CIL would be calculated based on reserved matters applications.

### **9. Planning Balance (Conclusion)**

9.1. Whilst a Memorandum of Understanding (MOU) was signed by The NHS Trust (January 2019) as part of the Local Plan adoption process, it became clear as part of discussions that as time went on, the NHS Trust were reluctant to support the proposed link road. The NHS Trust have subsequently confirmed their position that they would prefer that the hospital link road is not constructed and that, despite the applicants offer of a financial sum to cover future maintenance, the NHS Trust could not accept any costs or liability for the road such that it could not go ahead. The applicant has therefore proposed an alternative transport strategy in lieu of the hospital link road.

9.2. The conclusions reached in the planning balance carried out as part of the August 2022 committee report (Appendix 2) have not materially changed following the removal of the hospital link road and the inclusion of the alternative transport strategy in the form of a financial contribution (£1,350,000) mainly towards the Park and Ride shuttle bus service.

9.3. The application site has been allocated in the Chelmsford Local Plan. It is a sustainable extension to the existing settlement of Broomfield. The application follows an approved masterplan and has been planned in a sustainable way. The development would maximise opportunities for walking and cycling, rather than the private car.

9.4. The development would generate jobs through the construction process and in the longer term through the onsite healthcare facility and early years and childcare facility. The construction of up to 512 dwellings on the site would increase spending locally which would add to the local economy.

9.5. The proposed development would be in a location where local schools, shops and healthcare facilities could be accessed on foot, by cycling or through public transport. The development would, subject to S106 obligations, provide safe and accessible alternative travel modes to the private car.

9.6. The development is required to meet the Council's identified growth needs. The development would provide a range of house types and tenures, including affordable rent homes, First Homes, Shared Ownership homes, Custom Build, Wheelchair User homes and accessible or adaptable homes. Provision would also be made for specialist residential accommodation (either by financial contribution or on-site provision), a healthcare facility, community space and early years and childcare facility. Financial contributions would be made towards local education provision. The development would include local open space, a children's play area and natural and semi-natural open spaces.

9.7. The development would result in a biodiversity net gain, substantial new tree planting and the creation of natural and semi-natural open spaces. The developer has advised that the scheme will be 'gas free' and that houses will be heated by air source heat pumps and solar energy. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, by requiring water efficiency building regulations to be met and also for non-residential buildings to be built to BREEAM 'Very Good' level.

9.8. There are no other material considerations such as a change in government or local policy that need to be taken into account since the committee's previous consideration of the application in August 2022. The Broomfield Neighbourhood Plan has not reached a stage where it can be considered a material planning consideration.

9.9. Overall the proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

## **RECOMMENDATION**

**The Application be APPROVED subject to the completion of a S106 Agreement and compliance with the following conditions:**

### **Procedure**

#### Condition 1 – Reserved Matters

No development shall commence within any phase until plans and particulars showing precise details of the appearance, landscaping, layout and scale (hereinafter called the "Reserved Matters") within the phase have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the Reserved Matters details approved.

Reason:

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

#### Condition 2 – Time limits

(i) Application for the first Reserved Matters application shall be made no later than the expiration of 3 years beginning with the date of this planning permission.

(ii) Application for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 6 years from the date of this planning permission.

(iii) Implementation of a Reserved Matters Approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

Reason:

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

#### Condition 3 – Parameter plans

Plans and particulars of the Reserved Matters referred to in Condition 1 for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority, and shall accord with the following Parameter Plans (subject to such minor variation that may be subsequently agreed in writing by the local planning authority):

- 25746-RG-M-86D Public Open Space
- 25746-RG-M-82A Land Use

- 25746-RG-M-83C Building Heights
- 25746-RG-M-84E Access and Movement
- 25746-RG-M-44F Tree and Building Removal

Reason:

In order to achieve satisfactory development of the site.

Condition 4 – Compliance with approved plans

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

Reason:

In order to achieve satisfactory development of the site.

Condition 5 - Phasing

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

Reason:

In order to achieve satisfactory development of the site.

**Pre-commencement**

Condition 6 - archaeology

- (i) Prior to the commencement of the development an archaeology mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to and approved in writing by the local planning authority following the completion of the archaeological evaluation.
- (ii) No development or preliminary groundworks shall commence on those areas containing archaeological deposits until fieldwork, as detailed in the archaeology mitigation strategy subject of part (i) of this condition, has been carried out.
- (iii) Within six months of the completion of the fieldwork, unless otherwise agreed in writing with the local planning authority, a post-excavation assessment shall be submitted to and agreed in writing with the local planning authority. This shall include a post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

Archaeological geophysical survey and archaeological evaluation have taken place, indicating areas of significant archaeological features which need further investigation. A phased archaeological condition is needed to ensure appropriate mitigation. This is in line with the National Planning Policy Framework and Policy DM15 of the Chelmsford Local Plan.

Condition 7 – Contamination

No development shall commence within each phase or sub-phase of the development until a scheme to deal with the risks associated with the contamination of the land associated with that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate the following components:-



- (i) A preliminary risk assessment which identifies:- Previous uses, Potential contaminants associated with those uses, A conceptual model of the site including sources, pathways and receptors, Potentially unacceptable risks arising from contamination at the site.
  - (ii) A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (iii) The site investigation results and a detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken,
  - (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- The scheme shall be implemented as approved unless any changes are otherwise agreed in writing with the local planning authority.

Reason:

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is identified and remediation measures appropriately undertaken to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

Condition 8 - SuDS

As part of Reserved Matters submissions for each phase or sub-phase, a detailed surface water drainage strategy shall be submitted for approval. The strategy shall broadly accord with the submitted Flood Risk Assessment and Drainage Strategy by Stantec (May 2022) and include consideration of a range of SUDs measures such as green roofs, rainwater harvesting, rain gardens, water butts and permeable paving.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 9- Levels

Prior to any construction works within each phase or sub-phase, including the spine road, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the adjacent phases, surrounding area and neighbouring buildings shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details.

Reason:

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

Condition 10- BREEAM

- a) The neighbourhood centre building, healthcare facility and early years building hereby permitted shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of the neighbourhood centre building, healthcare facility or early years building, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;
- c) the neighbourhood centre building, healthcare facility or early years building shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building

and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.  
d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the neighbourhood centre building, healthcare facility or early years building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

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

#### Condition 11– PROW safeguarding

No development shall take place within the phases or sub phases adjoining the Public Right Of Way Number 29 (PROW 225\_29) until a scheme (including temporary re-routing, fencing, barriers, crossing points) to safeguard public use of the existing public right of way has been submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved plan.

Reason:

To ensure the existing public right of way is retained and available throughout the development period.

#### Condition 12– Hard Landscape

No development shall commence within each phase or sub-phase of the development until details of the following have been submitted to and approved in writing by the local planning authority:-

- (i) The proposed roads/footways/footpaths and cycleways within that phase or sub-phase of the development including all relevant horizontal and longitudinal cross sections showing existing and proposed levels, gradients, surfacing and means of surface water drainage,
- (ii) How the design of the streets and spaces take into account mobility and visually impaired users, and
- (iii) A panel composed of samples of all materials to be used in the paving of the ground surfaces including details of the product name, number, colour and manufacturer.

Reason:

To ensure that the proposed hard landscape is visually satisfactory, able to be maintained in the long term, suitable for drainage purposes, does not prejudice the lasting quality of the locality and which ensures that materials sourcing is resource efficient in accordance with Policies DM24, DM18 and S2 of the Chelmsford Local Plan.

#### Condition 13- Construction Method Statement

No development within each phase or sub-phase of the development shall commence until a Construction Method Statement for that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The statement shall include details of the following relating to such phase or sub-phase of the development:-

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials,
- vii. hours of deliveries,
- viii. a scheme to minimise offsite flooding caused by surface water run-off and groundwater during construction, and

- ix. a scheme to prevent pollution caused by surface water run-off and groundwater during construction.

The approved statement shall be adhered to throughout the duration of the construction period of the relevant phase or sub-phase of the development. Until final surfacing is completed, footway and shared surface base courses shall be provided and maintained in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering pedestrian routes.

Reason:

In the interests of highway safety and to ensure the environmental impact of the construction of the development is adequately mitigated and to safeguard the amenities of the occupiers of neighbouring residential properties and future residents of the development in accordance with Policies S2, DM24 and DM29 of the Chelmsford Local Plan.

#### Condition 14– Badger Report

As part of Reserved Matters submissions for each phase or sub-phase a badger monitoring report shall be submitted for approval.

Reason:

In the interests of safeguarding badgers in accordance with Policy DM16 of the Chelmsford Local Plan.

#### Condition 15– Arboriculture

As part of Reserved Matters submissions for each phase or sub-phase the following documents shall be submitted for approval:

- (i) an impact assessment & arboricultural method statement. To include:
  - (a) Details of trees and hedges to be retained and removed,
  - (b) Details of tree surgery work to retained trees,
  - (c) Specification for tree protection including layout and type of tree protection for construction including change that may occur during development,
  - (d) Location and installation of services, utilities and drainage,
  - (e) Details of construction within the root protection area of retained trees,
  - (f) A full specification for the construction of the new access and parking areas, including details of the bespoke cross-over and cellular confinement specification, and the extent of the areas. Details must include the relevant sections through them,
  - (g) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste,
  - (h) Tree protection plan,
  - (i) Boundary treatments within the root protection areas,
  - (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision.
- (ii) strategic soft landscaping design
- (iii) landscape and ecological maintenance plan
- (iv) landscape and ecological management plan

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

#### Condition 16– Custom Build Design Code

No development within any phase or sub-phase of the development which will include custom build housing shall commence until a design code for custom build units has been submitted to and agreed in writing with the local planning authority. This shall be in accordance with the Council's Self-Build and Custom Build

Planning Advice note dated April 2022. Subsequent reserved matters applications for custom build units shall accord with the approved design code.

Reason:

To ensure satisfactory development of the site and ensure the development is visually satisfactory in accordance with policy DM23 of the Chelmsford Local Plan.

### **During Construction**

#### Condition 17– Public Art

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

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

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

Reason:

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

#### Condition 18– Boundaries

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

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

#### Condition 19– KEGS boundary

Prior to its installation, details of a fence to be installed on the western boundary of the site with the King Edward VI Grammar School playing field shall be submitted to and agreed in writing with the local planning authority. The fence shall be installed prior to the first occupation of any part of the development.

Reason:

To ensure the proposed development is visually satisfactory and to restrict access to the neighbouring private land.

#### Condition 20– Refuse & Recycling

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

Reason:

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

#### Condition 21– Lighting

Prior to their installation details of any means of external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

#### Reason:

To ensure that the proposed development is visually satisfactory and does not adversely affect biodiversity in accordance with policies DM23 and DM16 of the Chelmsford Local Plan.

#### Condition 22– new roundabout

Within six months of commencement of the development hereby permitted a new roundabout junction on B1008 as shown indicatively on Ardent plan 184281-002F shall be provided. The junction shall include a toucan crossing on the northern arm, parallel crossing on the western arm and uncontrolled drop kerb crossing on the southern arm.

#### Reason:

To enable construction and residential access to the site.

#### Condition 23– completion of spine road

Prior to occupation of the 200th dwelling the spine road from B1008 to Woodhouse Lane, including the junction to Woodhouse Lane and associated works to Woodhouse Lane shall be completed and available for use. The spine road shall include a bus turnaround area towards the south-western extent of the spine road, within phase 2, and junction with Woodhouse Lane, and associated works to Woodhouse Lane (east) to enable a prohibition of motor vehicles traffic regulation order (TRO) to be implemented.

The spine road shall comprise:

- a) A 6.75 metre single carriageway
- b) LTN 1/20 complaint two-way cycleway (3m) with segregated footway (2m) on southern side with no individual frontage access
- c) parallel crossing points to accommodate cyclists and pedestrians
- d) Drop kerbs on south side opposite side road junctions on the north side to allow cyclists to join the southern cycleway
- e) Uncontrolled crossing points at agreed locations along the route, to include features to enable ped/cycle permeability throughout the site
- f) A verge and 2m footpath adjacent to carriageway on northern side
- g) Traffic calming measures
- h) Bus stops and bus turnaround facilities
- i) Connections to the western section of Woodhouse Lane, with associated works to Woodhouse Lane to enable a prohibition of motor vehicles traffic regulation order (TRO) to be completed.

#### Reason:

To provide access to the site to accommodate public transport and other sustainable travel modes

#### Condition 24 – provision of cycleway and pedestrian improvements Chelmsford to Gt Waltham

There shall be no occupation of the site until the cycleway and pedestrian improvements to section 1 of the Chelmsford to Great Waltham cycle route from Corporation Road to Goulton Road, to include footway

widening along the route, parallel crossing (Kings Road), North Avenue central reserve crossing, resurfacing and signs and lines have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 25– cycle way provision eastern side of B1008

There shall be no occupation of the site until LTN 1/20 compliant cycleway and pedestrian improvements to the eastern side of B1008 north of the access roundabout, as shown indicatively on Ardent plan 184281-013A have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 26– additional bus stops B1008

There shall be no occupation of phase 1 until new additional bus stops north and southbound on the B1008, at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure properties within phase 1 of the development are within 400m walking distance of a bus stop.

Condition 27– additional bus stops spine road

There shall be no occupation of phase 2 until bus stops on the spine road, at locations to be agreed with Essex County Council have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure all properties are within 400m walking distance of a bus stop

Condition 28– residential travel plan

Prior to first occupation of the development hereby permitted a residential travel plan shall be submitted to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation, with annual monitoring reports submitted to Essex County Council.

The Travel Plan shall include:

- a) Information on bus, rail, walking, cycling routes in the vicinity of the site;
- b) Details of the community travel website (or links to existing sites), which will include real time bus timetable information, rail timetabling etc
- c) Season tickets/vouchers to include:
  - 2x 12-month bus travel vouchers per dwelling covering Chelmsford Zone
  - Discounted bus travel tickets in following years
  - Discounted rail travel vouchers (format and quantity TBA)
- d) Details of the car club scheme for the development which shall include:
  - Provision of 2 spaces across the development or within the neighbourhood centre?

Funded for 5 years after final occupation  
One space to be provided by occupation of the 119th dwelling  
Second space to be provided by occupation of the 319th dwelling  
Discounted or free membership to encourage uptake

Reason:  
To promote sustainable travel to/from the site

Condition 29– smarter choices campaign

Prior to first occupation of the development hereby permitted, details relating to a Smarter Choices Campaign, covering existing residences with the Parish of Broomfield and along Blasford Hill, shall be submitted to the Local Planning Authority for approval in consultation with Essex County Council. Such approved campaign shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation and annual monitoring reports submitted demonstrating the level of target achievement.

The Smarter Choices Campaign shall include measures to encourage modal shift to sustainable means and shall include:

1. Information on bus, rail, walking, cycling routes in the vicinity of the site;
2. Details of the community travel website (or links to existing sites), which will include real time bus timetable information, rail timetabling etc
3. Season tickets/vouchers a. 2x 12-month bus travel vouchers per dwelling covering Chelmsford Zone  
b. Discounted bus travel tickets in following years  
c. Discounted rail travel vouchers (format and quantity TBA)
4. Cycle training scheme
5. App based rewards scheme offering rewards for utilising sustainable modes

Specific financial penalties if targets are not achieved to be put towards additional sustainable measures (i.e. cycling, Passenger Transport)

Reason:  
To promote sustainable travel to/from the area surrounding the site

Condition 30– parking spaces and layout

The number of parking spaces and how these are laid out (including dimensions) shall be in accordance with the Essex Parking Standards Design and Good Practice September 2009. This applies to all vehicular parking spaces including disabled requirements together with cycle parking and facilities for powered two wheelers.

Reason:  
To ensure that sufficient off street parking is provided to serve the development in accordance with Policy DM27 of Chelmsford Local Plan.

Condition 31– cycleways

The network of strategic cycleway routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority and designed to accord with the adoptable highway standard applicable at the time. The cycle routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

Condition 32– walking routes

The network of footpath routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority. The walking routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

Condition 33– Public Right of Way

(i) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) Footpath 29 Little Waltham between Woodhouse Lane and the proposed spine road shall be upgraded to cycletrack and removed from the PROW network.

(ii) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) 29 Little Waltham between proposed Spine Road and northern site boundary shall be upgraded to footway and removed from PROW network.

Reason:

To provide fit for purpose routes reflecting the change of circumstances and the expectation of occupiers of the new development.

Condition 34– Ancillary infrastructure

No ancillary infrastructure including pipes, flues, vents, meter boxes, external letterboxes, fibre wires and cables required by statutory undertakers and to be incorporated as part of the building design shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the detailed finish of the proposed development is visually satisfactory and does not prejudice the lasting quality of the locality in accordance with Policy DM24 of the Chelmsford Local Plan.

Condition 35– Street lighting and signage

No street lighting, street name plates and any other signage shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory, to avoid street clutter, to minimise the number of sign posts in public spaces, to maximise the placing of lights and signs on building faces and to ensure lasting environmental quality in accordance with Policy DM24 of the Chelmsford Local Plan.



#### Condition 36– Materials

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

#### Reason:

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

#### **Prior to first occupation**

#### Condition 37– SuDS maintenance plan

Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements for SuDS features including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and agreed in writing by the Local Planning Authority.

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

#### Reason:

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

#### Condition 38– SuDS maintenance

The applicant or any successor in title must maintain yearly logs of maintenance to the surface water drainage system which shall be carried out in accordance with the approved Maintenance Plan subject of condition 40. These logs must be available for inspection upon a request by the Local Planning Authority.

#### Reason:

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

#### Condition 39– Contamination verification

Prior to the first occupation or first use of each phase or sub-phase, any remediation of the site found necessary shall be carried out. A validation report to that effect and a long term monitoring and maintenance plan in respect of groundwater shall be submitted to the local planning authority for written approval prior to the first occupation of the relevant phase or sub-phase and the development shall be carried out in accordance with that scheme.

#### Reason:

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is remediated appropriately to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

#### Condition 40– Carriageway Construction

The carriageways of the proposed estate roads shall be laid out and constructed up to and including at least road base level, prior to the commencement of construction of any residential dwelling or building intended to take access from that road.

Reason:

To provide a satisfactory interim standard of access and safety and linkage with the existing highway network.

Condition 41– Final Surfacing of Roads and Paths

The carriageways, footways, shared surfaces, footpaths and cycleways within each phase or sub-phase of the development shall be completed with final surfacing prior to the occupation of 90% of the units within that phase/sub-phase of the development unless the road is a construction route in which case the final surfacing shall be completed following the cessation of use of that road as a construction route.

Reason:

In the interests of highway safety.

Condition 42– Vehicle Parking

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

Reason:

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

Condition 43– Cycle Parking

No dwelling or commercial floorspace, community, or educational facility shall be brought into use until such time as the approved cycle parking areas for that part of the development have been made available for use. The cycle spaces shall not thereafter be used for any purpose other than the parking of cycles in conjunction with that part of the development which they serve.

Reason:

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

Condition 44– Broadband

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

Reason:

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

Condition 45– EV charging

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

Reason:

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

### **Ongoing**

#### Condition 46– Water Efficiency

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 47– M4(2)

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 48– PD rights boundary treatments

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) no wall, gate or other means of enclosure other than approved under reserved matters shall be constructed beyond the roadside front or side elevation of properties within the site without the written consent of the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

#### Condition 49– Unbound material

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

Reason:

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

### **Post Occupation**

#### Condition 50– planting report

Within 24 months of the first occupation of each phase or sub-phase of the development a tree and hedge planting report detailing the results of the first 12-month defect inspection shall be submitted to and agreed in writing with the local planning authority. Any remedial works shall be carried out in accordance with a timetable to be submitted to and agreed in writing with the local planning authority.

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

## Essex County Council Highways

Comments
<p data-bbox="164 344 300 374">18.05.2023</p> <p data-bbox="164 414 1433 607">The Highway Authority has undertaken extensive investigation and analysis of the submitted supporting documentation and the additional information supplied since first submission by the applicant. This work has concluded that subject to a package of appropriate mitigation, the traffic impact that results from the proposals could be suitably mitigated through a package of sustainable transport measures and financial contributions towards additional mitigation as set out in this recommendation.</p> <p data-bbox="164 647 1449 1086">The 2 connected applications (20/02064/OUT and 21/00881/FUL) have been revised to omit the link to Broomfield Hospital via the application site due to the MEHT being unable to agree to its provision. Whilst the submitted TA seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the approved NE Bypass Planning Application (CC/CHL/85/21) demonstrates that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019 Base and will be in 2024 (excluding Bloor development) and 2036 (including Bloor development) and therefore mitigation is required in lieu of an access to Broomfield Hospital via the development, a financial contribution is necessary, which is to be spent primarily on providing Park and Ride Shuttle services to Broomfield Hospital and fare incentives to encourage staff, patients and visitors to use this service. In addition, up to £350,000 of the contribution could be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan, if required.</p> <p data-bbox="164 1126 1465 1769">This application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development, remove the vehicle through route on the existing narrow lane and create a safe, sustainable travel corridor providing a direct walking/cycling link from the development to Hospital Approach via Woodhouse Lane and North Court Road and on to the Chelmsford to Gt Waltham cycle route, away from the B1008 to/from the site. For this to happen, a vehicle prohibition order on Woodhouse Lane east of the new access road is required. As the Traffic Regulation Order process for vehicle prohibition is separate to the planning process it is essential that the TRO is confirmed as soon as possible post planning approval to ensure there is certainty that it can be delivered without abortive works and to provide a sufficient level of good quality walking/cycling links southwards of the site on Woodhouse Lane and North Court Road. If the TRO is not successful, an alternative sustainable solution would be required which would need to be identified and agreed with the Highway Authority. Whilst intrinsically linked to this application, the amendments to Woodhouse Lane are dealt with under a separate planning application (21/00881/FUL) but it is imperative the 2 applications are considered concurrently. The required obligations for 21/00881/FUL must be linked within the S106 for 20/02064/OUT.</p> <p data-bbox="164 1809 1401 1879">Taking the above into consideration, the Highway Authority would not wish to raise an objection to the above application subject to the provision of the requirements set out below.</p>

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following requirements:

The developer to provide the following S278 highway works:

Access Roundabout

Spine Road

Woodhouse Lane junction & associated works (inc closures)

Cycle facilities

Bus stop infrastructure

The developer to provide the following S106 contributions:

A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service. In addition, up to £350,000 of the contribution to be used on alternative sustainable travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.

Chelmsford NE Bypass (CNEB) - £2.5million towards Phase 1 of CNEB which is required to accommodate development in the current Local Plan including the North of Broomfield site.

Off-site Road Junctions - £1.0million towards mitigation of the cumulative impacts of the Local Plan development on routes between the site and the city centre.

Bridge £0.4 million towards a pedestrian and cycle bridge over Essex Regiment Way to link to Chelmsford Garden Community.

Cycle route south from new access roundabout - £300,000 towards a cycle route between the site access roundabout and Croxton Lane.

Provision of bus strategy and provision of a bus service to be developer funded for 5 years.

Residential Travel Plan (including car club) and Smarter Choices Campaign

Annual Travel Plan monitoring fee of £2817 (index linked) to Essex County Council until a year after full occupation.

Annual Smarter Choices monitoring fee of £5000 (index linked) to Essex County Council.

General Conditions

Construction Management Plan

Pedestrian and Cycle Routes

Public Rights of Way
No unbound material
Maintenance of Landscaping
Adherence to Parking Standards
Sustainable Urban Drainage Solutions
Conformity of Internal Roads to Design Guidance Best Practice
Estate Carriageway Construction

**Little Waltham Parish Council**

Comments
05.04.2023
No comments on this application.

**Broomfield Parish Council**

Comments
14.04.2023
Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service.
Strongly opposed to spending the entire capital sum on single initiative.
A comprehensive, carefully-considered strategy for mitigating the traffic impacts of the development should be agreed with the Broomfield and Little Waltham communities. The use of the available capital should then support this strategy, prioritizing aspects which will have the longest-lasting benefits on the B1008 corridor.
Since the time of the PFI expansion (around 2003 up to the Local Plan Examination in 2018), Hospital management has been keen to create a second, regular access road to the site and the Council has been supportive of this aspiration. For the local community, the sole positive aspect of Strategic Growth Site 8 North of Broomfield (SGS8) was the inclusion of a new link road from the east, in the expectation that it would alleviate traffic problems on the B1008, particularly the Hospital Approach/Main Road junction.
The variation now proposed of substituting a subsidized bus service for a significant piece of infrastructure is a significant departure from the Local Plan and the understanding upon which it was consulted upon and examined.

Very disappointed that the promised new access road to the Hospital site is likely to be scrapped. Mitigating infrastructure being dropped but the development going ahead anyway.

The Council insists that the SGS8 spine road is built with the capacity for a link road onto the Hospital site to be added as originally planned, at a later date. However, should the Hospital Trust revert to its earlier desire for a second regular access, that would need to be funded through NHS capital funding streams not by further development, with the usual negative impacts for the local community.

The availability of up to £1.35M to mitigate traffic impacts on the B1008 is a great but unique opportunity.

It must not be entirely spent on one single measure, but must be used carefully and judiciously to support a wider strategy, in consultation with the local communities that will be most affected by the development of SGS8.

### **ECC Green Infrastructure**

Comments
31.03.2023  Having reviewed the Planning Statement/Environmental Statement/ Design and Access statement/Landscape plans/EIA/Masterplans and the associated documents do not object to the granting of 20/02064/OUT subject to landscaping, maintenance and 10% biodiversity net gain.

### **Local Residents**

Comments
No further responses.



**ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE**

**20<sup>th</sup> June 2023**

**7. 20/02064/OUT – Strategic Growth Site North Of Woodhouse Lane, Broomfield, Chelmsford, Essex**

**Amendment to Condition 26**

Condition 26 has been amended to include a note about land ownership. The condition should read as follows:

**Condition 26– additional bus stops B1008**

There shall be no occupation of phase 1 until new additional bus stops north and southbound on the B1008 (either on land within the applicant’s control, or within Highway Land), at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure properties within phase 1 of the development are within 400m walking distance of a bus stop.

**Item 9**

**22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

Condition 11 – SuD’s Scheme

The first part of the condition states ‘The scheme should include but not be limited to ..... Limiting discharge rates to 1.88l/s for all storm events up to, and including, the 1 in 100 year rate plus 40% allowance for climate change’; this is to be amended to ‘limiting discharge rates to 2.5l/s’.

The amendment follows an error highlighted in the consultation response from the ECC SuD's Team in relation to the maximum permitted discharge rate based on the area of the proposed drainage system in the development area.

## **Item 9**

### **22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

A letter of representation has been received from Holmes & Hills Solicitors on behalf of their client New Hall School.

#### Position with Countryside Zest (the applicant) and DWD (the planning agent)

The letter refers to communication between the school and the applicant's planning agent; the school has raised concern with a lack of engagement in relation to:

- Demolition of the pillars, gates and walls at the White Hart Lane entrance,
- Land ownership and the applicant's ability to deliver the proposed highway arrangements (the pillars, gates and walls being located on land within the school's ownership),
- Impact on the school's pre-existing private rights of way and the potential substantial interference with this right of way and
- Impact on the school's existing transport network by the proposed new highway arrangements.

#### Position with ECC Highways

Reference has been made to a meeting between the school, the Highway Authority and the local planning authority on 24<sup>th</sup> January 2023.

The key issues are summarised as:

1. Whether the pillars, gates and walls at the White Hart Lane entrance are located on land designated as public highway.
2. Whether there is a feasible alternative to pedestrian/cyclist priority at the new junction onto The Avenue.
3. What impact the bus link road application would have on the school's transport network.

#### Issue 1 – Land Ownership

- A note was prepared by Essex Highways dated 3<sup>rd</sup> May 2023; ECC agreed in the note that the pillars, gates and walls did not form part of the public highway.
- Countryside Zest have sought to contend that the pillars, gates and walls are located on land within its ownership. The importance of the issue relates to Countryside Zest's ability to deliver the bus link road.

- Countryside Zest have provided no further information in relation to the exercise and evidence required to establish legal ownership.
- The Essex Highways note advised that a trapezium shaped parcel of land in front of the school's gates registered to New Hall School against EX679614 is not considered to be part of the highway. The agent has relied upon the note to imply that the pillars, gates and walls are located on land in the applicant's control.
- Countryside Zest have not carried out a land surveying exercise to determine the position of the legal boundaries.
- Paragraphs 6.20 and 6.21 of the committee report are judged to be seriously misleading as the agreed approach to determining the land ownership issue has not been carried out.

### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- The Highway Authority consultation response contains a stock response in relation pedestrian/cycle priority.
- The preference for priority crossings of cycle tracks at side roads has informed the proposal.
- Details of other design proposals that were considered, and seemingly discounted have not been shared with the school so that a better understanding can be gained of why, and how, the current design and arrangements have been arrived at.
- 'Left-turn' down The Avenue does not currently exist.
- The existing highway arrangements would be altered to create a new left turn junction and to re-align/re-route the existing access road. The reality is a new right turn off the existing access road onto the new bus link road to gain access to the railway station; the school have queried whether in such circumstances, it would still be the case that LTN1/20 would prescribe a preference for a priority crossing for pedestrians and cyclists.

### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- No surveys have been undertaken of the current vehicular movements in relation to the school and no detailed analysis of the likely number of buses, pedestrians and cyclists that will be seeking to access the train station with no assessment of the likely impact on the flow of traffic using the school's transport network at peak times.
- No indicative train and bus timetables have been issued.
- Countryside Zest's transport consultant has not been asked to provide modelling of the likely traffic flows based on actual surveys of vehicle movements in relation to the school.

The statement that the school's existing access rights from White Hart Lane across the applicant's land to The Avenue would be unaffected by the bus link is not the result of a sound evidence base.

### **22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

Following receipt of the letter of representation from Holmes & Hills Solicitors on behalf of their client New Hall School, the applicant's planning agent and the Highway Authority have responded as set out below:

### Agent Response

#### Issue 1 – Land Ownership

- The extent of the trapezium shaped parcel of land (EX678614) transferred from the Charity of the Regular Canonesses of the Order of the Holy Sepulchre of Our Lord to New Hall School in July 2021 aligns with the extent of the publicly adopted highway in this location.
- Countryside Zest's title, EX913508, abuts the adopted highway.
- The registered landowners were formally notified of the application.
- Land ownership is not a material consideration in the determination of a planning application.
- An agreement under Section 278 of the Highways Act 1980 can be used to licence a developer to carry out improvement works on a public highway, which are generally necessary where planning permission has been granted for a development.
- The proposals include for re-provision of the entrance wall, plaque and signage, ensuring there is a clearly recognisable entrance feature.
- Significant public benefits result from the provision of a bus, cycle and walking link from White Hart Lane to the new Beaulieu Park Railway Station.
- Security to the school is maintained as New Hall School have erected new gates to the main school entrance from the vehicle access at the top of the Avenue.

#### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- The rationale for the design approach is set out in the planning application.
- The crossing on The Avenue has been designed to prioritise pedestrians and cyclists over vehicles; this aligns with LTN1/20 and recent changes to the Highway Code with the hierarchy of road users.
- The proposal would not prejudice vehicular ability to access The Avenue / New Hall School.
- The proposals significantly enhance walking and cycling links including to New Hall School from White Hart Lane.

#### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- The application submission details the anticipated frequency of buses along the bus link road, including during peak times.

### Other Matters

- The proposals were amended in response to issues raised by New Hall School to include the re-provision of a wing wall and plaque to maintain a notable entrance feature.

- The outline planning permission for Beaulieu established the principle of a two-way bus link road to connect White Hart Lane with Beaulieu Park Railway Station and contained an obligation in the legal agreement.
- The Charity of the Regular Canonesses of the Order of the Holy Sepulchre of Our Lord to New Hall School were party to the legal agreement.
- The provision of a new station at Beaulieu is a long standing aspiration and was adopted in the Council's Local Development Plan as a critical part of a major urban expansion of Chelmsford delivering sustainable public transport and for the wider economic development of the area.
- The formation of a bus, cycle and pedestrian link from White Hart Lane to Beaulieu Park Station is an important component in the delivery of access to the station and would further enhance walking and cycling links to New Hall School from White Hart Lane, beyond those already delivered by the Beaulieu development.

### ECC Highway Authority Response

#### Issue 1 – Land Ownership

- The Highway Authority has visited the site to measure and consider the extent of the highway and has determined that the trapezium shaped piece of land under New Hall School's ownership falls within the highway boundary.
- The highway extends up to but does not include the wall and pillars; these have not been adopted by any adoption mechanism and form a physical barrier to any potential highway rights being established beyond them.
- The land required for the proposed works is either considered highway or within the applicant's control and s278 works can be progressed.

#### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- Significant consideration has been given to the design of the junction with The Avenue and the new bus link road to balance the highway requirements and that of heritage as the committee report sets out at paragraphs 6.8 and 6.25.

#### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- New Hall School would still retain their three access points and two egress points post completion of the bus link. The application does not seek to change this position.

MINUTES  
of the  
PLANNING COMMITTEE  
held on 20 June 2023 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors J. Armstrong, S. Dobson, S. Hall, R. Hyland, J. Lardge, R. Lee, , E. Sampson, A. Thompson, C. Tron and P. Wilson

Also Present:

Councillors Bugbee, C. Davidson, Pooley and Scott

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Councillors Pappa and Thorpe-Apps.

### 3. Declarations of Interest

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

### 4. Minutes

The minutes of the meeting on 18 April 2023 were confirmed as a correct record and signed by the Chair.

### 5. Public Question Time

Public questions and statements were asked on Items 7,8,9 and 12 and are detailed under the relevant items. [The statements submitted in advance can be viewed via this link.](#)

## 6. Appointment of Vice Chair

RESOLVED that Cllr Sue Dobson be appointed as the Vice Chair of the Committee for 2023/24.

## 7. 20/02064/OUT – Strategic Growth Site North Of Woodhouse Lane, Broomfield, Chelmsford, Essex & Item 8 21/00881/FUL – Broomfield Hospital, Hospital Approach, Broomfield Chelmsford, Essex, CM1 7ET

Declarations of Interest – Cllr Sosin declared a Non registrable interest for Items 7 and 8 and left the meeting for them. Cllr Dobson took the Chair for Items 7 and 8.

The Committee considered Items 7 and 8 together, due to them being related. Item 7 was for an outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F,1 and F,2), formal and informal open space, and associated infrastructure with all matters reserved expect for primary access. Item 8, was for the Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included an amendment to condition 26 to include a note about land ownership.](#)

The Committee was informed by the chair that all members could take part in the discussions and vote on the two items, not just those who were present in August 2022. It was noted that it had the status of a new application and members had the whole report before them.

The Committee was reminded of the resolution it agreed in August 2022 to approve 20/02064/OUT subject to the completion of the Section 106 agreement, the conditions set out in the report and securing delivery of the link road. Officers informed the Committee that work had been undertaken to secure the delivery of the link road but this had not been possible as an agreement on the future maintenance arrangements, costs and liability of the proposed link road could not be reached with the NHS Trust. Therefore an alternative transport strategy had been agreed by parties in lieu of the hospital link road. The Committee heard that this included a financial contribution of £1,350,000 primarily towards a shuttle bus service between the Chelmer Valley Park and Ride Site and Broomfield Hospital to be provided by the applicant. The Committee heard that officers had undertaken extensive investigation and analysis and concluded that the traffic impact that resulted from the proposal could be suitably mitigated through a package of appropriate mitigation. It was highlighted to the Committee by officers, that with the exception of traffic matters, all other matters considered previously remained unchanged. The Committee was informed that both applications were being recommended for approval.

The Committee heard a statement from the applicant, which highlighted the ongoing work that had been undertaken with partner organisations to secure an acceptable transport position for the scheme. The Committee heard that the alternative transport strategy was the result of extensive consultation and was supported by the NHS Trust and City and County Council, including significant contributions towards the cost of the park and ride service. The applicant also stated that the rest of the application remained as previously agreed.

A local resident addressed the Committee and informed them that residents still held major concerns about traffic on Main Road in Broomfield. They highlighted the Memorandum of Understanding that had agreed the provision of the link road which they felt was still a fundamental part of the application. They stated that the park and ride service would not be

sufficient to mitigate the impact of the development. A further local resident also highlighted concerns for hospital staff having to use the park and ride service. They informed the Committee that there did not appear to be mention of a 24/7 service and would staff be expected to rely on the service on a dark winter night, which they felt was a potential personal security issue.

A representative from Broomfield Parish Council also addressed the Committee. They raised concerns about how the £1.35m figure should be split between the park and ride service and other alternative transport arrangements. They highlighted ongoing issues with traffic levels within the Parish, especially near the hospital and asked the Committee to work with the Parish and its residents to show how development can work in their best interests. The Committee heard that there was no evidence that spending £1m on the park and ride scheme was the right thing to do and it could be argued that further funding would then be required. The Committee were asked to remove the specified £350,000 from the wording of the proposed obligation, so that there was no limit of what could be put towards local schemes that may come forward through the emerging Neighbourhood Plan.

Two local ward members and two other City Councillors also addressed the Committee and the following concerns were raised;

- The link road had been a fundamental element to improve traffic in the area which was already very congested.
- Would the park and ride service be viable?
- Other measures should be considered rather than just relying on the park and ride service.
- What levels of service would be provided by the park and ride, would it be sufficient and cover all shift patterns and would free parking be removed to encourage its use?
- How long would the financial contribution keep the service running for?
- Why was the link road now not required, despite the local plan inspectorate stating it was required?
- Roads in the area were already operating over capacity and the development without adequate mitigation would just increase this.

In response to the points raised by members of the public and local Councillors, officers stated that they were not indicating that the link road was no longer necessary. They were stating that it was no longer possible to be delivered, due to the land being owned by the NHS trust who could not reach an agreement, therefore other options had to be considered. It was noted that the Highways authority felt the alternative arrangement was suitable and would adequately mitigate the impact of the development. The £350,000 towards other measures had been calculated on the basis that £1,000,000 could fund a park and ride service for a five year period, leaving £350,000 for other schemes. It was noted that the service had been successful pre covid and there was demand for it to be restarted. It was also noted that the bus service would be run the same as any others in the area and that specific details of the service would be established with Essex County Council. Officers from the Highways authority also stated that the funding would not fund the service permanently, but it was hoped that over the 5 year period, there would be an adequate modal shift to make the service self sustainable. They also noted that the package of mitigations was adequate in their view and it would be down to officers to develop the service. They felt that a 24 hr service was unnecessary as the key aim of the service was to reduce traffic at peak times. Officers from the Highways authority also stated that they could not object to the evidence provided and they were comfortable with the mitigations being put forward.



Officers also informed the Committee that the local plan and masterplan were starting points for consideration. It was noted that the application before the Committee, was for housing and the question to be answered, was whether the proposed mitigations would adequately mitigate the harm from that development. It was noted that the link road would have been a preferred option, but the Committee had to decide if the new proposals would allow the housing development to go ahead without a negative impact on traffic in the local area.

Members of the Committee expressed disappointment and concerns that the link road had proved not to be possible. Members also queried whether the park and ride service would be adequate but noted that the Highways authority were happy with the mitigations being provided. Members also noted the importance of 500 new homes for the area and noted that any development would have some level of impact.

In response to questions from the Committee, members were informed that;

- There had been plans to reinstate the park and ride service previously and officers were keen for it to be running again, it was noted that this provided an opportunity to do so.
- The spine road would still be able to accommodate a link road in the future if it was to ever be put in place.
- The £1.35m figure being put forward, was the same as the proposed cost of the link road, therefore no party was being short changed.
- There would be a cost impact for the park and ride service to cover all hospital staff shifts 24/7.
- The detailed plans for the park and ride service and how often it would run, were not yet set in stone.

A member of the Committee proposed that the applications be approved with a change to the wording of the financial contribution of £1.35m. It was proposed that the wording at page 20 of the agenda pack in the first bullet point for highways and transportation be amended to read;

“ A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.”

The above proposal was seconded and then voted on by the Committee.

RESOLVED that the applications at Items 7 and 8 be approved.

**20/02064/OUT be approved** subject to the completion of a S106 agreement and compliance with the conditions detailed in the report and; with the following condition added , “*A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan*”

**21/00881/FUL be approved** subject to the completion of a S106 agreement and compliance with the conditions detailed in the report.

(7.04pm to 9.08pm)

## 9. 22/01723/FUL – The Avenue Springfield And Land Forming Part Of Beaulieu Parks Sports Ground, Springfield, Chelmsford, Essex

Declarations of Interest – Cllr Wilson declared a Non registrable interest for Item 9 and left the meeting for that item.

The Committee considered an application for the construction of a two-way bus link and pedestrian and cycle paths to connect the Beaulieu Park Railway Station to White Hart Lane with utility, landscape and infrastructure works, together with associated and ancillary development. The Committee heard that the application had been referred as it included CCC owned land and an adverse third party representation had been received. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included a change to condition 11, a late letter of representation from New Hall School and a response from the planning agent and highways authority.](#)

The Committee were informed that the Beaulieu Park Railway Station formed the cornerstone of a series of sustainable transport measures for North-East Chelmsford and that following reserved matters approvals, work had commenced on the station at the end of 2022. It was noted that the application brought forward the requirement for a two-way bus link road from White Hart Lane to the new station as set out within the S106 agreement. The Committee heard that the bus link road together with the associated footway and shared footpath/cycle path had been the subject of extensive pre-application discussion and negotiation. It was noted that the scheme was acceptable to the heritage sensitivity of the site and met all required design standards. The Committee was informed that the scheme formed a key component of the overall sustainable transport strategy for Beaulieu Park Railway Station and was recommended for approval, subject to the completion of a S106 agreement.

Two public statements were made at this point of the meeting. One member of the public highlighted concerns with a discharge of conditions application - ref: 09/01314/DOC/314. They stated that the pond had not been constructed in accordance with the original approved plans and it was not holding the promised minimum 300mm of water. It was noted that several local residents held concerns and had submitted objections. The planning agent for the application also addressed the Committee. They stated that the delivery of the new station was a critical step for delivering sustainable public transport in Chelmsford. They informed the Committee that the principle of the bus link was well established through the adopted Local Plan and the Beaulieu Outline planning permission approved in 2014. They noted that the application would enable them to start work on a key piece of infrastructure and referred to the proactive engagement with officers and other stakeholders over the last two years. It was also noted that the proposal had been amended in response to comments and that it was in line with the City Council's policies.

In response to the concern raised about the discharge of conditions application above, officers stated that it was a technical matter and specialist landscape advice had been sought. It was noted that a RoSPA report had been undertaken for the attenuation basin which set out a recommendation for knee rail fencing to be provided around the edge of the basin; the

application sought to regularise the installation of the new fencing with a planting scheme alongside. The Committee heard that the Council was aware of the 11 letters and would be considering them along with the specialist advice.

In response to questions from the Committee, it was noted that some new bus routes would be created alongside the extension of some existing ones. The Committee also heard that specialist lighting bollards would be used on the upgraded path around the edge of the Beaulieu Park Recreation Ground, these were of a design in line with those already in place in Oaklands Park for heritage sensitivity and would provide adequate lighting.

RESOLVED that the application be approved, subject to an agreement, as indicated in the report, being entered into by 20<sup>th</sup> September 2023 pursuant to the Town and Country Planning Act 1990 and subject to the conditions detailed in the report.

(8.49pm to .9.21pm)

#### 10.23/00134/FUL - Land Adjacent 2 Pease Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for one affordable rent dwelling in the defined settlement of East Hanningfield, it was noted that the application had been referred to the Committee as it was sited on land owned and managed by the City Council. It was noted that objections to the application had been received covering a range of topics, but loss of green space, overdevelopment of the housing estate, increase in parking stress and impact to character were the main issues raised. It was noted that the application was recommended for approval subject to conditions.

Members of the Committee were informed that the property would be for affordable rent tenure and would include two parking spaces at the front of the dwelling. Members of the Committee agreed that housing of this type was urgently needed and that the loss of green space was justified against the housing need. It was also noted that other large recreational areas were available nearby. It was also confirmed by officers that condition 3, detailing the property being for affordable rent, would stay in place as the Council would build the property for that purpose.

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

(9.22pm to .9.34pm)

#### 11. 23/00194/FUL – Play Area Payne Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for the redevelopment of existing amenity space and car parking, to provide three affordable dwellings, with associated works including a new through road and provision of additional car parking spaces. The Committee heard that along with Item 10, the application was by the City Council so had been referred to Committee. Objections had been received including the loss of open space, displacement of parking and access to existing properties and neighbour amenity. It was noted that the application, along with Item 10 also provided for the urgent need for affordable housing and this had to be justified against the loss of open space. Members were also informed that a financial contribution had been secured to improve and enhance other existing pieces of Open Space in East

Hanningfield, which weighed heavily in favour if the development in the planning balance. Therefore the application had been recommended for approval subject to conditions.

In response to questions from the Committee, officers stated that the view of parking and highways was that the application would not add extra stress to the local parking situation. Officers also stated that the parking surveys had been carried out by the County Council and if they had held concerns about the timings of the surveys, they would have raised this. It was also noted that there would be space to in theory add further parking spaces in the future if required. Officers also stated the importance of the requirement of new four bedroom affordable dwellings to assist with the high numbers in temporary accommodation.

Officers also agreed to add two conditions requested by the Committee. These included the provision of a footpath around the side of the development to provide garden access for the middle-terraced property and a duplication of condition 3 from Item 10 to ensure the development was for affordable housing.

RESOLVED that the application be approved subject to the conditions detailed in the report and two additional conditions ;

- The new dwelling 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.
- The addition of a footpath around the side of the development to provide garden access for the middle terraced property.

(9.35pm to .9.53pm)

## 12.22/01650/FUL – Land South of Colam Lane, Little Baddow, Chelmsford, Essex

The Committee considered an application for the erection of a rural workers dwelling for a temporary period of up to three years. It was noted that the proposed building was required to provide accommodation for a rural worker in association with the alpaca breeding business at the site. The Committee heard that an independent appraisal of the application documents and the on site rural business had been commissioned, to assess whether the dwelling was required in association with the business. The consultant had advised the Council that the business generated a requirement for one full time employee, necessary to be on site for security and animal welfare reasons. It was noted that no alternative accommodation on the site was available and it was not felt it would have a detrimental impact on the intrinsic character and beauty of the surrounding countryside. Therefore, the application was recommended for approval.

The Parish Council and a local ward member both raised concerns with the application including the below;

- A breach of planning regulations, proving that any retrospective application was possible.
- A highways contravention had taken place by accessing the road through hedgerow.
- A request for a stop order by the Parish Council had not been responded to.
- Large areas of hedgerow would have to be removed for visual splays, further damaging the tranquillity.
- No notices had been served on adjacent landowners.
- Why had the development not been stopped when it was first reported?

- Would similar applications be submitted in the future?
- Was overnight care for the alpacas actually required?

In response to the concerns raised, officers stated that it was not unreasonable for a three bed property to be used for this purpose. Officers highlighted the consultants report that had detailed the requirement for overnight care and the application would not have been recommended for approval if they had said otherwise. It was also noted that queries on access were subject to a different application and comments would be considered. Officers also stated that it was not common for retrospective applications like this to take place but that it did not influence their decision.

Members of the Committee agreed that the temporary period of three years, provided a reassurance and that it was important to support new businesses. In response to other points, officers noted that a caravan on the site would be replaced by this dwelling, and the internal layout of the application did not breach any rules. It was also noted that only the applicant could benefit from the planning permission and if the business were to be sold, then someone else would have to apply for permission.

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

(9.54.pm to 10.32pm)

### 13. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 1 May and 7 June 2023 be noted.

The meeting closed at 10.32pm.

Chair





**Planning Committee**  
**9<sup>th</sup> August 2022**

<b>Application No</b>	:	20/02064/OUT Outline Application
<b>Location</b>	:	Strategic Growth Site North Of Woodhouse Lane Broomfield Chelmsford Essex
<b>Proposal</b>	:	<b>Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access.</b>
<b>Applicant</b>	:	Mr Robert Eburne Bloor Homes Limited
<b>Agent</b>	:	Mr Andrew Fisher
<b>Date Valid</b>	:	15th December 2020

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### Appendices:

Appendix 1	Consultations
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## 1. Executive summary

- 1.1. The application is made in outline with all matters reserved except for the primary roundabout access from Blasford Hill. This means that the layout, scale, appearance, landscaping and access within the site are all reserved for future determination should outline planning permission be granted. The application has been revised during its lifetime (December 2021). The Application originally proposed up to 550 homes, however this has been reduced to up to 512 homes.
- 1.2. The Land North of Broomfield is allocated in the Local Plan for development (Strategic Growth Site Policy 8). Strategic Growth Site Policy 8 allocates the site for a high-quality landscape-led development that maximises opportunities for sustainable travel.
- 1.3. A masterplan for the site was approved by Chelmsford Cabinet in September 2020. The masterplan was developed by Bloor Homes, the current applicant. The current application is consistent with the indicative masterplan.
- 1.4. A separate full planning application for a new link road connecting the development to Broomfield Hospital has been submitted and is pending determination – see next item on this agenda (21/00881/FUL). This application proposes a new link road through part of Pudding’s Wood across land owned by the Hospital Trust, and closure of Woodhouse Lane to through traffic. The outline application is intrinsically linked to the full application. The applications combined would result in a connecting vehicular route from the new roundabout junction on Blasford Hill into Broomfield Hospital grounds to link with the hospital’s internal access roads, a new rear access to Farleigh Hospice and closure of Woodhouse Lane to through traffic.
- 1.5. The application proposes a maximum of 512 new homes. Thirty five percent of the new homes would be provided as affordable housing units. Of the total number of new homes, 22% would be for Affordable Rent. The Applicant has agreed that the Affordable Rent units would be delivered in accordance with the Council’s Strategic Housing Market Assessment Update (December 2015) (SHMA) mix and in accordance with the Housing Additionality: Affordable Housing for Rent Planning Advice Note (January 2022), whereby a revised mix applies to the additional units over the allocated number of 450 homes in the Local Plan. The revised mix seeks to address the shortfall in supply of new four-bedroom affordable homes for rent by reducing the proportion of one-bedroom dwellings, in favour of an increase in the proportion of four-bedroom homes.
- 1.6. The application would also deliver First Homes, Shared Ownership homes and Custom Build units. All housing matters are compliant with Local Plan policies and would be secured by a Section 106 agreement (s106).
- 1.7. The development would provide the land for a new healthcare facility, community space and Early Years and Childcare facility. Financial contributions towards these, as well as primary and secondary education, would also be secured through the S106 agreement.
- 1.8. The site would provide policy compliant local open space and natural and semi-natural open space. A children’s play area is also proposed. A financial contribution towards strategic sport and recreation grounds would be made.
- 1.9. The boundaries of the site would consist of landscaped buffers including a buffer of 50m on the western boundary of the site. These buffers, as well as the ‘green spine’ through the centre of



the site and other open spaces, would provide a biodiversity net gain of over 10%. All protected and other species, and their habitats, would be safeguarded.

- 1.10. The proposal has been considered in detail by the Local Highway Authority (Essex County Council). A new hospital link road connecting the new development to Broomfield Hospital is proposed and subject of a separate full planning application (details below). This road would remove some vehicle movements from Blasford Hill and the Hospital Approach roundabout junction. The new link road, together with some closures on Woodhouse Lane, would enhance sustainability as it would improve walking and cycling connections. The link road would be secured through the S106 agreement.
- 1.11. The proposed development would have a network of cycling and walking routes, including the existing Public Right of Way along the 'green spine' which would be enhanced. Subject to mitigation measures secured through the S106 agreement, the development is acceptable in transport terms and the Local Highway Authority have no objection to the scheme.
- 1.12. The development could be designed to achieve a high-quality and landscape-led development. The application parameter plans follow the approved masterplan and are an acceptable base for future reserved matter applications, should outline planning permission be approved.
- 1.13. All relevant local plan policies have been met. It is therefore recommended that the application should be approved by the Director of Sustainable Communities subject to the completion of the S106 agreement.

## **2. Description of site**

- 2.1. The application site is to the north of Broomfield Hospital and Woodhouse Lane, and on the western side of Blasford Hill. The site falls within the parishes of Broomfield and Little Waltham.
- 2.2. The site consists of three fields. One field is adjacent to Blasford Hill which wraps around the rear of the existing scaffolding yard and allotments on Blasford Hill. This field contains an existing agricultural reservoir.
- 2.3. The second field is to the west, separated from the one above by a hedge line and Public Right of Way (PROW) which runs from north to south following the line of the hedge. This field shares its western boundary with playing fields belonging to the KEGS school.
- 2.4. A smaller field is to the southwest corner of the site. It is separated from the western field by the hedge line and PROW. There is a smaller hedge line to the north on the boundary with the field containing the reservoir.

## **3. Details of the proposal**

- 3.1. The application is in outline with all matters reserved except for the primary access from Blasford Hill. This means that the layout, scale, appearance, landscaping and access within the site is reserved for future determination should outline planning permission be granted.

- 3.2. The application has been revised during its lifetime (December 2021). The application originally proposed up to 550 homes, however this has been reduced to up to 512 homes. This would include affordable homes, custom build homes, areas of open space and a local neighbourhood centre consisting of a health facility, community space and early years and childcare facility.
- 3.3. Primary access to the site would be taken from Blasford Hill in the form of a new roundabout. A new toucan crossing is proposed to the north of the new roundabout.
- 3.4. The development is EIA (Environmental Impact Assessment) development. An Environmental Statement has been submitted with the application. This has been subject to consultation and has been taken into account in the consideration of this application.

#### 4. Other relevant applications

20/00001/MAS - Approved 14th September 2020

Masterplan for around 450 new homes, neighbourhood centre, early years and childcare facility, local open space and associated access and highway infrastructure including a new access into Broomfield Hospital

21/00881/FUL – Pending Consideration

Formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, closure of sections of woodhouse lane, and ancillary infrastructure.

#### 5. Summary of consultations

- Little Waltham Parish Council – Objection based on the number of dwellings, infrastructure, local facilities, traffic and landscaping maintenance.
- Broomfield Parish Council – Objection based on the number of dwellings, insufficient traffic mitigation, link road proposals to the Hospital and pressure on local infrastructure and facilities.
- Great Waltham Parish Council – Objection based on the number of dwellings and pressure on local facilities, traffic and car parking.
- Boreham Parish Council – No objection.
- Essex County Council Highways - Subject to a package of appropriate mitigation, traffic impact that results from the proposals would be suitably mitigated through both the provision of capacity enhancements and a package of sustainable transport measures.
- NHS Mid & South Essex Sustainability & Transformation Partner – Request land is safeguarded for a new healthcare facility. Financial contribution towards local healthcare is required.
- ECC Community Infrastructure Planning (Education) – Financial contributions required towards local education provision.
- ECC Historic Environment Branch – Archaeological features present which require further information; condition requested.
- Natural England - Without mitigation, new residential development in this location is 'likely to have a significant effect' on one or more European designated sites, through increased recreational pressure.
- ECC Minerals & Waste Planning – No comment, all minerals and waste issues were addressed at Local Plan examination stage

- Essex County Fire & Rescue Service – Additional fire hydrants may be required. Roads and parking areas must be built to withstand an 18tonne fire appliance. Further observations will be considered at Building Regulation Stage.
- Police - Designing Out Crime – No apparent concerns but comments could be made when further detail is available.
- Anglian Water Services Ltd – No objection.
- Public Health & Protection Services – No objection, subject to conditions.
- Essex County Council (SUDS) – No objection subject to conditions.
- Environment Agency – Acceptable subject to conditions.
- Historic England – No comments.
  
- Housing Standards Team – No response.
- Recycling & Waste Collection Services - No response.
- Ramblers Association – No response.
- Essex and Suffolk Water – No response.
- Economic Development & Implementation – No response.
- Parks & Open Spaces – No response.
- Leisure & Heritage Services – No response.
  
- Local residents – 33 individual responses received; 29 Objections; 3 Comments; 1 Support.

Points raised include:

- Support for affordable housing and additional infrastructure
- Objection to the number of houses
- Concern about pressure and provision of infrastructure and facilities
- Concern about traffic, highway safety, foot and cycle path provision and parking
- Concern about adverse impact on environment, countryside, flooding and ecology

## 6. Planning considerations

6.1. The application is for outline planning permission with all matters reserved except for the main access point on Blasford Hill. Detailed consideration of the spine road, the layout of the development, the design on individual houses and landscaping are reserved for future determination should outline planning permission be granted.

6.2. The main issues are as follows:

- Principle of Development
- Housing (including affordable housing)
- Supporting On-Site Development
- Transport
- Education
- Historic and Natural Environment
- Design and Layout (outline considerations)
- Legal Obligations (Section 106 agreement)

### **Principle of Development**

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

*Local Plan Strategic Policies: S1, S6, S7. Site Policies: Growth Site Policy 8.*

- 6.3. In order to meet identified development needs, the Spatial Strategy within the Local Plan (Policy S7) sets out the scale and distribution of new development across Chelmsford during the Local Plan period up to 2036. It is based on a number of considerations including national planning policy, the Local Plan's Strategic Priorities, Vision and Spatial Principles, environmental constraints, and the availability and viability of land for development. Policy S7 states that Strategic Growth Sites will be delivered in accordance with masterplans to be approved by the Council.
- 6.4. The Land North of Broomfield is allocated in the Local Plan for development (Strategic Growth Site Policy 8). Through the site allocation, the loss of agricultural land has been accepted. In accordance with Policy S7, a masterplan for the site was agreed by Chelmsford Policy Board and then approved by Chelmsford Cabinet in September 2020. The masterplan was developed by the applicant Bloor Homes and included various rounds of community, technical and public consultation. The approved masterplan covers matters such as: land uses, movement and connections, green/blue infrastructure, character of place, an early understanding of main infrastructure requirements and delivery and phasing.
- 6.5. The current application seeks outline planning permission for the development of the allocated site. Strategic Growth Site Policy 8 allocates the site for a high-quality landscape-led development that maximises opportunities for sustainable travel. The land is allocated for around 450 new homes of mixed size and type, to include affordable housing. The Policy requires supporting on-site infrastructure to include a neighbourhood centre and a stand-alone early years and childcare nursery. The Policy also requires the main vehicular access to be from Blasford Hill (B1008) and that a new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice is provided.
- 6.6. The planning application is for the residential development for up to 512 dwellings (including affordable housing and custom build housing) with a new local centre. A separate full planning application for a new link road connecting the development to Broomfield Hospital has been submitted and is pending determination – see next item on this agenda (21/00881/FUL).
- 6.7. The site of the current application is allocated for development within the Chelmsford Local Plan and is the subject of an approved masterplan. The principle of development is therefore acceptable, having regard to all relevant considerations. Although the site is allocated for around 450 new homes, 450 homes is not a 'ceiling'. Development of the site is required to meet the Council's identified growth needs. The proposed land use, movement and landscaping are consistent with the approved masterplan.
- 6.8. It should be noted that planning permission has already been granted for two smaller sites which form part of the land allocated for development. These are:
- Land South of Runnymede Cottage Blasford Hill - 10 dwellings
  - Land Northwest of Montpelier Villa Blasford Hill - 10 dwellings

- 6.9. The current application is made in outline, with all matters reserved except for the main access from Blasford Hill. Considerations are limited to matters of principle and matters relating to the main access point. Detailed considerations of layout, architecture and landscaping would be dealt with as part of a future Reserved Matters application should outline planning permission be granted.
- 6.10. The Broomfield Neighbourhood plan is in preparation. Formal consultation on the Neighbourhood Plan is anticipated to start later this year. The Neighbourhood Plan does not carry any weight as a material planning consideration until the Neighbourhood Plan has been examined by an Inspector and is at the local referendum stage. The Broomfield Neighbourhood Plan has not reached this stage and is not a material planning consideration.

### **Housing**

*Key Strategic Priorities: 2 (new homes)*

*Local Plan Strategic Policies: S6. Site Policies: Growth Site Policy 8. Local Policies: DM1, DM2*

#### *Affordable Housing*

- 6.11. The application proposes a maximum of 512 new homes. Thirty five percent of the new homes are to be provided as affordable housing units. This would equate to a maximum of 180 new affordable homes. This is compliant with Policy DM2.
- 6.12. Of the total number of new homes, twenty two percent would be for Affordable Rent. The Applicant has agreed that the Affordable Rented units would be delivered in accordance with the Council's Strategic Housing Market Assessment Update (December 2015) (SHMA) mix and in accordance with the Housing Additionality: Affordable Housing for Rent Planning Advice Note (January 2022) whereby a revised mix applies to the additional units over the allocated number of 450 homes in the Local Plan. The revised mix seeks to address the shortfall in supply of new four-bedroom affordable homes for rent by reducing the proportion of one-bedroom dwellings, in favour of an increase in the proportion of four-bedroom homes. Households in need requiring one bedroom accommodation are most likely to have their need met from the current supply.
- 6.13. The mix of Affordable Rented (AR) units is set out in Table 1 below. The mix of these homes is to be agreed at this Outline stage.

<b>TABLE 1: AR mix based upon a total scheme of 512 units</b>	22%	1 Bed (1B2P)	2 Bed (2B4P)	3 Bed (3B5P)	4 Bed (4B6P)
Affordable Rent: SHMA Mix on 450 Dwellings	99	22.5% (22)	53.6% (53)	14.2% (14)	9.7% (10)
Affordable Rent: Revised Mix on 62 Dwellings	14	0% (0)	53.6% (7)	14.2% (2)	32.2% (5)
Total No. of Affordable Rent	113	22	60	16	15

- 6.14. First Homes have been introduced by the government following the adoption of the Local Plan in May 2020. The Council has consequently published (January 2022) a First Homes Planning Advice Note (PAN). This clarifies the Council's approach to First Homes and sets out its position on the new policy.

- 6.15. The proposal includes the provision for 9% of the total units to be delivered as First Homes. Based on 512 units being delivered, this would equate to 47 units. This would comply with the Council's First Homes PAN. First Homes are required at the 30% discount against the market value and after the discount has been applied, the first sale must be a price no higher £250,000, therefore the unit mix of First Homes will be driven by market values (i.e., likely to be only one-bedroom dwellings). For this reason, a specific mix of unit sizes is not required.
- 6.16. The Local Plan Viability Study assumed a larger discount would apply to Shared Ownership housing – 35% from the market value rather than 30%. Therefore, to maintain the same overall value for the affordable home ownership contribution in addition to the provision of 9% of the total number of residential units being provided as First Homes; a financial contribution in lieu of the 5% difference in the discount will be applied to the 9% First Homes to meet the priorities identified in the Housing Strategy if the First Homes are discounted at 30% from the market value. As an alternative to paying the aforementioned contribution it has been agreed that the developer can either discount First Homes at 40% or 50% above from market value or, provide an enhanced affordable housing rented offer. This would maintain the value of the planning contribution for affordable housing but rather than pay a commuted sum in lieu of the 5% difference the developer would use the equivalent sum to increase the proportion of larger affordable rented homes at the expense the larger Shared Ownership dwellings. The percentage of affordable housing overall would remain unchanged as would the proportion of Firsts Homes. The developer wishes to keep their options open in this regard but has agreed in principle to one of the three choices described above. This is acceptable and will be addressed within the s106 agreement.
- 6.17. The balance of the affordable housing units (i.e., 4% of the total units if the commuted payment is made) would be delivered as Shared Ownership properties. A specific mix of unit sizes is not required as this would be driven by demand and affordability. The mix is proposed as 11 x 1-bedroom 5 x 2-bedroom and 4 x 3-bedroom dwellings.
- 6.18. Policy DM1 of the Local Plan requires 5% of the affordable units to be delivered as Wheelchair units in compliance with Building Regulation M4(3)(2)(b). The Wheelchair User dwellings will be delivered as Affordable Rent. For a scheme of 512 units this would equate to 9 Wheelchair units. Officers have sought to provide a range of different sized units, including 3 and 4 bedroom units to accommodate families with children in accordance with the Wheelchair Accessible Planning Advice Note (April 2021). The mix proposed is set out below in Table 2.

<b>Table 2: M4(3)(2)(b) Wheelchair User Homes for AR</b>	Total Units	1 Bed (32%)	2 Bed (19%)	3 Bed (33%)	4 Bed (16%)
M4(3)(2)(b) Wheelchair	9	3	2	3	1

- 6.19. The three bedroom Wheelchair User dwellings will each house six people and the four bedroom Wheelchair User dwellings will each house seven people.

#### *Market Housing*

- 6.20. Policy DM1 requires an appropriate mix of market dwelling types and sizes to contribute towards meeting the current and future needs and create a mixed community. Policy DM1 sets out an indicative size guide for market homes to be subject to negotiation with the applicant. This includes 6.2% of units as one bedroom, 28% as two bedroom, 46.3% as three bedroom and 19.5% as 4 bedrooms or more. Paragraph 8.3 of reasoned justification of Policy DM1 confirms

that this is indicative and that it will be used to inform negotiations. The application proposes to agree the mix of market dwellings at this Outline stage as set out below in Table 3.

<b>Table 3: Market Mix</b>	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Custom Build
% of market units	0 -3%	14-16%	35-39%	30-40%	2-6%	7-8%

- 6.21. Officers have considered the proposed market house mix as well as a Market Analysis Report provided by the Applicant. The proposed market mix, when considered in the light of the mix of affordable units being policy compliant and providing additional 4 bedroom affordable rent units, in accordance with the Housing Additionality: Affordable Housing for Rent Planning Advice Note (January 2022), is considered to be acceptable in this instance.
- 6.22. Policy DM1 requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). The Applicant has agreed to this, which would provide, based on the total number of units being 512, 256 M4(2) Accessible or Adaptable units.

*Self-Build and Custom Build, and Specialist Residential Housing*

- 6.23. The application proposes that 5% of the total number of dwellings would be custom build units. These are shown indicatively to be located in the south-west part of the site. This accords with Policy DM1. Delivery will be secured through the s106 agreement. A condition is attached to secure a design code for the custom build units which would inform the design and appearance details of the units.
- 6.24. Policy DM1 requires the provision of Specialist Residential Accommodation. The Applicant has agreed to either provide this on site or make a financial contribution of £437.50 per new residential dwelling towards Specialist Residential Accommodation in accordance with the Council's Specialist Residential Accommodation Planning Advice Note (April 2021). The application would therefore comply with Policy DM1 in respect of making provision for Specialist Residential Accommodation. This would be secured through the s106 agreement.

**Supporting On-Site Development**

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

*Local Plan Strategic Policies: S9, S10. Site Policies: Growth Site Policy 8, Special Policy Area 1. Local Policies: DM20, DM24, DM26.*

- 6.25. Strategic Growth Site Policy 8 (North of Broomfield) requires the development to provide a neighbourhood centre and the provision of a new stand-alone early years and childcare nursery.
- 6.26. There is insufficient early years and childcare provision within the area to meet the demand created from this development. A new facility is therefore required. The Applicant has agreed to providing an early years and childcare nursery. Obligations to provide the land required for this (0.13 hectares) and a financial contribution towards the facility, to be delivered by the Local Education Authority, are included within the agreed S106 Heads of Terms.
- 6.27. Similarly, there is not the healthcare capacity within the local area to meet the needs of the proposed development. The closest GP surgery is located in Little Waltham. Whilst this surgery

is accepting new patients, it does not have the capacity to accommodate the additional growth resulting from the proposed development.

- 6.28. The Mid Essex Clinical Commissioning Group (the CCG) have requested that the development provides the land for a new healthcare facility and a financial contribution towards healthcare.
- 6.29. The Applicant has agreed to provide land for a healthcare facility, of at least 750 square metres. The land would be decontaminated, secured and ownership transferred when the CCG requires it, for a nominal fee (via the City Council) to a developer working in partnership with them. The development partner would then construct the building, retain ownership and lease it back to the CCG. The Applicant has also agreed to the financial contribution needed to accommodate the health needs of the development.
- 6.30. The indicative plans submitted with the application show the neighbourhood centre to be located within the centre of the site. This is the most appropriate and accessible location. The neighbourhood centre area would include the healthcare facility, a community space and the early years and childcare nursery along with ancillary car parking. The detailed layout and overall size of the neighbourhood centre would be considered in more detail as part of Reserved Matters applications.
- 6.31. A play area (local open space) is proposed to be located to the south of the neighbourhood centre area. This would also be an appropriate location within the site. The S106 agreement would secure the provision of the play equipment.
- 6.32. The development would provide a network of green and open spaces. The indicative drawings show that the perimeter of the development would be landscaped and would include a perimeter track for recreation (natural/semi-natural open space). The existing hedgerow that runs from north to south through the centre of the site would be retained as a 'Green Spine' (natural/semi-natural open space), providing pedestrian and cycle routes. The area to the south around the lake would be retained as natural/semi-natural open space. The play area discussed above would be connected to this. To the south of the development would be an area of parkland (local open space).
- 6.33. Based on the indicative plans, the areas proposed as Open Space compared to the Local Plan requirements are set out in table 4 below.

<b>TABLE 4: Open Space</b>	<b>Local Plan Requirement based on 512 dwellings</b>	<b>Proposal (approximately)</b>
Local Open Space	9,728 sqm (19sqm per dwelling)	30,040sqm
Natural/Semi-Natural Open Space	12,288sqm (24sqm per dwelling)	67,000sqm

- 6.34. Appendix B of the Local Plan requires the provision of 40sqm per dwelling of Strategic Open Space. Strategic Open Space would typically contain a large neighbourhood play area and a multifunctional youth space (such as half a basketball court/hoop for informal use or kickabout space with a goal or combinations of the two), as well areas of seating and horticultural areas akin to a "local" park. Strategic Open Space may also provide more formal outdoor sport's facilities.



- 6.35. Due to the size of the site, and its connections to the wider community, it is not possible to deliver meaningful Strategic Open Space on site. As such, the Applicant has agreed to pay a financial contribution towards improving the nearest strategic sports ground to the site which is Melbourne Park. The contribution would be used to improve those facilities to accommodate more intensive use. This could take the form of a replacement sports pavilion and changing rooms, grass pitch improvements to accommodate more intensive use and improvements including addition of floodlighting to existing hard courts to accommodate further evening use slots. The contribution has been agreed as £1,052 per dwelling for parks, sport and recreation grounds in accordance with Table 8 of the Planning Obligations Supplementary Planning Document.
- 6.36. It is the preference of local Parish Councils for the open spaces within the development to be adopted, managed and maintained by Chelmsford City Council, rather than retained by the developer. The agreed Heads of Terms for the S106 agreement include the option of either adoption by the City Council or retention and maintenance by the developer. This would then be the subject of future discussions.

### **Transport**

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

*Local Plan Strategic Policies: S9, S10. Site Policies: Growth Site Policy 8, Special Policy Area 1. Local Policies: DM24, DM27.*

- 6.37. The Highway Authority has undertaken extensive investigation and analysis of the submitted supporting documentation, together with a large quantity of additional information supplied during the lifetime of the application. The Highway Authority has concluded that, subject to a package of appropriate measures, the traffic impact resulting from the proposals would be suitably mitigated through both the provision of capacity enhancements and package of sustainable transport measures as set out in the recommendation.
- 6.38. Mitigation measures secured by the s106 would include:
- improvements and contributions to the Chelmsford/Great Waltham Cycle route;
  - provision of a cycle route north from the proposed new roundabout towards Little Waltham;
  - contributions towards a cycle route between the site access and Croxton's Lane;
  - a residential travel plan;
  - commitment to a Smarter Choices Campaign – to encourage modal shift to sustainable means; and
  - the applicant has also agreed to fully fund a bus service to the site to the specification of the highway authority.
- 6.39. In addition, significant contributions are agreed. These include £2.5m towards Phase 1 of the Chelmsford Northeast Bypass, £1m towards off site road junction improvements and £0.4m towards a pedestrian cycle bridge over Essex Regiment Way to link to Chelmsford Garden Community.
- 6.40. Main access to the development site would be taken from a new roundabout junction on Blasford Hill along with a new Toucan Crossing. This roundabout is the only part of this outline application that is in detail and not reserved for subsequent approval. The location of the roundabout has already been agreed in principle through the masterplan process. The principal access to the site is acceptable.

- 6.41. A spine road is proposed to connect the new roundabout junction towards Woodhouse Lane. This would route through the centre of the development and follows the approved masterplan. Detailed drawings of the spine road have been submitted as part of the application, but these details require further consideration and amendment, and consequently the spine road detail is reserved for subsequent approval.
- 6.42. A link to Broomfield Hospital is a requirement of Local Plan Growth Site Policy 8 and Strategic Policy S9. The hospital link road forms part of the adopted masterplan for the application site. This would connect the spine road with the Broomfield Hospital internal estate road. Provision of this link would also enable the spine road through the outline application site to connect with Woodhouse Lane where it would provide a connection with the west part of lane and provide access to the rear service entrance to Farleigh Hospice. Woodhouse Lane to the east of the service access to the Hospice would be closed to through traffic. All these elements form part of the separate application for the hospital link road (reference 21/00881/FUL).
- 6.43. The Highway Authority has concluded that the hospital link road is required in accordance with the allocation and on traffic and sustainability grounds. The agreed heads of terms for the s106 agreement associated with this housing development application include a requirement for the construction of the hospital link road to be completed prior to occupation of the 200<sup>th</sup> dwelling. The applicant has stated their intention to construct the link road as part of the construction programme for the outline development and has agreed heads of terms in principle for a licence agreement with the Hospital Trust to enter onto the Trust's land to construct the road. The licence agreement is progressing and could be signed by both parties before or concurrently with the signing of the main S106 agreement. This would give certainty that Bloor could construct the road, in accordance with the S106 obligations, on the Trust's Land. The s106 agreement would also secure a financial contribution towards the maintenance of the road. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.
- 6.44. In addition to the Hospital Link Road, the residential development of the site requires the associated vehicle prohibition on Woodhouse Lane to create a sustainable travel corridor. The closure of Woodhouse Lane as a through route would enable a direct walking/cycling link to be provided from the development to Hospital Approach and on to the Chelmsford to Gt Waltham cycle route, away from the Blasford Hill.
- 6.45. A movement parameter plan has been submitted with the application which follows the principles of the masterplan. This shows the primary movement corridor as the central spine road. This would have a cycle route on its southern side with connections and crossing points across the spine road and Blasford Hill (including the new toucan crossing).
- 6.46. The movement plan shows a network of cycle routes through the development. These include connections from Woodhouse Lane to the neighbourhood centre. The connections to Woodhouse Lane would, as set out above, enable connection to the Chelmsford to Gt Waltham cycle route, away from Blasford Hill.
- 6.47. The footway routes include connections through the site to the neighbourhood centre and Woodhouse Lane, as well as a perimeter route around the landscaped edge of the development.

- 6.48. On the basis that the hospital link road is secured, and a package of appropriate mitigation is provided (as set out in the S106 agreement heads of terms), the traffic impact that results from the proposals would be suitably mitigated through both the provision of capacity enhancements and a package of sustainable transport measures. The cycle and footway routes shown on the movement parameter plan are appropriate. The Local Highway Authority have no objection to the proposed development.
- 6.49. The development would be required to meet the parking standards the Essex Parking Standards - Design and Good Practice (2009) as required by Policy DM27 of the Chelmsford Local Plan. Detailed consideration of parking provision would take place as part of reserved matters applications should outline planning permission be granted.
- 6.50. Due to the site's proximity to Broomfield Hospital, it is recommended that on street parking restrictions are put in place to prevent kerb side parking. This is a separate process to the planning process. An informative is recommended to suggest that the developer contacts the South Essex Parking Partnership with a view to investigating on street parking restrictions.

### **Education**

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

*Local Plan Strategic Policies: S9, S10. Site Policies: Growth Site Policy 8.*

- 6.51. As set out earlier in this report, the development would provide the land required for, and a financial contribution towards, early years and childcare.
- 6.52. In order to mitigate the impact of the development on local primary school provision a financial contribution is required by Essex County Council. This would be based on the final number and size of dwellings to be provided. A formula for the contribution has been agreed as part of the S106 agreement Heads of Terms. For a development of 512 units this would equate to around £2,585,000.
- 6.53. The Priority Admission Area secondary school for the proposed development would be Chelmer Valley High. Figures suggest the school will continue to be at capacity. The school sits on a generous site which could facilitate expansion.
- 6.54. As with primary education, a financial contribution is required to mitigate the impact of the development on local secondary school provision. A formula for the contribution has been agreed as part of the S106 agreement Heads of Terms. For a development of 512 units this would equate to around £2,094,036.
- 6.55. Considering the site's location and proximity to the nearest schools a contribution towards school transport is not required.

### **Historic & Natural Environment**

*Key Strategic Priorities: 7 (Natural and Historic Environment)*

*Local Plan Strategic Policies: S2, S3, S4. Site Policies: Growth Site Policy 8. Local Policies: DM13, DM14, DM15, DM16, DM17, DM18.*

- 6.56. The proposed development area has already been subject of geophysical survey and archaeological evaluation which has revealed prehistoric, Roman and medieval features. There are areas of significant archaeological features which need further investigation. The Historic Environment Branch at Essex County Council have recommended a planning condition for excavation to ensure appropriate excavation, recording and mitigation takes place. Subject to a condition, the proposal would be acceptable in respect of archaeology.
- 6.57. There a number of heritage assets (Listed Buildings) on Blasford Hill and Woodhouse Lane. The scheme is supported by a heritage statement. The parcel of land to the southeast would be largely free of development and would reinstate a parkland setting. This would protect the setting of the listed buildings on Blasford Hill and the non-designated heritage assets associated with Woodhouse.
- 6.58. The site is within Flood Zone 1 which has the lowest probability of flooding. The site is therefore appropriate for residential development and is acceptable in flood risk terms. The Environment Agency has no objection to the development on flood risk grounds.
- 6.59. The application is supported by a drainage strategy. This would ensure that appropriate sustainable drainage systems are used to deal with surface water. The application originally proposed two drainage basins at the entrance to the site on Blasford Hill however a revised drainage strategy has been submitted which shows that these are no longer required. The Essex County Council Sustainable Urban Drainage team have no objection to the proposed development subject to appropriate planning conditions.
- 6.60. The site includes a number of landscape features which are considered to be important within the wider area. This includes the existing hedgerow which runs alongside the Public Right of Way from the north of the site to the southern boundary, cutting the site in half. This would be retained and enhanced as part of the proposal. This is referred to as the 'Green Spine'. In addition, there is an existing reservoir within the eastern part of the site which would be retained and enhanced.
- 6.61. The application drawings also indicate a planting buffer on the western boundary of the site. The plans show the buffer to measure approximately 50m (when measured from the western boundary to the indicative position of the houses facing this boundary). This complies with the requirements of the adopted masterplan (condition 3). This would also enhance the movement of species from Puddings Wood to the south to Sparrowhawk Wood to the north.
- 6.62. The site is primarily arable land with hedgerows, trees, semi-improved neutral grassland, ponds, grassland and scrub mosaic, dry ditches and scrub. Of these, the priority habitats recorded include hedgerows which are to be retained and enhanced. The closest off-site priority habitats include lowland mixed deciduous woodland relating to Puddings Wood (south) and Sparrowhawk Wood (north-west).

- 6.63. The application is supported by extensive surveys from 2017 to 2020 to determine the baseline ecological conditions, inclusive of habitats and species. The extended phase 1 habitats surveys were conducted in 2017 and thereafter updated in 2019 with resultant, detailed surveys carried out between 2017-2019 and as such are sufficient and up to date. The species recorded using the site or adjacent habitats are reptiles, breeding and wintering birds, badgers and bats.
- 6.64. The habitat recorded as supporting the highest densities of activity for both breeding and wintering birds was the existing body of water within the site, scrub and hedgerows. Disturbance to birds can be minimised and mitigated by retaining buffers to hedgerows. This would be ensured through the submission of reserved matters applications.
- 6.65. The badger monitoring report details activity around the site. The indicative layout shows landscaped buffers as appropriate to assist with the protection of Badgers which have been recorded using the site.
- 6.66. The bat survey report has recorded nearby emergences within the offsite woodland (Puddings Wood) and the north and south boundaries of the southern grassland field, in addition to sporadic ones along the central and northern hedgerow.
- 6.67. The hedgerows, reservoir and grassland field provide suitable foraging and commuting routes and there is an important link to Puddings Wood. The proposed removal of the northern hedge line serving the grassland field is not likely to result in residual impacts as a new hedge line is shown on the indicative plan just to the south of the existing hedgerow. The landscape buffers around the development site will also support and enhance the corridors.
- 6.68. Grass snake was recorded using the hedgerows along the northern part of the site. Suitable habitat exists which can be retained and protected as part of the development and there would be corridors to aid species movement.
- 6.69. The proposal would not result in harm to protected and other species and their habitats. The proposal would conserve and enhance the existing network of habitats and would avoid negative impacts on biodiversity. As such, the proposal would comply with Policies S4 and DM16.
- 6.70. Policy DM16 also requires proposals to deliver a net gain in biodiversity by creating, restoring and enhancing species. The Environment Act 2021 requires a biodiversity net gain of 10%. The Biodiversity Net Gain report and data submitted with the application indicate that the proposed development would result in a 10.42% net gain in biodiversity units and 36.63% net gain in linear habitats. This is acceptable and complies with Policy DM16.
- 6.71. Policies S4 and DM16 require where appropriate, that contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 6.72. The proposal site falls within a 'zone of influence' identified by Natural England for likely significant effects to occur to a European designated site. Those likely significant effects will occur through increased recreational pressure when considered either alone or in combination with other residential development. A financial contribution towards mitigation in line with the RAMS strategy will be secured through the s106 agreement.

## **Design and Layout**

*Site Policies: Growth Site Policy 8. Local Policies: DM17, DM23, DM24, DM26, DM29*

- 6.73. Strategic Growth Site Policy 8 in the Local Plan requires the development to be high-quality and landscape led. A series of parameter plans have been submitted with the application. These include land use, building heights, access and movement, tree and building removal, and public open space.
- 6.74. The land use parameter plan shows the areas for residential and other built development and infrastructure (including community uses). The plan also shows the boundaries of the site to be open space. The open spaces are described earlier in this report and include a perimeter natural/semi-natural area around the boundaries of the development, a landscaped area around the retained reservoir and an area of parkland to the south of the site. The 'green spine' would also run from north to south through the centre of the development. Based on the land use and public open space plans, the development, subject to reserved matter details, would be landscape led.
- 6.75. Although the Local Plan does not set out density requirements, it is useful to be aware of what the density could be for the proposed development. Based on the whole site (approximately 28ha), a development of 512 dwellings would represent a density of around 18 dwellings per hectare. When looking at the areas shown to be built development on the land use parameter plan, this equates to approximately 30 dwellings per hectare.
- 6.76. The Design and Access Statement and Design and Access Statement Addendum set out that the proposed development would have five-character areas which would be reflected in the reserved matters applications. These would be:
- Blasford Local Centre (Blasford Point)
  - Blasford Rise
  - Blasford Core
  - Blasford Lake
  - Green View
- 6.77. Blasford Point would be the highest density area within the centre of the development. This would be predominantly apartments and commercial buildings within the neighbourhood centre. The apartment buildings would provide a sense of enclosure to the space. The height parameter plan shows this area to be up to three storeys. This character and height would be appropriate for the central area of the development, subject to detailed design.
- 6.78. The Blasford Rise character area would line the central spine road that would run through the development from Blasford Hill to Woodhouse Lane. This area would have a medium density and would consist of a more formal building alignment along the spine road with predominantly detached and semi-detached houses with garages. This area would be up to two and a half storeys in height. The indicative layout plan shows the spine road to be tree lined.
- 6.79. Blasford Core would be the more central parts of the built development area. This would also have a medium density, but the height would be up to two storeys. The area would be characterised by semi-detached and terraced houses.

- 6.80. Blasford Lake would be the area around the reservoir. The area would have a medium density but would be characterised by detached and semi-detached dwellings. The height of this character area would be greater than Blasford Core, with mainly two and a half storey dwellings with some areas of three storey buildings. The use of three storey dwellings around the Lake is appropriate in order to frame the space around the lake.
- 6.81. The remaining spaces within the built development, on the outside edges of the residential areas, would be characterised as Green View. These areas would be the lowest density and up to two storey in height. The houses would be predominantly detached with garages and would have a more organic alignment. This would be appropriate in order to achieve an 'edge of village' character. The Green View area would include a village green in the western part of the development.
- 6.82. Overall, the character areas described in the Design and Access Statement (including the Addendum) are appropriate to the sites location and the requirement for a landscape led development. Similarly, the building heights shown on the building heights parameter plan are acceptable, subject to detailed design.
- 6.83. An illustrative layout has been submitted with the application. This is illustrative only and has not been submitted as a drawing for approval. This shows how the site could be laid out. This is useful in considering how open spaces, building parcels and movement would work across the site, as well as showing indicative landscaping proposals. It must be noted that this is not the intended overall layout of the development and, should outline planning permission be granted, negotiations over layout, appearance, scale, landscaping and access would take place as part of future reserved matters applications.
- 6.84. There are several concerns about the layout as shown on the illustrative layout. These include dominant parking bays, enclosure and framing concerns, and lack of corner turning units. It is expected that these could be resolved at reserved matters stage. The illustrative layout is only indicative.
- 6.85. The development site shares its eastern boundary with existing properties on Blasford Hill. The majority of existing residential houses on Blasford Hill are towards the southern part of the site where the parkland open space would be. The proposed development closest to these dwellings is shown to be two storeys in height. The area shown to be three storeys in height would be adjacent to the existing allotments and scaffolding yard. Subject to detailed design and layout considerations as part of any future reserved matters application, the proposed development could be designed in a way to safeguard the amenity of the properties on Blasford Hill.
- 6.86. The southern boundary of the site is shared with Woodhouse Lane. Most of the properties on Woodhouse Lane are on the southern side of the lane, meaning they would be separated from the development site by the road. There are some properties on the northern side of Woodhouse Lane, however these are located close to the proposed area of parkland open space, the southern end of the 'green spine' and the landscape buffer around the perimeter of the site. As above, subject to detailed reserved matters consideration the development could safeguard the amenity of the properties on Woodhouse Lane.

6.87. Overall, it is considered that the development could be designed to achieve a high-quality and landscape-led development. The application parameter plans follow the approved masterplan and are an acceptable base for future reserved matter applications, should outline planning permission be approved. Reserved matters considerations, including layout, scale, appearance and landscaping, would ensure the detail of the proposed development accords with relevant local planning policy and guidance as well as and national design guidance.

### **Other Matters**

*Site Policies: Growth Site Policy 8. Local Policies: DM25, DM30.*

- 6.88. The developer has advised that the development would be 'gas free', meaning that the houses are expected to be heated by air source heat pumps and solar energy. Policy DM25 requires all new dwellings to meet the Building Regulations optional requirement for water efficiency of 110 litres/person/day. In addition, Policy DM25 requires residential development to provide charging infrastructure for electric vehicles at a rate of 1 charging point per unit. All new non-residential building with a floor area in excess of 500sqm are required to achieve a minimum BREEAM rating of 'Very Good'. All three requirements of Policy DM25 can be secured by planning conditions. These are recommended.
- 6.89. This site is located above a Secondary A Aquifer (Sand & Gravel) and also a Secondary (undifferentiated) aquifer of the Lowestoft Formation. The application site overlies a Water Framework Directive (WFD) groundwater body and is also in a WFD drinking water protected area. The site is considered to be of moderate environmental sensitivity. The historic and future use could present potential pollutant linkages to controlled waters. Conditions are recommended to ensure that water pollution does not occur.
- 6.90. The site could contain contaminated land. A phase 2 assessment has been submitted with the application and this indicates that further gas monitoring is required. A condition is recommended to ensure that any contaminated land is appropriately remediated.
- 6.91. An assessment of air quality has been submitted and reviewed by the Council's Public Health and Protection Service. The findings of the assessment are that there will be a negligible impact on individual receptors. This is subject to charging infrastructure for electric vehicles being provided. A condition is recommended to this effect.
- 6.92. All minerals and waste issues were addressed as part of the Examination in Public of the then emerging Chelmsford Local Plan. The conclusion of those discussion was that the Minerals Planning Authority (Essex County Council; ECC) would not seek to apply its mineral safeguarding policy in relation to the site. Therefore, ECC in its capacity as the Minerals and Waste Planning Authority have no comment to make with respect to this application.

### **Legal Obligations**

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

*Local Plan Strategic Policies: S6, S9, S10. Site Policies: Growth Site Policy 8. Local Policies: DM1, DM2, DM16, DM20*

- 6.93. Paragraph 57 of the NPPF advises that obligations must only be sought where they are:
- (a) Necessary to make the development acceptable in planning terms
  - (b) Directly related to the development, and
  - (c) Fairly and reasonably related in scale and kind to the development



- 6.94. Further advice on the use of planning obligations is provided is given within national planning guidance: Planning Obligations – Use of planning obligations and process for changing applications.
- 6.95. The Chelmsford Infrastructure Delivery Plan (IDP) informs the Chelmsford Local Plan. It shows what infrastructure is required, who will provide it and when.
- 6.96. Section 3 of the Local Plan sets out the Council’s strategic priorities that will be addressed through the Local Plan. Policy S9 indicates the infrastructure requirement priorities of the council and S10 how these will be secured. Policy S6 addresses housing and employment requirements.
- 6.97. Policy DM1 concerns securing the right type of homes and DM2 securing affordable housing. DM16 and DM20 address ecology and biodiversity and delivering community facilities respectively.
- 6.98. Growth site policy 8 (North of Broomfield) highlights, amongst other things, infrastructure and mitigation requirements for the site.
- 6.99. The Planning Obligations Supplementary Planning Document (POSPD) sets out how the Council will seek planning obligations when considering planning obligations. It is supplemented by a series of planning advice notes covering: First Homes, Housing Additionality, Open Space, Self and Custom Build housing, Specialist Residential Accommodation and Wheelchair Accessible Homes.
- 6.100. The planning obligation requirements for this development are set out under the headings below:

*Affordable Housing*

- 35% of total units to be affordable with 22% of total units affordable rent, 9% First Homes and the balance (4%) Shared Ownership. The size of the Affordable Rented units will reflect the requirements of Table 3 in the POSPD except in the circumstances where the number of residential units built at the site exceeds the 450-allocation identified in the Local Plan. In these circumstances a different housing size table will be applied but only to the Affordable Rented proportion above the 450-allocation number. In this case the affordable rent units above the 450 number will reflect Table 3 in the Housing Additionality Affordable Housing for Rent Planning Advice Note (January 2022) i.e., a greater proportion of four-bedroom homes.
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes.
- First Homes financial contribution to make up the 5% difference in the discount applied to Shared Ownership will be £247 per sq. m for each First Home flat and £202 per sq m for each First Home House. As an alternative to paying the First Homes Financial contribution the s.106 will provide scope for the developer to either discount First Homes at 40% or 50% from market value or, provide an enhanced affordable housing rented offer of similar value. (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase.

### *Specialist Residential Accommodation (SRA)*

- SRA to be either provided on site or through payment of a contribution of £457.50 per new residential dwelling. (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).

### *Self/Custom Build*

- Self/Custom Build housing to be provided at 5% of the total number of units.

### *Highways and transportation*

- Northeast by-pass contribution of £2.5million (Civil Eng Index linked).
- Cycle/footbridge over Essex Regiment Way contribution of £0.4million (Civil Eng Index linked).
- Junction improvements contribution of £1m (Civil Eng Index linked).
- Great Waltham to Chelmsford cycle route improvements contribution of £175,000 towards completion of section 2 between Goulton Road and the Hospital Link Road (Civil Eng Index linked).
- Cycle route south from new access roundabout contribution of £300,000 towards a cycle route between the site access roundabout and Croxton Lane (Civil Eng Index linked).
- Developer to submit details of the link road for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the link road.
- Construction and delivery of link road in accordance with details in application 21/00881/FUL and design to be agreed by the highway authority to connect site with hospital road network and associated works to Woodhouse Lane to be provided prior to 200th occupation.
- Payment of a commuted maintenance sum for hospital link road.
- Closure/downgrading/alterations to Woodhouse Lane.
- A bus strategy to be submitted to and approved by the highway authority prior to occupation
- Developer to provide a bus service to the site to the specification of the highway authority prior to occupation of the 60<sup>th</sup> dwelling.
- Residential Travel Plan (including car club scheme) annual monitoring fee of £2660 until a year after full occupation (Government's Consumer Price Index (CPI)).
- Smarter Choices campaign annual monitoring fee of £5,000 (Government's Consumer Price Index (CPI)).
- Restriction on occupations until the new access roundabout, the spine road, works to Woodhouse Lane, cycle facilities and bus stop infrastructure have been carried out and a certificate of completion issued under s.278.

### *Open space*

- Local open space to be provided to be laid out and secured in accordance with the planning permission.
- Local open space maintenance plan to be submitted and agreed.
- Open space commuted payment for maintenance of £234.82 per dwelling for open space (local and natural) maintenance bond to be submitted and secured, along with local authority step in powers should the developer wish to maintain the open spaces (in accordance with Tables 9 and 10 of the Planning Obligations Supplementary Planning Document). (Not index linked – POSPD para. 14.20).

- Strategic open space contribution in lieu of on-site delivery of parks sports and recreation grounds at £1,052.00 per dwelling (BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices).

#### *Education*

- Provision of a stand-alone early years and childcare nursery on land within the site of no less than 0.13ha. An area of 0.13 hectares of land to be secured and remediated to be transferred to ECC or other agreed body for a nominal sum at the formal request of the education authority.
- Contributions in accordance with ECC formula (as set out in Table 5 below) for Early Years, Primary and Secondary education to be paid in tranches as agreed with the education authority.

Table 5: Education	Factor			Cost per place
	1 bed	Flat	House (2+ bed)	
Early Years & Childcare	0	0.045	0.09	£20,508
Primary	0	0.15	0.3	£20,508
Secondary	0	0.1	0.2	£24,929
<b>Formula = [Number of dwellings x factor] x cost per place (+ Public Sector Building Non-housing (PUBSEC Index))</b>				

#### *Healthcare*

- Provision of land for a health facility with space for the new building appropriate access, parking and servicing arrangements to accommodate a building of around 1,000 sq. m to be secured and remediated. The site is to be subsequently transferred to Chelmsford City Council for a nominal sum on receipt of a formal request of the health authority.
- Contribution of £253,900 [£496.18 per dwelling] to support the development proposal.

#### *Community Facility*

- A community facility to be provided within the health facility building.

#### *Biodiversity Net Gain*

- Provision of biodiversity offsetting contribution relating to application for link road. The applicant has indicated their intention to purchase the required biodiversity credits.

#### *Essex Coast RAMS*

- Contribution of £137.71 per dwelling.

#### *Monitoring*

- Contribution to cover Strategic Sites and Affordable Housing Monitoring cost and ECC Monitoring cost.

## Community Infrastructure Levy (CIL)

- 6.101. This application may be CIL liable and there may be a CIL charge payable. CIL would be calculated based on reserved matters applications.

## 7. Planning Balance (Conclusion)

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

### *Economic*

- 7.2. Under the economic objective, there would be no loss of existing employment. The proposal would generate jobs through the construction process and in the longer term through the onsite healthcare facility and early years and childcare facility. The construction of up to 512 dwellings on the site would increase spending locally which would add to the local economy. These benefits carry weight in favour of the proposed development.

### *Social*

- 7.3. The proposed development would be in a location where local schools, shops and healthcare facilities could be accessed on foot, by cycling or through public transport. The development would, subject to S106 obligations, provide safe and accessible alternative travel modes to the private car.
- 7.4. The development is required to meet the Council's identified growth needs. The development would provide a range of house types and tenures, including affordable rent homes, First Homes, Shared Ownership homes, Custom Build, Wheelchair User homes and accessible or adaptable homes.
- 7.5. Provision would also be made for specialist residential accommodation (either by financial contribution or on-site provision), a healthcare facility, community space and early years and childcare facility. Financial contributions would be made towards local education provision.
- 7.6. The development would include local open space, a children's play area and natural and semi-natural open spaces.
- 7.7. The proposal carries benefits in terms of the social objective of sustainable development which weigh in favour of the development.

### *Environmental*

- 7.8. The environmental objective of the NPPF relates to protecting and enhancing our natural, built and historic environment; including making effective use of land and helping to improve biodiversity.
- 7.9. The application site has been allocated in the Chelmsford Local Plan. It is a sustainable extension to the existing settlement of Broomfield. The application follows and approved

masterplan and has been planned in a sustainable way. The development would maximise opportunities for walking and cycling, rather than the private car.

- 7.10. The development would not adversely affect any designated or non-designated heritage assets. It would not give rise to an increased risk of flooding and would be acceptable in air quality terms. Archaeological excavation, investigation and recording would take place.
- 7.11. The development would retain important landscape features and would not cause likely harm to protected or other species or their habitats. The development would result in a biodiversity net gain, substantial new tree planting and the creation of natural and semi-natural open spaces.
- 7.12. The developer has advised that the scheme will be 'gas free' and that houses will be heated by air source heat pumps and solar energy. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, by requiring water efficiency building regulations to be met and also for non-residential buildings to be built to BREEAM 'Very Good' level.

### *Conclusion*

- 7.13. Overall the proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

## **RECOMMENDATION**

**The Application be APPROVED subject to the completion of a S106 Agreement and compliance with the following conditions:**

### **Procedure**

#### Condition 1 – Reserved Matters

No development shall commence within any phase until plans and particulars showing precise details of the appearance, landscaping, layout and scale (hereinafter called the "Reserved Matters") within the phase have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the Reserved Matters details approved.

Reason:

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

#### Condition 2 – Time limits

- (i) Application for the first Reserved Matters application shall be made no later than the expiration of 3 years beginning with the date of this planning permission.
- (ii) Application for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 6 years from the date of this planning permission.
- (iii) Implementation of a Reserved Matters Approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

Reason:

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

### Condition 3 – Parameter plans

Plans and particulars of the Reserved Matters referred to in Condition 1 for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority, and shall accord with the following Parameter Plans (subject to such minor variation that may be subsequently agreed in writing by the local planning authority):

- 25746-RG-M-86D Public Open Space
- 25746-RG-M-82A Land Use
- 25746-RG-M-83C Building Heights
- 25746-RG-M-84C Access and Movement
- 25746-RG-M-44F Tree and Building Removal

Reason:

In order to achieve satisfactory development of the site.

### Condition 4 – Compliance with approved plans

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

Reason:

In order to achieve satisfactory development of the site.

### Condition 5 - Phasing

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

Reason:

In order to achieve satisfactory development of the site.

### **Pre-commencement**

#### Condition 6 - archaeology

- Prior to the commencement of the development an archaeology mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to and approved in writing by the local planning authority following the completion of the archaeological evaluation.
- No development or preliminary groundworks shall commence on those areas containing archaeological deposits until fieldwork, as detailed in the archaeology mitigation strategy subject of part (i) of this condition, has been carried out.
- Within six months of the completion of the fieldwork, unless otherwise agreed in writing with the local planning authority, a post-excavation assessment shall be submitted to and agreed in writing with the local planning authority. This shall include a post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

Archaeological geophysical survey and archaeological evaluation have taken place, indicating areas of significant archaeological features which need further investigation. A phased archaeological condition is needed to ensure appropriate mitigation. This is in line with the National Planning Policy Framework and Policy DM15 of the Chelmsford Local Plan.

#### Condition 7 – Contamination

No development shall commence within each phase or sub-phase of the development until a scheme to deal with the risks associated with the contamination of the land associated with that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The scheme shall incorporate the following components:-

- (i) A preliminary risk assessment which identifies:- Previous uses, Potential contaminants associated with those uses, A conceptual model of the site including sources, pathways and receptors, Potentially unacceptable risks arising from contamination at the site.
- (ii) A site investigation scheme based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (iii) The site investigation results and a detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken,
- (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved unless any changes are otherwise agreed in writing with the local planning authority.

#### Reason:

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is identified and remediation measures appropriately undertaken to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

#### Condition 8 - SuDS

As part of Reserved Matters submissions for each phase or sub-phase, a detailed surface water drainage strategy shall be submitted for approval. The strategy shall broadly accord with the submitted Flood Risk Assessment and Drainage Strategy by Stantec (May 2022) and include consideration of a range of SUDs measures such as green roofs, rainwater harvesting, rain gardens, water butts and permeable paving.

#### Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy DM18 of the Chelmsford Local Plan.

#### Condition 9- Levels

Prior to any construction works within each phase or sub-phase, including the spine road, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the adjacent phases, surrounding area and neighbouring buildings shall be submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details.

#### Reason:

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

#### Condition 10- BREEAM

a) The neighbourhood centre building, healthcare facility and early years building hereby permitted shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);

- b) Prior to the commencement of the neighbourhood centre building, healthcare facility or early years building, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;
- c) the neighbourhood centre building, healthcare facility or early years building shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.
- d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the neighbourhood centre building, healthcare facility or early years building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

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

#### Condition 11– PROW safeguarding

No development shall take place within the phases or sub phases adjoining the Public Right Of Way Number 29 (PROW 225\_29) until a scheme (including temporary re-routing, fencing, barriers, crossing points) to safeguard public use of the existing public right of way has been submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved plan.

Reason:

To ensure the existing public right of way is retained and available throughout the development period.

#### Condition 12– Hard Landscape

No development shall commence within each phase or sub-phase of the development until details of the following have been submitted to and approved in writing by the local planning authority:-

- (i) The proposed roads/footways/footpaths and cycleways within that phase or sub-phase of the development including all relevant horizontal and longitudinal cross sections showing existing and proposed levels, gradients, surfacing and means of surface water drainage,
- (ii) How the design of the streets and spaces take into account mobility and visually impaired users, and
- (iii) A panel composed of samples of all materials to be used in the paving of the ground surfaces including details of the product name, number, colour and manufacturer.

Reason:

To ensure that the proposed hard landscape is visually satisfactory, able to be maintained in the long term, suitable for drainage purposes, does not prejudice the lasting quality of the locality and which ensures that materials sourcing is resource efficient in accordance with Policies DM24, DM18 and S2 of the Chelmsford Local Plan.

#### Condition 13- Construction Method Statement

No development within each phase or sub-phase of the development shall commence until a Construction Method Statement for that phase or sub-phase of the development has been submitted to and approved in writing by the local planning authority. The statement shall include details of the following relating to such phase or sub-phase of the development:-

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,



- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials,
- vii. hours of deliveries,
- viii. a scheme to minimise offsite flooding caused by surface water run-off and groundwater during construction, and
- ix. a scheme to prevent pollution caused by surface water run-off and groundwater during construction.

The approved statement shall be adhered to throughout the duration of the construction period of the relevant phase or sub-phase of the development. Until final surfacing is completed, footway and shared surface base courses shall be provided and maintained in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering pedestrian routes.

Reason:

In the interests of highway safety and to ensure the environmental impact of the construction of the development is adequately mitigated and to safeguard the amenities of the occupiers of neighbouring residential properties and future residents of the development in accordance with Policies S2, DM24 and DM29 of the Chelmsford Local Plan.

Condition 14– Badger Report

As part of Reserved Matters submissions for each phase or sub-phase a badger monitoring report shall be submitted for approval.

Reason:

In the interests of safeguarding badgers in accordance with Policy DM16 of the Chelmsford Local Plan.

Condition 15– Arboriculture

As part of Reserved Matters submissions for each phase or sub-phase the following documents shall be submitted for approval:

- (i) an impact assessment & arboricultural method statement. To include:
  - (a) Details of trees and hedges to be retained and removed,
  - (b) Details of tree surgery work to retained trees,
  - (c) Specification for tree protection including layout and type of tree protection for construction including change that may occur during development,
  - (d) Location and installation of services, utilities and drainage,
  - (e) Details of construction within the root protection area of retained trees,
  - (f) A full specification for the construction of the new access and parking areas, including details of the bespoke cross-over and cellular confinement specification, and the extent of the areas. Details must include the relevant sections through them,
  - (g) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste,
  - (h) Tree protection plan,
  - (i) Boundary treatments within the root protection areas,
  - (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision.
- (ii) strategic soft landscaping design
- (iii) landscape and ecological maintenance plan
- (iv) landscape and ecological management plan

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

Condition 16– Custom Build Design Code

No development within any phase or sub-phase of the development which will include custom build housing shall commence until a design code for custom build units has been submitted to and agreed in writing with the local planning authority. This shall be in accordance with the Council’s Self-Build and Custom Build Planning Advice note dated April 2022. Subsequent reserved matters applications for custom build units shall accord with the approved design code.

Reason:

To ensure satisfactory development of the site and ensure the development is visually satisfactory in accordance with policy DM23 of the Chelmsford Local Plan.

**During Construction**

Condition 17– Public Art

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

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

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

Reason:

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

Condition 18– Boundaries

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

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 19– KEGS boundary

Prior to its installation, details of a fence to be installed on the western boundary of the site with the King Edward VI Grammar School playing field shall be submitted to and agreed in writing with the local planning authority. The fence shall be installed prior to the first occupation of any part of the development.

Reason:

To ensure the proposed development is visually satisfactory and to restrict access to the neighbouring private land.

#### Condition 20– Refuse & Recycling

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

#### Reason:

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

#### Condition 21– Lighting

Prior to their installation details of any means of external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

#### Reason:

To ensure that the proposed development is visually satisfactory and does not adversely affect biodiversity in accordance with policies DM23 and DM16 of the Chelmsford Local Plan.

#### Condition 22– new roundabout

Within six months of commencement of the development hereby permitted a new roundabout junction on B1008 as shown indicatively on Ardent plan 184281-002F shall be provided. The junction shall include a toucan crossing on the northern arm, parallel crossing on the western arm and uncontrolled drop kerb crossing on the southern arm.

#### Reason:

To enable construction and residential access to the site.

#### Condition 23– completion of spine road

Prior to occupation of the 200th dwelling the spine road from B1008 to Woodhouse Lane shall be completed and available for use. The spine road shall include a bus turnaround area towards the south-western extent of the spine road, within phase 2, and connection to Hospital Link Road with associated works to Woodhouse Lane (east) to enable a prohibition of motor vehicles traffic regulation order (TRO) to be implemented.

#### Reason:

To provide access to the site to accommodate public transport and other sustainable travel modes

#### Condition 24 – details of spine road

Prior to occupation of the 200<sup>th</sup> dwelling the spine road from the B1008 to Woodhouse Lane, including a bus turnaround area towards the south-western extent of the spine road in phase 2 shall be completed and available for use.

The spine road shall comprise:

- a) A 6.75 metre single carriageway designed to 30mph design speed
- b) LTN 1/20 compliant two-way cycleway (3m) with segregated footway (2m) on southern side with no frontage access

- c) Drop kerbs on south side opposite side road junctions on the north side to allow cyclists to join the southern cycleway
- d) Uncontrolled crossing points at agreed locations along the route, to include features to enable ped/cycle permeability throughout the site A verge and 2m footpath adjacent to carriageway on northern side
- e) Traffic calming measures for a 30mph bus route
- f) A limited number of access junctions along its length
- g) Bus stops and bus turnaround facilities
- h) A through route to Hospital link road
- i) Connections to the western section of Woodhouse Lane, with associated works to Woodhouse Lane to enable a prohibition of motor vehicles traffic regulation order (TRO) to be implemented

Reason:

To provide access to the site to accommodate public transport and other sustainable travel modes

Condition 25 – provision of cycleway and pedestrian improvements Chelmsford to Gt Waltham

There shall be no occupation of the site until the cycleway and pedestrian improvements to section 1 of the Chelmsford to Great Waltham cycle route from Corporation Road to Goulton Road, to include footway widening along the route, parallel crossing (Kings Road), North Avenue central reserve crossing, resurfacing and signs and lines have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 26– cycle way provision eastern side of B1008

There shall be no occupation of the site until LTN 1/20 compliant cycleway and pedestrian improvements to the eastern side of B1008 north of the access roundabout, as shown indicatively on Ardent plan 184281-013A have first been provided and are available for use.

Reason:

To enable sustainable travel to/from the site.

Condition 27– additional bus stops B1008

There shall be no occupation of phase 1 until new additional bus stops north and southbound on the B1008, at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure properties within phase 1 of the development are within 400m walking distance of a bus stop.

Condition 28– additional bus stops spine road

There shall be no occupation of phase 2 until bus stops on the spine road, at locations to be agreed with Essex County Council have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure all properties are within 400m walking distance of a bus stop

### Condition 29– residential travel plan

Prior to first occupation of the development hereby permitted a residential travel plan shall be submitted to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation, with annual monitoring reports submitted to Essex County Council.

The Travel Plan shall include:

- a) Information on bus, rail, walking, cycling routes in the vicinity of the site;
- b) Details of the community travel website (or links to existing sites), which will include real time bus timetable information, rail timetabling etc
- c) Season tickets/vouchers to include:
  - 2x 12-month bus travel vouchers per dwelling covering Chelmsford Zone
  - Discounted bus travel tickets in following years
  - Discounted rail travel vouchers (format and quantity TBA)
- d) Details of the car club scheme for the development which shall include:
  - Provision of 2 spaces across the development or within the neighbourhood centre?
  - Funded for 5 years after final occupation
  - One space to be provided by occupation of the 119th dwelling
  - Second space to be provided by occupation of the 319th dwelling
  - Discounted or free membership to encourage uptake

Reason:

To promote sustainable travel to/from the site

### Condition 30– smarter choices campaign

Prior to first occupation of the development hereby permitted, details relating to a Smarter Choices Campaign, covering existing residences with the Parish of Broomfield and along Blasford Hill, shall be submitted to the Local Planning Authority for approval in consultation with Essex County Council. Such approved campaign shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation and annual monitoring reports submitted demonstrating the level of target achievement.

The Smarter Choices Campaign shall include measures to encourage modal shift to sustainable means and shall include:

1. Information on bus, rail, walking, cycling routes in the vicinity of the site;
  2. Details of the community travel website (or links to existing sites), which will include real time bus timetable information, rail timetabling etc
  3. Season tickets/vouchers
    - a. 2x 12-month bus travel vouchers per dwelling covering Chelmsford Zone
    - b. Discounted bus travel tickets in following years
    - c. Discounted rail travel vouchers (format and quantity TBA)
  4. Cycle training scheme
  5. App based rewards scheme offering rewards for utilising sustainable modes
- Specific financial penalties if targets are not achieved to be put towards additional sustainable measures (i.e. cycling, Passenger Transport)

Reason:

To promote sustainable travel to/from the area surrounding the site

#### Condition 31– parking spaces and layout

The number of parking spaces and how these are laid out (including dimensions) shall be in accordance with the Essex Parking Standards Design and Good Practice September 2009. This applies to all vehicular parking spaces including disabled requirements together with cycle parking and facilities for powered two wheelers.

#### Reason:

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

#### Condition 32– cycleways

The network of strategic cycleway routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority and designed to accord with the adoptable highway standard applicable at the time. The cycle routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

#### Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

#### Condition 33– walking routes

The network of footpath routes shall be surfaced and illuminated in accordance with details to be submitted to and approved in writing by the local planning authority. The walking routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

#### Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car in accordance with Policies S1 and S2 of the Chelmsford Local Plan.

#### Condition 34– Public Right of Way

(i) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) Footpath 29 Little Waltham between Woodhouse Lane and the proposed spine road shall be upgraded to cycletrack and removed from the PROW network.

(ii) Prior to the first occupation of phase 2 of the development hereby permitted, Public Right of Way (PROW) 29 Little Waltham between proposed Spine Road and northern site boundary shall be upgraded to footway and removed from PROW network.

#### Reason:

To provide fit for purpose routes reflecting the change of circumstances and the expectation of occupiers of the new development.

#### Condition 35– Ancillary infrastructure

No ancillary infrastructure including pipes, flues, vents, meter boxes, external letterboxes, fibre wires and cables required by statutory undertakers and to be incorporated as part of the building design shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the detailed finish of the proposed development is visually satisfactory and does not prejudice the lasting quality of the locality in accordance with Policy DM24 of the Chelmsford Local Plan.

Condition 36– Street lighting and signage

No street lighting, street name plates and any other signage shall be provided within each phase or sub-phase of the development until full details of their location and design have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory, to avoid street clutter, to minimise the number of sign posts in public spaces, to maximise the placing of lights and signs on building faces and to ensure lasting environmental quality in accordance with Policy DM24 of the Chelmsford Local Plan.

Condition 37– Materials

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

Reason:

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

**Prior to first occupation**

Condition 38– SuDS maintenance plan

Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements for SuDS features including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and agreed in writing by the Local Planning Authority.

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

Reason:

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

Condition 39– SuDS maintenance

The applicant or any successor in title must maintain yearly logs of maintenance to the surface water drainage system which shall be carried out in accordance with the approved Maintenance Plan subject of condition 40. These logs must be available for inspection upon a request by the Local Planning Authority.

Reason:

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

Condition 40– Contamination verification

Prior to the first occupation or first use of each phase or sub-phase, any remediation of the site found necessary shall be carried out. A validation report to that effect and a long term monitoring and maintenance plan in respect of groundwater shall be submitted to the local planning authority for written approval prior

to the first occupation of the relevant phase or sub-phase and the development shall be carried out in accordance with that scheme.

**Reason:**

To ensure that the proposed development does not cause pollution of controlled waters and that any contamination of the site is remediated appropriately to secure full mitigation in the interests of environmental and public safety in accordance with Policy DM30 of the Chelmsford Local Plan.

**Condition 41– Carriageway Construction**

The carriageways of the proposed estate roads shall be laid out and constructed up to and including at least road base level, prior to the commencement of construction of any residential dwelling or building intended to take access from that road.

**Reason:**

To provide a satisfactory interim standard of access and safety and linkage with the existing highway network.

**Condition 42– Final Surfacing of Roads and Paths**

The carriageways, footways, shared surfaces, footpaths and cycleways within each phase or sub-phase of the development shall be completed with final surfacing prior to the occupation of 90% of the units within that phase/sub-phase of the development unless the road is a construction route in which case the final surfacing shall be completed following the cessation of use of that road as a construction route.

**Reason:**

In the interests of highway safety.

**Condition 43– Vehicle Parking**

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

**Reason:**

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

**Condition 44– Cycle Parking**

No dwelling or commercial floorspace, community, or educational facility shall be brought into use until such time as the approved cycle parking areas for that part of the development have been made available for use. The cycle spaces shall not thereafter be used for any purpose other than the parking of cycles in conjunction with that part of the development which they serve.

**Reason:**

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

**Condition 45– Broadband**

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



Reason:

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

Condition 46– EV charging

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

Reason:

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

**Ongoing**

Condition 47– Water Efficiency

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 48– M4(2)

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 49– PD rights boundary treatments

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) no wall, gate or other means of enclosure other than approved under reserved matters shall be constructed beyond the roadside front or side elevation of properties within the site without the written consent of the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 50– Unbound material

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

Reason:

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

### **Post Occupation**

#### Condition 51– planting report

Within 24 months of the first occupation of each phase or sub-phase of the development a tree and hedge planting report detailing the results of the first 12-month defect inspection shall be submitted to and agreed in writing with the local planning authority. Any remedial works shall be carried out in accordance with a timetable to be submitted to and agreed in writing with the local planning authority.

Reason:

In the interests of creating a landscape led development and safeguarding landscape feature which are preserved and of local importance in accordance with Policy DM14 of the Chelmsford Local Plan.

### **Notes To Applicant**

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

Noisy work:

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

Light work:

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

In some circumstance further restrictions may be necessary.

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

2. The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

Notice should be in writing and accompanied by a block plan (e.g. 1/500) clearly identifying the building(s) to be demolished.

3. More information about BREEAM is available on the BRE website: [www.breeam.org](http://www.breeam.org) .
4. You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
5. The proposed development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended) which will be applied to any Reserved Matters application(s) submitted in connection with this outline application. Reserved Matters application(s) must be accompanied by a CIL Additional Questions Form as well as CIL Form 2 - Claiming Exemption or Relief

if claiming Social Housing relief. There are further details and links to these forms on the Council's website at [www.chelmsford.gov.uk/cil](http://www.chelmsford.gov.uk/cil).

6. Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
7. The Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting existing and future highways. Please contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
8. The new street and its junction and/ or connection with the existing highway should be formed to the requirements and satisfaction of the Highway Authority (Essex County Council). Attention in this respect is drawn to Section 184 of the Highways Act 1980. Contact details are: Development Management Team, Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU. Telephone via Contact Essex: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
9. Details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority prior to their construction. The roads and footways shall be constructed in accordance with the approved details.
10. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.
11. The developer will be responsible for all of the costs associated with the stopping up of existing public highway to facilitate the development and its associated highway works.
12. All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
13. Any non-standard specification materials, signal equipment or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction.  
Trigger(s): Prior to the adoption of the relevant sections of Public Highway.
14. Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.

15. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
16. Details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. These details should conform to the Essex Design Guide or equivalent guidance.
17. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 29 Little Waltham shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
18. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

**Boreham Parish Council**

## Comments

10.01.2022 - Members of the committee had no objections to the application.

**Economic Development & Implementation**

## Comments

No response received

**Parks & Open Spaces**

## Comments

No response received

**Leisure & Heritage Services**

## Comments

No response received

**Anglian Water Services Ltd**

## Comments

02.02.2021

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

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

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.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal

for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

### Essex County Council (SUDS)

#### Comments

26.01.2021 - holding objection based on the absence of plans.

15.04.2021, 19.01.2022 & 25.05.2022

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions, including a detailed surface water drainage strategy to be submitted as part of reserved matters submissions for each phase or sub-phase.

### Essex and Suffolk Water

#### Comments

No response received

### Essex County Fire & Rescue Service

#### Comments

02.02.2021

Due to what would be considered an excessive distance to the nearest existing statutory fire hydrants, shown on the enclosed plan, it is considered necessary that additional fire hydrants are installed within the curtilage of the proposed site.

Once we receive the new water main design scheme for this development from the local Water Authority, we will liaise with them directly to ensure that all necessary fire hydrants are provided.

If a fire appliance is unable to gain access to within 45 metres of all parts of a new dwelling, as required by the Building Regulations 2010 Approved Document B, an alternative solution may be required such as an Automatic Water Suppression System (AWSS) incorporated into the building design.

04.02.2021

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.

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

12.01.2022

It is not currently confirmed whether the newly built road or parking areas can withstand the standard 18 tonne fire appliances used by Essex County Fire and Rescue Service.

### **Police - Designing Out Crime**

#### **Comments**

04.01.2022

Whilst there are no apparent concerns with the layout to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures.

Within the Design and Access Statement we note reference to Secured by Design guides, and we would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these policies by achieving a Secured by Design Homes awards.

### **NHS Mid & South Essex Sustainability & Transformation Partner**

#### **Comments**

28.01.2022

The proposed development will be likely to have an impact on the NHS funding programme for the delivery of healthcare provision within this area and specifically within the health catchment of the development. The GP practice within the vicinity of this proposed development does not have capacity for the additional growth resulting from this development and cumulative impact of development in the area. The CCG would therefore expect these impacts to be fully assessed and mitigated.

There are no obvious opportunities to increase capacity at existing sites to create sufficient capacity for the residents arising from this and other proposed developments in and around the city. It is therefore likely that a new built facility will be needed within this application site to mitigate the impact of the development.

This proposal should therefore safeguard a site within the development for the construction of a new healthcare facility. This should be of sufficient size to mitigate the impact of the development proposed on this site and be sustainable as a practice.

The development would have an impact on healthcare provision in the area where there is already a deficit of primary care facilities. The CCG therefore requests that the sum of £253,900 be secured through a

planning obligation in the form of a S106 agreement in order to increase capacity for the benefit of patients of the surgeries in the vicinity of the application site.

### **ECC Community Infrastructure Planning (Education)**

#### **Comments**

17.02.2021

Assuming that all of these units are homes with two or more bedrooms, a development of this size can be expected to generate the need for up to 49.50 Early Years and Childcare (EY&C) places; 165.00 primary school, and 110.00 secondary school places.

Please note that any developer contribution figures referred to in this letter are calculations only, and that final payments will be based on the actual dwelling unit mix and the inclusion of indexation.

The proposed development is located within the Broomfield and The Waltham's ward and will create the need for an additional 49.50 places. According to Essex County Council's childcare latest sufficiency data, there are 13 providers of early years and childcare in the area. Overall, a total of six unfilled places were recorded.

The data shows that there is insufficient provision within the ward to meet the demand created from this development. It is therefore proposed that a new facility is required within the Broomfield and the Waltham's ward or within a three-mile radius of the development. We would therefore request a financial contribution and land to facilitate a new provision. Based on the demand generated by this proposal as set out above, a developer contribution of £1,491,287, index linked to quarter one 2021, is sought to mitigate its impact on local EY&C provision.

The western part of this proposed development falls within the priority admissions area of Broomfield Primary School, whereas the eastern part is within Little Waltham Primary School's area. The two schools are fairly equidistant from the development at around a mile by road. Data shows that the number of children in the current primary cohorts that are registered with GPs, and for whom one of these schools is their closest provision, slightly exceeds the combined capacity of the two schools. Based on the school site areas neither school has space to expand significantly.

It will be necessary to revise plans for additional school places in the wider area. Should the development be permitted, a developer contribution of £3,383,820, index linked to quarter 2021, is sought to mitigate its impact on local primary school provision.

The Priority Admission Area secondary school for the proposed development would be Chelmer Valley High. Due to high demand, the school has taken slightly over this number in some year groups. The school sits on a generous site which could facilitate expansion. If the development is permitted, a developer contribution of £2,742,190, index linked to quarter 2021, is sought to mitigate its impact on local secondary school provision.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution, however, the developer should ensure that safe



direct walking and cycling routes to local schools are available.

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on childcare, primary and secondary education.

#### **Housing Standards Team**

Comments

No response received

#### **Recycling & Waste Collection Services**

Comments

No response received

#### **Great Waltham Parish Council**

Comments

18.01.2021

The Parish Council Objects on the basis of an additional 100 homes adds to the issues already raised in turn of traffic, facilities, schools, and we are extremely concerned that following several years of a process which ran from local plan to meetings with councils, parish council and parishioners the outcome is to add 100 homes and discards all the previous good work.

We are especially concerned about the pressure on the capacity on local schools, the local surgery and the increased traffic flow in a congested area.

17.01.2022

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We are especially concerned about the pressure on the capacity on local schools, the local surgery and the increased traffic flow in a congested area and concerns over local car parking that is already beyond capacity.

#### **Historic England**

Comments
<p>27.01.2021</p> <p>On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>
<p>14.01.2022</p> <p>On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>

### **ECC Historic Environment Branch**

Comments
<p>25.02.2021</p> <p>The proposed development area has already been subject of geophysical survey and archaeological evaluation, which has revealed prehistoric, Roman and medieval features. Depending on the layout of the development, these features will need to be fully excavated prior to development which would damage or destroy them.</p> <p>In view of this, a condition to secure a written scheme of investigation is recommended.</p>
<p>04.01.2022</p> <p>Archaeological geophysical survey and archaeological evaluation have taken place, indicating areas of significant archaeological features which need further investigation. Extensive discussions have taken place during this work and a phased archaeological condition is needed to ensure appropriate mitigation.</p>

### **Environment Agency**

Comments
<p>11.02.2021</p> <p>We consider that planning permission could be granted to the proposed development as submitted if planning conditions are included. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.</p>

### **Natural England**

Comments

02.02.2021

It has been identified that this development site falls within the 'Zone of Influence' (ZoI) of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

Without mitigation, new residential development in this location is 'likely to have a significant effect' on one or more European designated sites, through increased recreational pressure, either when considered 'alone' or 'in combination' with other plans and projects.

### Public Health & Protection Services

#### Comments

14.01.2021

The Phase 2 assessment indicates that further gas monitoring is required. A contamination condition is required.

This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).

07.01.2022

The air quality impact assessment submitted as part of the Environmental Statement does not quantify any affect from a proposed junction and road realignment as set out in the drawings. The air quality impact assessment should be updated with a scoping assessment for these proposed changes.

28.01.2022

Although all of the information has not been evidenced in one document, we can accept the assessment and the findings that there will be a negligible impact on individual receptors. Providing mitigation is provided in the form of EV charging points and as set out in transport assessment, we consider that the development will be acceptable on air quality grounds

### ECC Minerals & Waste Planning

#### Comments

30.04.2021

Mineral safeguarding matters relating to this site were discussed at the EiP Hearings associated with the Chelmsford Local Plan. The conclusion to those discussions was that the Minerals Planning Authority would not seek to apply its mineral safeguarding policy in relation to the site. As such, Essex County Council in its

role as the Minerals Planning Authority has no comment to make in relation to this application.

12.01.2022

All minerals and waste issues were addressed as part of the Examination in Public of the then emerging Chelmsford Local Plan and therefore ECC in its capacity as the Minerals and Waste Planning Authority have no further comment to make with respect to this application

## Essex County Council Highways

### Comments

26.05.2022

The Highway Authority has undertaken extensive investigation and analysis of the submitted supporting documentation, together with a large quantity of additional information supplied since submission by the applicant. This work has concluded that subject to a package of appropriate mitigation, traffic impact that results from the proposals would be suitably mitigated through both the provision of capacity enhancements and a package of sustainable transport measures as set out in this recommendation.

A link to Broomfield Hospital via this site has been identified as a requirement for this site within the CCC Local Plan. Whilst the submitted TA seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the recent NE Bypass Planning Application (CC/CHL/85/21) demonstrates that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019 Base and will be in 2024 (excluding Bloor development) and 2036 (including Bloor development) and therefore an access to Broomfield Hospital and Farleigh Hospice is required and must be provided by the developer in line with the Masterplan and Policy for Strategic Growth Site 8.

The residential development requires the provision of the Hospital Link Road and the associated vehicle prohibition on Woodhouse Lane to create a sustainable travel corridor. The closure of Woodhouse Lane as a through route will enable a direct walking/cycling link to be provided from the development to Hospital Approach and on to the Chelmsford to Gt Waltham cycle route, away from the B1008. As the Traffic Regulation Order process for vehicle prohibition is separate to the planning process it is essential that this TRO is approved prior to commencement of development to ensure that it can be delivered and there will be sufficient provision of good quality walking/cycling links southwards beyond the site.

The developer to provide the following S278 highway works:

Access Roundabout

Spine Road

Hospital Link Road

Cycle facilities

Bus stop infrastructure

The developer to provide the following S106 contributions:

Chelmsford NE Bypass (CNEB) - £2.5million towards Phase 1 of CNEB which is required to accommodate development in the current Local Plan including the North of Broomfield site.

Off-site Road Junctions - £1.0million towards mitigation of the cumulative impacts of the Local Plan development on routes between the site and the city centre.

Bridge £0.4 million towards a pedestrian and cycle bridge over Essex Regiment Way to link to Chelmsford Garden Community.

Great Waltham to Chelmsford Cycle Route - £175,000 towards completion of section 2 between Goulton Road and the Hospital Link Road.

Cycle route south from new access roundabout - £300,000 towards a cycle route between the site access roundabout and Croxton Lane.

Provision of bus strategy and provision of a bus service to be developer funded for 5 years.

Residential Travel Plan (including car club) and Smarter Choices Campaign

Annual Travel Plan monitoring fee of £2660 (index linked) to Essex County Council until a year after full occupation.

Annual Smarter Choices monitoring fee of £5000 (index linked) to Essex County Council.

Commuted Maintenance Payment for link road.

General Conditions

Construction Management Plan

Pedestrian and Cycle Routes

Public Rights of Way

No unbound material

Maintenance of Landscaping

Adherence to Parking Standards

Sustainable Urban Drainage Solutions

Conformity of Internal Roads to Design Guidance Best Practice

Estate Carriageway Construction

Taking the above into consideration, the Highway Authority would not wish to raise an objection to the above application subject to the provision of the requirements set out below.

The following plans are not agreed, they show the spine road being 20mph with associated traffic calming

which is not acceptable to the Highway Authority given the route serves as an access to the Hospital, Farleigh Hospice and Woodhouse Lane (west) as well as the residential development and will need to accommodate buses. It should be designed to 30mph. The detailed design of the Spine Road should be dealt with at reserved matters stage.

184281-027D Spine Road General Arrangement (north)

184281-028D Spine Road General Arrangement (south)

### Ramblers Association

Comments
No response received

### Little Waltham Parish Council

Comments	
<p><i>12/02/2021 response</i></p> <p><i>Number of houses</i></p> <p>Increase in house numbers from 450 in the Local Plan process is disappointing as there was no engagement.</p>	See Report – Principle of Development
<p>The amount of new homes is 22% higher than the amount considered appropriate for the site within the local plan document. The extra number of houses is contrary to the Local Plan and not sustainable as it would have a detrimental impact upon local services and roads in the community.</p>	(As above)
<p><i>Road infrastructure</i></p> <p>The Parish Council contends that the proposed housing will have a detrimental impact upon infrastructure and in particular the local road network. The B1008 is running in excess of 90% capacity and increased development is only increasing the traffic in the area.</p> <p>The most direct route for vehicles travelling from</p>	<p>The highway authority has undertaken extensive analysis and investigation of the planning application and its submitted supporting documentation and has concluded that subject to appropriate mitigation, traffic impact that results from the development would be suitably mitigated through both the provision of capacity enhancements and a package of sustainable</p>

<p>the proposed site to Essex Regiment Way will be via Little Waltham village centre. The village centre is predominantly in a Conservation area with narrow roads and heritage properties and the impact of such extra traffic will be highly detrimental to those living in the area.</p>	<p>transport measures.</p>
<p><i>Impact upon other infrastructure and services</i></p> <p>It is not possible for all journeys to be undertaken by bicycle or bus and will not substantially reduce the impact of traffic in the area to such an extent as to consider the application sustainable.</p> <p>The Parish Council is concerned about the impact of additional houses upon already stretched local services and facilities.</p> <p>There is no reference to any improvements to the public rights of way which would be used by more people as a result of such proposed development. Developer contributions should be required.</p>	<p>(See above)</p>
<p><i>Timeframe for construction</i></p> <p>A construction period of 6 years would be inconvenient and detrimental to adjacent residents and the local area as a whole.</p> <p>Delaying the link road for a further 6 years will mean a longer period of congested traffic in the area. The Parish Council considers that the link road into the hospital should be constructed at an early phase of development.</p>	<p>The construction period is likely to result in some inconvenience and detriment to local residents but this would be mitigated by implementation of a construction management plan.</p> <p>The Council is seeking construction of the link road prior to the 200th occupation.</p>
<p><i>Issues surrounding the construction of the Link Road</i></p> <p>The planning application does not include the joining of the main spine road in the development to a road within the Broomfield Hospital estate. Without the hospital link road no relief would be provided in relation to traffic travelling to the</p>	<p>Connection between the spine road and the link road would be secured by s.278 and s.106 agreements.</p>

<p>Hospital site.</p> <p>The Parish Council is concerned that if that money were to paid direct to the Hospital Trust it would be lost in the running costs of the hospital leading to a situation where the Hospital area unable to fund the road.</p> <p>If the road is to effectively alleviate congestion in the area then it should be accessible by all motorists.</p>	<p>A financial contribution in lieu of the link road is not proposed as a build licence would be signed by the Trust and the developer to permit and secure access rights to construct the road.</p> <p>The Hospital Trust as landowner wishes to restrict vehicular access via the link road to staff and service vehicles, with public transport to be investigated.</p>
<p><i>Road junction and crossing point</i></p> <p>A roundabout would need to be supported by an appropriate safe crossing point at the Blasford Hill.</p> <p>There is also a concern that there is a current planning application for the development of ten houses next to Montpellier Villa which would mean that there would be another access onto Blasford Hill in very close vicinity to the new proposed roundabout thus leading to potential traffic conflict in the area.</p>	<p>Noted, a new toucan crossing is proposed to the north of the proposed roundabout.</p> <p>The new roundabout would be acceptable in traffic terms in all respects including its distance from the new access to serve land adjacent to Montpellier Villa.</p>
<p><i>Neighbourhood Centre</i></p> <p>It is not suitable for a local centre to be housed in the development. There would not be sufficient call for such a facility in the vicinity even with additional housing on site. A centre could draw away the use of existing facilities within the Parish of Little Waltham. There is a lack of clarity as to who would be responsible for such a centre and the cost thereof and a concern that such a centre would be a drain on local resources. There are two thriving village halls within the village centre which could be adversely impacted. It is considered that a developer contribution to existing facilities or proposed facilities in the village centre would be more beneficial for the community.</p> <p>It is also a concern that the GP practice may be encouraged to move to such a facility when it is</p>	<p>The community facility element of the local centre would be proportionate in size to essentially serve residents of the new development.</p> <p>The new surgery is required by the NHS (see report). There is no indication that its provision would lead to the diminishment of the Little Waltham Surgery.</p>



<p>such a valued resource within the community.</p>	
<p><i>Maintenance of common and Landscaped areas</i></p> <p>In the event that the City Council grant permission for the development any common areas to be adopted and maintained by a public authority, to make sure that the area can be suitably maintained going forward into the long-term future.</p>	<p>Noted, the s.106 is proposed to make provision for either local authority private maintenance of the open space.</p>
<p>21.01.2022 - Objection</p> <p>Little Waltham Parish Council wishes to object to the amended application on the following grounds:</p>	
<p><i>Number of houses</i></p> <p>14% higher than the number of houses considered to be a sustainable for the site. The extra number of houses is contrary to the criteria of the Local Plan and not sustainable.</p>	
<p><i>House types and styles</i></p> <p>To have large 3 storey buildings backing onto the allotment site and in the vicinity of the historic properties would impose a detrimental visual impact and would certainly not be in keeping with the area.</p> <p>No mention of how the properties will be heated or whether solar panels will be utilised. There would be an expectation that the developers would be required to consider heating the properties will heat pumps as opposed to gas boilers and install solar panels and EV charging points.</p>	<p>(See earlier comment on this issue)</p>
<p><i>Road Infrastructure</i></p> <p>The impact of traffic and pressure on the local road network would still be severe and local knowledge of area would indicate that some of the suggestions</p>	<p>(See earlier comment)</p>

<p>regarding traffic management would not be workable.</p> <p>The information used in the models provided is dated back to 2017 and it is not clear whether consideration has been given to development in the area since that time or development that is coming forward and the additional traffic.</p> <p>A 'smarter choices' package will not be workable or achieve the reduction in journeys suggested.</p> <p>The current bus services in the area are not sufficiently reliable, frequent or cost effective to attract prospective residents into using the service.</p> <p>Not every journey into Chelmsford could be undertaken by bicycle.</p>	
<p>The majority of journeys to and from the site will be via motor vehicle and that an additional of 512 homes will add a substantial and detrimental number of vehicle journeys in an area which is already congested.</p> <p>The rat running issue that already exists will be dramatically exacerbated. The village centre has narrow roads and heritage properties and is a conservation area and the dramatic increase in rat running traffic will be substantial and highly detrimental to residents.</p> <p>Around 80% of people who work at the Hospital live in areas south of the Hospital. There is therefore a question mark as to whether such traffic will continue traveling north along Blasford Hill to use the proposed new link road or will continue to use Hospital Approach thus there would be little relief for traffic congestion in that area.</p> <p>It is noted that there is an absence of a report of the environmental impact of traffic emissions for the area.</p>	<p>The highway authority has concluded that the link road is required on traffic as well as sustainability grounds.</p>

<p><i>Road junction and crossing point</i></p> <p>A roundabout would need to be supported by an appropriate safe crossing point at the Blasford Hill.</p> <p>The proposals do not provide a safe means of crossing the road and a signalised crossing would be safer.</p> <p>It is not known where the bus stops will be located as that will influence where pedestrians may choose to cross the road.</p> <p>The hospital access road should be available for use by all traffic.</p>	<p>A toucan crossing is proposed on Blasford Hill, north of the proposed roundabout.</p>
<p><i>Landscaping and common areas</i></p> <p>In the event that the City Council grant permission for the development any common areas to be adopted and maintained by a public authority, to make sure that the area can be suitably maintained going forward into the long-term future.</p> <p><i>Impact upon local services</i></p> <p>The likelihood is that children from the development will predominantly attend the Little Waltham primary school. Not only will this increase traffic but there is a concern about the impact of the additional resident upon those existing services.</p> <p>New schools are being planned for the proposed Chelmsford Garden Village and at Beaulieu Park and it may be that some children will attend those schools, adding to the rat running through the village centre.</p>	<p>(See previous comment)</p> <p>The Education Authority does not object to the proposal subject to appropriate contributions towards education provision.</p>
<p><i>Neighbourhood Centre</i></p> <p>It is not suitable for a local centre to be housed in the development. There would not be sufficient call for such a facility in the vicinity even with additional</p>	<p>(See earlier comment)</p>

<p>housing on site. A centre could draw away the use of existing facilities within the Parish of Little Waltham and have a detrimental impact as opposed to providing useful services.</p> <p>There is a lack of clarity as to who would be responsible for such a centre and the cost thereof and a concern that such a centre would be a drain on local resources. It is also a concern that the GP practice may be encouraged to move to such a facility when it is such a valued resource within the community.</p>	

**Broomfield Parish Council**

Comments	
<p>12.02.2021 - Object</p> <p>Concerns summarised as follows:</p>	
<p>The number of dwellings proposed is unacceptable and is not in accordance with the Local Plan;</p> <p>Proposed dwelling numbers are 22% higher than the figure in the Local Plan Policy and approved Masterplan Framework and an unreasonably high net density of development when compared with densities across Broomfield village. It will result in an urbanisation of the village more appropriate to that found in the City itself.</p>	<p>(See response on similar comment from Little Waltham Parish Council and the Report)</p>
<p>The mitigation measures to overcome the traffic impact of the development are insufficient;</p>	<p>(See response on similar comment from Little Waltham Parish Council and the Report)</p>

The application provides no guarantee of the delivery of the access to Broomfield Hospital and Farleigh Hospice as required by the Local Plan policy	The delivery of the access is secured by the proposed s.106 agreement.
A reinforcement of planting along the northern side of Woodhouse Lane and along the western boundary of the site would help to connect habitats as well as provide screening between the site and the hospital and wider countryside.	Noted, the extent of areas proposed for landscaping and new planting are considered to be acceptable.
Concern about the location of the children's play area close to the central water feature.	Noted, further consideration will be given to this matter at reserved matters stage
Potential for Hospital employees and visitors parking in the new residential streets rather than parking on the Hospital site.	Such parking can be controlled by use of a Traffic Regulation Order
Measures will be required to manage access along Woodhouse Lane to ensure that it doesn't become overflow (free) parking for the hospital and does become an important and attractive cycle and footpath route from the site.	(See above comment)
There needs to be a mechanism in place to deliver community facilities including engagement with the Clinical Commissioning Group and medical practices.	The CCG has been consulted on the application and the facilities will be secured through the s.106
Providing contributions in lieu of expansion at schools will not solve the problem of where these additional children can be offered primary school places.	The education authority does not object to the proposal subject to contributions to be secured through the s.106 agreement. It would be for the education authority to manage where children would attend school.

<p>6.01.2022 – Object</p> <p>Delivery of the Link Road is inhibited by the proposed restriction to use of the link road. The restriction could actually make congestion worse. The majority of staff live to the south of the Hospital and that by directing them to use the new link access, their journeys will become longer than they currently are via Hospital Approach. Can be simply resolved, by allowing all Hospital-related traffic to access the nearest entrance.</p>	<p>The highway authority consider that the link road is required in traffic terms and would ease pressure on the local road network</p>
<p>No funding for the remainder of the Great Waltham route. The applicant will need to play a more active role in providing cycle paths.</p>	<p>The applicant is making significant contributions to and provision for the route to the south of the application site.</p>
<p>Main road/School Lane junction will be will be over capacity in 2036.</p>	<p>(See previous highway related comments)</p>
<p>The other aspects of the proposed Smarter Choices campaign will not achieve the success attributed to them.</p>	<p>The highway authority is content with the benefits of the Smarter Choices Campaign and has specified its scope, to be secured by condition and has a requirement for an annual monitoring fee to be secured through the s.106 agreement.</p>
<p>Raise the need for a robust, metal fence (details to be agreed with the School) to protect Bedford Fields from unauthorised use by residents.</p>	<p>This matter is covered by condition.</p>

### Local Residents

<u>Comments</u>	<u>CCC Response</u>
<b><u>Support - 1</u></b>	
Affordable housing provision	S106 Heads of Terms agreed.
Additional infrastructure	S106 Heads of Terms agreed.

<b>Object &amp; Comment - 32</b>	
<i>General</i>	
Additional 100 homes, not proposed through masterplan.	The number, in itself, would not be a sustainable reason for refusal if the development meets all other policy requirements (see report under Principle of Development).
Increase in crime.	Essex Police (Designing Out Crime) have raised no concerns with the proposed application but note that finer detail will be considered in due course. Secured By Design accreditation is encouraged.
Higher density development than surrounding areas.	There is no specific policy requirement to density. It is considered that the development could be high-quality design and landscape-led as required by the Local Plan.
The majority of Affordable Homes should be for Social or Affordable Rent.	The mix of affordable homes is acceptable with 22% of the 35% total being affordable rent.
Affordable Homes should be spread out across the development.	This will be considered as part of Reserved Matters applications. Guidance on layout is contained within the Council's Planning Obligations Supplementary Planning Document and required a dispersed approach to affordable housing which would limit the numbers within the groups of affordable properties.
A fence is required on the western boundary to prevent trespass onto school fields.	A condition requiring this is recommended.
<i>Infrastructure</i>	
Insufficient healthcare facilities.	S106 Heads of Terms agreed to secure land for a healthcare facility and a financial contribution towards health provision. The NHS/CCG are content with this approach.
Insufficient education provision.	S106 Heads of Terms agreed to secure financial contributions towards education provision. The total contribution for education is likely to be approaching £5.5m.
Neighbourhood centre and early years won't be built.	S106 Heads of Terms to address delivery are agreed.
No commitment to link road.	S106 Heads of Terms are agreed to address delivery. See application 21/00881/FUL.
<i>Transport</i>	

Local road network is at capacity.	The impact of the development is considered to be acceptable, as set out within the Local Highway Authority (Essex County Council) consultation response, subject to mitigation measures and S106 obligations.
Increase in traffic.	The impact of the development is considered to be acceptable, as set out within the Local Highway Authority (Essex County Council) consultation response, subject to mitigation measures and S106 obligations.
Lack of safe crossing points.	A new toucan crossing is proposed to the north of the new roundabout.
Not safe to cycle.	Closures to Woodhouse Lane would improve cycling connections from the site. A S106 obligation requires provision of and financial contributions towards cycleway improvements.
Residents on Woodhouse Lane would have to travel north before going south to Chelmsford (due to proposed closures on Woodhouse Lane).	This is correct for most properties on Woodhouse Lane. The proposed closures reduce the number of vehicles using North Court Road and the junction of Woodhouse Lane and Blasford Hill which lack suitable visibility. The new access road northwards through the development would be safer than the existing arrangements.
Increased parking on Woodhouse Lane.	Parts of Woodhouse Lane would be closed to vehicular traffic. Bollards would prevent vehicular access to these sections. This would prevent parking on the parts of the Lane that are to be closed. See application 21/00881/FUL.
No commitment to providing link road.	S106 Heads of Terms agreed to address delivery.
Link road not for public use so little benefit.	See application 21/00881/FUL. The link road would be used for staff and deliveries associated with Broomfield Hospital which would increase capacity on Blasford Hill and the junction with Hospital Approach, which would be in the public interest.
Footpaths will disappear.	The existing footpath through the site will be safeguarded. Additional walking routes are proposed.
KEGS school busses and other vehicles should have unrestricted access over the spine road through the development.	The spine road would be an adopted highway with unrestricted access.
<i>Environment</i>	
Adverse effect on environment.	The proposal would result in a biodiversity net gain. Protected species and other species, and their habitats, would be safeguarded.



Loss of countryside.	The loss of the existing site as countryside has been accepted through the allocation of the site for residential development in the Local Plan. This is required to meet the identified growth needs of Chelmsford in a sustainable way.
Additional homes remove landscaping and buffers.	Landscape buffers and areas of landscaping are proposed. Around 97,000sqm of open space would be provided within the site.
Increase flooding.	The Environment Agency have no objection to the development on the basis of flood risk. Sustainable drainage systems would be used to manage surface water run off.
Request for Swift boxes to be provided.	Biodiversity enhancements would be secured through future reserved matters applications.
Loss of hedgerows.	One hedgerow would be removed. The application proposed many new hedgerows resulting in a 36.63% net gain in linear habitats.
Damage to hedgerows and verges on Woodhouse Lane.	See application 21/00881/FUL. Turning areas will be provided to minimise the impact of vehicles overrunning the verges when turning.
Harm to wildlife.	The proposal would result in a biodiversity net gain. Protected species and other species, and their habitats, would be safeguarded.
Increased traffic will affect air quality.	Public Health and Protection Services have no objection to the application on the grounds of air quality. Charging infrastructure for electric vehicles would be provided.

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE  
9 AUGUST 2022

**Green Sheet**

**Items 6 and 7**

Since the publication of the reports, Members have received a letter from the Mid & South Essex NHS Foundation Trust setting out that they cannot accept any maintenance liability of the proposed Hospital Link Road.

The position of Bloor Homes is that the future maintenance of the Link Road can be addressed through the build licence and that the discussions on this would continue with the NHS Trust to ensure an acceptable position for both parties will be agreed.

There are now two options. Firstly, and preferably, that the Link Road is maintained. In the event that maintenance of the road cannot be agreed, and the road is not deliverable, there is a second option that would make the residential development acceptable in Highways terms. This second option is to secure a scheme of subsidised shuttle bus services between the Hospital and Chelmer Valley Park and Ride.

**Report Amendments:**

**Item 6**  
**20/02064/OUT**

The Legal Obligations set out in the main report are therefore amended to remove "Payment of a commuted maintenance sum for hospital link road" from the Highways and transportation section.

The following shall be added under the same Highways and transportation section:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

**Additional Informative:**

19 The developer is encouraged to contact the South Essex Parking Partnership to investigate parking controls that could be used within the development.

**Item 7**  
**21/00881/FUL**

Paragraph 6.54 be amended to remove the fourth bullet point “Payment of a commuted maintenance sum for hospital link road”.

Add the following to the list of bullet points in paragraph 6.54:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 9 August 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, S Dobson, J Frasca, P Hughes, J Lardge, R Lee,  
G H J Pooley, R J Poulter, T E Roper and I Wright

Also present: Councillors W Daden and M Steel

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Councillors E Sampson and C Shaw, who had appointed Councillors J Frasca and H Ayres as their substitutes. Councillor R Hyland also submitted belated apologies.

### 3. Declarations of Interest

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

### 4. Minutes

The minutes of the meeting on 5 July 2022 were confirmed as a correct record.

### 5. Public Question Time

Several questions were asked and statements made on the applications at Item 6 and 7. Details are given under the relevant minute numbers below.

## 6. Strategic Growth Site North of Woodhouse Lane, Broomfield, Chelmsford – 20/02064/OUT

The Committee considered an outline application for residential development for up to 512 dwellings, including affordable housing and custom build homes (Use Class C3), a Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure on land to the north of Woodhouse Lane, Broomfield, which had been allocated as a strategic growth site in the Local Plan. All matters except for primary access were reserved. A Green Sheet of additions and alterations had been distributed before the meeting.

A representative of the applicant attended the meeting to speak in support of the application. A statement and question had been submitted by a member of the public, who expressed concern about the effect of the development on already over-stretched health services in the area. A representative of Broomfield Parish Council attended to emphasise the view of the Parish Council that the development should not proceed without the provision of the link road, which should preferably be open to all hospital-related traffic, including the public. In the light of the NHS Trust's recent statement that it would not maintain the link road, the Parish Council was of the view that the application should be deferred until the arrangements for the construction and maintenance of the road were clear. A local ward councillor spoke to endorse the Parish Council's view and another, whilst also supporting the need for a link road and welcoming the proposed cycle and pedestrian routes, asked whether the dwellings to be constructed to the east of the reservoir would add to existing flooding problems. She also asked to how many of the new homes the Council would have nomination rights.

In response to those questions, officers informed the Committee that

- as part of the Section 106 agreement land would be secured for the development of a health care facility as well as a financial contribution towards it;
- the drainage strategy submitted with the application had been examined by the flood authority, which had found it to be acceptable and concluded that the development would not add to flooding in the area;
- thirty-five per cent of the up to 512 dwellings to be constructed would be affordable and if 180 were provided 113 would be for affordable rent with nomination rights to the Council and would include three and four bed properties, which were in high demand at present;
- the Highway Authority would prefer the provision of the link road as the best means of reducing traffic congestion on roads around the hospital and it was understood that the applicant would be working with the NHS over the question of its maintenance. However, if the road could not be provided the next favoured option was to provide a long-term, subsidised Park and Ride service to the hospital for staff, patients and visitors.

It was clear from the members' discussion of the application that the Committee was of the view that the development could not proceed without the link road or, as an alternative, the provision of a Park and Ride service. The Committee asked whether the application should be deferred until it was known whether or not the link road would definitely be built. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and

the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option. If that option was not acceptable to the Committee, the Committee would be entitled to reach a different conclusion about whether the development were acceptable.

In response to further questions from members, officers said that:

- the provision of both the link road and Park and Ride service, which some members felt would be the ideal solution to traffic congestion, may be possible in the future but was unlikely at this stage;
- the NHS Trust wanted the link road to be barrier-controlled and for the use of staff only. As it would be on land owned by the Trust, it could not be adopted by the Highway Authority and used by the public without the Trust's agreement;
- there would be a legally enforceable condition in the Section 106 agreement that the link road would be completed before occupation of the 200<sup>th</sup> dwelling;
- the closure of Woodhouse Road would still be required even if the link road was not provided as it was integral to the plan to reduce rat-running and secure walking and cycling facilities;
- strategic traffic modelling carried out as part of the production of the Local Plan had indicated at that time that the provision of a link road could reduce traffic on Hospital Approach by between 10-20% and that it would be needed if the development proceeded. The modelling had taken into consideration the use of the link road by hospital staff only. No further traffic modelling was planned but a detailed transport assessment had been submitted with the outline application. It was confirmed that a cycle route would be provided as part of the link road;
- the biodiversity net gain from the residential development of just over 10% did not include the proposed tree planting;
- the First Homes element of the affordable housing that would be provided as part of the Section 106 agreement would not be limited to one-bed properties but would be a mix of sizes determined by the developer and the national price cap in accordance with market demand;
- regarding the properties that would be suitable for use by those with disabilities, the Council would seek to achieve adapted properties that were accessible at the time of completion, rather than properties that could be adapted later. A range of property sizes was also being sought which reflected the needs of those on the housing register who were wheelchair users.

Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful.

RESOLVED that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out on pages 23 to 38 and
- securing delivery of the link road.

### 7. Broomfield Hospital, Hospital Approach, Chelmsford – 21/00881//FUL

An application had been received for the formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, the closure of sections of Woodhouse Lane, and ancillary infrastructure. A Green Sheet of additions and alterations had been distributed before the meeting.

RESOLVED that planning application 21/00881/FUL in respect of Broomfield Hospital, Hospital Approach, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting.
- the conditions set out on pages 12 to 15 and
- securing delivery of the link road.

### 8. Planning Appeals

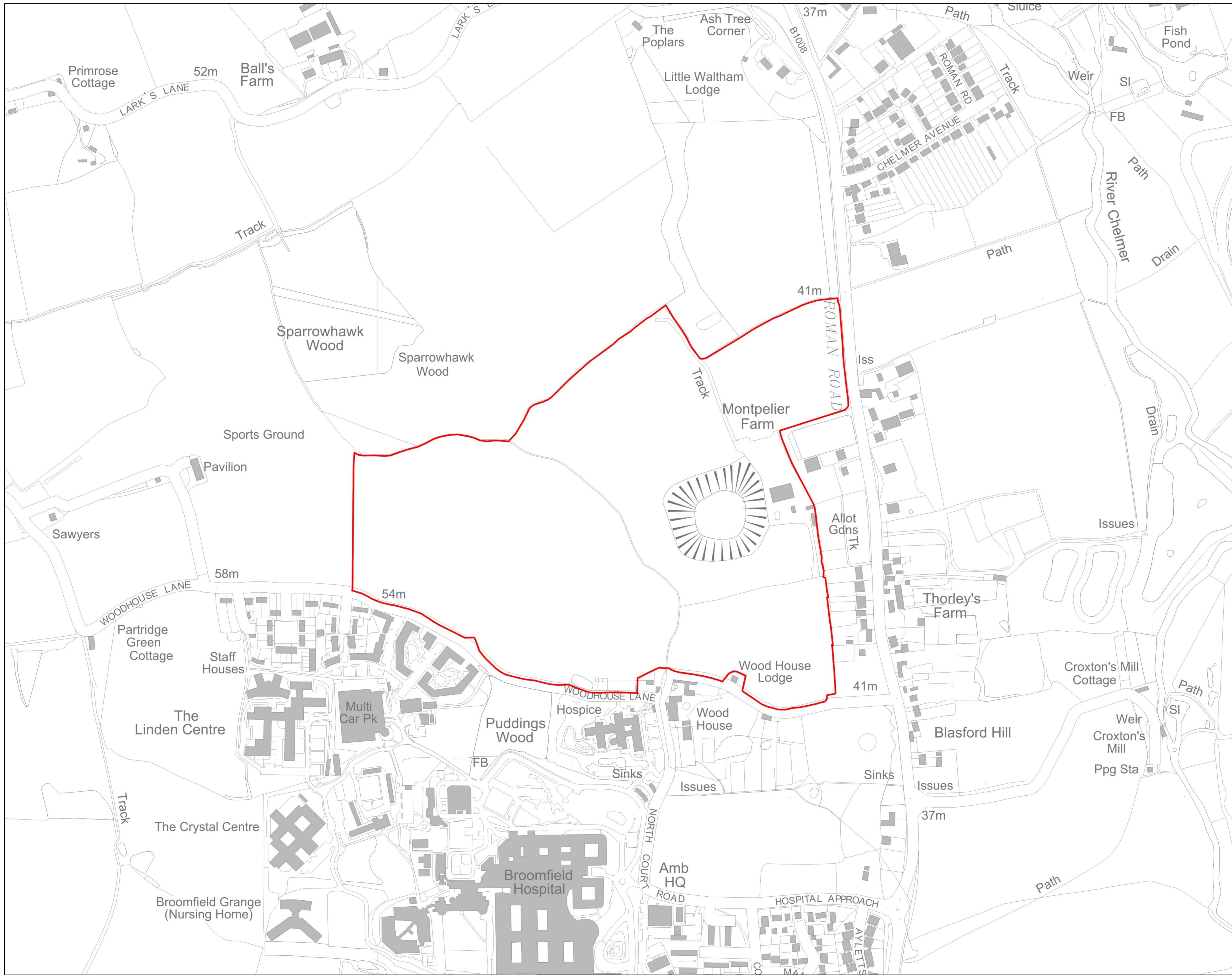
RESOLVED that the information on appeal decisions between 17 June and 27 July 2022 be noted.

The meeting closed at 8.55pm

Chair







Site Boundary

Project: **BROOMFIELD GREEN**

Drawing Title: **SITE BOUNDARY PLAN**

Date: 22.09.17	Scale: 1:2500 @ A1	Drawn by: ALC	Check by: SW
Project No: 25746	Drawing No: RG-M-01	Revision: A	

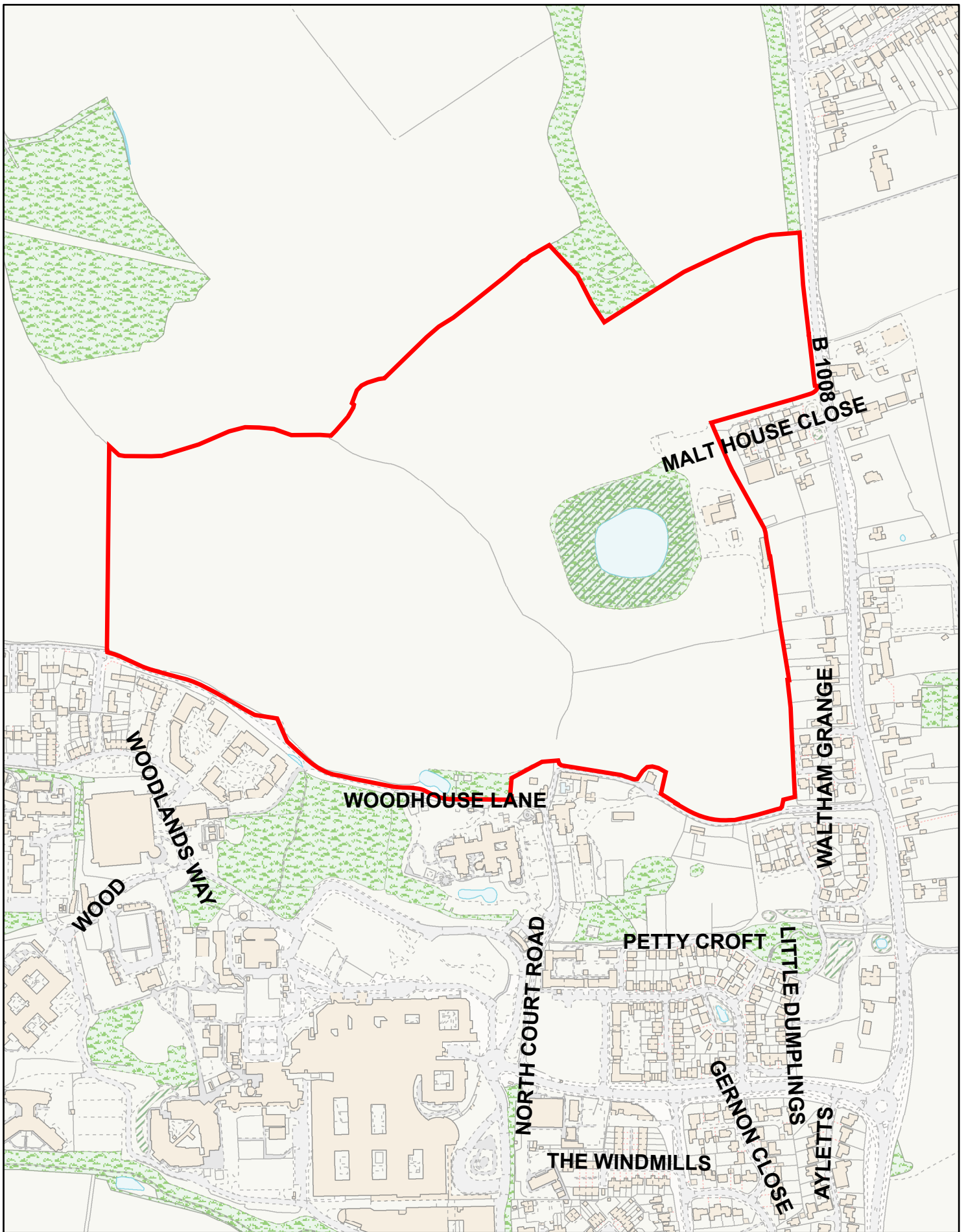


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**Planning Committee  
20/02064/OUT**

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

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

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The scaling of this drawing cannot be assured

Revision	Date	Drn	Ckd
A	02.12.21	M.D.	S.W.

-  Site Boundary
-  Residential, community and ancillary infrastructure
-  Informal Open Space - including attenuation basins
-  Indicative Location for Custom Build Housing
-  Local Centre (indicative location)
-  Agricultural Reservoir

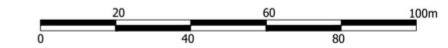


Project  
**LAND WEST OF  
 BLASFORD HILL**

Drawing Title  
**PARAMETER PLAN  
 - LAND USE**

Date	Scale	Drawn by	Check by
25.11.21	1:2000@A2	M.D.	S.W.

Project No	Drawing No	Revision
25746	RG-M-82	A







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-  Site Boundary
-  Up to 2 Storey (9.5m)
-  Up to 2.5 Storey (11.5m)
-  Up to 3 Storey (12.5m)



Project  
**LAND WEST OF  
 BLASFORD HILL**

Drawing Title  
**PARAMETER PLAN  
 - BUILDING HEIGHTS**

Date 25.11.21	Scale 1:2000@A2	Drawn by M.D.	Check by S.W.
Project No 25746	Drawing No RG-M-83	Revision C	

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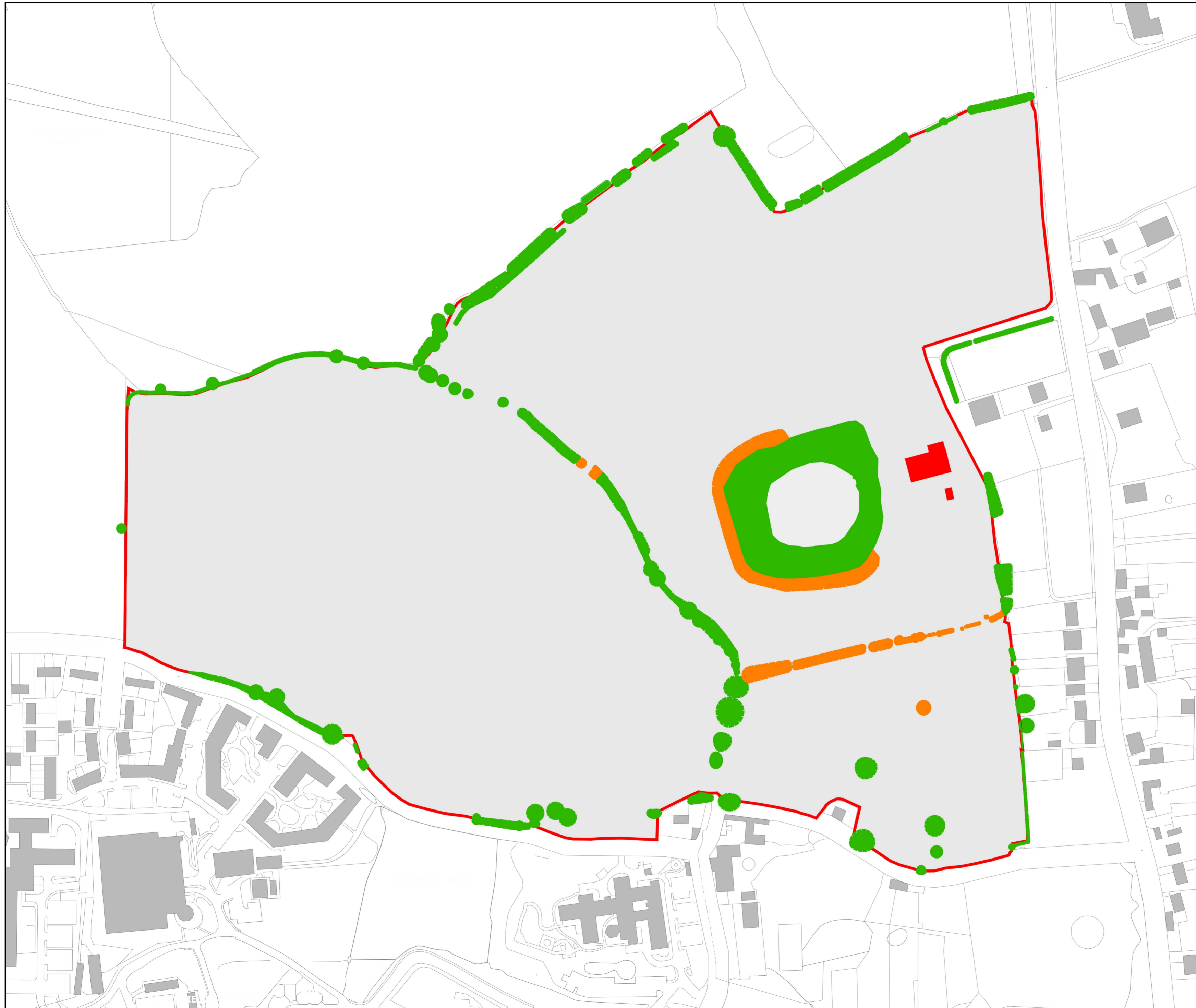
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- Site boundary (Total site area 28.51Ha)
- Trees / Hedgerows to be Retained
- Trees / Hedgerows to be Removed
- Buildings to be Demolished



Project  
**BROOMFIELD GREEN**



Drawing Title  
**TREES/HEDGEROWS & BUILDINGS  
 PARAMETER PLAN**

Date 18.12.18	Scale 1:2000@A2	Drawn by NB/SW	Check by SW
Project No 25746	Drawing No RG-M-44	Revision F	

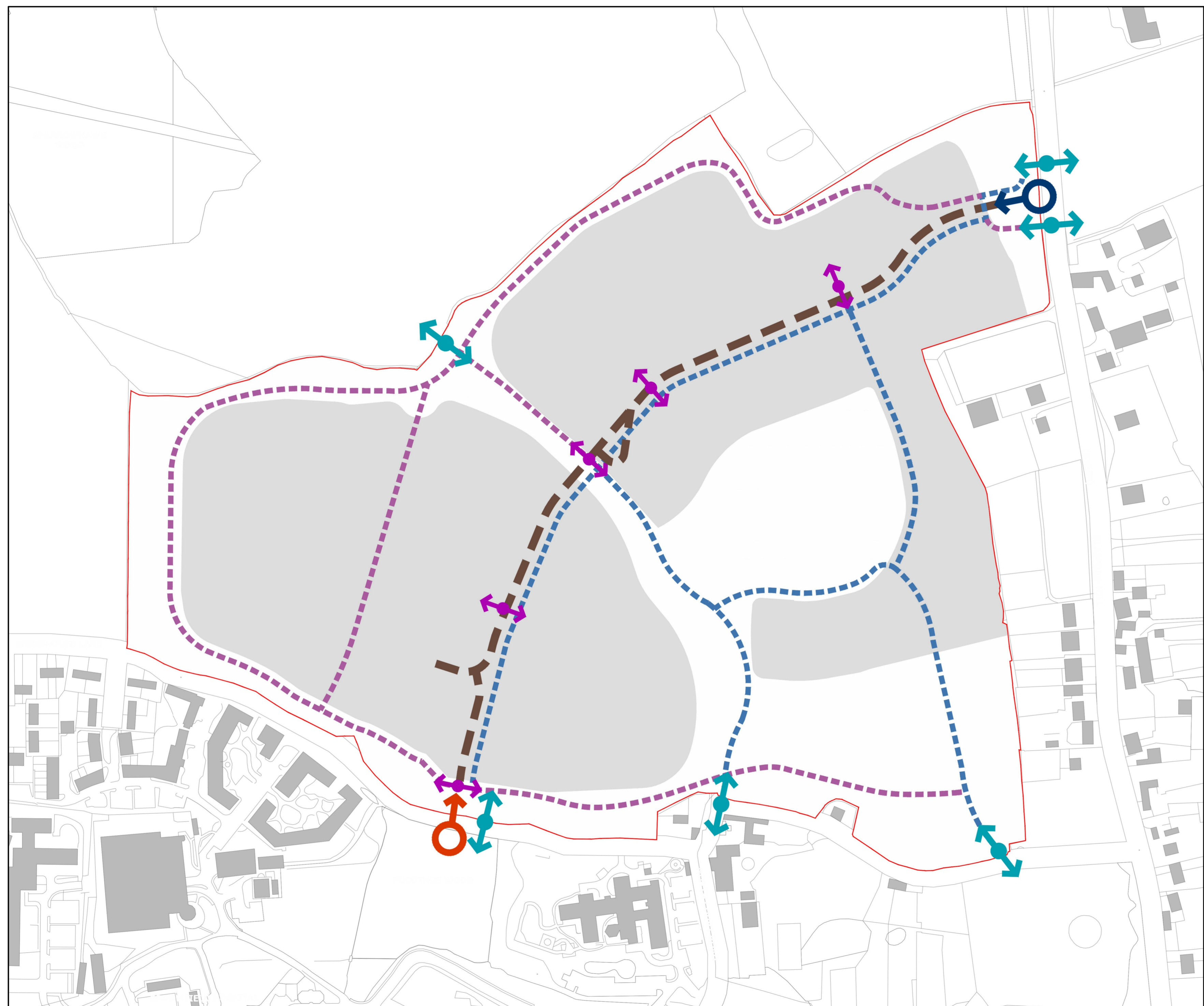


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- Site Boundary
- Primary Vehicular Access
- Secondary Access Location
- Indicative Primary Movement Corridor
- Indicative Pedestrian and/or Cycle Access
- Indicative Crossing Points
- Indicative Footway
- Indicative Cycle Route

Project  
**LAND WEST OF BLASFORD HILL**

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

Date 25.11.21	Scale 1:2000@A2	Drawn by M.D.	Check by S.W.
Project No 25746	Drawing No RG-M-84	Revision C	

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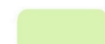




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The scaling of this drawing cannot be assured

Revision	Date	Drn	Ckd
D	09.12.21	M.D.	S.W.

Orchard location and size updated.

-  Site Boundary
-  Amenity Green Space
-  Indicative Play Space Location (Children & Youth)
-  Parks and Recreation Grounds
-  Natural Green Space
-  Retained Pond
-  Indicative Location for Drainage Basins as required
-  Indicative Location for Community Orchard
-  Indicative Location for Village Green



Project  
**LAND WEST OF  
 BLASFORD HILL**

Drawing Title  
**PARAMETER PLAN  
 - LANDSCAPE / PUBLIC OPEN SPACE**

Date	Scale	Drawn by	Check by
25.11.21	1:2000@A2	M.D.	S.W.

Project No	Drawing No	Revision
25746	RG-M-86	D



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**Planning Committee  
21<sup>st</sup> January 2025**

<b>Application No</b>	:	21/00881/FUL Full Application
<b>Location</b>	:	Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET
<b>Proposal</b>	:	<b>Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage.</b>
<b>Applicant</b>	:	Mr Eburne Bloor Homes Limited
<b>Agent</b>	:	Robert White
<b>Date Valid</b>	:	28th April 2021

**Appendices:**

Appendix 1	Drawing No(s) to be listed on any decision notice
Appendix 2	Summary of consultations (since June 2023)
Appendix 3	June 2023 Committee Report, Green Sheet and Minutes
Appendix 4	August 2022 Committee Report, Green Sheet and Minutes
Appendix 5	Site Location Plan

**1. Executive summary**

- 1.1. At the meeting of the Planning Committee in June 2023 it was resolved that planning application 21/00881/FUL in respect of Puddings Wood (to the north of Broomfield Hospital) and Woodhouse Lane, Broomfield, Chelmsford be approved, subject to: the completion of the Section 106 agreement referred to in the report to the meeting and the conditions set out in the report to the meeting.
- 1.2. Since the resolution of the Planning Committee to approve the application, the S106 agreement has been drafted and the finer details of clauses negotiated by the City Council, Essex County Council and Bloor Homes.



- 1.3. Since the June 2023 Committee resolution minor amendments to the suggested conditions for related application 20/02064/OUT and heads of terms for the Section 106 agreement have become necessary.
- 1.4. These amendments include:
  - 1.4.1. Flexibility on the First Homes S106 provisions
  - 1.4.2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign
  - 1.4.3. Removal of Biodiversity Net Gain S106 provisions
  - 1.4.4. Essex Coast RAMS tariff
- 1.5. The amendments are minor and policy compliant, they are, however, referred to the Planning Committee to make a decision as they do not accord with the specific details, heads of terms and conditions listed in the previous report (see 20/02064/OUT Appendix 3) which went before the Planning Committee in June 2023 and where the Committee resolved to approve planning permission.
- 1.6. There are no suggested amendments to the report or the conditions for this application, however as it is intrinsically linked with 20/02064/OUT, the application is again referred to the Planning Committee for completeness.
- 1.7. Since the June 2023 meeting of the Planning Committee, consultation responses have been received from Natural England and the Forestry Commission. As detailed in the June 2023 report (Appendix 3), the woodland would no longer be affected by the proposal as the link road has been removed and replaced by a financial contribution. The further consultation responses received do not alter previous conclusions.
- 1.8. It continues to be Officers' view that the proposal is acceptable, subject to conditions and the completion of the S106 agreement.

## **2. Background**

- 2.1. In August 2022 the Committee considered an outline application for residential development for up to 512 dwellings, including affordable housing and custom build homes (Use Class C3), a Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure on land to the north of Woodhouse Lane, Broomfield, which had been allocated as a strategic growth site in the Local Plan. All matters except for primary access were reserved. A Green Sheet of additions and alterations was distributed before the meeting. A copy of the Committee report and Green Sheet is appended at Appendix 4.
- 2.2. At the meeting, it was clear from the members' discussion of the application that the Committee was of the view that the development should not proceed without the link road or, as an alternative, the provision of a Park and Ride service. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of

the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option.

2.3. Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful. It was resolved that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out in the report to the meeting; and
- securing delivery of the link road.

2.4. Since the meeting of the Planning Committee, Officers worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the hospital link road.

2.5. In March 2023 the NHS Trust confirmed that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This was despite the applicant’s offer to pay a maintenance sum to The NHS Trust.

2.6. In light of this, the parties agreed an ‘Alternative Transport Strategy’ in lieu of the hospital link road in the form of funding of £1,350,000 to be provided by the Applicant to fund, primarily, a Park and Ride shuttle bus service. This was accepted by officers and the Local Highway Authority and the Planning Committee subsequently resolved that the application be approved subject to: the completion of the Section 106 agreement referred to in the report to the meeting (including an obligation to secure the ‘Alternative Transport Strategy’ and the conditions set out in the report to the meeting (see Appendix 3).

**3. Amendments since previous Planning Committee resolution (June 2023)**

3.1. Since the resolution of the Planning Committee to approve the application, the S106 agreement has been drafted and the finer details of clauses negotiated by the City Council, Essex County Council and Bloor Homes.

3.2. Since the June 2023 Committee resolution minor amendments to the suggested conditions for related application 20/02064/OUT and heads of terms for the Section 106 agreement have become necessary.

3.3. These amendments include:

- 3.3.1. Flexibility on the First Homes S106 provisions
- 3.3.2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign
- 3.3.3. Removal of Biodiversity Net Gain S106 provisions
- 3.3.4. Essex Coast RAMS tariff

3.4. The reasons for the amendments are set out in the table below:

Amendment	Reason	Proposal
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1. Flexibility on First Homes provisions	The recently published December 2024 version of the National Planning Policy Framework (NPPF) no longer requires 25% of affordable housing to be provided as First Homes (see NPPF footnotes 31 and 90).	The intention is to enable the First Homes to be delivered either as First Homes or Shared Ownership properties.
2. Removal of conditions 28 & 29 – Residential Travel Packs and Smarter Choices Campaign	The provision of residential travel packs and a smarter choices campaign are to be an obligation of the S106 agreement. To avoid duplication, the conditions are proposed to be removed.	The intention is to remove conditions 28 and 29 as they are a duplication of obligations in the S106 agreement. The requirements for the smarter choices campaign will also be updated.
3. Removal of Biodiversity Net Gain S106 provisions	Biodiversity Net Gain provisions were erroneously retained on the June 2023 report. Biodiversity net gain is not required as a S106 obligation following the removal of the proposed link road.	The development would continue to deliver the same quantum of biodiversity net gain as previously proposed, but as it will be delivered on-site it is not required as a S106 obligation.
4. Essex Coast RAMS tariff	Essex Coast RAMS contribution listed in S106 obligations to be increased.	Increase Essex Coast RAMS contribution to £156.76 per dwelling in line with current tariff.

#### 4. Summary of Consultations (Since June 2023)

- 4.1. Since the Planning Committee resolved to approve the application, subject to the completion of a S106 Agreement and compliance with conditions, in June 2023, the following responses have been received:
- 4.2. Essex County Council Highways – The details of the Smarter Choices campaign are acceptable to the Highway Authority and would, in conjunction with the other mitigation sought by the Highway Authority as outlined in our recommendation to Planning dated 18th May 2023, adequately mitigate the impact of the development.
- 4.3. Natural England - There is strong evidence to suggest that Pudding Wood is ancient woodland and we are currently carrying out investigations into whether the site should be added to the ancient woodland inventory.
- 4.4. Forestry Commission - No opinion supporting or objecting to an application.
- 4.5. Full details of responses received since the previous Planning Committee (June 2023) meeting are included at Appendix 2.
- 4.6. All consultation responses prior to the previous Planning Committee meeting (June 2023) are included in the previous committee reports which are attached at Appendix 3 and

Appendix 4. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

## **5. Planning Considerations**

- 5.1. The amendments to the conditions and S106 agreement detailed above are considered in detail in the report for application 20/02064/OUT. The amendments do not relate to this specific application for the works to Woodhouse Lane. The application is only referred to the Planning Committee as it is intrinsically linked to application 20/02064/OUT and would be bound by the same S106 agreement.
- 5.2. The conclusions reached in the previous reports for this application (Appendix 3 and Appendix 4) have not changed.

## **6. Legal Obligations**

- 6.1. The application will be linked to the S.106 Agreement for the residential development of the adjacent site (see 20/02064/OUT also on this agenda). Details are included in the report for application 20/02064/OUT (Appendix 1).

## **7. Community Infrastructure Levy (CIL)**

- 7.1. The proposal is not CIL liable.

## **8. Planning Balance (Conclusion)**

- 8.1. The development would improve opportunities for walking and cycling in the area. It would also provide safer vehicular access to a number of existing residential properties and Farleigh Hospice.
- 8.2. The removal of the link road from the proposal means that trees and habitats within Puddings Wood would not be affected. Whilst there would be some harm to the setting of non-designated heritage assets, this is outweighed by the need for the closures on Woodhouse Lane and the public benefits of the proposal.
- 8.3. There are no other material considerations that need to be taken into account since the committee's previous consideration of the application in June 2023. The Broomfield Neighbourhood Plan carries limited weight at this stage in decision making.
- 8.4. Overall the proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

## **RECOMMENDATION**

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

### **Condition 1**

The development hereby permitted shall begin no later than 5 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**

Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall provide for:

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials and
- vii. hours of deliveries.

The Plan shall be adhered to throughout the construction period.

Reason:

In the interests of highway safety.

### **Condition 4**

Prior to the commencement of the development hereby permitted details of all surfacing works, including turning heads, bollards, and other means of enclosure, and all signage shall be submitted to and agreed in writing with the local planning authority. The work shall be carried out in accordance with the approved details.

Reason:

In the interests of the rural character of the lane and non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan and to prevent through traffic from using the Farleigh Hospice site in lieu of Hospital Link.

**Condition 5**

(i) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

(ii) The applicant shall within six months of the completion of the fieldwork submit to the local planning authority a post excavation assessment, unless otherwise agreed in advance with the Planning Authority.

Reason:

The proposed development is in an area of potential archaeological remains and in accordance with Policy DM15 of the Chelmsford Local Plan.

**Condition 6**

Prior to their installation details of any means of external lighting, including temporary lighting during the construction period, shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

In the interests biodiversity and species using the area in accordance with Policy DM16 of the Chelmsford Local Plan.

**Notes to Applicant**

- 1 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.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

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.

**Plans to be listed on any Decision Notice:**

Transport & Drainage Technical Note/March 2023

184281-020/B

184281-022/B

184281-030/D

184281-032/C

184281-034/A

Heritage Assessment/March 2023

Covering Letter/March 2023

Archaeology JAC27354/March 2023

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## Appendix 2 – Consultation Responses since June 2023 (previous Planning Committee)

### Essex County Council Highways

Comments
<p>8/1/2025</p> <p>Bloor have contacted the Highway Authority to seek ECC's agreement to amend a Highways element of their planning consent which was approved at Planning Committee subject to S106.</p> <p>Part of the Highway mitigation package (outlined in the Committee Report dated 20th June 2023) was the provision of a "Smarter Choices Campaign" for the existing Broomfield Village. A Smarter Choices scheme is in essence a Travel Plan to encourage sustainable travel but does not cover the proposed development (a separate Travel Plan requirement will do that) and instead would be rolled out to the existing properties in Broomfield parish and on Blasford Hill, with a view to encourage existing residents to use sustainable travel modes which in turn would reduce reliance on the private car and free up capacity on the nearby highway network.</p> <p>The Smarter Choices Campaign has been secured via Condition 29 of the draft conditions and as an element of the S106, as outlined in the Committee Report dated 20th June 2023.</p> <p>During negotiations, it was agreed that the Smarter Choices campaign definitions would need to be set out in the S106 including a cost cap.</p> <p>As part of the S106 negotiations the following Smarter Choices campaign has been agreed with the Highway Authority:</p> <ul style="list-style-type: none"><li>• A timescale be applied to the provision of the Smarter Choices campaign of 7 years from first occupation,</li><li>• Provision of single journey bus tickets per household,</li><li>• Travel awareness leaflets and cycle incentive events,</li><li>• Monitoring,</li><li>• A cost cap of £500,000 for the Smarter Choices Campaign.</li></ul> <p>It is understood these changes will need to be approved by Planning Committee, please can you reiterate to the Planning Committee that the above changes are agreed with the Highway Authority and are necessary in order for the S106 to progress. The details of the Smarter Choices campaign, as set out above, are acceptable to the Highway Authority and would, in conjunction with the other mitigation sought by the Highway Authority as outlined in our recommendation to Planning dated 18th May 2023, adequately mitigate the impact of the development.</p>

### Forestry Commission

Comments
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31/7/2023

As a Non-Ministerial Government Department, the Forestry Commission provide no opinion supporting or objecting to an application. We provide advice on the potential impact that the proposed development could have on trees and woodland to ensure there is no net loss of woodland cover resulting from any planning application. It is noted that the documents for this application includes Biodiversity Net Gain metrics and proposals. We recommend that BNG is included in an approved plan, and the Council is satisfied that the Environmental Impact Assessment.

## Natural England

Comments

28/7/2023

Natural England has received notification from a member of the public raising concerns about the impacts of the above-mentioned development on deciduous woodland currently recorded on the Priority Habitat Inventory (PHI). Furthermore, there is strong evidence to suggest that Pudding Wood is **ancient woodland** and we are currently carrying out investigations into whether the site should be added to the ancient woodland inventory. We will notify you of any further findings in due course.

As you may be aware, paragraph 180 (c) of the National Planning Policy Framework (NPPF) states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. ([National Planning Policy Framework - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/66252/nppf_guidance.pdf)).

As you will be aware, Natural England and the Forestry Commission have created joint Standing Advice ([Ancient woodland, ancient trees and veteran trees: advice for making planning decisions.](#)) which assists local planning authorities in deciding if there is a 'reasonable likelihood' that a development will result in the loss or deterioration of ancient woodland or veteran trees. This Standing Advice is a material consideration in the determination of applications in the same way as bespoke advice provided by Natural England.

### **Protected Species:**

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice or seek advice from your County Ecologist in relation to this matter.

Natural England will only provide bespoke advice on ancient and veteran trees and protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. We suggest your authority seeks further advice on this potentially important woodland site from the FC, as lead authority on woodland matters, and also the Essex Wildlife Trust.

## Local Residents

Comments
No further comments received.





**Planning Committee**  
**20<sup>th</sup> June 2023**

<b>Application No</b>	:	21/00881/FUL Full Application
<b>Location</b>	:	Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET
<b>Proposal</b>	:	<b>Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage.</b>
<b>Applicant</b>	:	Mr Eburne Bloor Homes Limited
<b>Agent</b>	:	Robert White
<b>Date Valid</b>	:	28th April 2021

**Appendices:**

Appendix 1	Summary of consultations (since August 2022)
Appendix 2	August 2022 Committee Report & Green Sheet
Appendix 3	August 2022 Committee Minutes
Appendix 4	Bloor Homes Ltd & NHS Trust Letters
Appendix 5	Drawings

**1. Executive summary**

1.1. At the meeting of the Planning Committee in August 2022 it was resolved that planning application 21/00881/FUL in respect of Puddings Wood (to the north of Broomfield Hospital) and Woodhouse Lane be approved, subject to:

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out in the report to the meeting; and
- securing delivery of the link road [into Broomfield Hospital].

- 1.2. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the hospital link road. Sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).
- 1.3. In March 2023 The NHS Trust confirmed their position in a letter to Officers (Appendix 4). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the applicant's offer to pay a maintenance sum to The NHS Trust.
- 1.4. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' in lieu of the hospital link road.
- 1.5. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.
- 1.6. Officers and the Local Highway Authority have undertaken extensive investigation and analysis of the supporting documentation and the additional information submitted as part of the applications. This has concluded that the traffic impact that results from the residential development, and in lieu of the link road, could be suitably mitigated through a package of appropriate mitigation, sustainable transport measures and financial contributions towards additional mitigation, including the proposed contribution of £1,350,000.
- 1.7. The application has subsequently been amended to remove the previously proposed hospital link road and make consequential minor amendments to Woodhouse Lane. The closures to parts of Woodhouse Lane have not required amendment. The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development.
- 1.8. Overall it is Officers view that the proposal is acceptable, subject to conditions and the completion of the S106 agreement.

## **2. August 2022 Planning Committee**

- 2.1. In August 2022 the Committee considered the application for the proposed hospital link road and closures to sections of Woodhouse Lane, associated with application 20/02064/OUT for the residential development of the land to the north (Strategic Growth Site 8 of the Chelmsford Local Plan). A Green Sheet of additions and alterations was distributed before the meeting. A copy of the Committee report and Green Sheet is appended at Appendix 2.
- 2.2. At the meeting, it was clear from the members' discussion of the application that the Committee was of the view that the residential development of Strategic Growth Site 8 should not proceed without the link road or, as an alternative, the provision of a Park and Ride service. Officers said that if the Committee were minded to approve the applications, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being

secured, discussion would continue between the Council, the applicant and the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the applications would be brought back to the Committee to consider the Park and Ride option.

2.3. Members accepted the assurance of officers that the applications would be brought back to the Committee if discussions over the link road were not successful. It was resolved that planning application 21/00881/FUL in respect of the proposed link road and closures to Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out in the report to the meeting; and
- securing delivery of the link road.

2.4. A copy of the Minutes of the meeting is appended at Appendix 3.

### **3. Subsequent Discussions**

3.1. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the link road. Sustained and prolonged efforts have been made by Officers and the Applicant to secure the delivery of the link road through positive and constructive dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).

3.2. Whilst a Memorandum of Understanding (MOU) was signed by The NHS Trust (January 2019) as part of the Local Plan adoption process, it became clear as part of discussions that as time went on, the NHS Trust were reluctant to support the proposed link road.

3.3. On 29th September 2022 officers were advised in an email from the Agent acting on behalf of the NHS Trust that The NHS Trust would prefer that the link road is not constructed (Appendix 4). They reluctantly accepted that the road through their estate could be provided, but only on the condition that The NHS Trust would not accept any cost or liability now or in the future for provision or maintenance of the link road.

3.4. In March 2023 the NHS Trust confirmed their position in a letter to Officers (Appendix 4). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the Applicant's offer to pay a maintenance sum to The NHS Trust. In addition, The NHS Trust state that the link road and internal road network configuration which apparently would need related/consequent investment could not be accommodated within their capital programme.

3.5. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' based on a Park and Ride Shuttle Bus.

3.6. The positions of both the Applicant and The NHS Trust are set out in letters appended at Appendix 4.

#### 4. Proposal

- 4.1. The Applicant now proposes the 'Alternative Transport Strategy' in lieu of the link road and has amended the current planning application (and related application 20/02084/OUT) accordingly. The link road has been removed from the proposal and the description of proposed development amended.
- 4.2. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.

#### 5. Summary of Consultations (Since August 2022)

- 5.1. Following the submission of the revised proposal, the following consultation responses were received:
- 5.2. Broomfield Parish Council – Very disappointed that the new access road to the Hospital site is likely to be scrapped. Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service. However, it is strongly opposed to spending the entire capital sum on this single initiative. The spine road must be built with the capacity for a link road onto the Hospital site to be added as originally planned, at a later date. However, should the Hospital Trust revert to its earlier desire for a second regular access, that would need to be funded through NHS capital funding streams and not by further development. The availability of up to £1.35M to mitigate traffic impacts on the B1008 is a great but unique opportunity. It must not be entirely spent on one single measure, but must be used carefully to support a wider strategy.
- 5.3. Essex County Council Highways - The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development. A vehicle prohibition order on Woodhouse Lane east of the new access road is required to remove the vehicle through route from the existing narrow lane and create a safe, sustainable travel corridor to/from the site.
- 5.4. Great Waltham Parish Council – No additional comments.
- 5.5. Little Waltham Parish Council –would not wish to see the bus travelling through the village centre which would cause more congestion but would wish it to be routed along Essex Regiment Way to the Sheepcotes Roundabout and then along the B1008.
- 5.6. Essex County Council Historic Environment - The submitted Written Scheme of Investigation, revised to encompass the updated proposals, accurately outlines the scope, methodology and archiving requirements of the archaeological work required. Condition requested.
- 5.7. Local Residents – One additional comment neither objecting to or supporting the application. Welcomes removal of proposed link road as no need to feel any trees or affect natural habitats. residents of Partridge Green Lane and Woodhouse Lane should be allowed to continue to access the

entire lengths and sections of both North Court Road and Woodhouse Lane, as they have always done so to date, but also have the choice of whether they wish to use the new spine road or Woodhouse Lane and North Court Road to access Main Road, Broomfield, and the hospital site, and whether their intentions are to travel north towards Braintree or south towards Chelmsford via Broomfield.

- 5.8. Full details of consultation responses received since the previous Planning Committee meeting are included at Appendix 1.
- 5.9. All consultation responses prior to the previous Planning Committee meeting are included in the original committee report which is attached at Appendix 2.

## **6. Planning Considerations**

### *Transport*

- 6.1. A link to Broomfield Hospital is a requirement of Local Plan Growth Site Policy 8 and Strategic Policy S9 of the Chelmsford Local Plan. The hospital link road formed part of the adopted masterplan for the application site and was allocated as a measure to mitigate an increase in vehicular traffic on Blasford Hill. At the time of the adoption of the Local Plan in May 2020 it was understood that the formation of the link road was an objective shared by the Hospital Trust.
- 6.2. As set out above, sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust). Both the Applicant and the NHS Trust have however now concluded that an agreement cannot be reached and that an alternative transport strategy should be secured. This is considered in more detail as part of application 20/02064/OUT.
- 6.3. Whilst the hospital link road is no longer proposed, changes and closures to parts of Woodhouse Lane are still required. These amendments and closures are required to provide improved access for residents of Woodhouse Lane, to remove a potential vehicle through route from the development on the existing narrow lane to Hospital Approach and Blasford Hill and to provide safe and sustainable walking and cycling routes.
- 6.4. The part of Woodhouse Lane to the west would largely remain as existing, with the exception of a new alignment and junction where Woodhouse Lane would be connected to the spine road through the residential development of the land to the north (see 20/02064/OUT). Properties to the west would gain access from the north via the new spine road through the Bloor development.
- 6.5. The part of Woodhouse Lane immediately to the east of the proposed spine road and new Woodhouse Lane junction road would remain open to provide access to the existing service access of Farleigh Hospice. Beyond the Farleigh Hospice service access the road would be closed and a turning head with bollards would be installed.
- 6.6. Whilst theoretically it would be possible for vehicles to cut through Farleigh Hospice from their service entrance on Woodhouse Lane out onto North Court Road, the proposed closures are unlikely to make this a realistic prospect. This opportunity also already exists. A condition could secure the provision of signage at the service entrance to discourage use.



- 6.7. Further to the east, to the north of the junction of Woodhouse Lane and North Court Road, there would be a further closure. North Court Road would still provide access to the properties located on this junction. The northern end of North Court Road would serve as a turning head. Bollards would similarly be installed at this closure location.
- 6.8. Properties in Woodhouse Lane to the east of North Court Road would continue to have vehicular access from the junction of Woodhouse Lane and Blasford Hill. Although this junction has limited visibility, the number of vehicles using this access would be greatly reduced to just those east of North Court Road. A turning head and bollards would be installed close to The Coach House.
- 6.9. The proposed works to Woodhouse Lane and associated road closures are acceptable and necessary. The Local Highway Authority have no objection to the proposal. The road closures would be secured through a Traffic Regulation Order (TRO).

#### *Preserved Trees, Ecology & Biodiversity*

- 6.10. The woodland commonly referred to as Puddings Wood is protected by Preservation Order reference TPO/2001/107. It is an important landscape feature. It has a non-statutory designation as a Local Wildlife Site.
- 6.11. The removal of the link road from the proposal means that trees within Puddings Wood would not need to be felled and biodiversity within Puddings Wood would not be lost. This is a benefit of the removal of the proposed link road and the now proposed alternative transport strategy.

#### *Heritage*

- 6.12. The eastern turning head on Woodhouse Lane would, as outlined in the original report (Appendix 2), cause some harm to the setting of Wood House (a non-designated heritage asset). In accordance with Policy DM14 of the Chelmsford Local Plan and the National Planning Policy Framework this harm can be acceptable providing the harm is justified following a balanced judgement of harm and the significance of the asset; and harm is minimised through retention of features of significance and/or good design and/or mitigation measures. The turning head is unavoidable in order to prevent 'rat running' through Woodhouse Lane and also in order to make Woodhouse Lane a safer walking and cycling route. The closures would also reduce the number of vehicles using the Woodhouse Lane and Blasford Hill junction which has limited visibility. It would also be possible to minimise the harm through materials and landscaping details which would be required by condition.
- 6.13. On balance, it is considered that the harm to the setting of Wood House, its outbuildings and lodge can be minimised and is justified.
- 6.14. The proposed development is in an area of potential archaeological remains. The site of the proposed link road is adjacent to a site which had prehistoric flint and Late Bronze Age pottery. There is the possibility that archaeological features and finds may extend into the proposed development area. An updated written scheme of investigation has been submitted. This is acceptable. A condition is required to ensure that the programme of archaeological work is carried out in accordance with the Written Scheme of Investigation prior to the commencement of works.

## **7. Legal Obligations**

7.1. The application will be linked to the S.106 Agreement for the residential development of the adjacent site (see 20/02064/OUT also on this agenda). The S.106 agreement will require (amongst other matters):

- Closure/downgrading/alterations to Woodhouse Lane.
- Developer to submit details of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane.
- Construction and delivery of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction, and associated works to Woodhouse Lane, in accordance with details in application and design to be agreed by the highway authority prior to 200th occupation.
- Restriction on occupations until the new access roundabout, the spine road, works to Woodhouse Lane, cycle facilities and bus stop infrastructure have been carried out and a certificate of completion issued under s.278.

## **8. Community Infrastructure Levy (CIL)**

8.1. The proposal is not CIL liable.

## **9. Planning Balance (Conclusion)**

9.1. Whilst a Memorandum of Understanding (MOU) was signed by The NHS Trust (January 2019) as part of the Local Plan adoption process, it became clear as part of discussions that as time went on, the NHS Trust were reluctant to support the proposed link road. The NHS Trust have subsequently confirmed their position that they would prefer that the hospital link road is not constructed and that, despite the applicants offer of a financial sum to cover future maintenance, the NHS Trust could not accept any costs or liability for the road such that it could not go ahead. The applicant has therefore proposed an alternative transport strategy in lieu of the hospital link road.

9.2. The development would improve opportunities for walking and cycling in the area. It would also provide safer vehicular access to a number of existing residential properties and Farleigh Hospice.

9.3. The removal of the link road from the proposal means that trees and habitats within Puddings Wood would not be affected. Whilst there would be some harm to the setting of non-designated heritage assets, this is outweighed by the need for the closures on Woodhouse Lane and the public benefits of the proposal.

- 9.4. There are no other material considerations such as a change in government or local policy that need to be taken into account since the committee's previous consideration of the application in August 2022. The Broomfield Neighbourhood Plan has not reached a stage where it can be considered a material planning consideration.
- 9.5. Overall the proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is therefore acceptable, subject to conditions and the completion of the S106 agreement.

### **RECOMMENDATION**

**The Application be APPROVED subject to the completion of a S106 Agreement and compliance with the following conditions:**

#### **Condition 1**

The development hereby permitted shall begin no later than 5 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**

Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall provide for:

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials and
- vii. hours of deliveries.

The Plan shall be adhered to throughout the construction period.

Reason:

In the interests of highway safety.

#### **Condition 4**

Prior to the commencement of the development hereby permitted details of all surfacing works, including turning heads, bollards, and other means of enclosure, and all signage shall be submitted to and agreed in writing with the local planning authority. The work shall be carried out in accordance with the approved details.

Reason:

In the interests of the rural character of the lane and non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan and to prevent through traffic from using the Farleigh Hospice site in lieu of Hospital Link.

**Condition 5**

(i) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

(ii) The applicant shall within six months of the completion of the fieldwork submit to the local planning authority a post excavation assessment, unless otherwise agreed in advance with the Planning Authority.

Reason:

The proposed development is in an area of potential archaeological remains and in accordance with Policy DM15 of the Chelmsford Local Plan.

**Condition 6**

Prior to their installation details of any means of external lighting, including temporary lighting during the construction period, shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

In the interests biodiversity and species using the area in accordance with Policy DM16 of the Chelmsford Local Plan.

**Notes to Applicant**

- 1 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.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

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.

Essex County Council Highways

Comments
<p>18.05.2023</p> <p>A link to Broomfield Hospital via Strategic Growth Site 8 was identified as a requirement within the CCC Local Plan. Broomfield Hospital (MEHT) have not been able to find an agreeable way forward to enable the link road and the developer has now revised the 2 connected applications (20/02064/OUT and 21/00881/FUL) to omit the link road and provide alternative mitigation.</p> <p>The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development, this application (21/00881/FUL) deals with the amendment to Woodhouse Lane.</p> <p>A vehicle prohibition order on Woodhouse Lane east of the new access road is required to remove the vehicle through route from the existing narrow lane and create a safe, sustainable travel corridor to/from the site. The closure of Woodhouse Lane as a vehicular through route to Partridge Green will enable a direct walking/cycling link to be provided from the development to Hospital Approach via Woodhouse Lane and North Court Road, and on to the Chelmsford to Gt Waltham cycle route, away from the B1008. As the Traffic Regulation Order process for vehicle prohibition is separate to the planning process it is essential that the TRO is confirmed as soon as possible post planning approval to ensure there is certainty that it can be delivered without abortive works and to provide sufficient level of good quality walking/cycling links southwards of the site. If the TRO is not successful, an alternative sustainable solution would be required which would need to be identified and agreed with the Highway Authority.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to:</p> <p>The developer to construct a new connection to Woodhouse Lane from the spine road. The detailed specification and design of the works to be agreed by the Highways Authority and delivered by the developer.</p> <p>The developer to provide measures to prevent through traffic from using the Farleigh Hospice site in lieu of Hospital Link.</p>

A Construction Management Plan to be prepared and adhered to throughout the construction period.

### **ECC Historic Environment Branch**

#### Comments

28.3.2023

These proposals have the potential to impact archaeological deposits related to remains uncovered in close proximity. The submitted Written Scheme of Investigation, revised to encompass the updated proposals, accurately outlines the scope, methodology and archiving requirements of the archaeological work required.

Recommend updated condition:

1. No development or preliminary groundworks can commence until the satisfactory completion of archaeological fieldwork, as detailed in the approved Written Scheme of Investigation.
2. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

### **Little Waltham Parish Council**

#### Comments

05.04.2023

Little Waltham Parish Council notes that other ways of mitigating the traffic leading into the Hospital is to be agreed and one suggestion is a bus from the Chelmer Valley Park and Ride to the Hospital - the Parish Council would not wish to see that bus travelling through the village centre which would cause more congestion but would wish it to be routed along Essex Regiment Way to the Sheepcotes Roundabout and then along the B1008.

### **Broomfield Parish Council**

#### Comments

14.04.2023

Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service.

Strongly opposed to spending the entire capital sum on single initiative.

A comprehensive, carefully-considered strategy for mitigating the traffic impacts of the development should be agreed with the Broomfield and Little Waltham communities. The use of the available capital should then support this strategy, prioritizing aspects which will have the longest-lasting benefits on the B1008 corridor.

Since the time of the PFI expansion (around 2003 up to the Local Plan Examination in 2018), Hospital management has been keen to create a second, regular access road to the site and the Council has been supportive of this aspiration. For the local community, the sole positive aspect of Strategic Growth Site 8 North of Broomfield (SGS8) was the inclusion of a new link road from the east, in the expectation that it would alleviate traffic problems on the B1008, particularly the Hospital Approach/Main Road junction.

The variation now proposed of substituting a subsidized bus service for a significant piece of infrastructure is a significant departure from the Local Plan and the understanding upon which it was consulted upon and examined.

Very disappointed that the promised new access road to the Hospital site is likely to be scrapped. Mitigating infrastructure being dropped but the development going ahead anyway.

The Council insists that the SGS8 spine road is built with the capacity for a link road onto the Hospital site to be added as originally planned, at a later date. However, should the Hospital Trust revert to its earlier desire for a second regular access, that would need to be funded through NHS capital funding streams not by further development, with the usual negative impacts for the local community.

The availability of up to £1.35M to mitigate traffic impacts on the B1008 is a great but unique opportunity.

It must not be entirely spent on one single measure, but must be used carefully and judiciously to support a wider strategy, in consultation with the local communities that will be most affected by the development of SGS8.

## Great Waltham Parish Council

### Comments

22.05.2023 - No additional comments

## Local Residents

### Comments

One comment received since August 2022 Planning Committee. Summarised as follows:

Welcome the proposed amendments from the perspective that there would no longer be a need to fell any of the trees or for the potential destruction of any other natural habitats within the wooded area.

Residents of the western section of Woodhouse Lane and Partridge Green Lane would be forced to access their properties via the new spine road. This is not a viable option for those wishing to travel south.

Residents of Partridge Green Lane and Woodhouse Lane should be allowed to continue to access the entire lengths and sections of both North Court Road and Woodhouse Lane, but also have the choice of whether they wish to use the new spine road or Woodhouse Lane and North Court Road to access Main Road, Broomfield, and the hospital site.

All Large Goods Vehicles wishing to access Partridge Green Farm and Bedford Sports Playing Field, should be required to use the new spine to access the western section of Woodhouse Lane in order for them to access their intended destinations, as the eastern sections of Woodhouse Lane between Blasford Hill and the service yard entrance at the rear of Farleigh Hospice, and the entire length of North Court Road, are unsuitable sections of road for such large vehicles.

Pleased that the proposal to remove a number of trees and destroy a significant area of woodland habitat that make up Pudding Wood to make way for a new link road onto the hospital site has been dropped, and that people will be able to continue to enjoy the beauty of Pudding Wood and the wildlife which resides within it for foreseeable future generations to come.



**ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE**

**20<sup>th</sup> June 2023**

**7. 20/02064/OUT – Strategic Growth Site North Of Woodhouse Lane, Broomfield, Chelmsford, Essex**

**Amendment to Condition 26**

Condition 26 has been amended to include a note about land ownership. The condition should read as follows:

**Condition 26– additional bus stops B1008**

There shall be no occupation of phase 1 until new additional bus stops north and southbound on the B1008 (either on land within the applicant’s control, or within Highway Land), at locations to be agreed with Essex County Council, have first been provided. The bus stops shall include raised kerbing, shelter, seating, Real Time Passenger Information screen, static information display and a bus stop flag.

Reason:

To ensure properties within phase 1 of the development are within 400m walking distance of a bus stop.

**Item 9**

**22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

**Condition 11 – SuD’s Scheme**

The first part of the condition states ‘The scheme should include but not be limited to ..... Limiting discharge rates to 1.88l/s for all storm events up to, and including, the 1 in 100 year rate plus 40% allowance for climate change’; this is to be amended to ‘limiting discharge rates to 2.5l/s’.

The amendment follows an error highlighted in the consultation response from the ECC SuD's Team in relation to the maximum permitted discharge rate based on the area of the proposed drainage system in the development area.

## **Item 9**

### **22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

A letter of representation has been received from Holmes & Hills Solicitors on behalf of their client New Hall School.

#### Position with Countryside Zest (the applicant) and DWD (the planning agent)

The letter refers to communication between the school and the applicant's planning agent; the school has raised concern with a lack of engagement in relation to:

- Demolition of the pillars, gates and walls at the White Hart Lane entrance,
- Land ownership and the applicant's ability to deliver the proposed highway arrangements (the pillars, gates and walls being located on land within the school's ownership),
- Impact on the school's pre-existing private rights of way and the potential substantial interference with this right of way and
- Impact on the school's existing transport network by the proposed new highway arrangements.

#### Position with ECC Highways

Reference has been made to a meeting between the school, the Highway Authority and the local planning authority on 24<sup>th</sup> January 2023.

The key issues are summarised as:

1. Whether the pillars, gates and walls at the White Hart Lane entrance are located on land designated as public highway.
2. Whether there is a feasible alternative to pedestrian/cyclist priority at the new junction onto The Avenue.
3. What impact the bus link road application would have on the school's transport network.

#### Issue 1 – Land Ownership

- A note was prepared by Essex Highways dated 3<sup>rd</sup> May 2023; ECC agreed in the note that the pillars, gates and walls did not form part of the public highway.
- Countryside Zest have sought to contend that the pillars, gates and walls are located on land within its ownership. The importance of the issue relates to Countryside Zest's ability to deliver the bus link road.

- Countryside Zest have provided no further information in relation to the exercise and evidence required to establish legal ownership.
- The Essex Highways note advised that a trapezium shaped parcel of land in front of the school's gates registered to New Hall School against EX679614 is not considered to be part of the highway. The agent has relied upon the note to imply that the pillars, gates and walls are located on land in the applicant's control.
- Countryside Zest have not carried out a land surveying exercise to determine the position of the legal boundaries.
- Paragraphs 6.20 and 6.21 of the committee report are judged to be seriously misleading as the agreed approach to determining the land ownership issue has not been carried out.

### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- The Highway Authority consultation response contains a stock response in relation pedestrian/cycle priority.
- The preference for priority crossings of cycle tracks at side roads has informed the proposal.
- Details of other design proposals that were considered, and seemingly discounted have not been shared with the school so that a better understanding can be gained of why, and how, the current design and arrangements have been arrived at.
- 'Left-turn' down The Avenue does not currently exist.
- The existing highway arrangements would be altered to create a new left turn junction and to re-align/re-route the existing access road. The reality is a new right turn off the existing access road onto the new bus link road to gain access to the railway station; the school have queried whether in such circumstances, it would still be the case that LTN1/20 would prescribe a preference for a priority crossing for pedestrians and cyclists.

### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- No surveys have been undertaken of the current vehicular movements in relation to the school and no detailed analysis of the likely number of buses, pedestrians and cyclists that will be seeking to access the train station with no assessment of the likely impact on the flow of traffic using the school's transport network at peak times.
- No indicative train and bus timetables have been issued.
- Countryside Zest's transport consultant has not been asked to provide modelling of the likely traffic flows based on actual surveys of vehicle movements in relation to the school.

The statement that the school's existing access rights from White Hart Lane across the applicant's land to The Avenue would be unaffected by the bus link is not the result of a sound evidence base.

### **22/01723/FUL - The Avenue, Springfield and Land Forming Part of Beaulieu Park Sports Ground Springfield Chelmsford**

Following receipt of the letter of representation from Holmes & Hills Solicitors on behalf of their client New Hall School, the applicant's planning agent and the Highway Authority have responded as set out below:

### Agent Response

#### Issue 1 – Land Ownership

- The extent of the trapezium shaped parcel of land (EX678614) transferred from the Charity of the Regular Canonesses of the Order of the Holy Sepulchre of Our Lord to New Hall School in July 2021 aligns with the extent of the publicly adopted highway in this location.
- Countryside Zest's title, EX913508, abuts the adopted highway.
- The registered landowners were formally notified of the application.
- Land ownership is not a material consideration in the determination of a planning application.
- An agreement under Section 278 of the Highways Act 1980 can be used to licence a developer to carry out improvement works on a public highway, which are generally necessary where planning permission has been granted for a development.
- The proposals include for re-provision of the entrance wall, plaque and signage, ensuring there is a clearly recognisable entrance feature.
- Significant public benefits result from the provision of a bus, cycle and walking link from White Hart Lane to the new Beaulieu Park Railway Station.
- Security to the school is maintained as New Hall School have erected new gates to the main school entrance from the vehicle access at the top of the Avenue.

#### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- The rationale for the design approach is set out in the planning application.
- The crossing on The Avenue has been designed to prioritise pedestrians and cyclists over vehicles; this aligns with LTN1/20 and recent changes to the Highway Code with the hierarchy of road users.
- The proposal would not prejudice vehicular ability to access The Avenue / New Hall School.
- The proposals significantly enhance walking and cycling links including to New Hall School from White Hart Lane.

#### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- The application submission details the anticipated frequency of buses along the bus link road, including during peak times.

### Other Matters

- The proposals were amended in response to issues raised by New Hall School to include the re-provision of a wing wall and plaque to maintain a notable entrance feature.

- The outline planning permission for Beaulieu established the principle of a two-way bus link road to connect White Hart Lane with Beaulieu Park Railway Station and contained an obligation in the legal agreement.
- The Charity of the Regular Canonesses of the Order of the Holy Sepulchre of Our Lord to New Hall School were party to the legal agreement.
- The provision of a new station at Beaulieu is a long standing aspiration and was adopted in the Council's Local Development Plan as a critical part of a major urban expansion of Chelmsford delivering sustainable public transport and for the wider economic development of the area.
- The formation of a bus, cycle and pedestrian link from White Hart Lane to Beaulieu Park Station is an important component in the delivery of access to the station and would further enhance walking and cycling links to New Hall School from White Hart Lane, beyond those already delivered by the Beaulieu development.

### ECC Highway Authority Response

#### Issue 1 – Land Ownership

- The Highway Authority has visited the site to measure and consider the extent of the highway and has determined that the trapezium shaped piece of land under New Hall School's ownership falls within the highway boundary.
- The highway extends up to but does not include the wall and pillars; these have not been adopted by any adoption mechanism and form a physical barrier to any potential highway rights being established beyond them.
- The land required for the proposed works is either considered highway or within the applicant's control and s278 works can be progressed.

#### Issue 2 – Feasible Alternatives to Pedestrian/Cycle Priority at the new Junction onto The Avenue

- Significant consideration has been given to the design of the junction with The Avenue and the new bus link road to balance the highway requirements and that of heritage as the committee report sets out at paragraphs 6.8 and 6.25.

#### Issue 3 – Impact of the Bus Link Road on the School's Transport Network

- New Hall School would still retain their three access points and two egress points post completion of the bus link. The application does not seek to change this position.

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 20 June 2023 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors J. Armstrong, S. Dobson, S. Hall, R. Hyland, J. Lardge, R. Lee, , E. Sampson, A. Thompson, C. Tron and P. Wilson

Also Present:

Councillors Bugbee, C. Davidson, Pooley and Scott

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Councillors Pappa and Thorpe-Apps.

### 3. Declarations of Interest

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

### 4. Minutes

The minutes of the meeting on 18 April 2023 were confirmed as a correct record and signed by the Chair.

### 5. Public Question Time

Public questions and statements were asked on Items 7,8,9 and 12 and are detailed under the relevant items. [The statements submitted in advance can be viewed via this link.](#)

## 6. Appointment of Vice Chair

RESOLVED that Cllr Sue Dobson be appointed as the Vice Chair of the Committee for 2023/24.

## 7. 20/02064/OUT – Strategic Growth Site North Of Woodhouse Lane, Broomfield, Chelmsford, Essex & Item 8 21/00881/FUL – Broomfield Hospital, Hospital Approach, Broomfield Chelmsford, Essex, CM1 7ET

Declarations of Interest – Cllr Sosin declared a Non registrable interest for Items 7 and 8 and left the meeting for them. Cllr Dobson took the Chair for Items 7 and 8.

The Committee considered Items 7 and 8 together, due to them being related. Item 7 was for an outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F,1 and F,2), formal and informal open space, and associated infrastructure with all matters reserved expect for primary access. Item 8, was for the Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included an amendment to condition 26 to include a note about land ownership.](#)

The Committee was informed by the chair that all members could take part in the discussions and vote on the two items, not just those who were present in August 2022. It was noted that it had the status of a new application and members had the whole report before them.

The Committee was reminded of the resolution it agreed in August 2022 to approve 20/02064/OUT subject to the completion of the Section 106 agreement, the conditions set out in the report and securing delivery of the link road. Officers informed the Committee that work had been undertaken to secure the delivery of the link road but this had not been possible as an agreement on the future maintenance arrangements, costs and liability of the proposed link road could not be reached with the NHS Trust. Therefore an alternative transport strategy had been agreed by parties in lieu of the hospital link road. The Committee heard that this included a financial contribution of £1,350,000 primarily towards a shuttle bus service between the Chelmer Valley Park and Ride Site and Broomfield Hospital to be provided by the applicant. The Committee heard that officers had undertaken extensive investigation and analysis and concluded that the traffic impact that resulted from the proposal could be suitably mitigated through a package of appropriate mitigation. It was highlighted to the Committee by officers, that with the exception of traffic matters, all other matters considered previously remained unchanged. The Committee was informed that both applications were being recommended for approval.

The Committee heard a statement from the applicant, which highlighted the ongoing work that had been undertaken with partner organisations to secure an acceptable transport position for the scheme. The Committee heard that the alternative transport strategy was the result of extensive consultation and was supported by the NHS Trust and City and County Council, including significant contributions towards the cost of the park and ride service. The applicant also stated that the rest of the application remained as previously agreed.

A local resident addressed the Committee and informed them that residents still held major concerns about traffic on Main Road in Broomfield. They highlighted the Memorandum of Understanding that had agreed the provision of the link road which they felt was still a fundamental part of the application. They stated that the park and ride service would not be

sufficient to mitigate the impact of the development. A further local resident also highlighted concerns for hospital staff having to use the park and ride service. They informed the Committee that there did not appear to be mention of a 24/7 service and would staff be expected to rely on the service on a dark winter night, which they felt was a potential personal security issue.

A representative from Broomfield Parish Council also addressed the Committee. They raised concerns about how the £1.35m figure should be split between the park and ride service and other alternative transport arrangements. They highlighted ongoing issues with traffic levels within the Parish, especially near the hospital and asked the Committee to work with the Parish and its residents to show how development can work in their best interests. The Committee heard that there was no evidence that spending £1m on the park and ride scheme was the right thing to do and it could be argued that further funding would then be required. The Committee were asked to remove the specified £350,000 from the wording of the proposed obligation, so that there was no limit of what could be put towards local schemes that may come forward through the emerging Neighbourhood Plan.

Two local ward members and two other City Councillors also addressed the Committee and the following concerns were raised;

- The link road had been a fundamental element to improve traffic in the area which was already very congested.
- Would the park and ride service be viable?
- Other measures should be considered rather than just relying on the park and ride service.
- What levels of service would be provided by the park and ride, would it be sufficient and cover all shift patterns and would free parking be removed to encourage its use?
- How long would the financial contribution keep the service running for?
- Why was the link road now not required, despite the local plan inspectorate stating it was required?
- Roads in the area were already operating over capacity and the development without adequate mitigation would just increase this.

In response to the points raised by members of the public and local Councillors, officers stated that they were not indicating that the link road was no longer necessary. They were stating that it was no longer possible to be delivered, due to the land being owned by the NHS trust who could not reach an agreement, therefore other options had to be considered. It was noted that the Highways authority felt the alternative arrangement was suitable and would adequately mitigate the impact of the development. The £350,000 towards other measures had been calculated on the basis that £1,000,000 could fund a park and ride service for a five year period, leaving £350,000 for other schemes. It was noted that the service had been successful pre covid and there was demand for it to be restarted. It was also noted that the bus service would be run the same as any others in the area and that specific details of the service would be established with Essex County Council. Officers from the Highways authority also stated that the funding would not fund the service permanently, but it was hoped that over the 5 year period, there would be an adequate modal shift to make the service self sustainable. They also noted that the package of mitigations was adequate in their view and it would be down to officers to develop the service. They felt that a 24 hr service was unnecessary as the key aim of the service was to reduce traffic at peak times. Officers from the Highways authority also stated that they could not object to the evidence provided and they were comfortable with the mitigations being put forward.



Officers also informed the Committee that the local plan and masterplan were starting points for consideration. It was noted that the application before the Committee, was for housing and the question to be answered, was whether the proposed mitigations would adequately mitigate the harm from that development. It was noted that the link road would have been a preferred option, but the Committee had to decide if the new proposals would allow the housing development to go ahead without a negative impact on traffic in the local area.

Members of the Committee expressed disappointment and concerns that the link road had proved not to be possible. Members also queried whether the park and ride service would be adequate but noted that the Highways authority were happy with the mitigations being provided. Members also noted the importance of 500 new homes for the area and noted that any development would have some level of impact.

In response to questions from the Committee, members were informed that;

- There had been plans to reinstate the park and ride service previously and officers were keen for it to be running again, it was noted that this provided an opportunity to do so.
- The spine road would still be able to accommodate a link road in the future if it was to ever be put in place.
- The £1.35m figure being put forward, was the same as the proposed cost of the link road, therefore no party was being short changed.
- There would be a cost impact for the park and ride service to cover all hospital staff shifts 24/7.
- The detailed plans for the park and ride service and how often it would run, were not yet set in stone.

A member of the Committee proposed that the applications be approved with a change to the wording of the financial contribution of £1.35m. It was proposed that the wording at page 20 of the agenda pack in the first bullet point for highways and transportation be amended to read;

“ A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.”

The above proposal was seconded and then voted on by the Committee.

RESOLVED that the applications at Items 7 and 8 be approved.

**20/02064/OUT be approved** subject to the completion of a S106 agreement and compliance with the conditions detailed in the report and; with the following condition added , “*A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan*”

**21/00881/FUL be approved** subject to the completion of a S106 agreement and compliance with the conditions detailed in the report.

(7.04pm to 9.08pm)

## 9. 22/01723/FUL – The Avenue Springfield And Land Forming Part Of Beaulieu Parks Sports Ground, Springfield, Chelmsford, Essex

Declarations of Interest – Cllr Wilson declared a Non registrable interest for Item 9 and left the meeting for that item.

The Committee considered an application for the construction of a two-way bus link and pedestrian and cycle paths to connect the Beaulieu Park Railway Station to White Hart Lane with utility, landscape and infrastructure works, together with associated and ancillary development. The Committee heard that the application had been referred as it included CCC owned land and an adverse third party representation had been received. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included a change to condition 11, a late letter of representation from New Hall School and a response from the planning agent and highways authority.](#)

The Committee were informed that the Beaulieu Park Railway Station formed the cornerstone of a series of sustainable transport measures for North-East Chelmsford and that following reserved matters approvals, work had commenced on the station at the end of 2022. It was noted that the application brought forward the requirement for a two-way bus link road from White Hart Lane to the new station as set out within the S106 agreement. The Committee heard that the bus link road together with the associated footway and shared footpath/cycle path had been the subject of extensive pre-application discussion and negotiation. It was noted that the scheme was acceptable to the heritage sensitivity of the site and met all required design standards. The Committee was informed that the scheme formed a key component of the overall sustainable transport strategy for Beaulieu Park Railway Station and was recommended for approval, subject to the completion of a S106 agreement.

Two public statements were made at this point of the meeting. One member of the public highlighted concerns with a discharge of conditions application - ref: 09/01314/DOC/314. They stated that the pond had not been constructed in accordance with the original approved plans and it was not holding the promised minimum 300mm of water. It was noted that several local residents held concerns and had submitted objections. The planning agent for the application also addressed the Committee. They stated that the delivery of the new station was a critical step for delivering sustainable public transport in Chelmsford. They informed the Committee that the principle of the bus link was well established through the adopted Local Plan and the Beaulieu Outline planning permission approved in 2014. They noted that the application would enable them to start work on a key piece of infrastructure and referred to the proactive engagement with officers and other stakeholders over the last two years. It was also noted that the proposal had been amended in response to comments and that it was in line with the City Council's policies.

In response to the concern raised about the discharge of conditions application above, officers stated that it was a technical matter and specialist landscape advice had been sought. It was noted that a RoSPA report had been undertaken for the attenuation basin which set out a recommendation for knee rail fencing to be provided around the edge of the basin; the

application sought to regularise the installation of the new fencing with a planting scheme alongside. The Committee heard that the Council was aware of the 11 letters and would be considering them along with the specialist advice.

In response to questions from the Committee, it was noted that some new bus routes would be created alongside the extension of some existing ones. The Committee also heard that specialist lighting bollards would be used on the upgraded path around the edge of the Beaulieu Park Recreation Ground, these were of a design in line with those already in place in Oaklands Park for heritage sensitivity and would provide adequate lighting.

RESOLVED that the application be approved, subject to an agreement, as indicated in the report, being entered into by 20<sup>th</sup> September 2023 pursuant to the Town and Country Planning Act 1990 and subject to the conditions detailed in the report.

(8.49pm to .9.21pm)

#### 10.23/00134/FUL - Land Adjacent 2 Pease Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for one affordable rent dwelling in the defined settlement of East Hanningfield, it was noted that the application had been referred to the Committee as it was sited on land owned and managed by the City Council. It was noted that objections to the application had been received covering a range of topics, but loss of green space, overdevelopment of the housing estate, increase in parking stress and impact to character were the main issues raised. It was noted that the application was recommended for approval subject to conditions.

Members of the Committee were informed that the property would be for affordable rent tenure and would include two parking spaces at the front of the dwelling. Members of the Committee agreed that housing of this type was urgently needed and that the loss of green space was justified against the housing need. It was also noted that other large recreational areas were available nearby. It was also confirmed by officers that condition 3, detailing the property being for affordable rent, would stay in place as the Council would build the property for that purpose.

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

(9.22pm to .9.34pm)

#### 11. 23/00194/FUL – Play Area Payne Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for the redevelopment of existing amenity space and car parking, to provide three affordable dwellings, with associated works including a new through road and provision of additional car parking spaces. The Committee heard that along with Item 10, the application was by the City Council so had been referred to Committee. Objections had been received including the loss of open space, displacement of parking and access to existing properties and neighbour amenity. It was noted that the application, along with Item 10 also provided for the urgent need for affordable housing and this had to be justified against the loss of open space. Members were also informed that a financial contribution had been secured to improve and enhance other existing pieces of Open Space in East

Hanningfield, which weighed heavily in favour if the development in the planning balance. Therefore the application had been recommended for approval subject to conditions.

In response to questions from the Committee, officers stated that the view of parking and highways was that the application would not add extra stress to the local parking situation. Officers also stated that the parking surveys had been carried out by the County Council and if they had held concerns about the timings of the surveys, they would have raised this. It was also noted that there would be space to in theory add further parking spaces in the future if required. Officers also stated the importance of the requirement of new four bedroom affordable dwellings to assist with the high numbers in temporary accommodation.

Officers also agreed to add two conditions requested by the Committee. These included the provision of a footpath around the side of the development to provide garden access for the middle-terraced property and a duplication of condition 3 from Item 10 to ensure the development was for affordable housing.

RESOLVED that the application be approved subject to the conditions detailed in the report and two additional conditions ;

- The new dwelling 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.
- The addition of a footpath around the side of the development to provide garden access for the middle terraced property.

(9.35pm to .9.53pm)

## 12.22/01650/FUL – Land South of Colam Lane, Little Baddow, Chelmsford, Essex

The Committee considered an application for the erection of a rural workers dwelling for a temporary period of up to three years. It was noted that the proposed building was required to provide accommodation for a rural worker in association with the alpaca breeding business at the site. The Committee heard that an independent appraisal of the application documents and the on site rural business had been commissioned, to assess whether the dwelling was required in association with the business. The consultant had advised the Council that the business generated a requirement for one full time employee, necessary to be on site for security and animal welfare reasons. It was noted that no alternative accommodation on the site was available and it was not felt it would have a detrimental impact on the intrinsic character and beauty of the surrounding countryside. Therefore, the application was recommended for approval.

The Parish Council and a local ward member both raised concerns with the application including the below;

- A breach of planning regulations, proving that any retrospective application was possible.
- A highways contravention had taken place by accessing the road through hedgerow.
- A request for a stop order by the Parish Council had not been responded to.
- Large areas of hedgerow would have to be removed for visual splays, further damaging the tranquillity.
- No notices had been served on adjacent landowners.
- Why had the development not been stopped when it was first reported?

- Would similar applications be submitted in the future?
- Was overnight care for the alpacas actually required?

In response to the concerns raised, officers stated that it was not unreasonable for a three bed property to be used for this purpose. Officers highlighted the consultants report that had detailed the requirement for overnight care and the application would not have been recommended for approval if they had said otherwise. It was also noted that queries on access were subject to a different application and comments would be considered. Officers also stated that it was not common for retrospective applications like this to take place but that it did not influence their decision.

Members of the Committee agreed that the temporary period of three years, provided a reassurance and that it was important to support new businesses. In response to other points, officers noted that a caravan on the site would be replaced by this dwelling, and the internal layout of the application did not breach any rules. It was also noted that only the applicant could benefit from the planning permission and if the business were to be sold, then someone else would have to apply for permission.

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

(9.54.pm to 10.32pm)

### 13. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 1 May and 7 June 2023 be noted.

The meeting closed at 10.32pm.

Chair

**Appendix 4 – August 2022 Committee Report, Green Sheet & Minutes**

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**Planning Committee**  
**9<sup>th</sup> August 2022**

<b>Application No</b>	:	21/00881/FUL Full Application
<b>Location</b>	:	Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET
<b>Proposal</b>	:	<b>Formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, closure of sections of Woodhouse Lane, and ancillary infrastructure.</b>
<b>Applicant</b>	:	Mr Eburne Bloor Homes Limited
<b>Agent</b>	:	Robert White
<b>Date Valid</b>	:	28th April 2021

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### Appendices:

Appendix 1	Consultations
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## 1. Executive summary

- 1.1. The application proposes a new link road through Puddings Wood. The application site consists of the land known as Puddings Wood which is situated to the north of Broomfield Hospital and to the south of Woodhouse Lane. Puddings Wood is owned by the Mid and South Essex NHS Foundation Trust. The site also includes parts of Woodhouse Lane.
- 1.2. Strategic Growth Site Policy 8 of the Chelmsford Local Plan requires residential development of the land north of Broomfield to provide a new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice. A new access road to Broomfield Hospital is an infrastructure requirement listed in Policy S9 of the Chelmsford Local Plan. This is to help reduce congestion, link new development and provide connections in the strategic road network. Special Policy Area, Policy SPA1 –Broomfield Hospital refers to the new access road into the Hospital and at paragraph 7.367 and states that The Mid-Essex hospital Trust and the developers of Site 8 to facilitate the proposed new access road to the Hospital.
- 1.3. The new link road would connect the new spine road through the Bloor residential development with the internal estate road of Broomfield Hospital to the south. The road would not be adopted and would be used for staff and deliveries associated with Broomfield Hospital with public transport to be investigated. The proposed link road is essential infrastructure required to make the Land North of Broomfield site allocation and planning application acceptable in traffic and sustainability terms.
- 1.4. The application also proposes closures to parts of Woodhouse Lane so that it could no longer be used for through traffic.
- 1.5. The principle of the link road has been established through the Chelmsford Local Plan and adopted masterplan for the allocated site. The route for the road is the most appropriate option with impact minimised as far as possible.
- 1.6. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland habitat and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 1.7. The woodland is protected by Tree Preservation Order reference TPO/2001/107. It is an important landscape feature.
- 1.8. The allocation of the adjacent site for residential development is based on the principle that a route to the hospital would be provided. The adopted masterplan shows this to be through the woodland. Whilst there would be adverse effects from the proposal under the environmental objective of sustainable development, these can be mitigated, compensated for and ultimately justified on the basis that the road is an infrastructure requirement providing public benefit.
- 1.9. The proposal is therefore recommended for approval subject to conditions and the completion of the Section 106 agreement. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.



## **2. Description of site**

- 2.1. The application site consists of the land known as Puddings Wood which is situated to the north of Broomfield Hospital and to the south of Woodhouse Lane. Puddings Wood is owned by the Mid and South Essex NHS Foundation Trust. The site also includes parts of Woodhouse Lane.
- 2.2. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland habitat and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 2.3. The woodland is protected by Tree Preservation Order reference TPO/2001/107. It is an important landscape feature.
- 2.4. Woodhouse Lane is a narrow rural lane with a junction at its eastern end with Blasford Hill. This junction lacks adequate visibility. North Court Road joins Woodhouse Lane to the east of Puddings Wood. The junction with North Court Road has a sharp bend.
- 2.5. Farleigh Hospice is accessed from both North Court Road and Woodhouse Lane. A number of residential properties are also accessed from North Court Road and Woodhouse Lane, as well as KEGS playing fields.
- 2.6. The site lies within the wider setting of a number of designated and non-designated heritage assets.
- 2.7. The site lies to the south of land allocated within the Chelmsford Local Plan for residential development. The residential development is promoted by Bloor, the applicant for this proposal.

## **3. Details of the proposal**

- 3.1. The application proposes a new link road through Puddings Wood. This would connect the new spine road through the Bloor residential development with the internal estate road of Broomfield Hospital to the south. The road would not be adopted and would be used for staff and deliveries associated with Broomfield Hospital with public transport to be investigated.
- 3.2. The application also proposes closures to parts of Woodhouse Lane. The closures include a section of the lane to the east of Farleigh Hospice (to the west of the junction with North Court Road), a section further east, north of the junction with North Court Road, and a section to the west of Puddings Wood. Turning heads are proposed as well as bollards to the road closure.
- 3.3. During the life of the application the scheme has been amended following consultation with the land owner of Puddings Wood, the Mid and South Essex NHS Foundation Trust. The changes largely relate to the provision of barrier controls to prevent public access over the road, rather than the previously proposed camera system.

#### 4. Other relevant applications

20/00001/MAS - Approved 14th September 2020

Masterplan for around 450 new homes, neighbourhood centre, early years and childcare facility, local open space and associated access and highway infrastructure including a new access into Broomfield Hospital

20/02064/OUT - Pending Consideration

Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access.

#### 5. Summary of consultations

- Little Waltham Parish Council – Objection due to destruction and felling of trees, concerns about congestion, and that the road should be open to the public.
- Great Waltham Parish Council – No comment but note concerns about the loss of woodland.
- Broomfield Parish Council – Support the principle of the application but raise concerns in relation to proposed restrictions of use, compensation for the impact on Puddings Wood, and parking on Woodhouse Lane.
  
- Essex County Council Highways – Acceptable subject to legal obligations and conditions.
- Essex County Council (SUDS) – No objection subject to conditions.
- Essex County Fire & Rescue Service - Access for Fire Service is considered satisfactory subject to fire brigade access and water supplies for firefighting purposes to the proposed development being fully compliant with Building Regulations
- Recycling & Waste Collection Services – No response.
- ECC Historic Environment Branch – The written scheme of investigation is acceptable. The archaeological work is still to be done.
- Ramblers Association – No response.
- Mid & South Essex NHS Foundation Trust – No objection.
- Public Health & Protection Services – No comments.
- Police - Designing Out Crime – Comments raised in relation to access for emergency vehicles, sustainable travel, access and maintenance and lighting.
  
- Local residents – Responses from 15 local residents; 1 in support, 1 comment and 13 objections.

Concerns raised include:

- Increased parking on Woodhouse Lane
- Effect on trees and wildlife
- Vehicles will get stuck in the lane and cause damage
- Impact on tranquillity and peace to Farleigh Hospice
- Overgrown roadside vegetation
- Road should be for public use
- Increased disturbance

## 6. Planning considerations

### *Main Issues*

6.1. The main issues are as follows:

- Background
- Transport
- Preserved Trees
- Ecology and Biodiversity
- Heritage
- Drainage
- Legal Obligations (Section 106 agreement)

### *Background*

- 6.2. The land to the north of Broomfield Hospital is allocated for residential development in the Chelmsford Local Plan (allocated for around 450 homes). Bloor Homes are promoting the site. An outline Planning Application for up to 512 homes is pending consideration and is recommended for approval, subject to conditions and a Section 106 agreement.
- 6.3. Strategic Growth Site Policy 8 requires residential development of the land north of Broomfield to provide a new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice. A new access road to Broomfield Hospital is an infrastructure requirement listed in Policy S9 of the Chelmsford Local Plan. This is to help reduce congestion, link new development and provide connections in the strategic road network.
- 6.4. Whilst the Transport Assessment accompanying the outline application (20/02064/OUT) for Strategic Growth Site 8 seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the recent Northeast Chelmsford Bypass demonstrated that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019, will be in 2024 (excluding Bloor development) and will be even more congested in 2036 (including Bloor development). The access to Broomfield Hospital and Farleigh Hospice is therefore required and must be provided by the developer in line with the Masterplan and Policy for Strategic Growth Site 8.
- 6.5. The residential development requires the provision of the Hospital Link Road and the associated closures on Woodhouse Lane to create a sustainable travel corridor. The closure of parts of Woodhouse Lane would enable a direct walking/cycling link to be provided from the development to Hospital Approach and on to the Chelmsford to Great Waltham cycle route, away from Blasford Hill.
- 6.6. Policy SPA1 (Broomfield Hospital Special Policy Area) of the Chelmsford Local Plan supports proposals which support the role, function and operation of Broomfield Hospital. This includes the provision of a loop road to allow bus, service and emergency vehicles easy access into the full body of the estate; optimising access by public transport; strengthening the network of pedestrian routes and spaces to aid safety, comfort and convenience. The supporting text to Policy SPA1 says that the Mid-Essex Hospital Trust should work in partnership with the developers of Strategic Growth Site 8 - North of Broomfield Hospital to facilitate the proposed new access road to the Hospital.

- 6.7. The road would be constructed on private land within the ownership of the Mid and South Essex NHS Foundation Trust. The road is not intended to be an adopted highway and would therefore not be open to public traffic. A barrier control system would be used to permit access for staff and deliveries from the link road into the Broomfield Hospital estate. The road would provide unrestricted access to the existing service access to the rear of Farleigh Hospice.

#### *Transport*

- 6.8. As set out above, the proposed link road is essential infrastructure required to make the Land North of Broomfield site allocation and planning application acceptable in traffic and sustainability terms.
- 6.9. The link road would connect the spine road within the Bloor residential development to the internal Broomfield Hospital estate road. The link road would have one lane in either direction with barrier access controls towards the Woodhouse Lane end of the link road (north).
- 6.10. The part of Woodhouse Lane to the west of the new link road would largely remain as existing, with the exception of a new alignment and junction where it would connect to the new road. This would be in the form of a 'T' junction. The existing alignment of Woodhouse Lane to the west of the new link road, which would be replaced by the new junction, would be closed. Properties to the west of the new link road would gain access from the north via the new spine road through the Bloor development.
- 6.11. The part of Woodhouse Lane immediately to the east of the new link road would remain open to provide access to the existing service access of Farleigh Hospice. Beyond the Farleigh Hospice service access the road would be closed and a turning head with bollards would be installed.
- 6.12. Further to the east, to the north of the junction of Woodhouse Lane and North Court Road, there would be a further closure. North Court Road would still provide access to the properties located on this junction. The northern end of North Court Road would serve as a turning head. Bollards would similarly be installed at this closure location.
- 6.13. Properties in Woodhouse Lane to the east of North Court Road would continue to have vehicular access from the junction of Woodhouse Lane and Blasford Hill. Although this junction has limited visibility, the number of vehicles using this access would be greatly reduced to just those east of North Court Road. A turning head and bollards would be installed close to The Coach House.
- 6.14. The proposed access road and associated road closures are acceptable and necessary. The Local Highway Authority have no objection to the proposal. The road closures would be secured through a Traffic Regulation Order (TRO).
- 6.15. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.

#### *Preserved Trees*

- 6.16. The woodland commonly referred to as Puddings Wood is protected by Preservation Order reference TPO/2001/107. It is an important landscape feature. It has a non-statutory designation as Local Wildlife Site Ch166, recorded as containing a varied canopy and shrub layer structure with coppice and ground flora species. The selection criteria for the site states that it is

a fine example of lowland mixed deciduous woodland on non-ancient sites. There is however trampling pressure, invasion of alien species and problems with lapsed management of the coppice stools; at the time of selection the site condition was recorded as neglected.

- 6.17. The woodland has been recorded as far back as 1771 where it is marked on the Memorial Map for Broomfield Hall. It has been present for at least 250 years and therefore will likely have a well-developed structure, soil structure and species assemblage. It is important to note that the woodland is not defined as ancient woodland.
- 6.18. The National Planning Policy Framework states at paragraph 180(c) that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Exceptional reasons are stated in footnote 58 for example, infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat.
- 6.19. The provision for a new vehicular access road is set out in Strategic Growth Site Policy 8 of the adopted Chelmsford Local Plan; the delivery of a new road access into Broomfield Hospital is a strategic objective of the Local Plan. The supporting justification to the policy states that where a new link road affects the Puddings Wood, compensatory measures must be provided and include an additional net habitat. A Masterplan Framework has been adopted for the strategic site allocation.
- 6.20. The application is supported by an arboricultural impact assessment (AIA) dated May 2022. This has recorded 191 individual trees, 12 groups and one area in the woodland. The trees have been categorised A to U according to BS 5837:2012 Trees in relation to design, demolition and construction - recommendations, based on their quality and sub categorised 1 to 3 according to their arboricultural, landscape or cultural qualities.
- 6.21. The survey recorded most trees in the western part of the woodland to be A and B quality specimens. The eastern boundary adjacent to Farleigh Hospice mainly comprised of B category trees. The proposed development site predominately contains C category trees; BS 5837:2012 recognises these as trees of low quality and it is apparent this area of the woodland has a natural clearing.
- 6.22. To implement the proposed development 58 individual trees would require removal; 3 B category, 48 C category and 4 U category; the latter reflecting trees unsuitable for retention regardless of development proposals. The loss of the trees would have a moderate impact in terms of the visual amenity, the prominence of the woodland and its functioning as a landscape feature and habitat to the local area. The selected route has been through significant evaluation and consultation and has been found to be the most appropriate route through Puddings Wood with the least impact on trees.
- 6.23. The planning statement sets out compensation of 2.3ha of new woodland planting and 0.94ha of scrub and woodland edge planting is to occur on the strategic development site. The housing development site provides sufficient opportunities to plant replacement trees, and it is noted that the western boundary of the housing site would be a woodland buffer with significant tree planting.

- 6.24. On balance it is considered that the proposal for the link road infrastructure is essential for the development of the allocated site to the north and in order to make Woodhouse Lane a safe walking and cycling option. The principle of this has been established through the Chelmsford Local Plan and adopted masterplan for the allocated site. The route for the road is the most appropriate option with impact minimised as far as possible. It is considered that there is sufficient public benefit resulting from the proposal to justify the loss of the existing trees, subject to compensatory planting.
- 6.25. The tree site plan shows that there is a sufficient construction exclusion zone and no development is to occur within the root protection areas of retained trees. There will be some minor level changes and this has been addressed in the amended Arboricultural Impact Assessment with appropriate mitigation detailed.

#### *Ecology & Biodiversity*

- 6.26. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 6.27. An ecological impact assessment has been carried out for the proposed development. Detailed surveys were carried out for bats, birds, badger and Great Crested Newt.
- 6.28. Surveys recorded various species of bats roosting, commuting and foraging on site. The assemblages of the various bat species have been assigned local importance only.
- 6.29. Three notable bird species were recorded as nesting in the woodland: cuckoo, song thrush and tawny owl.
- 6.30. Badgers are known to be present on the strategic development site to the north. A single sett was recorded. This sett is likely an outlier one due to its size and location.
- 6.31. Ponds closest to the proposed development recorded an absence of the Great Crested Newt.
- 6.32. The proposed development would result in direct habitat loss 0.21ha of woodland (trees, understorey vegetation, soil). The construction phase would generate dust, noise, vibration and light disturbance and potential contamination from machinery/materials. During the operation phase, traffic, noise, light and vibrations will occur together with run-off of pollutants and physical barriers.
- 6.33. These impacts will affect the identified habitats and species.
- 6.34. The badger sett would require updated pre-construction surveys to assess whether it is still active. If it is inactive it should be closed without the need for a licence however, if it is active it would require a licence from Natural England. Nonetheless, provision could be made for underpasses along the road to allow unimpeded movement across the remaining woodland habitat.

- 6.35. A single bat roost would be removed and five potential roosting trees, though not confirmed to contain roosts at this time. A licence would be required to fell the confirmed roost tree and an inspection should occur of the others prior to their removal. Any tree removal should occur outside of the bird nesting season.
- 6.36. Lighting is not proposed during construction. Lighting should be avoided to evade impacting the retained woodland and illuminating biodiversity features. As the road is not to be adopted an unlit road should not be a constraint to its operational use. A condition is recommended to require details of any necessary lighting so that it can be ensured it will not illuminate important biodiversity features.
- 6.37. The proposals show a loss of 0.21ha of woodland. Through the evolution of both planning applications, it has become apparent the housing development site is unable to deliver the required net gains to compensate for the biodiversity impact on Puddings Wood. The biodiversity net gain report submitted with the application shows an 11.46% loss in habitat units.
- 6.38. The reasoned justification of the Growth Site Policy 8 says that "...compensatory measures which replace and provide additional net habitat must be provided as part of the development". This required the developer to provide additional net habitat.
- 6.39. The compensation scheme to deliver the lowland deciduous woodland will require the assistance of a habitat bank; 1.797 biodiversity units are required to ensure there is a net gain. The applicant proposes to provide these units on a site to be identified locally. The developer is currently working on identifying a site. This site will need to be identified prior to the decision on the application being issued. The S106 agreement associated with the outline planning application for the housing development to the north would secure this.
- 6.40. In addition, other compensation measures are required such as compensatory planting and bat and bird box provision, both to compensate for lost habitats and to enhance new planting.
- 6.41. On balance, the impact of the proposed development which is unavoidable and justified by exceptional circumstance, could be suitably compensated for subject to conditions and S106 agreement obligations.

#### *Heritage*

- 6.42. The site lies within the wider setting of a number of designated heritage assets. Woodhouse Lane originates from the eighteenth century or earlier. It has the character of a narrow rural lane. The lane provides access to Wood House and its former lodge. Wood House has origins in the eighteenth century and was substantially remodelled in the nineteenth century. It has outbuildings adjacent to Woodhouse Lane, including a former coach house. On the north side of the lane is the former lodge cottage, dating from the late nineteenth century. The field to the north was part of a parkland setting to Wood House in the early twentieth century. This group of buildings have architectural and historic interest; they should be considered as non-designated heritage assets. The adjacent lane and the field to the north forms part of their setting and contributes to their significance.

- 6.43. The Puddings Wood access and the western turning head would have minimal impact on their setting, due to the distance between them, screening and the modern hospital context. The western turning head (close to Farleigh Hospice) would not adversely affect the setting of the non-designated heritage assets.
- 6.44. The eastern turning head would appear as an engineered feature within the lane and detract from the setting of the heritage assets at Wood House, its outbuildings and lodge. In accordance with Policy DM14 of the Chelmsford Local Plan and the National Planning Policy Framework this harm can be acceptable providing the harm is justified following a balanced judgement of harm and the significance of the asset; and harm is minimised through retention of features of significance and/or good design and/or mitigation measures.
- 6.45. As set out earlier in this report, the link road is essential infrastructure required by Strategic Policy S9 of the Local Plan. The turning head is unavoidable in order to prevent 'rat running' through Woodhouse Lane and also in order to make Woodhouse Lane a safer walking and cycling route. The closures would also reduce the number of vehicles using the Woodhouse Lane and Blasford Hill junction which has limited visibility. It would also be possible to minimise the harm through materials and landscaping details which would be required by condition.
- 6.46. On balance, it is considered that the harm to the setting of Wood House, its outbuildings and lodge can be minimised and is justified.
- 6.47. There are a group of listed buildings on Main Road. The land to the east forms part of a rural setting. Due to the distance from the heritage assets, the screening, the lack of historic associations and the minor nature of the proposals there would be no impact on their settings.
- 6.48. There is a former country house dating from c.1904 within the hospital grounds. The densely built-up nature of the hospital complex now means that the application site makes no contribution to its setting.
- 6.49. The proposed development is in an area of potential archaeological remains. The site of the proposed link road is adjacent to a site which had prehistoric flint and Late Bronze Age pottery. There is the possibility that archaeological features and finds may extend into the proposed development area. A written scheme of investigation has been submitted with the application. This is acceptable. A condition is required to ensure that the programme of archaeological work is carried out in accordance with the Written Scheme of Investigation prior to the commencement of works.

#### *Drainage*

- 6.50. The application is supported by a drainage strategy. This includes the diversion of a ditch, culverts, a surface water sewer and the creation of a surface water attenuation basin.
- 6.51. The drainage strategy has been reviewed by the Lead Local Flood Authority, Essex County Council, who have no objection to the proposed development, subject to conditions.

#### *Legal Obligations (S106)*

- 6.52. Paragraph 57 of the NPPF advises that obligations must only be sought where they are:



- (a) Necessary to make the development acceptable in planning terms
- (b) Directly related to the development, and
- (c) Fairly and reasonably related in scale and kind to the development

6.53. Further advice on the use of planning obligations is provided is given within national planning guidance: Planning Obligations – Use of planning obligations and process for changing applications.

6.54. The application will be linked to the S.106 Agreement for the residential development of the adjacent site (see 20/02064/OUT also on this agenda). The S.106 agreement will require:

- Developer to submit details of the link road for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the link road.
- Construction and delivery of link road in accordance with details in application 21/00881/FUL and design to be agreed by the highway authority to connect site with hospital road network and associated works to Woodhouse Lane to be provided prior to 200th occupation.
- Payment of a commuted maintenance sum for hospital link road.
- Closure/downgrading/alterations to Woodhouse Lane.

6.55. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.

## **7. Planning Balance - Conclusion**

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

### *Economic*

7.2. The proposed development would have a modest economic impact through the creation of jobs during construction. In addition, the link road is necessary to provide a site allocated for housing growth to the north of the site which would have its own economic benefits.

### *Social*

7.3. The proposed link road is essential infrastructure needed to meet the Council's identified growth needs through the allocation of Strategic Growth Site 8.

7.4. The development would improve opportunities for walking and cycling in the area. It would also provide safer vehicular access to a number of existing residential properties and Farleigh Hospice.

7.5. These benefits carry weight in favour of the proposed development. The need for the link road, an infrastructure requirement specified in the adopted Local Plan, carries substantial weight in favour of the development.

*Environmental*

- 7.6. The development would result in the loss of trees within a woodland and the loss of biodiversity and habitats, although these would be offset off site. It would also result in some harm to the setting of non-designated heritage assets. These impacts weigh against the proposed development.

*Conclusion*

- 7.7. The adopted Local Plan specifically lists the hospital link road as an infrastructure requirement. The road is necessary in transport and sustainability terms in order to make the residential development of Strategic Growth Site 8 acceptable. The road would also provide safer access to a number of properties.
- 7.8. Whilst there would be disbenefits of the proposal under the environmental objective of sustainable development, these disbenefits can be mitigated, compensated for and ultimately justified on the basis that the road is an infrastructure requirement providing public benefit.
- 7.9. The proposal is therefore recommended for approval subject to conditions and the completion of a Unilateral Undertaking submitted by The Trust.

**8. Community Infrastructure Levy (CIL)**

- 8.1. The proposal is not CIL liable.

**RECOMMENDATION**

**The Application be APPROVED subject to the completion of a S106 Agreement and compliance with the following conditions:**

**Condition 1**

The development hereby permitted shall begin no later than 5 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**

Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall provide for:

- i. construction vehicle access and routing,

- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials and
- vii. hours of deliveries.

The Plan shall be adhered to throughout the construction period.

Reason:

In the interests of highway safety.

#### **Condition 4**

Prior to the commencement of the development a biodiversity and woodland mitigation and compensation plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall include:

- Details of compensatory tree planting
- Details of on-site and off-site biodiversity enhancements
- A timetable for mitigation and compensation measures to be implemented
- A maintenance and management plan

The plan shall be implemented as agreed in accordance with the agreed timetable.

Reason:

To suitably compensate for the impact the development will have on the woodland and its biodiversity in accordance with Policies DM16 and DM17 of the Chelmsford Local Plan.

#### **Condition 5**

Prior to the commencement of the development hereby permitted, an arboricultural method statement shall be submitted to and approved in writing by the local planning authority. The arboricultural method statement shall include:

- (a) Details of trees and hedges to be retained, removed and planted,
- (b) Details of tree surgery work to retained trees,
- (c) Specification for tree protection including layout and type of tree protection for construction including change that may occur during development,
- (d) Location and installation of services, utilities and drainage,
- (e) Details of construction within the root protection area of retained trees,
- (f) A full specification for the construction of the new access and parking areas, including details of the bespoke cross-over and cellular confinement specification, and the extent of the areas. Details must include the relevant sections through them,
- (g) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste,
- (h) Revised tree protection plan,
- (i) Boundary treatments within the root protection areas,
- (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision.

Reason:

The development shall then be carried out in accordance with the approved details.

**Condition 6**

Prior to the commencement of the development hereby permitted details of all surfacing works, including turning heads, barriers, bollards and other means of enclosure shall be submitted to and agreed in writing with the local planning authority. The work shall be carried out in accordance with the approved details.

Reason:

In the interests of the rural character of the lane and non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan.

**Condition 7**

(ii) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

Reason:

The proposed development is in an area of potential archaeological remains and in accordance with Policy DM15 of the Chelmsford Local Plan.

**Condition 8**

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 1l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development.

**Condition 9**

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

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development.

**Condition 10**

Prior to the first use of the road a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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.

**Condition 11**

Prior to their installation details of any means of external lighting, including temporary lighting during the construction period, shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

In the interests biodiversity and species using the area in accordance with Policy DM16 of the Chelmsford Local Plan.

**Notes to Applicant**

- 1 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.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

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.

- 2 The applicant is reminded that this application is subject to a Section 106 agreement and a separate agreement between Chelmsford City Council and the Mid and South Essex NHS Foundation Trust.

**Essex County Council (SUDS)**

## Comments

03.01.2021

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions requiring:

- a detailed surface water drainage scheme;
- a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater;
- a maintenance plan detailing the maintenance arrangements; and
- yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

**Essex County Fire & Rescue Service**

## Comments

18.06.2021

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.

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

The architect or applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.

**Recycling & Waste Collection Services**

## Comments

No response received

**ECC Historic Environment Branch**

## Comments

04.01.2022

The Written Scheme of Investigation attached to the application is acceptable. The archaeological work is still to be done.

### Ramblers Association

Comments

No response received

### Mid and South Essex NHS Foundation Trust

Comments

The Trust has decided not to raise an objection to the planning application and proposals for the Link Road. They have reconsidered alternative routes for the Link Road to avoid the environmental damage that will be caused to Pudding Wood through its construction and operation and sadly concedes that other options are not viable or acceptable to the other parties affected (Farleigh Hospice and Swan Housing).

The Trust, the Applicants, Essex County Council Highways Department and Chelmsford City Council officers met on 18th November 2021 to discuss the application proposals. The Trust is pleased to see that many of their suggestions made in that meeting have featured in the amendments to the planning application scheme.

However, there are some observations that the Trust would like to make:

The proposals now show a single-lane, barrier-controlled operation. This is acceptable.

Swept path analysis should be reviewed; gradients should be clarified; the road should be built to adoptable standards; signage is required.

### Little Waltham Parish Council

Comments	CCC Response
<p>28.05.2021 - Little Waltham Parish Council does not object to the principle of a link road they do object to the proposed location of the road.</p> <p>Adverse impact upon the woodland habitat.</p> <p>There are other routes that could be utilized.</p> <p>In the event that Bloor do not construct the road but make a section 106 payment there is a danger that the road will never be built. This would result in the construction of additional homes without</p>	<p>Impact on woodland addressed in the report. The route has been selected as the one with the least impact.</p> <p>Section 106 Heads of Terms agreed to secure the</p>

<p>the traffic relief sought and which has underpinned the proposals to develop land in this area.</p> <p>In order to deliver relief from the congestion resulting from such development the spine road and link road should be constructed within the first year of the development phase.</p> <p>The road should not be restricted in use but should be available for use by all in order to avoid substantial congestion in the area.</p> <p>07.01.2022 - Little Waltham Parish Council maintains its objection on the basis that the proposed route is directly through Pudding Wood which will mean the destruction and felling of a substantial number of trees.</p> <p>The Parish Council has concerns as to how barriers would effectively operate and whether it would lead to congestion in the area particularly by those who travel to the barriers only to find that they are not able to pass through.</p>	<p>construction of the road.</p> <p>Section 106 Heads of Terms have been agreed to prevent the residential site being occupied beyond 200 dwellings until the road has been constructed.</p> <p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on their internal estate roads.</p> <p>The route has been selected as the once which would cause the least impact to the woodland.</p> <p>The Local Highway Authority are content with the barrier scheme and turning opportunities are available for those who cannot pass through the barriers.</p>
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**Great Waltham Parish Council**

Comments	CCC comments
<p>17.01.2022 - The Parish Council has no comment on the application but notes its concerns with the loss of any ancient woodland for the link road.</p>	<p>Impact on the woodland is addressed in the report. The route has been selected as the once which would cause the least impact to the woodland.</p>

**Essex County Council Highways**

Comments
<p>26.05.2022</p> <p>A link to Broomfield Hospital via Strategic Growth Site 8 was identified as a requirement within the CCC Local Plan. Whilst the submitted Transport Assessment accompanying the outline application for Strategic Growth Site 8 (20/02064/OUT) seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the recent North East Bypass Planning application (CC/CHL/85/21) demonstrates that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in</p>



2019 Base and will be in 2024 (excluding Bloor development) and even more congested in 2036 (including Bloor development) and therefore an access to Broomfield Hospital and Farleigh Hospice is required and must be provided by the developer in line with the Masterplan and Policy for Strategic Growth Site 8.

The residential development requires the provision of the Hospital Link Road and the associated vehicle prohibition on Woodhouse Lane to create a sustainable travel corridor. The closure of Woodhouse Lane as a through route enables a direct walking/cycling link to be provided from the development to Hospital Approach and on to the Chelmsford to Gt Waltham cycle route, away from the B1008. As the Traffic Regulation Order process for vehicle prohibition is separate to the planning process it is essential that the TRO's are approved as soon as possible, to ensure that it can be delivered and that there will be sufficient provision of good quality walking/cycling links southwards beyond the site.

It is therefore essential that technical approval relating to this application (including securing TRO's relating to Woodhouse Lane) is achieved as soon as early as possible prior to commencement of development under 20/02064/OUT.

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

Developer to construct the link road. Detailed works are to be agreed with the highway authority under s.278 of the Highways Act.

Prior to construction of the Link road a commuted sum for the maintenance of the link road to be paid to the local planning authority – to be passed on to the Hospital Trust.

A Construction Management Plan to be prepared and adhered to throughout the construction period.

**Broomfield Parish Council**

Comments	CCC Comments
<p>02.06.2021</p> <p>Both applications must be considered together, effectively as one application.</p> <p>The Council therefore supports the main principle of the application.</p> <p>The Council has the following concerns:</p> <p>Restrictions on the use of the New Link Road - The new link road offers the opportunity to remove all Hospital traffic that comes from Braintree and other areas to the north, taking it on site at the</p>	<p>Both applications are to be considered by the Planning Committee at the same meeting.</p>

<p>earliest opportunity rather than leaving it on the general highway network. Extending the use of the link road to all Hospital traffic, including patients and visitors, would help to ease wider congestion on the Main Road, Broomfield corridor.</p> <p>Compensatory Measures for Impact of Puddings Wood - the creation of a substantial tree belt connecting (as far as possible) Sparrowhawk Wood with the remainder of Puddings Wood would create a significant wildlife corridor.</p> <p>Proposed Closure Points on Woodhouse Lane - support the ECC/CCC vision for the closed sections of Woodhouse Lane to evolve into an attractive walking and cycling route. design and (if necessary) parking restrictions should be used to prevent unauthorised parking.</p> <p>26.01.2022 – previous comments still applicable</p> <p>The revisions to the application do not add any evidence to show that restricting the use of the link road will be as effective as a multi-use arrangement, where all Hospital-related traffic can benefit from the new link.</p> <p>The revised application stipulates the use of barriers, instead of an ANPR system as in the original application. This is a backward step to which the Council strongly objects. There will inevitably be queuing.</p> <p>Barriers should be farm-gate style, rather than concrete bollards.</p>	<p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on their internal estate roads.</p> <p>Tree planting is proposed on the housing development site (20/02064/OUT). This would include a buffer of around 50m on the western boundary to create a link to Sparrowhawk Wood.</p> <p>Support for the proposed closures is noted. Bollards are proposed to prevent vehicle access to closed sections.</p> <p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on</p>
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	<p>their internal estate roads.</p> <p>The Local Highway Authority are content with the barrier scheme and turning opportunities are available for those who cannot pass through the barriers.</p> <p>Noted. Condition 7 would require details of bollards or barriers to ensure that they are appropriate.</p>
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**Public Health & Protection Services**

Comments
<p>04.01.2022 - No PH&amp;PS comments with regard to this amended application.  01.06.2021 - No PH&amp;PS comments with regard to this application.</p>

**Police - Designing Out Crime**

Comments
<p>16.06.2021</p> <p>Observations relating to:</p> <p>Road layout- reduce risk to pedestrians; reduce car reliance; ensure safe access; access should be for blue light services.</p> <p>Access and management - responsibility for the enforcement of Road should remain with the Highways Authority. Police Officers (and other agencies) should not be overburdened to overcome inadequacies in safety management, access control or enforcement.</p> <p>CCTV - It is requested that the CCTV will be monitored 24/7, supported by management plans and procedures, alongside data sharing protocols clearly detailing the expectation of all parties.</p> <p>Lighting - lighting can reduce the potential for crime.</p>

Construction - recommend that the developers consider the foreseeability of crime during the construction phase and maximise on the opportunity to design those issues out.

Essex Police would recommend liaison with all Emergency Services to minimise potential disruption and impact on the broader community and emergency service provision. This will look to create a Joint Emergency Services Assessment.

### Local Residents

Comments	CCC Response
Responses from 15 local residents; 1 in support, 1 comment and 13 objections.	
<p><i>Support &amp; Comment – 2</i></p> <ul style="list-style-type: none"> <li>- Road is needed</li> <li>- It would make Woodhouse Lane safer</li> <li>- Deliver housing</li> <li>- Support closures</li> </ul>	Need for the road, implications for housing delivery and safety considerations are set out in the report.
<p><i>Objections – 13</i></p> <ul style="list-style-type: none"> <li>- Increased parking on Woodhouse Lane</li> <li>- Destruction to trees and wildlife</li> <li>- Vehicles will get stuck in the lane and cause damage to property and verges</li> <li>- Impact on tranquillity and peace to Farleigh Hospice</li> <li>- Road should be for public use</li> <li>- Increased disturbance</li> </ul>	<ul style="list-style-type: none"> <li>- Bollards are proposed to prevent parking.</li> <li>- Loss of habitat and trees are to be compensated for.</li> <li>- Closures to Woodhouse Lane will make access to properties easier; avoiding the tight North Court Road junction.</li> <li>- The road is set as far away from Farleigh Hospice as possible whilst minimising the impact on the woodland.</li> <li>- The road is not intended for adoption. Public use of the road could result in congestion around the</li> </ul>

	<p>internal estate roads of the Hospital.</p> <p>- Disturbance during construction is not a material planning consideration. The use of the road would be restricted which would minimise noise and disturbance. Public Health and Protection Services have not raised concerns about noise disturbance.</p>
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ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE  
9 AUGUST 2022

**Green Sheet**

**Items 6 and 7**

Since the publication of the reports, Members have received a letter from the Mid & South Essex NHS Foundation Trust setting out that they cannot accept any maintenance liability of the proposed Hospital Link Road.

The position of Bloor Homes is that the future maintenance of the Link Road can be addressed through the build licence and that the discussions on this would continue with the NHS Trust to ensure an acceptable position for both parties will be agreed.

There are now two options. Firstly, and preferably, that the Link Road is maintained. In the event that maintenance of the road cannot be agreed, and the road is not deliverable, there is a second option that would make the residential development acceptable in Highways terms. This second option is to secure a scheme of subsidised shuttle bus services between the Hospital and Chelmer Valley Park and Ride.

**Report Amendments:**

**Item 6**  
**20/02064/OUT**

The Legal Obligations set out in the main report are therefore amended to remove "Payment of a commuted maintenance sum for hospital link road" from the Highways and transportation section.

The following shall be added under the same Highways and transportation section:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

**Additional Informative:**

19 The developer is encouraged to contact the South Essex Parking Partnership to investigate parking controls that could be used within the development.

**Item 7**  
**21/00881/FUL**

Paragraph 6.54 be amended to remove the fourth bullet point “Payment of a commuted maintenance sum for hospital link road”.

Add the following to the list of bullet points in paragraph 6.54:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 9 August 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, S Dobson, J Frasca, P Hughes, J Lardge, R Lee,  
G H J Pooley, R J Poulter, T E Roper and I Wright

Also present: Councillors W Daden and M Steel

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Councillors E Sampson and C Shaw, who had appointed Councillors J Frasca and H Ayres as their substitutes. Councillor R Hyland also submitted belated apologies.

### 3. Declarations of Interest

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

### 4. Minutes

The minutes of the meeting on 5 July 2022 were confirmed as a correct record.

### 5. Public Question Time

Several questions were asked and statements made on the applications at Item 6 and 7. Details are given under the relevant minute numbers below.



## 6. Strategic Growth Site North of Woodhouse Lane, Broomfield, Chelmsford – 20/02064/OUT

The Committee considered an outline application for residential development for up to 512 dwellings, including affordable housing and custom build homes (Use Class C3), a Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure on land to the north of Woodhouse Lane, Broomfield, which had been allocated as a strategic growth site in the Local Plan. All matters except for primary access were reserved. A Green Sheet of additions and alterations had been distributed before the meeting.

A representative of the applicant attended the meeting to speak in support of the application. A statement and question had been submitted by a member of the public, who expressed concern about the effect of the development on already over-stretched health services in the area. A representative of Broomfield Parish Council attended to emphasise the view of the Parish Council that the development should not proceed without the provision of the link road, which should preferably be open to all hospital-related traffic, including the public. In the light of the NHS Trust's recent statement that it would not maintain the link road, the Parish Council was of the view that the application should be deferred until the arrangements for the construction and maintenance of the road were clear. A local ward councillor spoke to endorse the Parish Council's view and another, whilst also supporting the need for a link road and welcoming the proposed cycle and pedestrian routes, asked whether the dwellings to be constructed to the east of the reservoir would add to existing flooding problems. She also asked to how many of the new homes the Council would have nomination rights.

In response to those questions, officers informed the Committee that

- as part of the Section 106 agreement land would be secured for the development of a health care facility as well as a financial contribution towards it;
- the drainage strategy submitted with the application had been examined by the flood authority, which had found it to be acceptable and concluded that the development would not add to flooding in the area;
- thirty-five per cent of the up to 512 dwellings to be constructed would be affordable and if 180 were provided 113 would be for affordable rent with nomination rights to the Council and would include three and four bed properties, which were in high demand at present;
- the Highway Authority would prefer the provision of the link road as the best means of reducing traffic congestion on roads around the hospital and it was understood that the applicant would be working with the NHS over the question of its maintenance. However, if the road could not be provided the next favoured option was to provide a long-term, subsidised Park and Ride service to the hospital for staff, patients and visitors.

It was clear from the members' discussion of the application that the Committee was of the view that the development could not proceed without the link road or, as an alternative, the provision of a Park and Ride service. The Committee asked whether the application should be deferred until it was known whether or not the link road would definitely be built. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and

the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option. If that option was not acceptable to the Committee, the Committee would be entitled to reach a different conclusion about whether the development were acceptable.

In response to further questions from members, officers said that:

- the provision of both the link road and Park and Ride service, which some members felt would be the ideal solution to traffic congestion, may be possible in the future but was unlikely at this stage;
- the NHS Trust wanted the link road to be barrier-controlled and for the use of staff only. As it would be on land owned by the Trust, it could not be adopted by the Highway Authority and used by the public without the Trust's agreement;
- there would be a legally enforceable condition in the Section 106 agreement that the link road would be completed before occupation of the 200<sup>th</sup> dwelling;
- the closure of Woodhouse Road would still be required even if the link road was not provided as it was integral to the plan to reduce rat-running and secure walking and cycling facilities;
- strategic traffic modelling carried out as part of the production of the Local Plan had indicated at that time that the provision of a link road could reduce traffic on Hospital Approach by between 10-20% and that it would be needed if the development proceeded. The modelling had taken into consideration the use of the link road by hospital staff only. No further traffic modelling was planned but a detailed transport assessment had been submitted with the outline application. It was confirmed that a cycle route would be provided as part of the link road;
- the biodiversity net gain from the residential development of just over 10% did not include the proposed tree planting;
- the First Homes element of the affordable housing that would be provided as part of the Section 106 agreement would not be limited to one-bed properties but would be a mix of sizes determined by the developer and the national price cap in accordance with market demand;
- regarding the properties that would be suitable for use by those with disabilities, the Council would seek to achieve adapted properties that were accessible at the time of completion, rather than properties that could be adapted later. A range of property sizes was also being sought which reflected the needs of those on the housing register who were wheelchair users.

Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful.

RESOLVED that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out on pages 23 to 38 and
- securing delivery of the link road.

## 7. Broomfield Hospital, Hospital Approach, Chelmsford – 21/00881//FUL

An application had been received for the formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, the closure of sections of Woodhouse Lane, and ancillary infrastructure. A Green Sheet of additions and alterations had been distributed before the meeting.

RESOLVED that planning application 21/00881/FUL in respect of Broomfield Hospital, Hospital Approach, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting.
- the conditions set out on pages 12 to 15 and
- securing delivery of the link road.

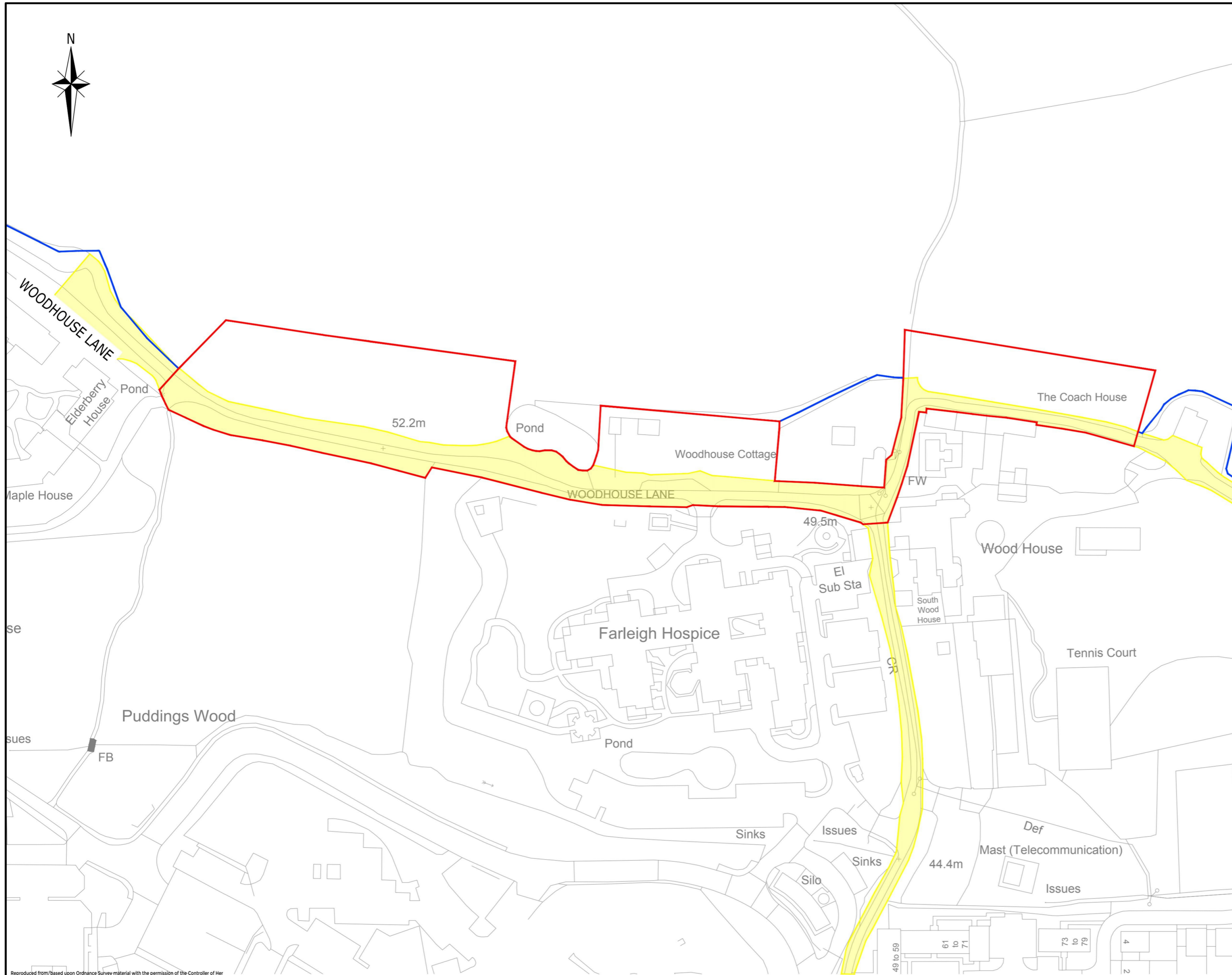
## 8. Planning Appeals

RESOLVED that the information on appeal decisions between 17 June and 27 July 2022 be noted.

The meeting closed at 8.55pm

Chair





**KEY:**

- PLANNING APPLICATION BOUNDARY
- LAND UNDER APPLICANTS CONTROL BOUNDARY
- HIGHWAY BOUNDARY TRANSCRIBED FROM ECC RECORDS

B	REDLINE AMMENDED / HWB ADDED	BT	DV	IW	07.03.23
A	NOTES AMENDED	DV	DV	IW	14.04.21
Rev	Description	Drn	Chk	App	Date

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Client:  
**BLOOR HOMES EASTERN**

Project Title:  
**WOODHOUSE LANE APPLICATION**

Drawing Title:  
**SITE LOCATION PLAN**

A3 Scale	Date	Designed by
1:1250	25.03.2021	AA
Drawn by	Checked by	Approved by
AA	DV	IW
Drawing Number		Rev
184281-022		B



**Planning Committee  
21<sup>st</sup> January 2025**

<b>Application No</b>	:	23/01105/FUL Full Application
<b>Location</b>	:	Land West Of The Fox And Raven Chelmer Village Way Chelmer Village Chelmsford Essex
<b>Proposal</b>	:	<b>Residential development comprising the construction of 55 affordable homes, provision of open space, landscaping, sustainable drainage, ground re-profiling, formation of bund, cycle and footpath links, vehicular access from Chelmer Village Way and highway changes to Chelmer Village Way.</b>
<b>Applicant</b>	:	Mr Sean Marten Countryside Properties (UK) Limited and Stonebond Propert...
<b>Agent</b>	:	Mr Sean Marten
<b>Date Valid</b>	:	17th July 2023

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Appendices:

Appendix 1	Drawings
Appendix 2	Consultations

## 1. Executive summary

- 1.1. The application has been called to Committee by a local ward Member and because the proposal represents a departure from the development plan.
- 1.2. The application is for 55 affordable housing units comprising a mix of flats and houses. The tenure split would be 24 affordable rent units (44%) and 31 shared ownership units (56%). The scheme would also include associated access and highway works, parking, landscaping, public open space and cycle and pedestrian links.
- 1.3. The proposed development is located within the Rural Area and Green Wedge. When read together policies S1, S7, S11, DM7 and DM8 indicate that the proposal does not comply with the Council's strategic approach to development within its administrative area, and the development is unacceptable in principle.
- 1.4. The proposal is a 100% affordable housing scheme, which crucially, in addition to shared ownership units, will deliver 24 affordable rent units, including no. 9 x 4 bedroom units. As set out in the Chelmsford Housing Strategy 2022-2027, there is a critical need for more affordable housing for rent as these units aid in meeting the priority housing need on the Council's Housing Register. Included in that need is larger family homes of 3 and 4 bedroom.
- 1.5. The delivery of affordable housing aligns with the Council's objective of boosting affordable housing supply and the National Planning Policy Framework's (NPPF) aim of boosting the supply of housing nationally. This attracts significant weight in favour of the proposal.
- 1.6. The proposal also includes two parcels of land to the south and east of the residential parcel, known as 'B' and 'C' totalling an area of 29.48ha. The applicant is offering to transfer this land to the Council. There are public benefits in transferring this land into public ownership as it would provide recreational, leisure and environmental opportunities, aligning with the Council's corporate and Local Plan objectives. This is a material consideration and attracts great weight in favour of the proposal.
- 1.7. The site is also in a well-connected and sustainable location and the scheme meets several of the objectives that contribute to sustainable development, which weighs in favour of the proposal.
- 1.8. There would be harm caused to the intrinsic character and beauty of the countryside and Green Wedge, through built form on an undeveloped site and the removal of trees and landscaping that form part of the landscape character.
- 1.9. The development would necessitate a sizeable amount of tree and landscape removal. These are protected due to the site's location in a Conservation Area. In accordance with Policy DM17, this would normally be resisted. However, a comprehensive landscaping scheme is proposed to compensate for the tree and hedgerow loss, in addition to the provision of 3 trees per dwelling. It is considered the public benefits of the scheme, in this exceptional circumstance, outweigh the removal of the trees and landscaping.
- 1.10. The site falls within the Chelmer and Blackwater Navigation Conservation Area and is within the setting of five grade II listed buildings. When taken cumulatively, it is considered the identified public benefits would outweigh the less than substantial harm to the significance of the designated heritage assets to which great weight must be attached, in accordance with Chapter 16 of the National Planning Policy Framework and Policy DM13.

- 1.11. The northern part of the site (approximately two thirds) falls within Flood Zone 1, and the southern part of the site falls within Flood Zones 2 and 3. It is considered that the sequential and exception test is passed such that the principle of the site being considered for development in respect to these flood zones is accepted.
- 1.12. To specifically address flooding, a landscaped bund is proposed around the east, south and west of the residential area of the development. At a maximum height of 1.22m, the bund would extend almost the full length of the southern boundary and would replace the existing vegetation currently along the edge of the site. The submitted flood risk assessment and accompanying hydraulic modelling report demonstrates that the bund would have only a marginal impact on flood levels across the site within an area where there would be no built form. The reports also demonstrate that there would be no flooding impact to any other properties or flooding downstream. No objections are raised by the Environment Agency, the Lead Local Flood Authority or Anglian Water.
- 1.13. The design and layout of the site has been informed by the site's constraints and its surroundings, including adjacent heritage assets. It comprises three perimeter blocks separated by landscaping. The scheme employs some roof variation, building articulation and good fenestration detailing. A material palette of buff brick, natural slate and black boarding is proposed, which would be sympathetic to the Conservation Area.
- 1.14. Parking provision and access would be acceptable, and no objections have been raised by the Highway Authority.
- 1.15. The proposal also includes a signalised crossing along Chelmer Village Way. This would include a part lane closure westbound on Chelmer Village Way to widen the central reservation. The Highway Authority also raise no objections to this. The provision of a crossing in this location would be a benefit to the development and the wider community.
- 1.16. The development includes local open space, in addition to contributions to upgrade the Ruskin Road playground. Footpath and cycle links are proposed through the site.
- 1.17. The benefits and harm of the proposal have been considered against the relevant national and local plan policies. It is considered that the public benefits of the scheme greatly outweigh the harm caused, including the harm caused to landscape and heritage, and that in this site-specific circumstance the material considerations of the proposal justify a departure from the development plan.
- 1.18. It is recommended that the application should be approved by the Director of Sustainable Communities subject to the completion of the S.106 agreement.

## **2. Description of site**

- 2.1. The site consists of a piece of undeveloped land located to the south of Chelmer Village Way. It is an irregular shaped plot with an approximate site area of 1.67ha. This is the application red line boundary where the development is proposed and thereafter known as 'the residential parcel'.
- 2.2. The site falls within the Rural Area, the Green Wedge, the Chelmer and Blackwater Navigation Conservation Area and is within the setting of five grade II listed buildings, including the Fox and Raven public house which lies directly to the east.



- 2.3. The character of the surrounding area is a mix of rural and urban. Low scale, limited development sits on the southern side of Chelmer Village Way, consistent with the more rural character of the river valley to the south. On the north side of the road is Chelmer Retail Park which ranges in 3-4 storeys. Partial views of this development can be seen across the river valley. To the east and west of the Retail Park is residential development which forms part of the Chelmsford Urban Area boundary.
- 2.4. The National Cycle Route (NCN1) lies directly adjacent to the site to the north. Eastwards it leads to Little Baddow and beyond, and westwards it provides an off-road route directly to the City Centre.
- 2.5. The northern part of the site (approximately two thirds) falls within Flood Zone 1, the lowest flood risk zone. The southern part of the site falls within Flood Zones 2 and 3, with the floodplain and River Chelmer lying directly to the south of the site.
- 2.6. The Chelmsford Watermeadows Local Wildlife Site (LoWS) lies to the south of the residential parcel. This area has a typical watermeadows character – an area of grassland alongside a river – and has a network of public routes running through it, connecting the City Centre to the east of Chelmsford.
- 2.7. The site is reasonably well contained from the remainder of the Green Wedge through both well-established trees and landscaping and fencing around the site’s perimeter. The latter is due to the site serving as a temporary compound during the construction of the A138 Chelmer Viaduct (history refers).
- 2.8. The topography of the site slopes gently from northeast to southwest. The highest point of the site is around 23.8m AOD in the northeast, with the lowest being around 21.700 m AOD in the southwest.

### **3. Details of the proposal**

- 3.1. The application seeks full planning permission for 55 residential units comprising a mix of flats and houses. The scheme would be 100% affordable with a tenure split of 44% affordable rent units (AR) and 56% shared ownership units (So/s). This equates to 24 AR units and 31 So/s units.
- 3.2. The accommodation mix will be as follows:

#### Affordable Rent

9 x 2 bedroom flat  
2 x 2 bedroom FOG (flat over garage)  
3x 3 bedroom flat/duplex  
1 x 1 bedroom flat  
9 x 4 bedroom house

#### Shared ownership

4 x 1 bedroom flat

4 x 2 bedroom FOG  
11 x 2 bedroom flat  
1 x 2 bedroom house  
2 x 3 bedroom house  
9 x 4 bedroom house

- 3.3. The scheme comprises of three perimeter blocks or 'courtyards' separated by landscaping and/or an internal road. The concept is drawn from the rural farmsteads of the Conservation Area through the use of steep narrow gables and black boarding but is essentially more urban in character.
- 3.4. Courtyard 1, the eastern block, is set back from the southern boundary to align with the rear building line of the Fox and Raven pub. An orchard is proposed to the south, a homage to orchards shown on historic maps in the 1800s. The block contains predominantly flats but includes three dwellings along the southern edge that would overlook the orchard. The scale is restricted to 2 storeys.
- 3.5. The central block, Courtyard 2, is separated by the main access and a landscape area to the west which would also provide pedestrian and cycle connections to the national cycle route (NCN1). The northern section is predominately flats and the southern section is houses, all which are restricted to 2 storeys except for plots 28 and 29 which are 2.5 storeys.
- 3.6. The western block, Courtyard 3, ranges between 2.5-3 storeys, with the western edge providing scale and a frontage to the A138 and mirroring, in part, the development on the other side of the road. The western block would front onto a landscaped area which would include a SuDS basin enclosed by trees and landscaping along the western and southern edges and a footpath running north-south which would connect to the NCN1 to the north and land to the south.
- 3.7. The material palette for the scheme is predominantly buff brick with elements of black boarding. Grey roofs are proposed, interspersed with small sections of red tile to provide interest.
- 3.8. The scheme as now proposed is a result of amendments through the life of the application.
- 3.9. To mitigate flooding, a landscape bund is proposed along the southern boundary. This would be in place of the existing vegetation along this boundary.
- 3.10. The proposal also includes two parcels of land to the south and east of the residential parcel known as parcels 'B' and 'C'. They are also in the applicant's ownership (blue land). The parcels have a total area of 29.48ha and the applicant is offering to transfer this land to the Council for future recreational purposes.

#### **4. Other relevant applications**

- 4.1. 04/02336/FUL - Refused 22nd February 2005 - Establishment of country park with public house/restaurant, 72 bed hotel and 100 place day nursery with ancillary parking, landscaping and new access from Chelmer Village Way.
- 4.2. 10/00310/EIA- Approved 25th May 2010 - Demolition of existing viaduct and bridge and erection of new replacement viaduct linking the Army & Navy roundabout to the Chelmer Village Way roundabout, formation of new drainage ponds, new hard and soft landscaping, lighting scheme and access arrangements.

## 5. Summary of consultations

- Recycling & Waste Collection Services – No objections
- Essex County Council (SUDS) – No objections, conditions recommended.
- Environment Agency – No objections, conditions recommended.
- Essex County Council Highways – No objections, conditions recommended.
- Ramblers Association – No comment.
- Essex Waterways Ltd – No reply.
- Public Health & Protection Services – No objections, conditions recommended.
- Essex Wildlife Trust Ltd – No response.
- ECC Historic Environment Branch – No objections, conditions recommended
- Sport England Eastern Region – No objections.
- Natural England – No objections subject to securing appropriate mitigation.
- Essex County Fire & Rescue Service – Observations on some access to plots. More detailed observations on access and facilities will be considered at Building Regulation consultation stage.
- Essex and Suffolk Water – No response.
- Parks & Open Spaces – No objections, consultation has informed contributions.
- Historic England – Concerns raised. The proposals would result on less than substantial harm to the setting of identified heritage assets and should be assessed in line with paragraph 208 of the NPPF.
- Police - Designing Out Crime – No objections.
- ECC Community Infrastructure Planning (Education) – There are sufficient places available for childcare and early years, primary school and secondary school education. No financial contributions are sought.
- Mid And South Essex Integrated Care Board - Financial contributions sought to mitigate health.
- Chelmer Village Parish Council – Object to the application. Comments summarised at Appendix 2.
- Local residents – 144 respondents. Comments mainly relate to flooding, traffic, heritage, character and appearance and the principle of development.

- 5.1. The comments received have been considered as part of the planning assessment of the development proposals. Planning considerations and consultations are summarised at Appendix 2 of this report.

## 6. Planning considerations

### *Main Issues*

Principle (*Strategic Policy S1 – Spatial Principles, Strategic Policy S7 – The Spatial Strategy, Strategic Policy S6 – Housing and Employment Requirements, Strategic Policy S11 – The Role of the Countryside, Policy DM7 – New Building and Structures in the Green Wedge and DM8 – New Buildings and Structures in the Rural Area*)

- 6.1. Paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 establishes the principle that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2. The National Planning Policy Framework (NPPF) (2024) is a material consideration in planning decisions. Paragraph 11 of the NPPF advises that to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
- 6.3. The main issues on the principle of development are:
  - Compliance with the Council’s Spatial Strategy and the National Planning Policy Framework, including the delivery of sustainable development.
  - Whether there are other material considerations which weigh in favour of the development.

### Policy context

#### Chelmsford Local Plan 2013 to 2036

- 6.4. Strategic Policy S1 sets out the spatial principles for development which include locating development to well-connected and sustainable locations; respecting the character and appearance of landscapes and the built environment, and preserving or enhancing the historic environment and biodiversity.
- 6.5. The Spatial Strategy as set out in Strategic Policy S7 applies the Spatial Principles and provides a framework for sustainable housing and job growth and the necessary infrastructure, whilst minimising the damage to the environment. This is achieved by delivering growth in accordance with the Settlement Hierarchy. Chelmsford and South Woodham Ferrers sit at the top of the Settlement Hierarchy.
- 6.6. The Local Plan Policies Map defines the locations of the Settlement Hierarchy. It identifies the Urban Areas and the Settlement Boundaries that create the defensible boundary which reflects the nature, size, setting and character of the settlements. One of the key objectives of settlement boundaries is to demarcate the limit of the built-up areas, taking into account the need to protect the countryside from urban sprawl and avoid the undesirable consolidation of a more dispersed development patterns.

- 6.7. Strategic Policy S6 sets out the housing and employment requirements over the Local Plan period and makes provision to deliver 21,843 new homes, including affordable housing, from 2013-2026. This is achieved through allocating development in accordance with the Settlement Hierarchy.
- 6.8. Strategic Policy S11 sets out the role of the countryside in the Green Belt, Green Wedge and Rural Area.
- 6.9. In the Green Wedge, Strategic Policy S11 states that the Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. These networks prevent urban sprawl and settlement coalescence and provide for wildlife, flood storage capacity and recreation, and sustainable travel. This is supported by Policy DM7 which restricts development to a prescribed number of uses in the Green Wedge.
- 6.10. Both Strategic Policy S11 and Policy DM7 advise that development which materially harms the role, function and intrinsic character and beauty of the Green Wedge will not be approved.
- 6.11. In the Rural Area, Strategic Policy 11 and Policy DM8 advise that development should not adversely impact on the intrinsic character and beauty of the countryside. To achieve this development should fall within the prescribed uses set out in Policy DM8.

Government Policy – The National Planning Policy Framework (NPPF) 2024

- 6.12. The NPPF is a material consideration in the determination of planning applications. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.13. Paragraph 11 of the NPPF advises that to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
- 6.14. However, paragraph 12 goes on to advise that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 6.15. Paragraph 77 of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.

Conclusion to policy context

- 6.16. The Council has an up-to-date adopted plan and is delivering growth within the administrative area in accordance with the Council's Spatial Strategy. It has 8.02 years' worth of housing supply even when taking account of a 5% buffer. The Council, therefore, is delivering the required growth for the current plan period.
- 6.17. As shown in the Local Plan Policies Map, the site lies outside of the Chelmsford Urban Area boundary. Instead, the site lies within the Green Wedge and the Rural Area where there is a

general presumption to direct development away from these locations to protect the role and function of these land designations.

- 6.18. At a strategic level, the objective of protecting the intrinsic character and beauty of the countryside and the role and function of the Green Wedge forms part of the Council's Spatial Strategy. This is achieved through defining the physical limits of Urban Areas and Settlements within the Settlement Hierarchy (Strategic Policies S1 and S7) and identifying those forms of development appropriate outside those limits (Strategic Policy S11 and Policies DM7 and DM8). On the strict application of the policies, the proposal for 55 affordable housing units does not accord.
- 6.19. It is noted that there are policy provisions both within Policies DM7 (Green Wedge) and DM8 (Rural Area) for limited affordable housing for local needs. This is defined, as set out at Policy DM2, as small sites, known as rural exception sites, within a Designated Rural Area<sup>1</sup>, where affordable housing is allowed to meet an identified local rural housing need. The application site is not within a Designated Rural Area, nor is it for local rural housing need – it is not a rural exception site.
- 6.20. Accordingly, the development is contrary to the development plan and this weighs against it. Applying section 38(6) of the 2004 Act, the development should be refused unless material considerations indicate otherwise. These other considerations include the NPPF, whether the development would be sustainable and where there are any public benefits arising from the scheme that would outweigh the harm caused by the conflict with the development plan and any other harm caused by the development.

#### **Other material considerations on the principle of development**

##### *Delivery of Affordable Housing*

- 6.21. In February 2022, the Council declared a housing crisis, and this was acknowledged through the publication of the Chelmsford Housing Strategy 2022-2027. This sets out how the Council intends to boost the supply of affordable housing through a number of Strategic Priorities.
- 6.22. Whilst the Council is maintaining a good supply of new housing (over five years' worth consistently), there remains an unprecedented need for affordable housing to which supply cannot meet demand. There is a critical need for more affordable housing for rent, in particular three and four bedroom affordable rent homes. Low levels of larger affordable housing for rent have significantly impacted on the churn of large family homes within the existing affordable housing stock, leading to a decline in the number of existing affordable homes being relet overall. Consequently, there is more reliance on temporary accommodation to address this gap, but this is also in very short supply. The Council is now at risk of not being able to meet its statutory housing duties to some households in most urgent housing need, particularly large families with children.
- 6.23. The development is a 100% affordable housing scheme comprising of 24 affordable rent units and 31 shared ownership units.

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<sup>1</sup> Designated Rural Areas are the Parishes of Bicknacre; East Hanningfield; Good Easter; Great Leighs; Great Waltham; Highwood; Little Baddow; Little Waltham; Margaretting; Mashbury; Rettendon; Roxwell; Sandon; South Hanningfield; Stock; West Hanningfield; and Woodham Ferrers.

- 6.24. The affordable rented units are the key component of the scheme as they aid in meeting the priority housing need on the Council's Housing Register. Therefore, in principle, the Council is supportive of developments that seek to boost affordable housing supply. Out of the 24 affordable rent units proposed, 9 would be four-bedroom houses. These are the much-needed larger houses, of which there is currently a serious shortfall in supply, that would help accommodate larger families in housing need.
- 6.25. The delivery of 24 affordable rent units, including 9 larger units, would make a meaningful contribution to the supply of affordable homes, in accordance with priorities set out in the Chelmsford Housing Strategy. This attracts significant weight in favour of the proposal.
- 6.26. The shared ownership units are also a consideration. The Government supports shared ownership and other affordable home ownership products to encourage homeownership. Furthermore, the Council's Strategic Housing Market Assessment shows there is a continued demand for shared ownership accommodation. The proposal would make a contribution to meeting demand, with a range of accommodation proposed within the scheme. This weighs in favour of the development.

#### *Sustainability*

- 6.27. Sustainable development means linking sustainable housing and job growth and integrating the necessary infrastructure to deliver development, whilst minimising the damage to the environment.
- 6.28. It is evident that the development is located within a sustainable location. The site connects into the urban road network where there is a good level of existing transport infrastructure, including sustainable transport. The NCN1 sits adjacent to the site and the scheme proposes connecting pedestrian and cycle links. Westbound, the NCN1 provides an off-road route directly to the City Centre. Eastbound, the NCN1 and other cycle/pedestrian links provide connections to local facilities including the Asda supermarket and the neighbourhood centre, Chelmer Village Green and Brook End playground and gardens. The Ruskin Road playground also lies to the northwest, accessible through the subway under the A138.
- 6.29. Included in the scheme is the provision of a new signalised crossing over Chelmer Village Way. This will provide a safe route for the residents of the development to Chelmer Retail Park, a key shopping destination within Chelmsford. Whilst this crossing has been identified as a necessary infrastructure requirement to support this development, it would benefit the wider locality as it is evident that many pedestrians currently attempt to cross this dual carriageway without the safety of any crossing facilities.
- 6.30. Overall, the site is in a well-connected and sustainable location and the scheme meets several of the objectives that contribute to sustainable development which weighs in favour of the proposal.

#### *Transfer of land*

- 6.31. As part of the scheme, the applicant is proposing to transfer land to the south and east of the residential parcel, denoted as 'B' and 'C' on the site plan drawings, to the City Council. The total area of this land is 29.48ha. There is currently a network of footpaths through this area but the land itself is in private ownership.
- 6.32. Strategic Policy S4 seeks to conserve and enhance the natural environment through a number of measures. Part of this is the delivery of greenspaces to which provision will include, as identified

at paragraph 5.29 of Strategic Policy S4, areas for open space and recreation use/SuDS. The transferred land in question is identified as one of these areas within the Chelmsford Local Plan Policies Map.

- 6.33. The transfer of parcels 'B' and 'C' into public ownership provides an opportunity to enhance the recreational use of the land and the quality of the green space in accordance with the Local Plan policies.
- 6.34. Furthermore, as set out in the Chelmsford Policy Board report dated 14 July 2022, the Council recognises the importance of the rivers and waterways in and around Chelmsford and has identified options and opportunities to improve their appearance, attractiveness and recreational use.
- 6.35. The transfer of land would align with the Council's corporate objectives and acquiring this land into the Council's green portfolio for informal recreation, leisure and potential tree planting to meet climate change targets would be an opportunity. There would also be wider strategic benefits through the linking of this land with the Country Park proposed at Strategic Growth Site 3a. It is anticipated this Country Park will also be transferred to the Council in the future. Together these would create an extensive and important green network between the City Centre and east Chelmsford.
- 6.36. Therefore, there is a public benefit in the Council acquiring this land which weighs in favour of the scheme.

Landscape effects of the proposal – (Strategic Policy S11 – The role of the countryside, Policy DM7 – New buildings and structures in the Green Wedge and Policy DM8 – New buildings and structures in the Rural Area)

- 6.37. At a strategic level, the Council seeks to protect the intrinsic character and beauty of the countryside, and the role and function of Green Wedges, consistent with its Spatial Strategy. However, in considering the impact of development, it is necessary to assess the actual harm caused.
- 6.38. The site forms part of the Green Wedge which has a typical water meadows character in that it is an area of grassland alongside a river with a network of public routes running through. However, the site itself is quite self-contained as it is predominately bordered by well-established trees and landscaping. It is different from the open and undeveloped fields and river valley to the south, owing partly to being used as a compound during the construction of the Chelmer Valley bridge (history refers).
- 6.39. There would be some landscape harm from the development through the removal of vegetation and trees, and the construction of housing on what is an undeveloped site. The proposal would impact on the character and appearance of the Rural Area and Green Wedge through the additional urbanisation of the south side of Chelmer Village Way. More notably, long and short distance views would be afforded across the river valley. Currently, foreground views from the south are predominantly of established trees and landscaping, and the low rise form of The Fox and Raven pub, and properties in Mill Vue Road. The character is inherently rural. The development would alter this and would represent a greater scale and density of built form from what currently exists along the south side of Chelmer Village Way.



- 6.40. However, the built-up form of Chelmsford Urban Area sits in the background of the site when viewed from the south, with the three and four storey scale of Chelmer Retail Park and neighbouring residential developments visible along the skyline. It would, therefore, not be wholly out of keeping with the existing urban fabric. Along Chelmer Village Way, the scheme would sit adjacent to a busy road junction and would be similar in form, scale and density to the Chelmer Road development that sits opposite the A138 roundabout.
- 6.41. Furthermore, the built form of the scheme does not extend beyond the established rear building line of development to the east, e.g. The Fox and Raven and properties in Mill Vue Road. This, together with the location of the Urban Area to the north and east, means it is considered that the development would not unacceptably contribute to urban sprawl and settlement coalescence.
- 6.42. Specifically in relation to the Green Wedge, the development would not impact on the open green networks – these lie outside of the site and to the south. Instead, in part, the scheme would be enhancing leisure, recreation, and sustainable travel within the Green Wedge through the transfer of the land to the south into public ownership and providing additional connections through to this land – this aligns with the Green Wedge’s role and function.
- 6.43. However, the development would necessitate the removal of trees and landscaping which conflicts with Green Wedge principles. A comprehensive replacement planting scheme as well as additional tree planting (see relevant sections below) is proposed to help mitigate the impact of the proposal in the wider locality.
- 6.44. Overall, it is accepted there would be harm to the intrinsic character and beauty of the countryside and Green Wedge. This harm needs to be weighed against the benefits of the scheme.

Heritage impact – (Strategic Policy S3 – Conserving and enhancing the historic environment, Policy DM13 – Designated heritage assets and National Planning Policy Framework)

- 6.45. Paragraph 212 of the NPPF makes it clear that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.
- 6.46. Paragraph 215 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Strategic Policy S3 and Policy DM13 of the Local Plan reflect this national policy position.
- 6.47. The site lies within the Chelmer and Blackwater Navigation Conservation Area and within the setting of five grade II listed buildings, the closest being the Fox and Raven pub and the Miller and Carter Barn. Beyond the A138, the water meadows and rural character are a key feature of the Conservation Area.
- 6.48. The water meadows associated with the Navigation and the character of the area form part of the setting to the listed buildings. Whilst there is extensive modern development within the context, Chelmer Village Way provides a strong divide.
- 6.49. The development comprises of three perimeter blocks separated by landscaping. The concept is drawn from the rural farmsteads of the Conservation Area but is inevitably more urban in

character. The east block (Courtyard 1) is setback to minimise its impact on the Fox and Raven. An orchard is proposed to the south to provide some separation and visual relief. The central block is separated by the main access road and a landscaped area to the west. The western block rises up to three storeys in height. The southern edged uses a varied roofscape, with landscape screening and a bund. There would be a mixture of materials, primarily buff brick, black boarding and slate roofs.

- 6.50. The gaps between blocks would allow views to permeate through the development into the water meadows. The varied form and landscape edge would help to reduce the impact on the wider area. The setback and reduced scale to the east would respond to the setting, whilst the large scale buildings to the west frame the gateway towards Chelmer Village. The steep narrow gables respond to local character. There is interest through elevational and window detailing, the material palette, enclosure and landscaping.
- 6.51. There would be a fundamental change to the character of the site, from an undeveloped, rural field to an urban development of 55 units. The development would result in encroachment into the river valley. Even taking account of good placemaking and design, there would be a harmful impact on the heritage assets.
- 6.52. Taking account of the large size of the Conservation Area and the mitigation measures proposed, the impact would amount to a low level of less than substantial harm to the Conservation Area. Likewise, the rural setting of the Fox and Raven would be diminished, resulting in a low-moderate level of less than substantial harm to the public house, and low level harm to the adjacent Miller and Carter barn.
- 6.53. Barnes Mill, Mill House and Barnes Lock, the other listed buildings, are more remote and screened from the site – the impact on their settings would be negligible.
- 6.54. Historic England also considers there would be less than substantial harm to the setting of the identified heritage assets. They consider that the impact on setting would be primarily by the encroachment upon open land that contributes positively to their significance, in particular the public house and the Miller and Carter barn and views afforded from them from the river valley.
- 6.55. As set out in Chapter 16 of the NPPF and Policies S3 and DM13, whilst the harm to the heritage assets is considered to be less than substantial, this harm is a matter of great weight and needs to be balanced against the public benefits of the scheme.

Flooding (*Strategic Policy S2 - Addressing Climate Change and Flood Risk and Policy DM18 - Flooding/SuDS*)

#### **Sequential and Exception Tests**

- 6.56. Both the National Planning Policy Framework and the National Planning Practice Guidance (PPG) apply a sequential based approach to development to steer it to the lowest areas of flood risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas.
- 6.57. The northern part of the site (approximately two thirds) falls within Flood Zone 1, the lowest flood risk zone. The southern part of the site, however, falls within Flood Zones 2 and 3 which have a higher probability of flooding. Therefore, a sequential test is required.

- 6.58. The purpose of the sequential test is to determine whether there are no reasonably available alternative sites appropriate for the proposed development in areas with a lower probability of flooding.
- 6.59. The proposed development is for affordable housing in a highly sustainable location that is at the top of the Settlement Hierarchy (Chelmsford). As part of the proposal, the applicant is proposing to transfer approximately 29ha of land south and east of the development parcel to the Council to be utilised for recreational and leisure purposes, consistent with Local Plan aspirations and land designations.
- 6.60. The submitted Sequential Test argues that the transferred land is interlinked with the residential parcel such that there are very specific local circumstances that support a defined search area to land to the east of Chelmsford, parallel to the River Chelmer. The Council accepts this search area.
- 6.61. Within this search area, a list of reasonably available sites is identified and assessed with the Sequential Test concluding there are no sequentially preferable sites within a lower flood zone that would deliver the proposal. It is considered the Sequential Test has been passed.
- 6.62. In accordance with paragraphs 177 of the NPPF, even though the Sequential Test has been passed, an Exception Test is required.
- 6.63. To pass the exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.64. To meet part a), the Exception Test sets out a range of wider sustainability benefits that the proposal would deliver that would outweigh the risks posed by flooding:
- The highly sustainable location of the development in close proximity to local facilities, transport corridors and the City Centre.
  - The delivery of affordable housing, including housing meeting those in the greatest need.
  - The delivery of larger affordable rent units to boost supply of larger family dwellings which are in critical demand.
  - The transfer of land to public ownership for leisure and recreational purposes.
- 6.65. To meet part b), the Exception Test sets out how the development would be safe for its lifetime:
- Crucially, the majority of the residential site lies within flood zone 1, with a smaller proportion of the site falling in flood zones 2 and 3.
  - The proposal includes the provision of a landscaped bund along the southern boundary to mitigate flooding where the higher flood zones sit. The Hydraulic Modelling report submitted with the planning application confirms that the bund would not cause flooding downstream.
  - A site-specific flood risk assessment has been submitted setting out how the development will be safe through design of site levels to convey surface water; through the design of properties and flood resistant measures including raising finished floor levels (ground levels on the southern section of the site would rise by approximately 1m).

- 6.66. It is considered the Exception Test is satisfied such that the principle of the site being considered for development in respect to these flood zones is accepted.

#### **On-site flood mitigation**

- 6.67. As stated above, a site-specific flood risk assessment has been submitted with the planning application. This identifies the sources of flooding to the site, with the main being fluvial from the River Chelmer.
- 6.68. To mitigate fluvial flooding, a landscaped bund is proposed around the east, south and west of the residential area of the development. At a maximum height of approximately 1.22m the bund would extend almost the full length of the southern boundary and would replace the existing vegetation currently along the edge of the site. It is proposed the bund would be replanted with robust vegetation and high value and high carbon credit scoring trees.
- 6.69. A hydraulic modelling report submitted with the application demonstrates that a bund can be used to remove flooding from the residential portion of the development in design storm events, including accounting for climate change. The report shows that the bund will have only a marginal impact on flood levels within the site. Specifically, the bund would result in an increase water levels, compared to the baseline, in 1 in 30yr and 1 in 100yr events (plus climate change) of an average of 30mm, primarily within the western area of the site, within the public open space where there is no built form. It would also result in some creep to the south beyond the red line boundary within the floodplain but still within the wider ownership boundary (blue land) up to extent of approximately 80m.
- 6.70. The modelling demonstrates that there would be no impact to any other properties or flooding downstream.
- 6.71. The use of the bund to protect the site and any marginal on site impacts caused are accepted by the Environment Agency (EA) who raise no objection to the proposal.
- 6.72. On surface water management, sustainable urban drainage measures are proposed, including the use of permeable paving throughout the site and a detention basin within the public open space to the west of the site. It is, however, acknowledged that in extreme events that the bund could cause an impediment to surface water outfall. The bund is proposed to have flap valves on the Chelmer side to allow any water that gathers within the site from any source to exit the site before any flooding of dwellings can occur.
- 6.73. No objections are raised by the Lead Local Flood Authority subject to conditions.
- 6.74. No objections are raised by Anglian Water.

#### Design, layout and appearance – (*Policy DM23 – High quality and inclusive design and Policy DM24 – Design and place shaping principles in major developments*)

- 6.75. As set out in the heritage section, the scheme comprises of three perimeter blocks (known as Courtyards 1, 2 and 3) separated by landscaping. The concept is drawn from the rural farmsteads of the Conservation Area. Access is taken from Chelmer Village Way with the internal road sitting between Courtyards 1 and 2 and then extending west to run through the centre of Courtyards 2 and 3.

- 6.76. Courtyards 1 and 2 are restricted to two-storeys only, with the exception of plots 28 and 29 which are two and half storey as the scheme begins to transition to this scale as it continues west, rising to three storeys along the western edge of the site. The restricted scale on the eastern edge, helps minimise the impact on the adjacent listed buildings. As the scheme moves away from these heritage assets, the increase in scale appropriately aligns with the urban character of the western and northern edge and the busy road junction.
- 6.77. The proposal uses gable ends, chimneys, brick detailing and black boarding to give the development interest and articulation. The use of fenestration provides activation, particularly where a fully enclosed perimeter block cannot be achieved due to the site's irregular shape and narrowing to the west. This in particular makes it difficult for the development to fully front Chelmer Village Way. However, the use of brick walls and landscaping would aid in mitigating this. Internally, the scheme achieves good street enclosure with the use of walls and single storey elements to enclose spaces where properties are not adjoined. The built form is complemented by the landscaping and the green spaces between blocks.
- 6.78. Pedestrian routes and a central footway/cycle way is proposed through the site providing direct access to the national cycle route and the land to the south to be transferred.
- 6.79. With regard to internal relationships, Appendix B of the Local Plan sets out privacy and proximity standards, which are lower for sites within a City Centre location.
- 6.80. The required 20m back-to-back distances between plots are being met for the most part. Exceptions to this are plots 15 and 20 where the distance is only 9m, however plot 20's rear windows are obscure glazed to prevent overlooking. Nos. 27 and 32 also have a reduced front-to-back distance of approximately 13.9m owing to no. 32 being a FOG within the parking court. This FOG would provide enclosure along the southern boundary where public views to the development could be afforded. On this basis, this reduced distance is justified.
- 6.81. Plots 1, 4, 20, 27, 29, 30, 34, 35, 36 do not meet the minimum 12.5m back to flank wall distance (12.5m). However, the reduced distances allow for block enclosure and therefore are justified on design grounds. Conditions for windows to be obscure glazed would prevent overlooking. A privacy screen is proposed along the southern boundary of plot 28 to mitigate the reduced back to side garden distance to plot 30. This is also justified on designed grounds.
- 6.82. Finally, the bedroom windows of plots 11 and 14 have a close but oblique relationship due to the 'cranked' northern elevation of courtyard 1 to accommodate the diverted footway/cycleway (see below). This is accepted and a condition requiring privacy screening is proposed.
- 6.83. Overall, the layout, scale, design and appearance of the scheme is acceptable.

#### Highway Infrastructure (*Strategic Policy S10 – Securing infrastructure and impact mitigation*)

- 6.84. The proposal includes a package of highway mitigation to improve bus and pedestrian connectivity. A signalised crossing is proposed along Chelmer Village Way to connect the site to the existing eastbound bus stops and local facilities and services, including the Retail Park. A new bus stop is also proposed on the southern side of Chelmer Village Way, west of the development site.

- 6.85. The existing footway/cycleway adjacent to the site access would be diverted slightly south to ensure there is no unacceptable conflict between pedestrians and cyclists and vehicles entering and exiting.
- 6.86. To accommodate the signalised crossing, the westbound carriageway along Chelmer Village Way (west of the Beeleigh Link roundabout) would be reduced to one lane. It would return to two lanes west of the crossing and continue as existing to the A138 roundabout.
- 6.87. Whilst representations have been raised on traffic and congestion, the Highway Authority has visited the site, assessed the application and submitted information, and considers from a highway and transportation perspective the impact of the proposal is acceptable.

Parking and cycling provision – (Policy DM24 – Design and place shaping principles in major developments, Policy DM27 – Parking standards)

- 6.88. A lower parking provision is proposed, equating to 1 space per one and two bedroom properties and 2 spaces for three and four bedroom properties. Eight visitor spaces are also provided.
- 6.89. The site is sustainably located and its proximity to pedestrian and cycle routes, bus stops, and the provision of the signalised crossing justifies a lower parking provision. The site's constraints and the need to achieve good design principles, including perimeter blocks, street enclosure and active frontages also justifies a lower provision. The latter, in particular, applies to plots 43 and 44 which are three bedroom properties but only have 1 parking space. Through the life of the application, the bedroom accommodation of these plots has increased to improve Courtyard 3's appearance. However, the site's constraints does not allow for additional parking spaces. These are affordable rented units, therefore larger properties in demand. The Council would not wish for their size to be reduced for the sake of a parking space. Therefore, in this circumstance, 1 space for these units is considered acceptable.
- 6.90. Appropriate cycle parking is provided for the flats.
- 6.91. No objections are raised by the Highway Authority.

Development standards and sustainable construction - (Policies DM1, DM23, DM24, DM25 and DM26 and Appendix B)

- 6.92. The proposal includes various areas of on-site green space, including the orchard, the central green space and the area around the SuDS basin. However, whilst they are accessible, not all of them allow opportunities for informal activities, i.e. kicking a ball, and there is no designated children's play space, although the central space includes an incidental natural play area (stepping logs etc.). The site, however, lies approximately 400m away from the Ruskin Road playground, accessed via the existing underpass. This playground could supplement the play facilities which cannot be achieved on-site. A financial contribution of £15,000 is considered necessary to upgrade this space to mitigate the on-site open space deficiency.
- 6.93. The development meets natural and semi-natural green space requirements. The transferred land is an acceptable provision of Strategic Open Space. A financial contribution is considered necessary to assist in the maintenance and management of the transferred land for a two-year period (see Draft Heads of Terms).

- 6.94. The location of the Ruskin Road playground also justifies no communal open space being provided for the flat accommodation. Appendix B of the Local Plan allows for no provision where a park or recreation ground is located within 600m for sites within the City Centre. Every flat would have a private balcony or private zone (ground floor flats) in accordance with Appendix B.
- 6.95. The garden sizes of the houses meet standards except for plots 23, 27, 26, 34 which are slightly under in order to facilitate the perimeter blocks and to ensure street enclosure – a reduction in standards is considered justified.
- 6.96. The development is compliant with Nationally described space standards for housing.
- 6.97. 50% of the development (28 units) would look to meet Approved Document M4(2) (accessible or adaptable dwellings). These would be a mix of affordable rent and shared ownership. The end user (Homegroup) has confirmed that they are satisfied with the distribution of these units across the site.
- 6.98. Three of the affordable rent units (plots 10, 47, 50) are wheelchair user dwellings.
- 6.99. Appropriate recycling and waste provision is provided for the flats and houses.
- 6.100. A condition will be attached for the dwellings to have access to electric vehicle charging points and be designed to use less than 110 litres of water per day as required by Policy DM25.

Trees, ecology and tree planting, biodiversity net gain and RAMS (Policy DM16, and Policy DM17 RAMS Supplementary Planning Document, Planning Obligations Supplementary Planning Document and Tree Planting Advice Note)

- 6.101. The site is bordered by trees and hedgerows, which are protected due to the site's location within the Conservation Area. Policy DM17 states that in exceptional circumstances there may be overriding public benefits arising from the development that could justify the removal of preserved trees. In such circumstances, replacement trees shall be provided of a size and type suitable for its location.
- 6.102. The proposed layout would require the removal of 30 individual trees, 2 groups of trees and 2 small woodland groups. It would also require the part removal of 1 woodland and 1 hedge. The reason for the extent of tree and woodland removal is a combination of the irregular shape of the site, particularly as it narrows to the west, the majority of the landscaping sitting along borders, and the layout of the scheme to achieve the perimeter block arrangement.
- 6.103. The loss of the trees and landscaping within the site is unfortunate and would normally be resisted. However, a robust compensatory planting scheme is proposed, following discussions with the Council to increase the number of higher carbon credit scoring trees such as Maples and Limes, and to include a greater diversity of species. Furthermore, the landscaping scheme includes the planting of heavy standard and extra heavy standard trees, i.e. heights ranging between 350-500cm to help mitigate the loss and re-establish landscaping on site from the start.
- 6.104. Trees would be planted along the bund and the western boundary, to reinstate planting along the borders similar to what currently exists. An orchard is also proposed to the south of Courtyard 1 which would enhance landscaping within the site, together with the central green space and the SuDs basin and amenity green to the west.

- 6.105. A total of 198 new trees would be planted on site which would compensate for the loss of trees and landscaping, in addition to meeting the Council's requirement of three new trees per dwelling in accordance with the Planning Obligations Supplementary Planning Document (SPD) (January 2021).
- 6.106. In addition, as previously set out, approximately 29ha of land is proposed to be transferred to the Council. This could provide opportunities for further tree planting in accordance with the 'Our Chelmsford Our Plan' and the 'Climate and Ecological Emergency Declaration Action Plan.'
- 6.107. However, there is harm in the removal of protected trees and this needs to be weighed against the public benefits of the scheme.
- 6.108. It is also acknowledged there are ecological impacts in removing existing landscaping. However, an ecological impact assessment has been submitted, and subject to appropriate mitigation measures, including precautionary working methods and the application of a mitigation licence for badgers, all which can be conditioned, it is considered that the development would not unacceptably harm any protected and priority species, including bats, badgers, Starling, Dunnock and Song Thrush. There would be no unacceptable impact to the Local Wildlife Site to the south.
- 6.109. The date of the application's submission (July 2023) pre-dates the mandatory requirement to deliver 10% biodiversity net gain. However, the scheme proposes to meet this requirement.
- 6.110. An assessment of the on-site habitats and their condition has been undertaken and it has been concluded that the scheme would result in a loss of habitat units and only a 3.7% net gain in hedgerow units. Therefore, the scheme needs to address the habitat loss as well as meet the 10% net gain in both habitats and hedgerows. This is not deliverable on site without a significant loss in affordable housing units. Therefore, in this circumstance, the delivery of the residual losses and the net gain target off-site is accepted.
- 6.111. A 3.31ha off-set site is proposed in parcel 'C' of the transferred land. Following its creation, it would be transferred to the Council for future maintenance. A financial contribution for this maintenance is proposed. This offset habitat, which would include the creation of new hedgerows, would be a benefit to species within the area including bats and birds.
- 6.112. 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 of £9,012.30 towards off-site mitigation (RAMS contribution) is necessary to mitigate the potential disturbance to European designated sites arising from this development growth.

Health (*Strategic Policy S9 - Infrastructure requirements*)

- 6.113. The proposed development is likely to have an impact on the services of surgeries which operate within the vicinity of the site. It is estimated that the development would generate approximately 132 new residents which would increase demand on existing services.



- 6.114. The Integrated Care Board has requested £27,100 to be secured through a S106 Agreement to mitigate the impacts of the development, to be used for appropriate measures to increase capacity.

*Other matters*

- 6.115. The Education Authority has confirmed that there is sufficient early years and childcare, and primary and secondary school capacity such that no financial contributions are required.

*Weighted balance*

- 6.116. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.117. The NPPF is a material consideration to planning decisions. It sets out the presumption in favour of sustainable development which can be achieved through the positive engagement of three overarching objectives; economic, social and environmental. The NPPF advises these should be pursued in a mutually supportive way and should be used in the application of the policies in the NPPF. However, they are not criteria against which every decision can or should be judged.
- 6.118. The proposed scheme is for a 100% affordable housing development of 55 units, within the Rural Area and Green Wedge. When read together policies S1, S7, S11, DM7 and DM8 indicate that the proposal does not comply with the Council's strategic approach to development within its administrative area. There is some harm caused through non-compliance with the Council's development plan.
- 6.119. There would be harm caused to the intrinsic character and beauty of the countryside and Green Wedge, through built form on an undeveloped site and the removal of trees and landscaping that form part of the landscape character. Some of the harm is mitigated by the location of the Urban Area within the backdrop of the site.
- 6.120. The development would necessitate a sizeable amount of tree and landscape removal. These are protected due to the site's location in a Conservation Area. Whilst this would normally be resisted, Policy DM17 allows tree removal in exceptional circumstances where there are overriding public benefits and appropriate replacement planting. A comprehensive landscaping scheme is proposed to compensate for the tree and hedgerow loss in addition to the provision of 3 new trees per dwelling.
- 6.121. As set out in the heritage section, there would be less than substantial harm to heritage assets. Chapter 16 of the NPPF and Policy DM13 requires that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether the harm is considered to be less than substantial to the significance of identified heritage assets.
- 6.122. The scheme, in addition to shared ownership units, would deliver 24 affordable rent units. As set out in the Chelmsford Housing Strategy 2022-2027, there is a critical need for more affordable housing for rent as these units aid in meeting the priority housing need on the Council's Housing Register.
- 6.123. In addition, low levels of larger affordable housing for rent have significantly impacted on the churn of large family homes within the existing affordable housing stock, leading to a decline in

the number of existing affordable homes being relet overall. Therefore, there is a significant need to deliver larger affordable rent units. 9 of the 24 affordable rent units would be 4 bedroom properties which would significantly boost supply.

- 6.124. The scheme aligns with the Council's objectives of boosting affordable housing supply and the NPPF's aim of boosting the supply of housing nationally. This attracts significant weight in favour of the proposal.
- 6.125. There are economic and environmental benefits with the scheme due to the site's highly sustainable location, including being adjacent to sustainable means of transport. Furthermore, whilst a site-specific requirement to make the development acceptable, the provision of the signalised crossing is a key infrastructure provision which would benefit the wider community. All these attract some weight in favour of the proposal.
- 6.126. There are also public benefits in the transfer of a substantial amount of land into public ownership which would provide recreational, leisure and environmental opportunities, aligning with the Council's corporate and Local Plan objectives. This attracts great weight in favour of the proposal.
- 6.127. It is noted there is local concern on highway and flooding matters, however as set out in the report, it is considered that these would be reasonably mitigated by a variety of measures and no objections are raised by statutory consultees.
- 6.128. When taken cumulatively, it is considered the identified benefits would outweigh the less than substantial harm to the significance of the designated heritage assets to which great weight must be attached. They also would outweigh the harm caused to the Rural Area and Green Wedge, the loss of trees and landscaping on site, and the proposal's conflict with the Local Plan.
- 6.129. Overall, and in the context of paragraph 12 of the NPPF, the benefits of the proposal, most notably the delivery of affordable housing to meet an identified need, are cumulatively considered to outweigh the totality of harm identified. It is therefore considered in this site-specific circumstance the material considerations of the proposal justify a departure from the development plan.

## **7. Community Infrastructure Levy (CIL) and Section 106 Agreement**

- 7.1. The development is a 100% affordable housing scheme and qualifies for mandatory Social Housing Relief in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).
- 7.2. There are site specific payments towards works and obligations in order for the development to accord with national and local planning policies. These would be secured via a S106 Agreement and the expected drafts heads of terms are as follows:
  - Affordable housing provision and delivery - 55 units with a tenure split of 44% affordable rent and 56% shared ownership
  - Provision of three wheelchair housing units
  - Open space delivery
  - Open space (residential parcel) maintenance and management commuted sum if the land is to be transferred to the Council – the applicant has indicated this is their intention with the details to be agreed via the S106; or
  - Conditional performance bond (residential parcel) if the open space is privately maintained and managed (should an agreement not be reached between the Council and the applicant)

- Health care contribution - £27,100
- Open space contribution - £15,000
- RAMS - £9,012.30
- Provisions for the transferred land (parcels B and C)
- 2 year management and maintenance of transferred land contribution - £11,586.82
- Delivery of biodiversity offset land
- Future maintenance and management of biodiversity offset land contribution - £49,603.24
- Monitoring fees

## 8. Conclusion

8.1. The proposal would significantly boost affordable housing supply. The benefits and harm of the proposal have been considered against the relevant national and local plan policies. As set out in the weighted balance, it is considered that the public benefits of the scheme greatly outweigh the harm caused, including harm to landscape and heritage, and that in this site-specific circumstance the material considerations of the proposal justify a departure from the development plan.

8.2. 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.

## **RECOMMENDATION**

**(a) Subject to an agreement, as indicated in the report presented to the Committee, being entered into by 21<sup>st</sup> July 2025 pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the following conditions:-**

### **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**

Prior to any construction works, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the surrounding area and neighbouring buildings shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

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

**Condition 4**

(i) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological and geoarchaeological investigation identified in the approved Written Scheme of Investigation.

(ii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

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

**Condition 5**

No development or preliminary groundworks of any kind shall take place until:

- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorising the closing of the badger sett; or
- b) a statement in writing from the Natural England confirming that closing the sett will not require a licence.

Reason:

To conserve protect species and their habitats in accordance with Policy DM16 of the Chelmsford Local Plan.

**Condition 6**

No development shall take place, including any works of ground clearance or site preparation, until a scheme to minimise offsite flooding caused by surface water run-off and groundwater during construction works and measures to prevent pollution has been submitted to and approved in writing by the local planning authority.

The approved scheme shall be adhered to throughout the construction period for the development.

Reason:

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

**Condition 7**

The bund shall be constructed prior to the commencement of above ground works with the final details and long-term management and maintenance plan previously submitted and approved in writing by the local planning authority.

The bund shall be constructed and maintained in accordance with the approved details.

Reasons:

To ensure the development is visually satisfactory and made safe for future residents in accordance with Policies DM18 and DM23 of the Chelmsford Local Plan.

**Condition 8**

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

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

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

Reason:

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

**Condition 9**

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Sustainable Urban Drainage Assessment, Rev C1, dated October 2024 by Richard Jackson Consultants and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 3.1l/s
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 45% 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 10**

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

**Condition 11**

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a written request by the Local Planning Authority.

## Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

**Condition 12**

The development shall be carried out in accordance with the construction environmental management plan and method statement, project no. 213, REV. 5 (dated 09.10.2024), subject to such minor variations as may be agreed in writing by the local planning authority.

## Reason:

To ensure the construction of the site is appropriately managed, in the interests of highway safety.

**Condition 13**

Prior to first occupation, the provision of an access formed at right angles to Chelmer Village Way, as shown in principle on DWG no. 61845-PP-018 Rev. B (Proposed Crossing Arrangement Option 9, dated 24.10.2024), shall be provided to include but not limited to;

- i. A left in, left out access arrangement, to include appropriate junction radii to accommodate the swept path of all vehicles regularly accessing the site.
- ii. Two 3-metre-wide shared foot/cycleways connecting into the site, with merge onto carriageway for cyclists.
- iii. The provision of a suitable pedestrian cycle crossing of the site access.
- iv. Visibility splays with dimensions of 2.4 metres by 31 metres shall be provided from the development site access road onto the shared foot cycle route, with no obstruction above 600mm. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

## Reason:

To provide a safe and suitable access arrangement, in the interests of highway safety.

**Condition 14**

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

## Reason:

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

**Condition 15**

Prior to first occupation of the development, the highway works shown in principle on DWG 61845-PP-018 REV. B ('Proposed Crossing Arrangement, option 9', dated 24.10.2024), shall be implemented. The highway works to include, but not limited to;

- i. Provision of a toucan crossing across Chelmer Village Way.
- ii. Alterations to the westbound carriageway and central island on Chelmer Village Way, and any other associated highway works, to facilitate the provision of the toucan crossing.
- iii. Provision of a new bus stop on the southern side of Chelmer Village Way (to the west of the proposed site access). The bus stop shall comprise of, but not limited to, the following facilities:

raised kerbs, hardstanding, a shelter with seating, lighting and power connection, bus cage with bus clearway markings and signage, a bus stop flag, timetable frame and real time passenger information (RTPI) screen.

- iv. Relocation of the raised kerbs and bus cage road markings for the existing eastbound bus stop on Chelmer Village Way.
- v. Bus stop improvements to the existing eastbound bus stop to include, but not limited to, new bus shelter and real time passenger information (RTPI) screen.
- vi. The extension of the 'no stopping' (clearway) Traffic Regulation Order on A138 to include the dual carriageway section on Chelmer Village Way between A138 and Beeleigh Link roundabouts. The TRO to include the provision of the associated signing and lining.

All necessary works shall be carried out entirely at the developer's expense and be fully implemented prior to occupation.

Reason:

To facilitate the safe crossing of pedestrians and cyclists across Chelmer Village Way, to promote sustainable transport and to prevent parking on the highway in the vicinity of the site, in the interests of highway safety and accessibility.

#### **Condition 16**

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

Reason:

To ensure that the development is visually acceptable and does not detract from the historical value or character and appearance of the surrounding heritage assets in accordance with Policies DM13 and DM23 of the Chelmsford Local Plan.

#### **Condition 17**

All new brickwork shall be constructed to give the appearance of Flemish bond, with either a flush or recessed mortar joint.

Reason:

To ensure that the development is visually acceptable and does not detract from the historical value or character and appearance of the surrounding heritage assets in accordance with Policies DM13 and DM23 of the Chelmsford Local Plan.

#### **Condition 18**

With the exception of the proposed brick and surface materials, the development shall be carried out in accordance with the approved materials plan.

Reason:

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

**Condition 19**

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

b) Notwithstanding drawing no. SP-106 Rev J, details shall be submitted of a boundary treatment to the central open space to prevent parking within this space.

c) No part of the development shall be occupied until the boundary treatments have been provided in accordance with the approved details.

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

**Condition 20**

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

- (a) Fenestration, including elevations, the setback from face brickwork, sections through the head, jamb and cill, and details of stiles, mullions, meeting rails and glazing bars;
- (b) Eaves, verges, hips and ridges;
- (c) Doors, door casings and surrounds;
- (d) Brick detailing;
- (e) Rainwater goods and soil or vent pipes;
- (f) Balconies;
- (g) Chimneys and flues;
- (h) Vents and extractor fans;
- (i) Meter boxes
- (j) Soffit, gutter brackets and verges
- (l) Security lighting and video cameras
- (m) Tile or ridge vents
- (n) plinths

The development shall then be carried out in accordance with the approved details.

Reason:

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

**Condition 21**

Details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved prior to the first occupation of any part of the development. The details shall include:

- a) Pathways and driveways
- b) Visitor spaces, including kerbs and how they are marked out
- c) Marking out of parking spaces for all flats
- d) Turning head, including markings to restrict on road parking
- e) Barriers to restrict on street parking



- f) Seating
- g) Bins
- h) other hard landscape features

Reason:

In order to add character to the development, to integrate the development into the area and to prevent indiscriminate on street parking in accordance with Policies DM23, DM24 and DM27.

**Condition 22**

The development shall be carried out in accordance with the landscaping drawing nos. 2637-LLA-ZZ-00-DR-L-0201 Rev P07 and 0202 Rev P07 and 2637-LLA-ZZ-00-DR-L-0001 Rev P08 prior to the first occupation of any part of the development or in the first available planting season following such occupation.

If any such tree, shrub or landscaping forming part of the approved landscaping is removed, uprooted, destroyed or dies within the duration of 10 years during and after the completion of the development shall be replaced by the same species during the next available planting season.

Reason:

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

**Condition 23**

A landscape management plan, including long term design objectives, management responsibilities and schedule of landscape maintenance for a minimum period of ten years for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that the landscaping and planting is appropriately maintained in the interests of the character and appearance of the area in accordance with Policy DM23 of the Chelmsford Local Plan.

**Condition 24**

No trees or hedges within the site other than those shown to be removed as contained within the arboricultural Impact Assessment prepared by Southern Ecological Solutions dated 28.06.2023 shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of the development or within a period of 5 years following commencement of the development.

If any such tree is removed, uprooted, destroyed or dies prior to commencement of development or within a period of 5 years following commencement another tree shall be planted within the next available planting season. The location, size and species of replacement planting shall be as agreed in writing by the local planning authority.

Reason:

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

**Condition 25**

In relation to tree protection, tree surgery and construction methods, the development shall only be carried out in accordance with the submitted arboricultural Impact Assessment prepared by Southern Ecological

Solutions dated 28.06.2023 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

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

**Condition 26**

Prior to their installation details of any means of external lighting shall be submitted to and approved in writing by the local planning authority. The light details shall include a lighting design strategy for biodiversity to ensure that no lighting impacts on protected species or their habitats.

The lighting shall then be installed in accordance with the approved details.

Reason:

To ensure the proposed development is visually satisfactory and does not impact on any protected species or their habitats in accordance with Policy DM16 of the Chelmsford Local Plan.

**Condition 27**

Prior to first occupation details of privacy screening and obscure glazing for bedrooms 1 and 2 of plot 11 and bedroom 2 of plot 14 shall be submitted and approved in writing by the local planning authority.

Thereafter the development shall be constructed in accordance with the approved details.

Reason:

To safeguard the privacy of the occupiers of the development in accordance with Policy DM26 of the Chelmsford Local Plan.

**Condition 28**

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 dwelling.

Reason:

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

**Condition 29**

The development shall not be occupied until such time as the vehicle parking spaces and the internal road as shown on the proposed site layout drawing nos. SL-02 Rev and SP-103 Rev J, has been provided. The parking spaces and road, including the turning head, shall be retained in this form at all times.

Reason:

To ensure that appropriate parking and turning is provided in the interests of highway safety.

**Condition 30**

The access and internal road of the development hereby approved shall be constructed to a standard capable of carrying a 26 tonne refuse vehicle.

Reason:

In the interests of highway safety and to ensure that the development is accessible in accordance with Policy DM23 and DM24 of the Chelmsford Local Plan.

**Condition 31**

Prior to first occupation, the Developer shall provide to each household a copy of a Flood Risk Emergency Plan with the details previously submitted and approved in writing by the local planning authority.

Reason:

In the interest of the safety of all future residents, in accordance with Policy DM18 and Policy DM24 of the Chelmsford Local Plan.

**Condition 32**

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 33**

The biodiversity net gain enhancements including the offset land shall be implemented in accordance with the Biodiversity Net Gain Appraisal dated September 2023 and the Habitat Management and Monitoring Plan (Offset Land) dated October 2023, both prepared by CSA Environmental prior to first occupation of the development or in accordance with a timetable of implementation to be submitted to and agreed in writing by the local planning authority.

Reason:

To secure biodiversity enhancements on and off site in accordance with Policy DM16 of the Chelmsford Local Plan.

**Condition 34**

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Ecological Impact Assessment prepared by CSA Environmental dated June 2023 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

To ensure that no harm is caused to protected species in accordance with Policy DM16 of the Chelmsford Local Plan.

**Condition 35**

The development shall be carried out in accordance with the discovery strategy as set out report 6664, GI, SITEINV, HS, SG,24-08-22,V1, dated 24th August 2022 prepared by Geosphere Environmental Ltd subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

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

**Condition 36**

The development shall be carried out in accordance with the Residential Noise Impact Assessment prepared by Sweco dated 12.06.2023 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

To safeguard the amenities of the occupiers of the development in accordance with DM26 of the Chelmsford Local Plan.

**Condition 37**

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 38**

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 39**

Three of the affordable units for rent as hereby approved shall be constructed to comply with Building Regulations Approved Document Part M4(3)(2)(b) (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 40**

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

Reason:

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

**Condition 41**

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), no outbuildings or structures shall be constructed at plots 23, 27, 26, 33, 34, 35 and 36 without the grant of an additional planning permission by the local planning authority.

Reason:

To ensure the development is visually satisfactory along Chelmer Village Way and to protect the enjoyment of the amenity space for the occupiers of plots where provision is lower.

**Condition 42**

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) no wall, gate or other means of enclosure other than hereby approved shall be constructed within or along the boundaries of the site without the grant of an additional planning permission by the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

**Condition 43**

The windows on the following plots shall be;

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

- Plot 4 – first floor window of the southern elevation as shown on drawing no. CY1-02 Rev J
- Plot 6 – first floor windows of southern elevation as shown drawing no. CY1-02 Rev J
- Plot 20 – first floor windows of northern elevation as shown on drawing no. CY2-02 Rev G
- Plot 27 – first floor landing and bathroom windows on the southern elevation as shown on drawing no. CY2-07 Rev H
- Plot 28 – first floor bedroom and landing windows on the southern elevation as shown on drawing no. CY2-07 Rev H
- Plot 28 – second floor window on the southern elevation as shown on drawing no. CY2-07 Rev H
- Plot 29 – second floor window on the southern elevation as shown on drawing no. CY2-07 Rev H
- Plot 30 – first floor window on northern elevation as shown on drawing no. CY2-07 Rev H
- Plot 33 – first floor landing window on the western elevation as shown on drawing no. CY3-03 Rev H
- Plot 34 – first floor windows on the western elevation as shown on drawing no. CY3-03 Rev H
- Plot 35 – first floor window on the eastern elevation as shown on drawing no. CY3-03 Rev H
- Plot 36 – first floor landing window on the eastern elevation as shown on drawing no. CY3-03 Rev H

Reason:

To safeguard the privacy of the occupiers within the development in accordance with Policy DM29 of the Chelmsford Local Plan.

**Condition 44**

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) no windows or other openings other than those expressly authorised by this permission shall be constructed or inserted within the eastern wall or roof of plots 27, 35 and 36, the western wall or roof of plots 33, 34, 35, the southern wall or roof of plot 26, 27, 28 and 29 and the northern wall or roof of plot 25 and 30.

Reason:

To safeguard the privacy of the occupiers within the development in accordance with Policy DM29 of the Chelmsford Local Plan.

**Condition 45**

Notwithstanding the provisions of Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015 (or any order revoking or re-enacting

that Order with or without modification) the hard surfacing of front gardens or front verges shall not be carried out.

**Reason:**

To ensure that the proposed development is visually satisfactory and to safeguard indiscriminate on street parking in accordance with Policies DM23 and 27 of the Chelmsford Local Plan.

**Notes to Applicant**

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are: Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
- 3 The new street and its junction and/ or connection with the existing highway should be formed to the requirements and satisfaction of the Highway Authority (Essex County Council). Attention in this respect is drawn to Section 184 of the Highways Act 1980. Contact details are: Development Management Team, Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU. Telephone via Contact Essex: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
- 4 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 5 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](http://www.chelmsford.gov.uk/cil), and further information can be requested by emailing [cilenquiries@chelmsford.gov.uk](mailto: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.

- 6 Your attention is drawn to the consultation response of Anglian Water regarding the location of assets and the adoption of sewers. A copy of the response is available via Public Access, or a copy can be provided to the applicant on request.
- 7 It should be noted that within the landscape management plan to be submitted for approval, details shall include the regular of maintenance of trees and landscaping along the northern boundary to ensure there is no overhang onto the public highway.

### **Positive and Proactive Statement**

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

**Plans to be listed on any Decision Notice:**

Written Scheme of Investigation for an Archaeological Evaluation/Revised August 2023  
Biodiversity Metirc 4.0  
Heritage Assessment  
Landscape and Visual Impact Assessment  
Landscape and Visual Impact Assessment Appendix A.1 Figs 1-6  
Landscape and Visual Impact Assessment Appendix A.2 Fig 7 Photosheets  
Landscape and Visual Impact Assessment Appendix B LCA extracts  
Landscape and Visual Impact Assessment Appendix C GW\_GC extracts  
Landscape and Visual Impact Assessment - Figures  
Flood Risk Assessment & Sustainable Urban Drainage Assessment October 2024 RevC1  
Ecological Survey CSA/6456/01 A  
1-22/Rev D  
23-45/Rev D  
65207356-SWE-ZZ-XX-T-AQ-0001 Air Quality Assessment  
Arboricultural Impact Assessment  
Energy Sustainability Statement  
6664,GI,SITEINV,HS,SG,24-08-22,V1 GeoSphere Environmental  
Health Impact Assessment  
Transport Assessment  
Archaeological Desk Based Assessment  
61845-PP-050/Rev P3  
Flood Risk Sequential Test and Exception Test  
Pre-Planning Assessment Report - Used Water  
RSC/KS/VR/23224 Stage 1 Road Safety Audit Chelmer Meadow Highway Works-Option 9  
61845-PP-002/Rev E  
61845-PP-005/Rev D  
61845-PP-003/Rev E  
61845-PP-018/Rev B  
Construction Environmental Management Plan & Method Statement/Rev 5  
1000/P5  
PC6601-RHD-XX-ZZ-RP-Z-0001 (October 24)/Hydraulic Modelling  
Schedule of Accommodation/Rev Y  
LP-03/Rev B  
LP-04/Site Location Plan BNG  
SP-102/Rev J  
SP-104/Rev F  
SP-107/Rev F  
SP-108/Rev K  
SP-110/Rev F  
CY2-02/G  
CY2-03/E  
CY2-04/F



CY2-05/E  
CY2-06/G  
CY2-07/H  
CY2-08/E  
CY2-09/D  
CY2-10/E  
CY3-01/H  
CY3-02/G  
CY3-03/H  
CY3-04/F  
CY3-04/H  
CY3-05/F  
CY3-06/G  
CY3-07/H  
CY3-08/G  
CY3-09/G  
SE-02/C  
SE-02/C (with trees)  
SS-01/H  
CY1-01/Rev L  
Biodiversity Net Gain Appraisal/With Habitats Plan Rev B  
Habitat Management and Monitoring Plan (Offset Land)/October 2023  
2637-LLA-ZZ-00-DR-L-0202/P07  
2637-LLA-ZZ-XX-RP-L-0801-PO1 Landscape Management Plan  
SL-02/Rev L  
CY1-02/Rev J  
CY1-03/Rev H  
CY1-04/Rev G  
CY1-05/Rev G  
CY1-06/Rev G  
SP-101/Rev R  
SP-103/Rev J  
2637-LLA-ZZ-00-DR-L-0001 REV/P08  
2637-LLA-ZZ-00-DR-L-0201/P07  
2637-LLA-ZZ-00-DR-L-0202/P07  
CY2-07/Rev E  
Materials Palette  
SP-105/M  
SP-106/J  
400  
LP-02/C

## Appendix 2 – Consultation responses summary

Full copies of consultation responses can be found on the Council’s website. Selected consultees were reconsulted in November 2024 when amended drawings and documents were received. The below summary identifies where an updated response was received from the relevant consultees.

### Police - Strategic Planning Team and Designing Out Crime Team

Comments
No objections. <ul style="list-style-type: none"><li>- Consideration should be given to the relevant documents on design out crime and securing safe design</li><li>- Ground floor amenity spaces should have suitable boundary treatments to ensure security</li><li>- Consideration should be given to lighting, access/visitor entry systems, provision for mail delivery and physical security measures.</li></ul>

### Recycling & Waste Collection Services

Comments
No objections.

### Essex County Council (Lead Local Flood Authority) – December 2024

Comments
No objections subject to conditions. Following further discussions with the Lead Local Flood Authority, it has been agreed that condition 5, as recommended in their consultation response, is not required.

### Environment Agency – August 2023 and November 2024

Comments
<u>November 2024 response</u> <ul style="list-style-type: none"><li>- We have reviewed the documents as submitted and have no objection to this application.</li><li>- From the submitted amended Flood Risk Assessment, we have no further comment.</li></ul> <u>August 2023 response</u>

No objections

Our maps show the site lies within fluvial Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for residential development which is classified as a 'more vulnerable' development. To comply with national policy the application is required to pass the Sequential and Exception Test (s) and be supported by a site specific Flood Risk Assessment (FRA).

To assist you in making an informed decision about the flood risk affecting this site the key points to note from the submitted FRA are:

- The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.
- The majority of the site falls into flood zone 1.
- The site does not benefit from the presence of defences.
- Proposed bund will be set at a maximum level of 22.9 m AOD the submitted modelling report has assessed the flood risk and confirms that changes in depths are negligible.
- Finished ground floor levels of residential development in flood zone 3 have been proposed at 22.94m AOD. This is above the 1% (1 in 100) annual probability flood level including climate change (35%) of 22.29 m AOD and therefore dry of flooding in this event.
- Flood resilience/resistance measures have been proposed.
- Finished first floor levels have not been confirmed however based on the ground floor level there will be safe refuge above the 0.1% (1 in 1000) annual probability flood level including climate change (25%) of 22.36 m AOD.
- The proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 1% (1 in 100) annual probability including climate change flood event. A Flood Evacuation Plan has been proposed.
- Compensatory storage has been provided.

**Essex County Council Highways**

Comments

No objections subject to conditions.

The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms, the application is not contrary to national and local highways and transportation policy and current safety criteria.

The proposal provides a comprehensive highway mitigation package including the provision of new toucan crossing across the dual carriageway section of Chelmer Village Way, to provide a safe crossing facility to connect the development site to the existing eastbound bus stops and local facilities and services, including the retail park. A new bus stop is also proposed on the southern side of Chelmer Village Way.

Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity and efficiency.

### Ramblers Association

Comments

No Comment.

### Essex Waterways Ltd

Comments

No response received

### ECC Infrastructure Delivery Team – November 2024

Comments

#### Early Years and Childcare

As there are sufficient places available in the area, a developers' contribution towards new childcare places will not be required for this application.

#### Primary Education

As there are sufficient places available in the area, a developers' contribution towards new primary places will not be required for this application.

#### Secondary Education

As there are sufficient places available in the area, a developers' contribution towards new secondary places will not be required for this application.

#### Post 16 education

A contribution toward Post16 education is not required at this time.

School Transport

If there is access from the development to Chelmer Village Way, Essex County Council will not be seeking a School Transport contribution at this time. However, the developer should ensure that safe direct walking and cycling routes to local Primary and Secondary Schools are available.

Libraries

The suggested population increase brought about by the proposed development is expected to create additional usage of Chelmsford library. A developer contribution of £4,279 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services.

**Officer response**

Libraries contributions is a matter for CIL.

**Public Health & Protection Services**

Comments

No objections.

- As long as the discovery strategy is implemented, a contaminated land condition is not required.
- Providing the recommendations in the acoustic report are implemented it appears that the noise levels within the proposed dwellings will be meet the required standards.
- This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).

**Essex Wildlife Trust Ltd**

Comments

No response received

**ECC Historic Environment Branch**

Comments

No objections subject to conditions.

## Sport England Eastern Region

### Comments

No Objections. The proposed development does not fall within either our statutory or non-statutory remit.

## Natural England

### Comments

No objection subject to securing appropriate mitigation

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for the following European designated site[s], Essex Coast Recreation disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

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

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

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

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment

conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

### Essex County Fire & Rescue Service – November 2024

#### Comments

Access to most dwellings around courtyard 1 has been measured from a single point 20 metres inside the courtyard. This point may have been selected in order to comply with ADB B5 v1 13.4 dead end access. In most cases access is within 45 metres.

Although this may work theoretically, for practical purposes in order to reduce delays in effecting rescues/extinguishing the fire, an appliance will be sited as near as possible to the entrance of the affected dwelling. This may take the appliance more than 20 metres into the dead end access route and therefore compliance with 13.4. should be a consideration.

In any event access to some dwellings within Courtyard 1 appears to exceed 45 metres measured from the same point. i.e. Plots 12 and 13 in the far corner.

Access to all parts of all dwellings within Courtyard 3 may not comply with ADB B5 v1 13.2 as this appears to exceed 45m in some cases. Plots 43 to 49.

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

### Essex and Suffolk Water

#### Comments

No response received.

### Economic Development & Implementation

#### Comments

No response received.

### Parks & Open Spaces

#### Comments

Proposal has been amended in light of discussions with Parks and Green Spaces and no objections are raised. Support for both on and off site open space provision.

### Leisure & Heritage Services

#### Comments

No response received

### Anglian Water Services Ltd – December 2024

#### Comments

No objections

#### Assets

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.

#### Wastewater services

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have 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.

#### Surface Water Disposal

No comments

### Historic England – August 2023 and November 2024

#### Comments

#### August 2023

The principle of developing this land for residential uses would go against the open character of the conservation area, resulting on urban encroachment on the river valley flood plain.

The development of the site in the manner and intensity proposed would erode the prominence of the nearby listed buildings. The advanced building line in relation to the listed farmhouse and increased height mean that the new development would be higher and more prominent than the farmhouse on views from the bypass and importantly, from the navigation. Similarly, the presence of new development would detract



from the prominence of the listed mill, which so far had remained in relative isolation, resulting on a more cluttered landscape.

We do not concur with the assessment of impacts on the submitted Built Heritage Assessment. The principle of developing this site for residential would cause some harm to the character of the conservation area. Further, by virtue of the intensity and massing proposed, which would be disruptive on important views of the heritage assets, the development would detract from their prominence, harming their significance.

We note that the area has been allocated in the local plan for future recreation uses and falls within the green wedge. It is understood that the development of this land would facilitate the transference of two parcels of circa 30 Ha. to the local authority's ownership, helping enable the delivery of the Country Park. We acknowledge this could be considered by your authority as an important public benefit and that you may identify other benefits. When making that balanced judgement, we ask you to take into account our advice on heritage impact and to consider to what extent the same benefits could be provided in alternative ways and whether sufficient has been done to minimise and mitigate impact.

In heritage terms, there are no benefits resulting from this application that would outweigh the harm to heritage assets, and consequently the proposals cannot be supported.

Historic England has concerns on heritage grounds. We consider the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199, 200, 202 and 206.

#### November 2024

Amendments have been introduced to the scheme; these comprise small refinements to layout and design changes, primarily to the group of buildings proposed on the eastern part of the site; we also note the changes introduced to the roofscape in the western block.

The changes introduced to the scheme have not reduced their harmful impact on the character of this part of the conservation area and setting of nearby designated listed buildings. This would be primarily by virtue of encroaching upon open land that contributes positively to their rural character. The intensity of development proposed would further detract from the significance of the nearby listed assets, eroding their significance. The impact would be higher on the grade II listed farmhouse and barn, given their proximity to the development. We refer you to our previous advice dated 1 August 2013 for a more detailed assessment of impacts.

Consideration should be given to views of the development from the river. In that regard, we would suggest that reducing the height of the south west quadrant would represent a less harmful alternative.

Overall, the proposals would result on less than substantial harm to the setting of these assets and should be assessed in line with paragraph 208 of the NPPF. This asks for this harm to be weighed against the public benefits of the proposals. When carrying your weighing exercise, we ask you to be satisfied that a robust case has been made for the proposed amount of development on this particular location and that enough has been done to mitigate harm.

The revised scheme does not address our concerns, and therefore our position remains unchanged.

Historic England has concerns regarding the application on heritage grounds. We consider the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205, 206 and 208.

### Mid And South Essex Integrated Care Board – November 2024

#### Comments

The proposed development is likely to have an impact on the services of the Surgeries which operate within the vicinity of the application site. The GP practices do not have capacity for the additional growth resulting from this development and cumulative development in the area.

The health impact assessment (HIA) submitted in support of the planning application assesses access to healthcare infrastructure. It proposes making a financial contribution towards healthcare to increase capacity within the area should that be required, secured through a S106 agreement.

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

The ICS therefore requests that the sum of £27,100 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.

### Chelmer Village Parish Council – December 2024

#### Comments

Objects.

Chelmer Village Council objects to the development because it is not mentioned for development in Chelmsford's Local Plan. Therefore, it can be assumed that this area is not intended for any type of building construction for the following reasons, which are in breach of the Development Management Policies to which all planning applications must adhere.

The most important reason for objecting is that the land is located within a significant flood risk area, which includes listed buildings and a major conservation area. This area is experiencing rising water tables, increased groundwater, and surface water after heavy downpours.

Being in a conservation area, there are plans to remove a row of mature trees on the boundary of the proposed development along Chelmer Village Way. These trees currently help alleviate excess water and are home to various birds, mammals, and insects. They may be subject to a tree preservation order, which only allows removal if the trees are deceased, which these are not. Their replacements will take years to

mature, during which time water levels are shown to be rising significantly according to the latest information from the Environment Agency. The proposed solution to the rising water levels will only cause major problems further up the river towards Stanford Mill and beyond, affecting protected species by law. The biodiversity will be changed in a way that will never be the same again.

Currently, during the morning and evening rush hours, congestion at the roundabout opposite the Fox and Raven is a major problem. The traffic management study was conducted during mid-afternoon when traffic was light, not during peak congestion times. With the proposed development, the increase in heavy construction traffic along the A138, from the retail roundabout through to the Fox and Raven roundabout, Chelmer Village Way, and Beleigh Link, will exacerbate the issue. This road has a weight restriction and is very narrow with difficult bends and a speed limit.

Additionally, the proposed Toucan crossing will only add to the congestion. Currently, access to the retail park is via a slip road on a dual carriageway. The Toucan crossing, although a good idea, will cause major problems as motorists from the Asda roundabout will have to negotiate one roundabout, a Toucan crossing, a slip road into the new development, and then yet another roundabout within 800 meters. This can and does back up all the way to the Toby Carvery roundabout. The entrance in and out of the proposed development will completely shut off one lane, which means accidents can and would occur as motorists are unaware of the near side lane being used for the new development.

Next to the proposed site is a Grade 2 listed building with meadows surrounding it. It is a place where walkers walk their dogs, and ramblers have access to buildings not in keeping with this historic landscape, built of modern materials.

## Local Residents

### Comments

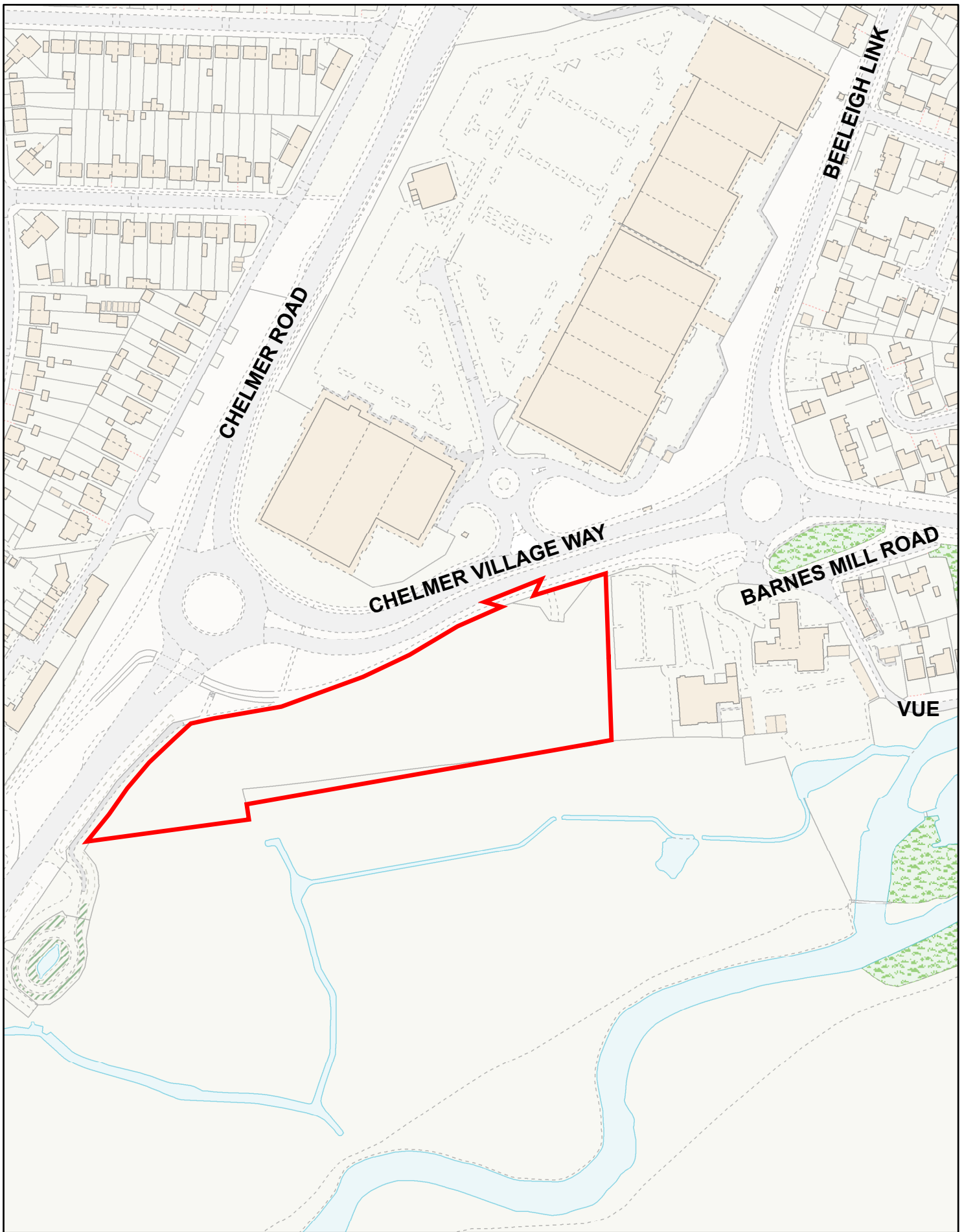
1 representation in support and 143 representations objecting to the proposal. This includes the reconsultation of the application in November 2024 where some representors resubmitted their objections.

1. Disagree with the applicant's assessment of the site's landscape character
2. Impact on surrounding heritage assets
3. Objections raised by Historic England
4. Proposal is contrary to Chelmsford Local Plan policies and unacceptable in principle
5. Questions on the robustness of the Sequential Test
6. The proposal is not enabling development
7. Development and housing need should be delivered through the Local Plan process
8. The development will increase/exacerbate both onsite and offsite flooding, including causing a greater risk in flooding to residential properties to the east.
9. The site is within a floodplain and is susceptible to flooding – development should not be permitted
10. The site is located in a Conservation Area and Green Wedge
11. The proposal has no public benefits, material considerations or mitigation circumstances
12. Questions on the robustness of the submitted flooding information
13. Site is not identified in the Council's emerging Local Plan

14. Unacceptable urbanisation – the development will impact on the existing character and appearance of the locality
15. Design of development not in keeping with the locality
16. Ecology impacts and unacceptable loss of trees
17. Impact to local wildlife including protected species
18. Loss of open/green space
19. Lack of pedestrian access improvements
20. Impact on health care facilities
21. Insufficient infrastructure to support the development
22. The Council is exceeding its housing targets – the development is not needed
23. Existing traffic and congestion along Chelmer Village Way – both the development and new road infrastructure will further exacerbate the conditions
24. The transferred land does not meet the statutory tests for planning obligations
25. Impact to the existing the Public Rights of Way including the route through the site
26. Disagree with the applicant's and the Environment Agency's information and data set
27. Development will set an unwanted precedent
28. Properties will not be covered by insurance
29. Development will lead to on street parking
30. The site has a history of refused planning applications
31. Concerns on the location and appearance of attenuation pond
32. Safety concerns on site entrance and changes to the pedestrian/cycle route
33. Questions on the robustness of the landscaping proposals
34. Concerns on foul water drainage
35. Questions on the availability of the highways information to support the application
36. The application should have been refused earlier.

**Officer response**

- 1.-23. – See Committee report
24. The Council considers that the land meets the relevant tests
25. See Committee report. There is no existing designated Public Right of Way through the residential parcel
26. The Environment Agency is a statutory consultee and they raise no objections to the proposal or the information submitted by the applicant. See consultation response.
27. Each planning application is considered on its own planning merits
28. Not a planning consideration, however no objections have been raised by the Environment Agency
29. Conditions are proposed to prevent indiscriminate parking
30. Each planning application is considered on its own planning merits
31. No objections are raised by the Lead Local Flood Authority. See consultation response.
32. No objections are raised by the Highway Authority. The site entrance has been designed in consultation with Highways. See consultation response.
34. No objections are raised by Anglian Water. See consultation response.
35. All information supporting the application was publicly available
36. National and local procedures allow for the Council to engage in planning application discussions.



0 25 50 100 Metres

1:2,500



**Planning Committee**  
**23/01105/FUL**

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

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







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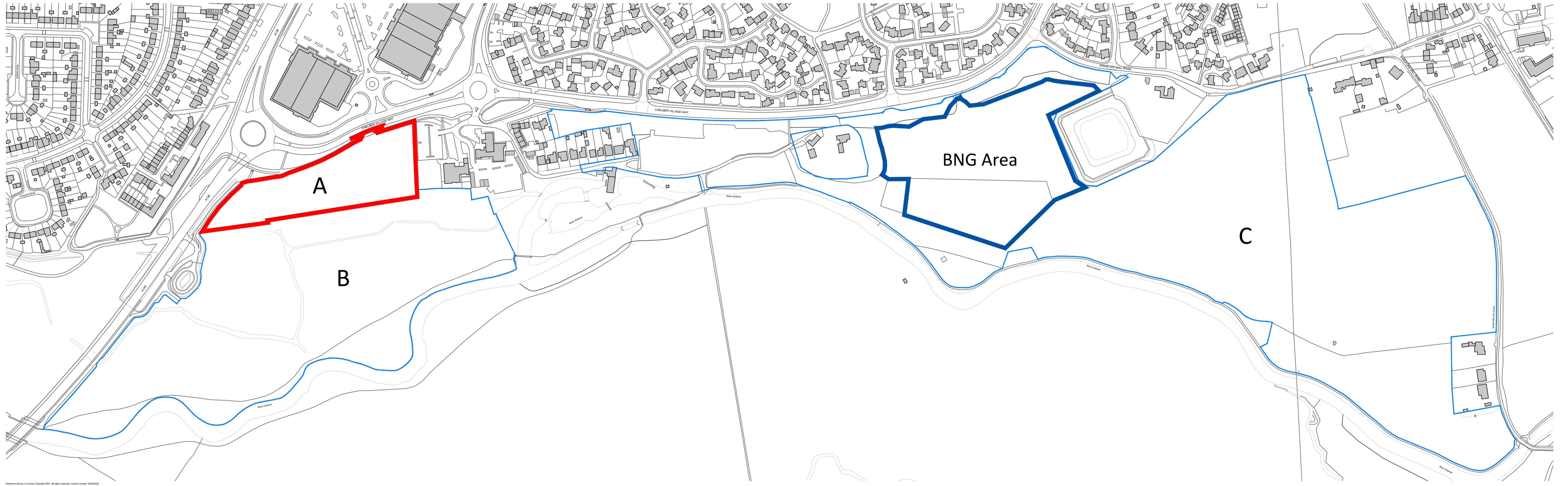
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- Key**
-  Site boundary
  -  Applicants ownership / control
  -  Parcel A
  -  Parcel B
  -  Parcel C
  -  BNG Area



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No.	Date	Description	Drawn	CHK

Client  
**Countryside Properties PLC & Stonebond Properties (Chelmsford) LTD**

Project  
**Chelmer Meadows**

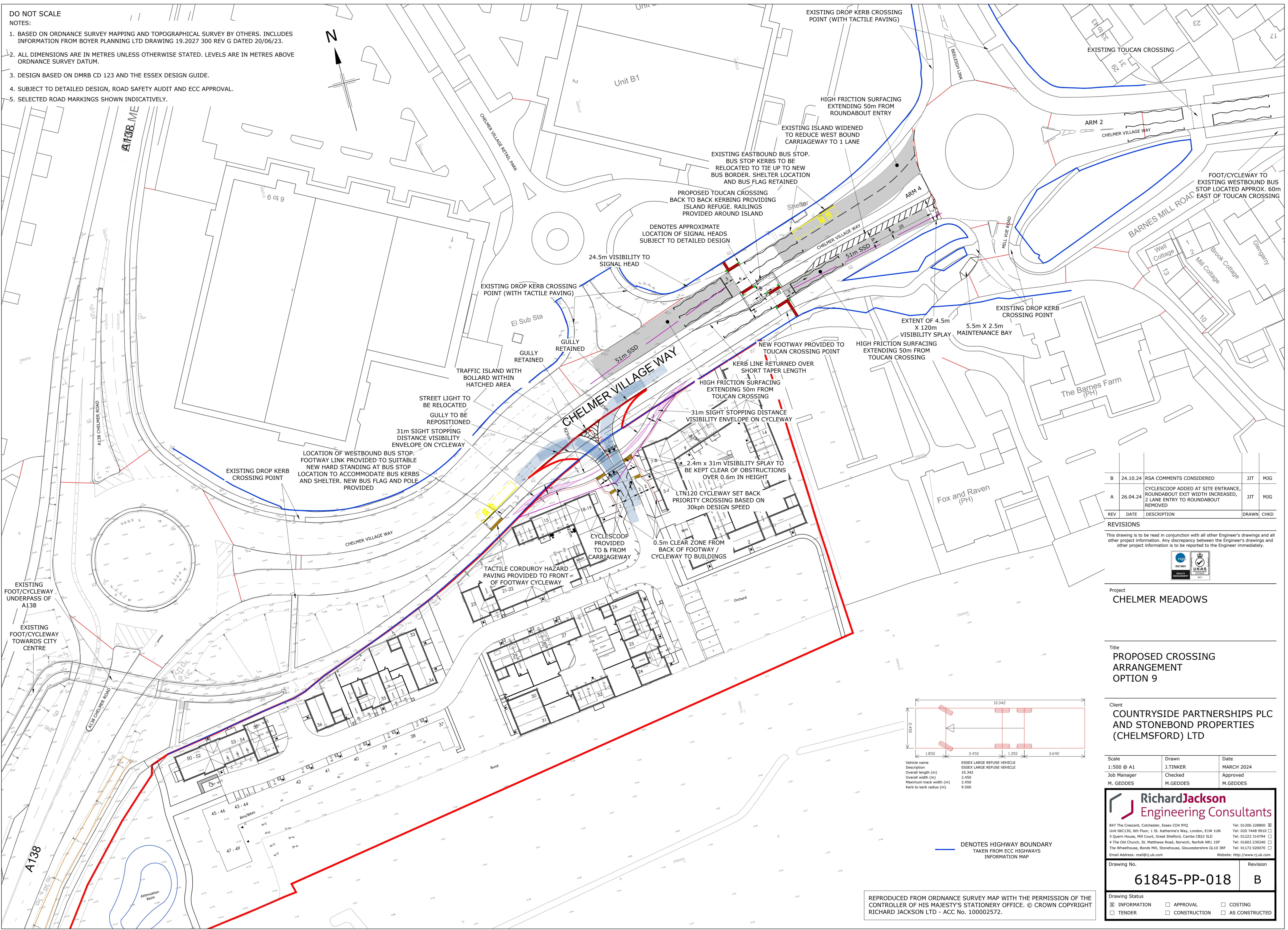
Drawing Title  
**Site Location Plan Including BNG Area**

Drawing No. LP-04 Job Ref. 19-2027  
Scale @ A1 1:2500 Revision  
Scale Bar 0 10 20 30 40 50 60 70 80 90 100 M

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2. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED. LEVELS ARE IN METRES ABOVE ORDNANCE SURVEY DATUM.
3. DESIGN BASED ON DMRB CD 123 AND THE ESSEX DESIGN GUIDE.
4. SUBJECT TO DETAILED DESIGN, ROAD SAFETY AUDIT AND ECC APPROVAL.
5. SELECTED ROAD MARKINGS SHOWN INDICATIVELY.



REV	DATE	DESCRIPTION	DRAWN	CHKD
B	24.10.24	RSA COMMENTS CONSIDERED	JJT	MJG
A	26.04.24	CYCLES COOP ADDED AT SITE ENTRANCE, ROUNDABOUT EXIT WIDTH INCREASED, 2 LANE ENTRY TO ROUNDABOUT REMOVED	JJT	MJG

**REVISIONS**  
This drawing is to be read in conjunction with all other Engineer's drawings and all other project information. Any discrepancy between the Engineer's drawings and other project information is to be reported to the Engineer immediately.

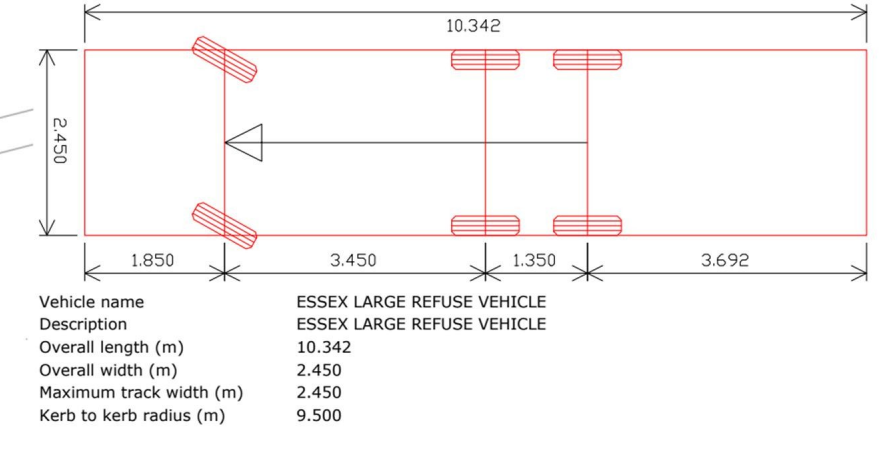


Project  
**CHELMER MEADOWS**

Title  
**PROPOSED CROSSING ARRANGEMENT OPTION 9**

Client  
**COUNTRYSIDE PARTNERSHIPS PLC AND STONEBOND PROPERTIES (CHELMSFORD) LTD**

Scale	Drawn	Date
1:500 @ A1	J.TINKER	MARCH 2024
Job Manager	Checked	Approved
M. GEDDES	M. GEDDES	M. GEDDES



Vehicle name: ESSEX LARGE REFUSE VEHICLE  
Description: ESSEX LARGE REFUSE VEHICLE  
Overall length (m): 10.342  
Overall width (m): 2.450  
Maximum track width (m): 2.450  
Kerb to kerb radius (m): 9.500

— DENOTES HIGHWAY BOUNDARY TAKEN FROM ECC HIGHWAYS INFORMATION MAP

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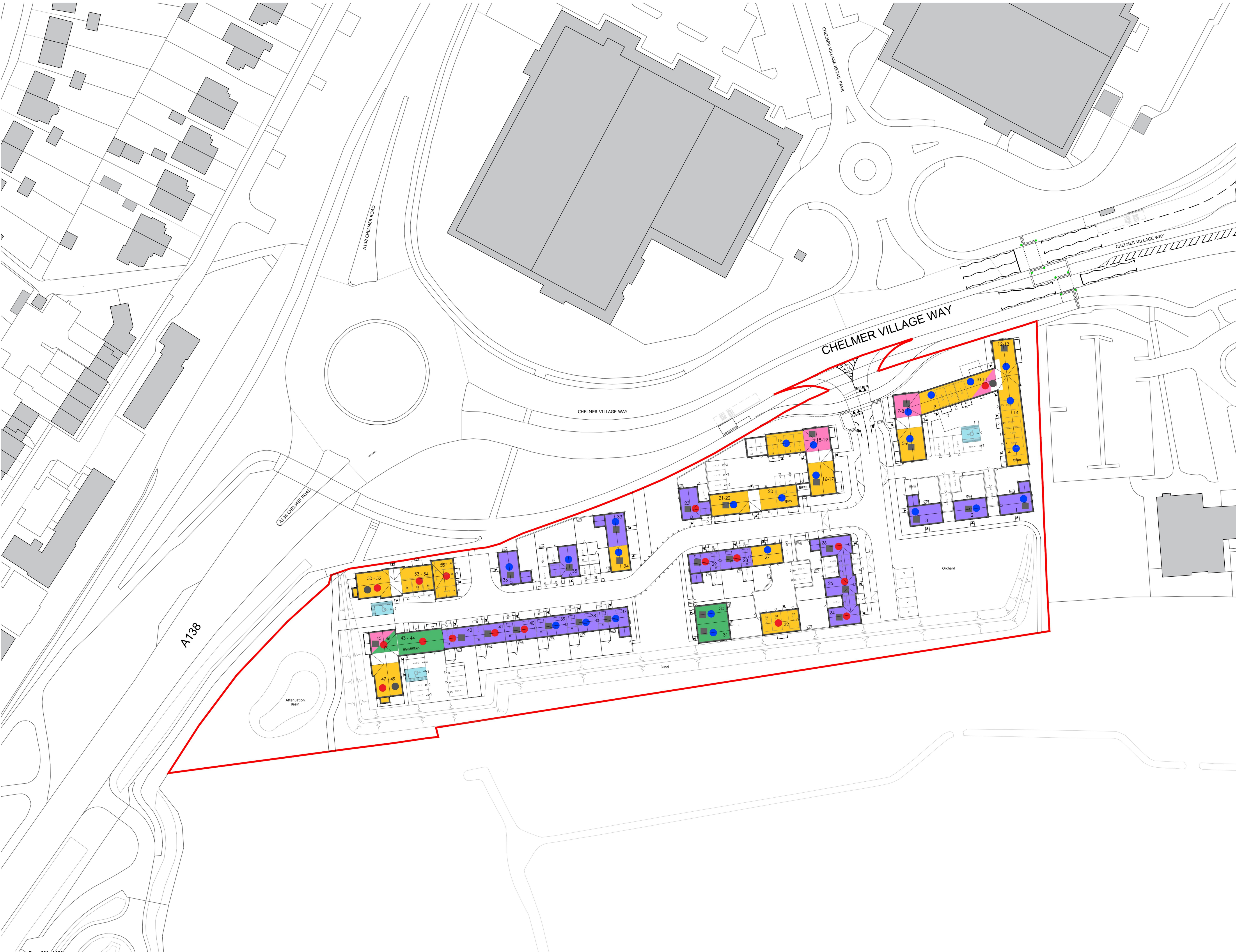
**Richard Jackson Engineering Consultants**  
847 The Crescent, Colchester, Essex CO4 9YQ Tel: 01206 228800  
Unit 06C130, 6th Floor, 1 St. Katherine's Way, London, E1W 1UN Tel: 020 7448 9910  
5 Queen House, Mill Court, Great Shelford, Cambs CB22 5LD Tel: 01223 314794  
4 The Old Church, St. Matthews Road, Norwich, Norfolk NR1 1SP Tel: 01603 230240  
The Wheelhouse, Bonds Mill, Stonehouse, Gloucestershire GL10 3RF Tel: 01172 020070  
Email Address: mail@rj.co.uk Website: http://www.rj.co.uk

Drawing No.	Revision
<b>61845-PP-018</b>	<b>B</b>

Information	Approval	Costing
<input checked="" type="checkbox"/> TENDER	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> COSTING
<input type="checkbox"/>	<input type="checkbox"/> CONSTRUCTION	<input type="checkbox"/> AS CONSTRUCTED

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- Key:**
- 1 Bed
  - 2 Bed
  - 3 Bed
  - 4 Bed
  - Affordable Rent
  - Shared Ownership
  - Part M4(2) compliant
  - Part M4(3) compliant (ground floor only)
  - Plot specific wheelchair parking space



R	12.12.24	Updated to latest planning layout & add a key	AW	NB
P	14.11.24	Updated to latest planning layout	AW	NB
M	20.10.24	Updated to latest planning layout	AW	NB
M	04.08.24	Amended to suit Plot 14 by Plot schedule	MR	NB
L	16.08.24	Updated to latest planning layout	MR	NB
K	28.02.24	Updated to latest planning layout	AW	NB
J	09.11.23	Updated to latest planning layout	AW	NB
H	03.11.23	Updated to latest planning layout	AW	NB
C	05.10.23	Updated to latest planning layout	AW	NB
F	22.06.23	Minor amendments	AW	AB
E	20.06.23	Updated to latest planning layout	AW	AB
D	14.06.23	Updated to latest planning layout	AW	AB
C	06.06.23	General Amendments	MR	AB
B	17.05.23	General Amendments	MR	AB
A	11.05.23	General Amendments	MR	AB
J	31.01.23	Final Issue	NB	AB

Client  
 Countryside Partnerships PLC &  
 Stonebond Properties (Chelmsford) LTD

**Boyer**

Project  
 Chelmer Meadows

Drawing Title  
 Housing Mix and Tenure Plan

Drawing No. SP-101 Job Ref. 19.2027  
 Scale @ A1 1:500 Revision R  
 Scale Bar 0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200

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- Key**
- Application boundary (1.67Ha/ 4.13Ac)
  - All modes access from Chelmer Village Way
  - Existing line of trees to be retained
  - Existing hawthorne to be retained
  - Other existing trees along northern edge retained
  - Proposed buffer planting to the west of the site
  - Proposed Size 3 turning head
  - 3 storey buildings creating gateway frontage
  - 2 storey frontage responding to listed building
  - Proposed pedestrian and cycle access
  - Proposed pedestrian pathways
  - Proposed bus stop
  - Proposed pedestrian crossing
  - Amenity open space
  - Proposed attenuation basin
  - Proposed community orchard
  - Naturalistic incidental play space
  - Wayfinding/ signage along Chelmer Village Way

For further details on landscaping, refer to Landscape Strategy Masterplan

Rev	Date	Description	Drawn	Chkd
L	14.11.24	Updated layout	AW	AW
K	30.10.24	Updated layout	AW	AW
J	23.08.24	Updated layout	IC	AB
I	27.02.24	Updated layout	IC	AB
H	13.11.23	Updated layout	MR	AB
G	13.11.23	General amendments	MR	AB
F	03.10.23	Updated layout	MR	AB
E	03.10.23	Updated layout	MR	AB
D	11.08.23	Updated layout	MR	AB
C	20.06.23	Updated layout	MR	AB
B	17.05.23	Updated layout	MR	AB
A	11.05.23	Updated layout	MR	AB

Client  
 Countryside Partnerships PLC &  
 Stonebond Properties (Chelmsford) LTD

**Boyer**

Project  
 Chelmer Meadows

Drawing Title  
 Proposed Site Layout

Drawing No. **SL-02** Job Ref. **19.2027**  
 Scale @A1 **1:500** Revision **L**



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Courtyard 1  
Elevations  
Plots 1 - 14



Plot 1 Plot 4 & Car Port Plot 14 & Car Port Plots 12 & 13  
East Elevation

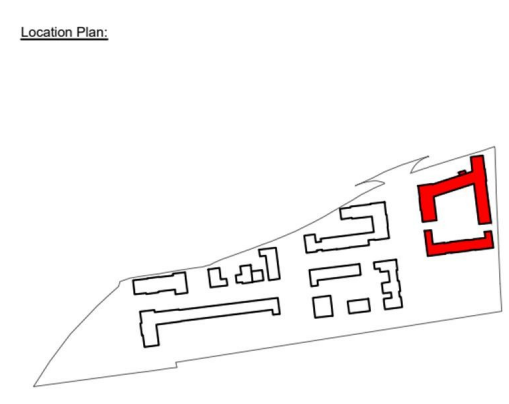


Plots 12 & 13 Plots 10 & 11 Plots 9 & Car Port Plots 7 & 8  
North Elevation



Plots 7 & 8 Plots 5 & 6 Plot 3  
West Elevation

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Plot No:  
Plots 1 - 14



\* All UPVC elements to be coloured Anthracite grey

G	15.11.24	General Amendments	AW	NB
F	22.02.24	General Amendments	AW	NB
E	14.08.24	General Amendments	AW	NB
D	13.11.23	General Amendments	MR	NB
C	08.11.23	General Amendments	MR	NB
B	10.08.23	General Amendments	MR	NB
A	09.08.23	Updated to latest planning layout	AW	NB
—	28.02.23	Final Issue	NB	NB

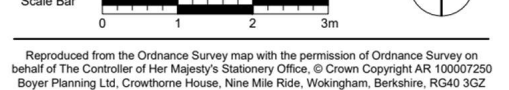
Client: Stonebond Properties Ltd  
Countrywide Partnerships Plc



Project: Chelmer Meadows

Drawing Title: Courtyard 1 Elevations

Drawing No: CY1 - 04 Job Ref: 19.2027  
Scale @ A1: 1:100 Revision: G



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**Planning Committee**  
**21<sup>st</sup> January 2025**

<b>Application No</b>	:	24/01468/FUL Full Application
<b>Location</b>	:	Pippins Place Helmons Lane West Hanningfield Chelmsford Essex CM2 8UW
<b>Proposal</b>	:	<b>Proposed Demolition of Existing Dwelling &amp; Construction of Two New Dwellings with Associated Hard and Soft Landscaping</b>
<b>Applicant</b>	:	Mr Alex Middleton Broadfield Homes Ltd
<b>Agent</b>	:	
<b>Date Valid</b>	:	23rd October 2024

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<a href="#">4. Other relevant applications</a> .....	2
<a href="#">5. Summary of consultations</a> .....	3
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### Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

## **1. Executive summary**

- 1.1. The application is referred to the Planning Committee at the request of a local ward member so that scale of the development, its impact on neighbouring properties and parking arrangements can be considered by the Planning Committee.
- 1.2. The proposal seeks planning permission for the demolition of the existing bungalow and the construction of two houses and shared detached garage with associated hard and soft landscaping.
- 1.3. The site is located within the Defined Settlement of West Hanningfield. The principle of development is acceptable.
- 1.4. The proposed would have a design, form and appearance that would remain in character with the local area. The houses would be well screened from Helmons Lane and would not, by virtue of their size or siting, adversely affect the residential amenity of neighbouring properties.
- 1.5. The dwellings would utilise the existing in and out access arrangement, which would become two separate accesses, and would be served by sufficient off-street parking.
- 1.6. The application is recommended for approval.

## **2. Description of site**

- 2.1. Pippins Place is a detached bungalow located on the eastern side of Helmons Lane. It is set back from the road and served by a large area of hardstanding to the front.
- 2.2. The front and southern boundary of the site is occupied by mature trees and hedgerows, with access provided by an in and out arrangement between small gaps in the vegetation. The vegetation provides extensive screening of the property, which is only glimpsed between the gaps of the access.
- 2.3. The site is situated in a residential area which consists of properties of a mix of styles and ages with a traditional character. A mixture of building materials can also be seen on these houses, which includes both traditional brickwork and plain tiling, as well as more contemporary renders and weatherboarding.
- 2.4. The street scene consists of linear development mostly parallel to the highway, with the proposal located between a one and a half storey detached house to the north (Carmel) and a bungalow to the south (Dewi Sant). The site is separated from Dewi Sant by a private lane serving Doylands Farm.

## **3. Other relevant applications**

- 3.1. The application 24/00955/FUL was refused on the 10<sup>th</sup> September 2024. This application sought planning permission for the proposed demolition of the existing bungalow and the construction of two new houses, with associated hard and soft landscaping. Permission was refused because the development due to its design, size, siting and appearance would have resulted in incongruous and alien buildings within the street scene and would have failed to respect the design and appearance of houses within the local.

#### 4. Details of the proposal

- 4.1. The application proposes the demolition of the existing bungalow and the construction of two replacement dwellings.
- 4.2. House 1, on the northern half of the site, would have a width of approximately 10.4m, a depth of 10.5m and a height of 7.7m. The house would be two storeys with a pitched roof and hipped ends. The front elevation would include three matching pitched roof dormers. The rear would have a two-storey rear projection with rear facing gable and a single storey rear extension with flat roof.
- 4.3. House 2, on the southern half of the site, would have a width of approximately 10.9m, a depth of 11.1m and a height of 7.7m. The house would be two storey with a pitched roof with hipped ends. Both front and rear elevations of the house would be served by a two-storey projection with hipped ends and two sets of matching pitched roof dormers, which would result in a chalet style appearance.
- 4.4. A shared detached double garage with storage is also proposed between the houses and the road. This hipped roof garage would have a depth of 6.9m and a width of 7.6m, with a height of 4.5m.

#### 5. Summary of consultations

##### 5.1. Consultees:

##### Public Health and protection services:

- Any asbestos encountered during demolition or construction phases must be removed by an appropriately licenced specialist contractor and disposed of at an approved facility.
- EV Charging infrastructure is required.

##### West Hanningfield Parish Council

- Consider that the development would be overdevelopment of the site.
- Would set a precedent for other similar development in the village.
- Concern regarding land levels.

##### Essex County Council Highways

- The proposal is acceptable subject to conditions.
- Sufficient parking is provided on the site, irrespective of whether the proposed garage size is insufficient for parking.

##### 5.2. Local Residents

5 letters were received from local residents. A summary of the comments raised in these letters is as follows:

- Development would be out of keeping with other houses along Helmons Lane.
- Precedent for future developments.
- Out of keeping with the village.
- Overdevelopment of the site.
- Poor design of houses.
- Overlooking.

## 6. Planning considerations

### *Main Issues*

- 6.1. The main issues for consideration are design and appearance, the impact of the development on neighbour amenity and whether there is sufficient off-street parking provision.

### *Design and appearance*

- 6.2. The site lies within the Defined Settlement of West Hanningfield where in principle new development is acceptable, subject to compliance with relevant planning policies within the local development plan.
- 6.3. Policy DM23 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.
- 6.4. West Hanningfield is a modest village consisting largely of post war ribbon development with a limited development in depth and few examples of larger executive housing. The surrounding countryside around the village is located within the Metropolitan Green Belt and is agrarian in character, comprising largely of agricultural fields marked by softly landscaped field boundaries and narrow rural lanes. The Green Belt boundary is drawn tightly around the areas of continuous development.
- 6.5. Helmons Lane represents a finger of linear development on the northern side of Church Road and is occupied by dwellings that have some mixture of scale, appearance and design, which includes both bungalows and two storey houses. These properties are detached and set back from the road with parking provided to the front by driveways and attached or detached garages.
- 6.6. Pippins Place sits adjacent to Carmel to the north and Dewi Sant to the south. Dewi Sant is a bungalow with a detached forward sitting garage, and Carmel is a larger one and a half storey property with an attached forward projecting garage. Beyond these, Devons Cottage to the north of Carmel and Glencoe to the south of Dewi Sant are two storey houses.
- 6.7. Proposals for new houses are considered on a site-by-site basis and new buildings within the defined settlement should respect the location in which they are located and appear compatible with their surroundings.
- 6.8. The spread of houses along the lane are similar, though the mixture of single storey and two storey form results in some variance in the massing and bulk of properties in the immediate vicinity. Though the street scene lacks any uniformity in house type, the arrangement of dwellings in a linear fashion along a singular building line helps to create some form of rhythm along the street.
- 6.9. The proposed dwellings would be set further back within the plot than the existing bungalow and would be positioned to better relate to the building line along Helmons Lane. The dwellings would

have a combined width of 21.3m, which would be wider than the existing bungalow by 2.6m, and similar depths of 10.5m (house 1) and 11.1m (house 2), which would be closely aligned with the depth of the existing bungalow at 10.3m.

- 6.10. The dwellings would occupy a similar, albeit slightly larger footprint than the existing bungalow, but would be located within a more logical position within the plot. They would be taller by 2.7m than the existing bungalow, yet the two-storey form of the houses would be proportionate and in keeping with the other two storey dwellings along Helmons Lane, which are Glencoe and Devons Cottage. The sloping land level, which rises northwards, would also mean that the ridge heights of the proposed houses would sit at the same level as the neighbouring ridge of Carmel. The additional gap of 7.5m provided between house 2 and Dewi Sant, as a result of the private lane to the south of the site, ensures that the variation in single and two storey forms of these two buildings does not disrupt the overall spacing and appearance of the street scene. The houses would be similar in size, form and bulk to their neighbours and would appear well related to the massing of surrounding dwellings. The existing building line, and linear pattern of development along Helmons Lane, would be maintained and the dwellings would not disrupt or appear at odds with this street scene.
- 6.11. The proposed built form is not considered excessive in relation to its plot or immediate setting. It would not amount to an overdevelopment of the site and the proposed scale of the development would not be out of keeping with the character of the area.
- 6.12. The proposed dwellings have been largely designed with a traditional appearance and chalet style exteriors. House 1 has a more pronounced two storey frontage and a main form that utilises a single pitched, hipped ended building with a rear projecting two storey gable feature and subservient flat roofed rear single storey infill extension. The front facing dormer windows and timber canopy serving the front door provide some articulation of the frontage and creates a visual break between the ground and first floor. House 2 has a more chalet style frontage with a pitched roof, hipped ends and distinctive single storey eaves to the central part of the house. House 2 also benefits from a two-storey projection to the rear, but also includes a two storey projection to the front. These two storey projections both have hipped ends. Two matching pitched roof dormers are also located to the front and rear roof slopes of house 2.
- 6.13. Materials to be used at this stage have not been clarified as part of the submission. An appropriate condition to cover the details of the materials is recommended.
- 6.14. There would be a change in the appearance of the site in terms of the difference between the existing and proposed developments. However, the design of the houses relate well with the traditional proportions and appearance of properties within the area and is acceptable.
- 6.15. The development includes a single storey detached double garage to the front of the site. Garages are a common feature along the street, with each house along Helmons Lane benefitting from attached, detached or internal garaging. The proposed garage would be similar in size and appearance to an existing detached garage at Dewi Sant to the south, but would be smaller than the attached garage serving Carmel to the north. The garage would be placed to match the linear placement of other garages along the street and would be appropriately sized to remain ancillary to the new dwellings. It would be well screened and would not appear out of keeping with the context of the area.
- 6.16. Overall, the design of the proposed dwellings would not harm the character of the area, nor disrupt the rhythm of the street. Views of the houses would be well screened and softened by



substantial existing soft landscaping features along the west and southern boundaries of the site and only glimpsed through the gaps provided by the accesses. This landscaping would be further enhanced by proposed plantings as part of the proposed development, of which the details will be secured by planning condition. Notwithstanding the landscaping however, the design and scale of the development would not impair these views or harm the visual amenities of the local area.

- 6.17. The proposed dwellings are well designed and would appear in keeping with the existing development along Helmons Lane. The proposal would be well related to the area in which it is located and would be compatible to its surroundings. The proposal would comply with Policy DM23 of the Chelmsford Local Plan.

#### *Neighbouring amenity*

- 6.18. Policy DM29 of the 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.
- 6.19. Concern has been raised that the proposed development could appear overbearing to the occupiers of neighbouring houses adjoining the site. Similar concern was also raised that the development could overlook adjoining houses.
- 6.20. The northern side elevation of House 1 would be a blank side elevation and would be located approximately 4.9m away from the southern side wall of the adjacent house of Carmel. This side elevation of Carmel contains two ground floor windows serving a bedroom, one ground floor window serving a bathroom and another ground floor window serving a living room. Both the living room and the bedroom of Carmel are dual aspect and have windows facing towards the front and rear of the property. At first floor is a clear glazed bedroom window. As this window faces the blank side elevation of house 1, there would be no overlooking. Whilst there would be some loss of outlook to this window, the bedroom it serves is dual aspect and is also served by a rear facing first floor window that would be unaffected by the development. Along this shared boundary is also a notable amount of soft landscaping that provides screening of the external views between each plot. Given the dual aspect nature of the habitable rooms facing house 1, the 4.9m gap between the houses and the screening along the boundary the development would not be harmful to the amenities of Carmel.
- 6.21. The southern elevation of house 2 would contain a first-floor window and two ground floor windows and would be located approximately 7.5m away from the northern side elevation of Dewi Sant. This side elevation contains a small bedroom window and a bathroom window. The bedroom is also served by a larger window facing to the front of the property and is thus dual aspect. Between house 2 and Dewi Sant is a private access to Doylands Farm. This acts as a physical buffer between the two houses. There is substantial landscaping along the southern boundary of house 2 which adjoins the private access and prevents views between the two sites. The proposed first floor windows in the southern elevation of house 2 serve a bathrooms and will be obscure glazed. A planning condition will be included to secure this obscurity and a non-opening nature unless above a certain floor height to prevent overlooking. The development would not therefore appear overbearing or lead to overlooking of Dewi Sant.
- 6.22. The proposal would therefore comply with the requirements of Policy DM29 of the Chelmsford Local Plan.

## *Parking*

- 6.23. The proposed hardstanding to the frontage would provide sufficient parking and turning space clear of the highway for both houses in accordance with the Essex Parking Standards.

## *Other matters*

- 6.24. Policy DM26 requires all new dwellings to comply with criteria in respect of achieving suitable privacy and living environment for residential occupiers, achieving sufficient private amenity space, meeting appropriate internal space and providing appropriate and well-designed recycling and waste storage. Standards are set out Appendix B to the Local Plan and the above criteria must be in accordance with those standards.
- 6.25. The dwellings will have five bedrooms, and all habitable rooms have windows in walls which would provide both natural light to the rooms and adequate outlook for future occupants. The houses would also be in excess of the floor space required by Table 15 of Appendix B. The submitted plans indicate compliance with the Nationally Described Space Standards, in accordance with Local Plan Policy DM26.
- 6.26. Policy DM25 requires all new dwellings to incorporate sustainable design features. These are that the dwellings shall meet the Building Regulations optional requirement for water efficiency of 110litres/person/day and that Electric Vehicle charging point infrastructure of 1 charging point per unit shall be provided. These requirements will be dealt with via appropriate conditions.
- 6.27. The proposed development will provide a 10% Biodiversity Net Gain on site. A final BNG plan will be secured as a planning condition. In line with the Council's Tree Planting planning advisory note, a planning condition secures the planting of three new trees per new home.

## **7. Community Infrastructure Levy (CIL)**

- 7.1. This application may be CIL Liable.

## **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**

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

Reason:

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

**Condition 4**

Prior to any construction works, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the surrounding area and neighbouring buildings shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

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

**Condition 5**

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

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

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan.

**Condition 6**

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

a) hard surfacing including pathways and driveways, other hard landscape features and materials;

b) existing trees, hedges or other soft features to be retained;

c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;

d) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;

e) Details of the planting of 3 trees per net new dwelling within the site;

f) Management details and a five year maintenance plan

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan 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 7**

Prior to the first occupation of the dwellings hereby permitted, charging infrastructure for electric vehicles shall be installed and retained at a rate of 1 charging point per dwelling.

Reason:

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

**Condition 8**

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 9**

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

Reason:

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

**Condition 10**

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

Reason:

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

**Condition 11**

Prior to first occupation of the dwellings, the parking spaces shown in the approved block plan drawing no A549/06 (A), shall be hardsurfaced and constructed ready for use. The vehicle parking area and associated turning area shall be retained at all times.

Reason:

To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

**Condition 12**

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 13**

The first floor window in the south elevation serving a bedroom, which faces Dewi Sant and is shown on approved Drawing No A549/04 (H) shall be:

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

Reason:

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

### **Notes to Applicant**

#### **1 Hours of work during construction**

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](http://www.chelmsford.gov.uk/construction-site-noise)

## Party Wall Act

The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at <http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 2 The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

Notice should be in writing and accompanied by a block plan (e.g. 1/500) clearly identifying the building(s) to be demolished.

- 3 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](http://www.chelmsford.gov.uk/cil), and further information can be requested by emailing [cilenquiries@chelmsford.gov.uk](mailto: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.
- 4 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 5 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 6 It is recommended that an asbestos survey is undertaken prior to demolition. Any asbestos found must be removed by a qualified contractor and disposed of at a licensed facility.
- 7 This planning permission is subject to planning condition(s) that need to be formally discharged by the Council. Applications to discharge planning conditions need to be made in writing to the local planning authority. Forms and information about fees are available on the Council's website.

## Positive and Proactive Statement

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:**

A549/02  
A549/03/F  
A549/04/H  
A549/05/F  
A549/06/A

**Appendix 2 – Consultations**

**West Hanningfield Parish Council**

Comments
<p>03.12.2024 - The Parish Council stands by its comments made o related case 24/00955/FUL, which were as follows:</p> <p>'This application is considered to be an overdevelopment and inappropriate in green belt land. It appears to be speculative and, if approved, would lead to a significant amount of other applications throughout the village. In Helmons Lane, many of the properties occupy plots with more frontage than this bungalow and through precedent, would be suitable for re-development.</p> <p>Additionally, the application allows for access along a small lane leading to Doylans Farm which the applicant suggests he owns. It is believed this is not the case and any property built along this lane would probably be landlocked without any access.'</p> <p>This new application, despite changes, is still regarded as an overdevelopment. There is also a discrepancy over land levels in the plans.</p> <p>If a request is not made to refer this application to the Planning Committee, and officers are minded to approve it, the Parish Council requests that permitted development rights be removed.</p>

**Public Health & Protection Services**

Comments
<p>04.11.2024 - Any asbestos encountered during demolition or construction phases must be removed by an appropriately licenced specialist contractor and disposed of at an approved facility</p> <p>Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is not allocated).</p>

**Essex County Council Highways**

Comments
<p>12.12.2024 - Your Ref: 24/01468/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/24/1468/60121</p> <p>Date:- 12th December 2024</p> <p>' The site benefits from two existing vehicular accesses to Helmons Lane. Each vehicular access would be allocated to each of the dwellings proposed.</p> <p>' The internal dimension for the single garage parking spaces, (one for each dwelling) are too short at 5.5 metres long. The minimum internal length recommended in the parking standards is 7 metres. Consequently the garage parking spaces cannot be counted toward the on-site parking allocation.</p> <p>' Notwithstanding the garage parking, each dwelling proposed would be provided with 3no. parking spaces. This level of provision is in accordance with the new 2024 Parking Standards:</p> <ul style="list-style-type: none"> <li>o It is recommended that the garages sizes are revised to provide internal dimensions in accordance with the new 2024 Parking Standards, where the recommended internal dimensions are 3.4 metres wide by 7 metres long. A garage with these internal dimensions incorporates cycle parking provision.</li> </ul> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p>



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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

2. There shall be no discharge of surface water onto the highway.

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

3. Prior to first occupation of the proposed development, the vehicle parking area as shown in the in the Proposed Site Plan, drawing no. A549/06 Revision A has been construction ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

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

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

5. Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

Note - MUD / DEBRIS ON HIGHWAY - Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

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

**Informatives:**

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

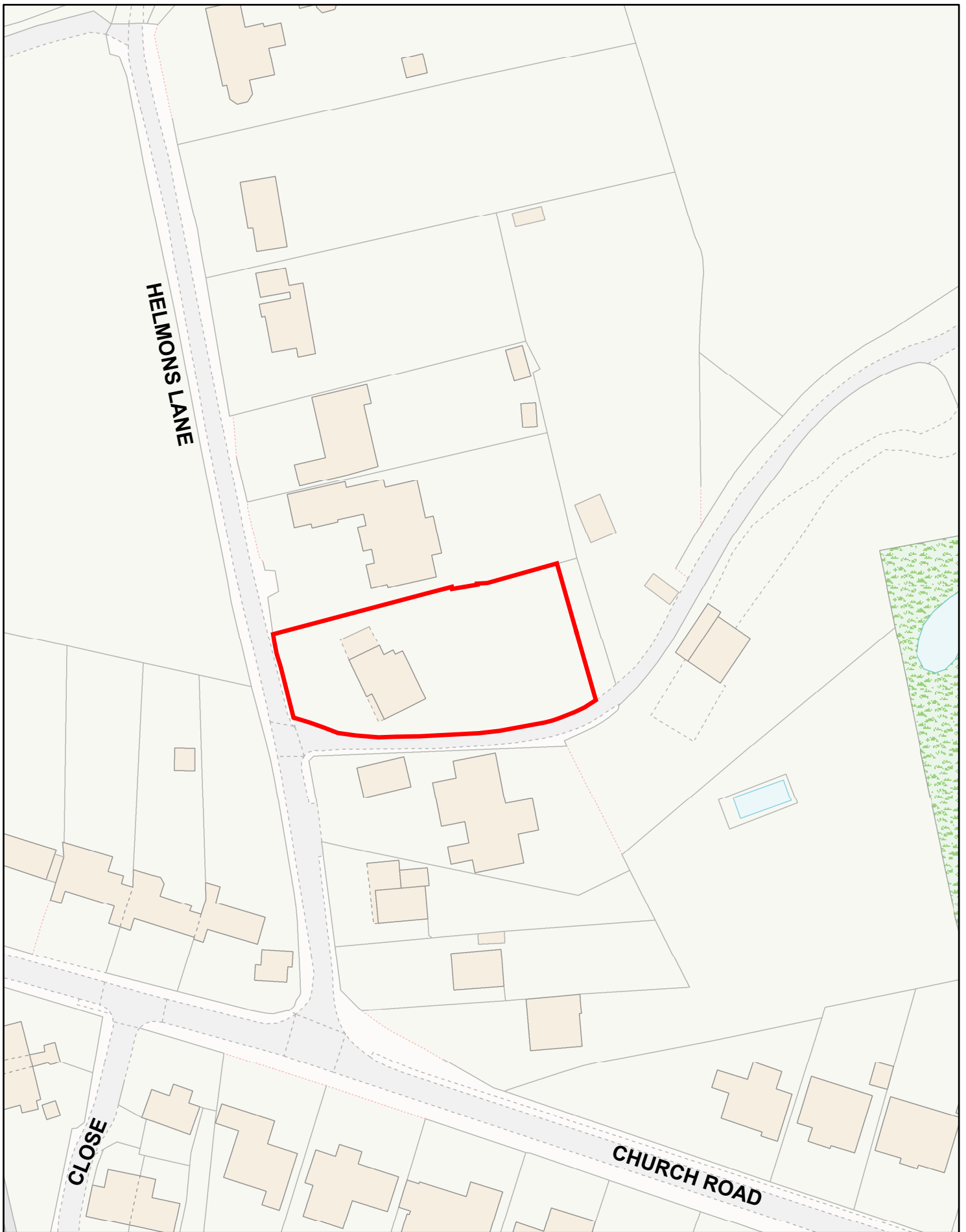
The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

**Recycling & Waste Collection Services**

Comments
No response received

**Local Residents**

Comments
Representations received – needs summarising



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**Planning Committee  
24/01468/FUL**

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

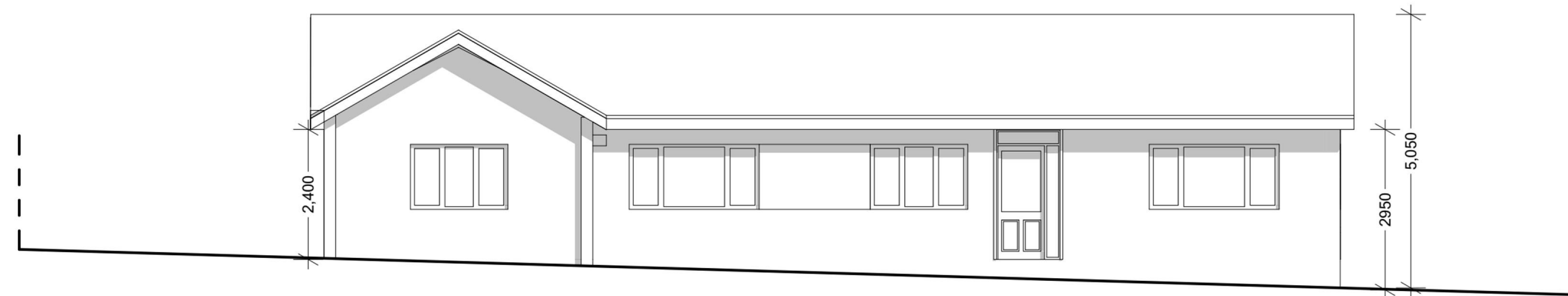
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Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

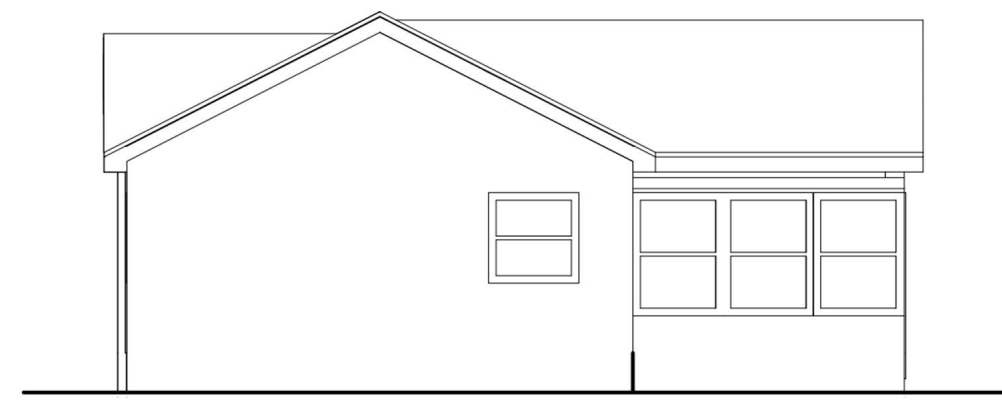
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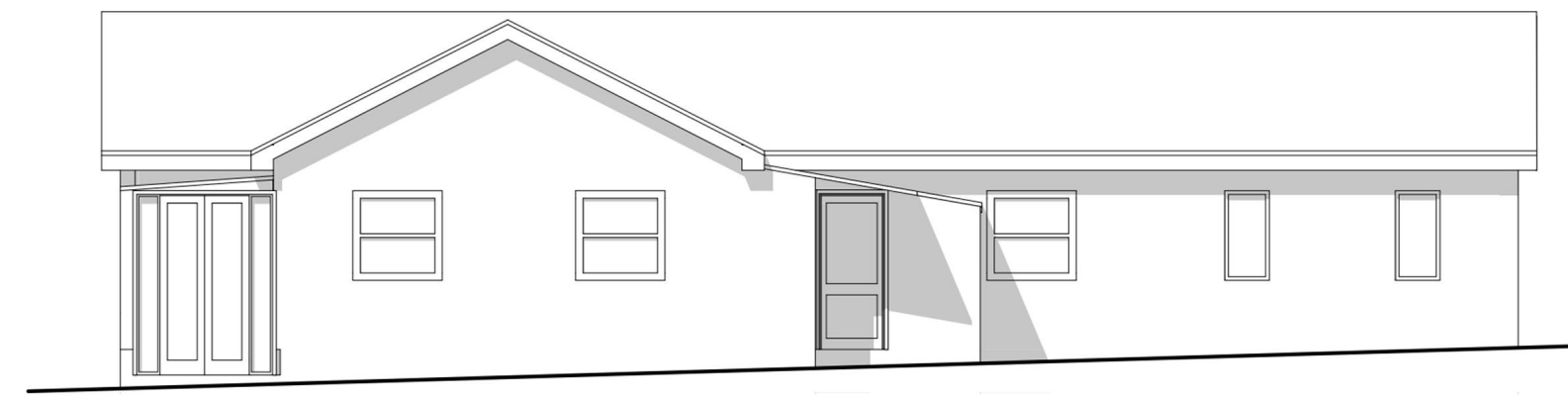
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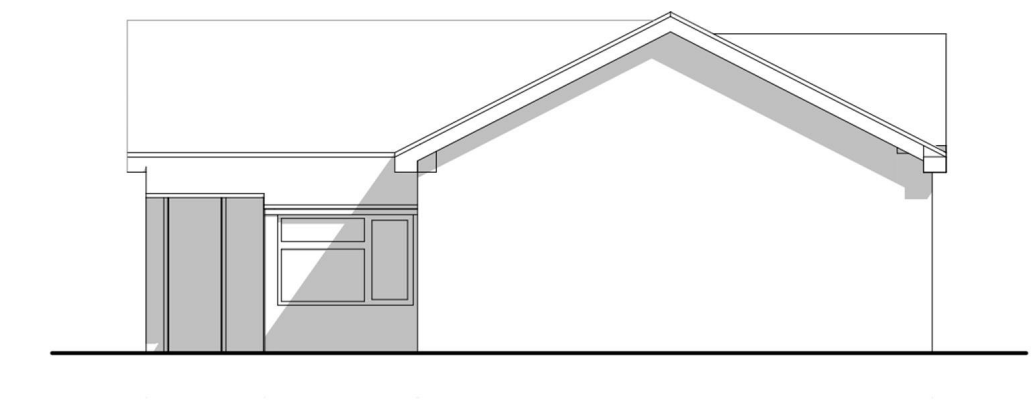
WEST / STREET ELEVATION 1:100



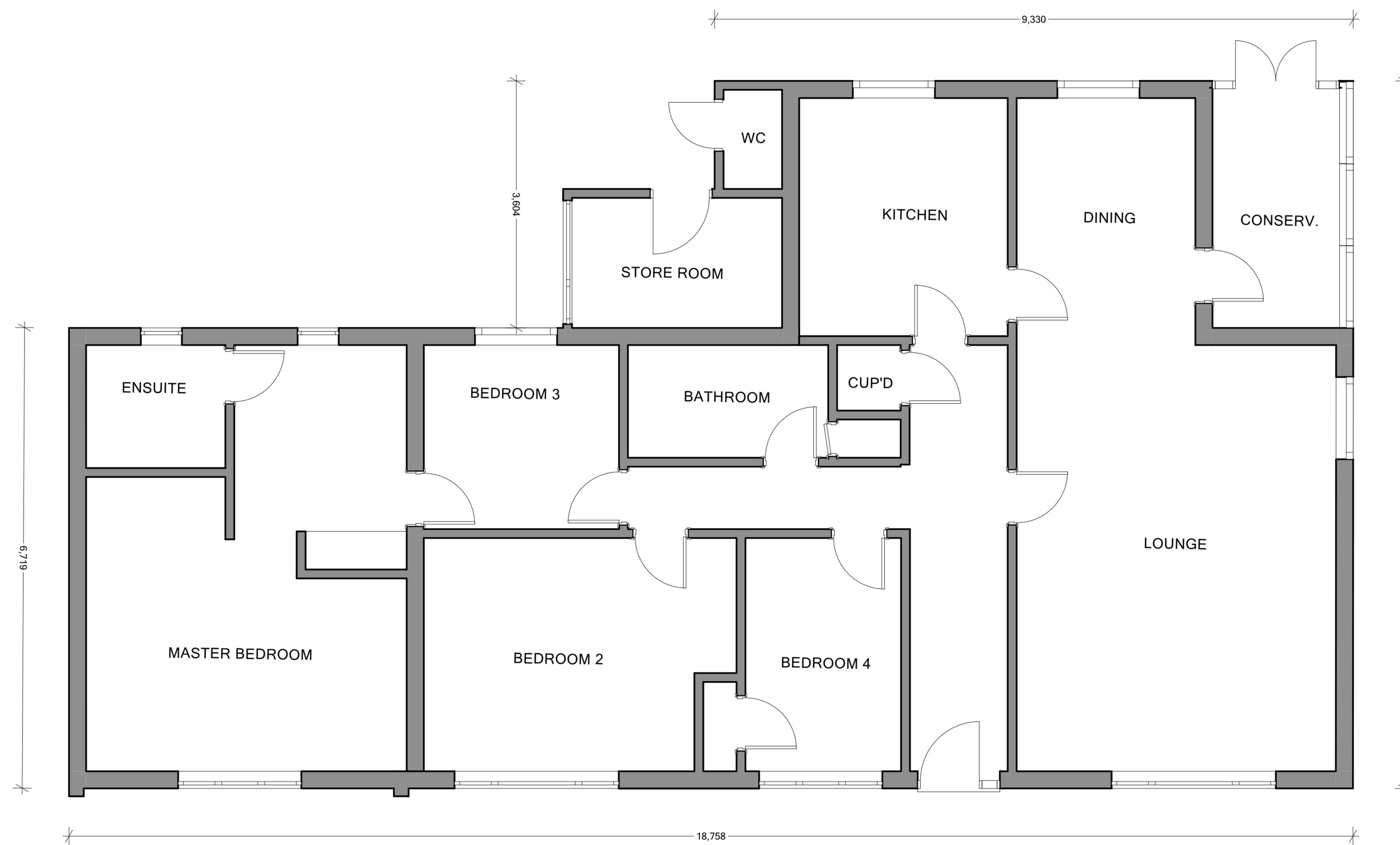
NORTH ELEVATION 1:100



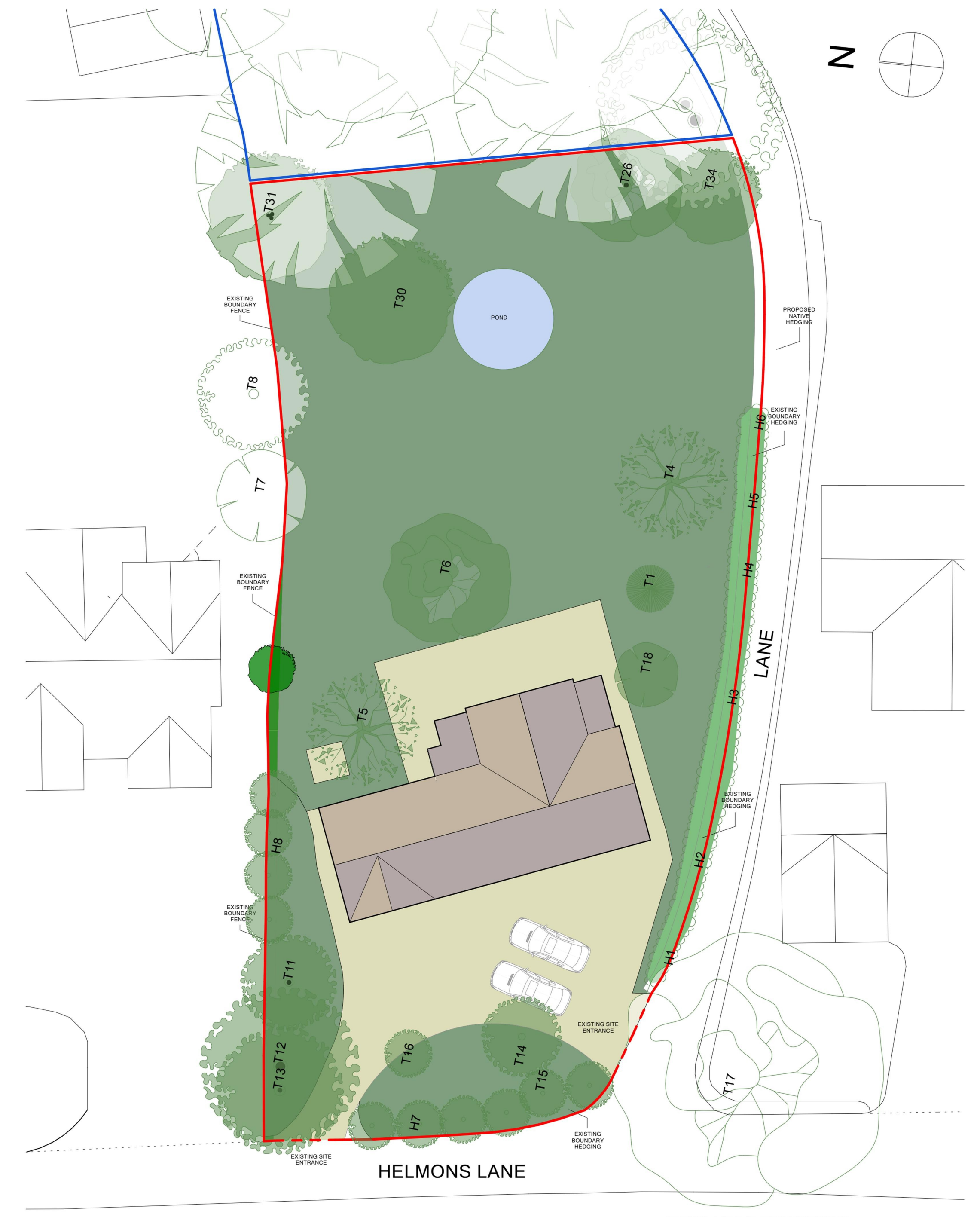
EAST ELEVATION 1:100



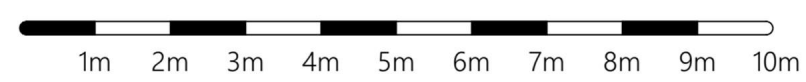
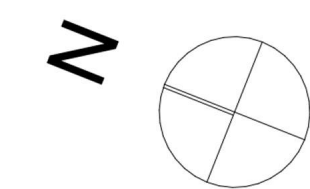
SOUTH ELEVATION 1:100



GROUND FLOOR PLAN 1:50



EXISTING SITE PLAN 1:200

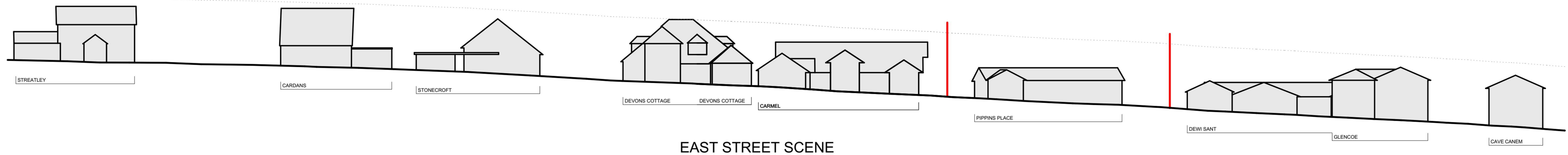


SCALE BAR 1:50

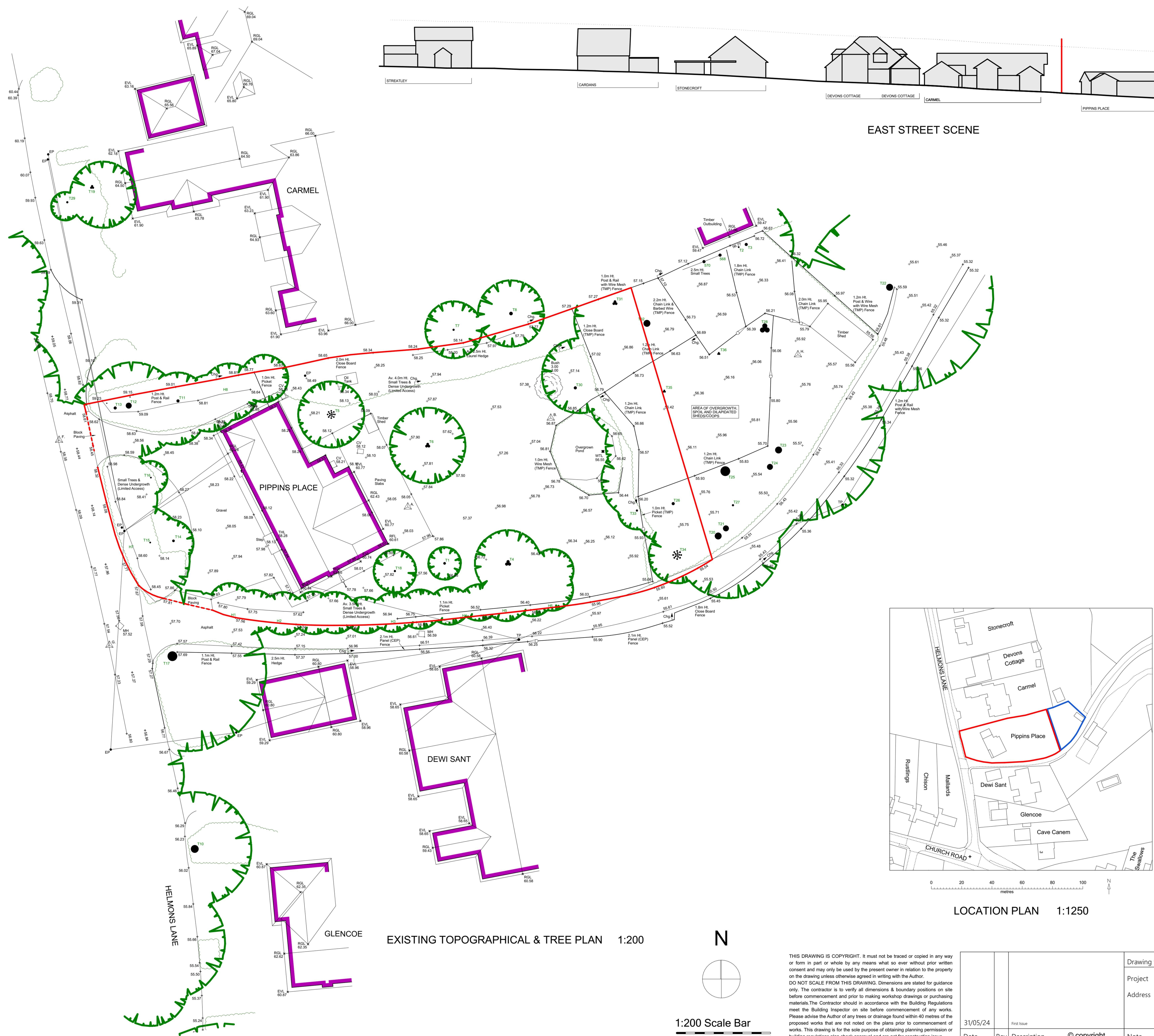


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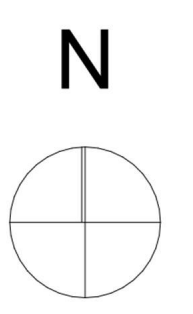
Date		11/07/24	Rev	First Issue	Drawing title		EXISTING PLANS & ELEVATIONS	Drawn By		J. Fisk
Description		© copyright			Project		PROPOSED NEW DWELLINGS			
Note		All Scales relate to A1 paper size			Address		PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW			
Revision					Drawing No.		A549/01	Revision		



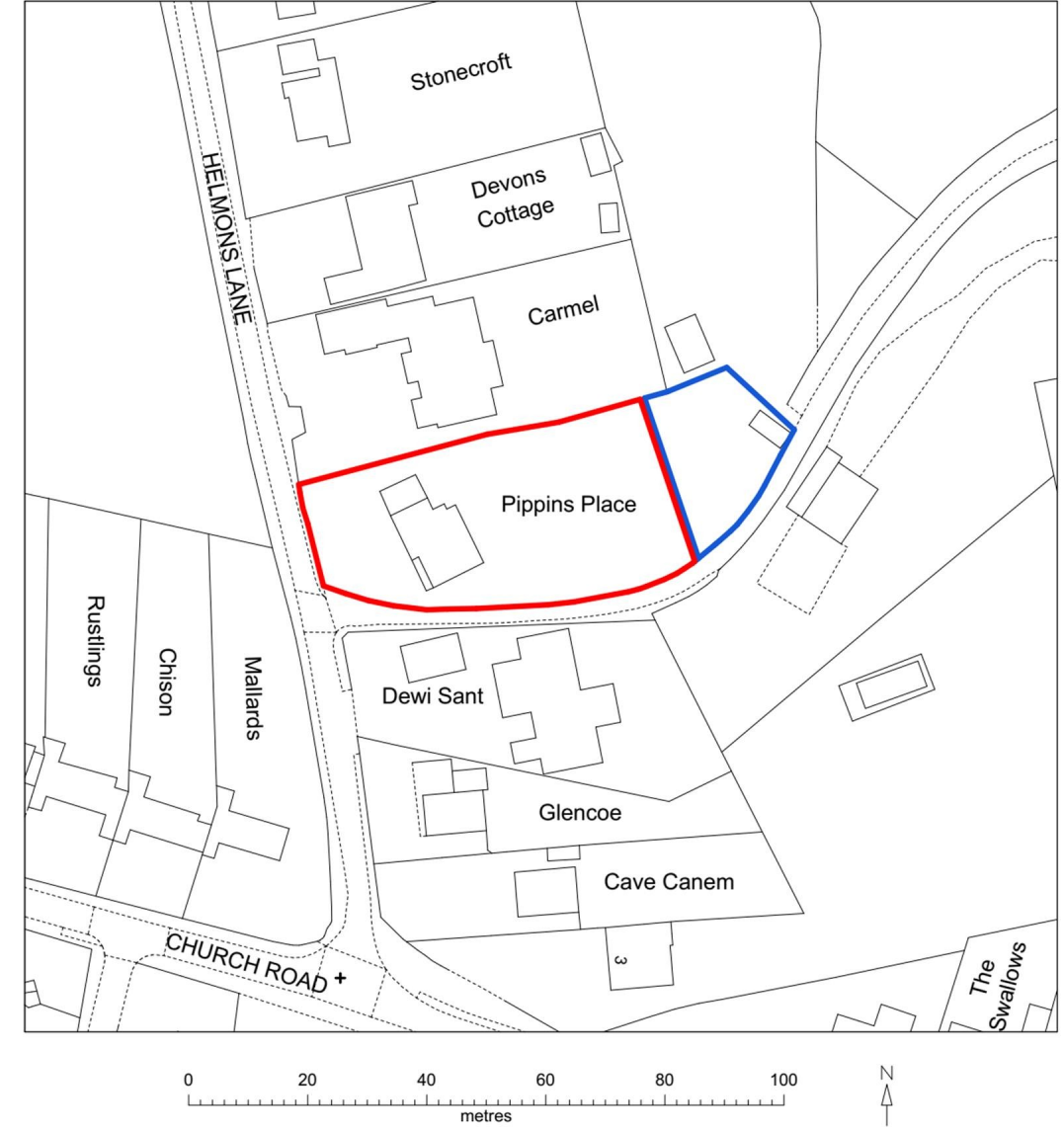
EAST STREET SCENE



EXISTING TOPOGRAPHICAL & TREE PLAN 1:200



1:200 Scale Bar



LOCATION PLAN 1:1250

TREE SCHEDULE					
No.	SPECIES	SPREAD	DIAMETER	HEIGHT	NOTE
T1	Palm	3.00	0.25	4.00	
T2	S.Birch	6.00	0.15	10.00	
T3	S.Birch	10.00	0.30	14.00	Leaning
T4	Hazel	7.00	0.27	4.00	Multi Bole
T5	Hazel	7.00	0.16	5.00	Coppice Bole
T6	Magnolia	8.00	0.3	5.00	Multi Bole
T7	F.Acacia	6.00	0.20	9.00	Indicative
T8	Pine	7.00	0.35	13.00	Indicative
T9	Oak	22.00	1.00	18.00	
T10	Unknown	12.00	0.80	12.00	
T11	Pine	6.00	0.28	10.00	
T12	Cypress	10.00	0.60	18.00	
T13	Cypress	8.00	0.34	16.00	
T14	Cypress	5.00	0.27	11.00	
T15	Yew	5.00	0.14	4.00	
T16	Pine	3.50	0.16	5.00	
T17	Oak	17.00	1.00	16.00	
T18	Unknown	4.50	0.16	4.00	
T19	S.Birch	7.00	0.40	10.00	Multi Bole
T20	Cypress	11.00	0.70	14.00	
T21	Cypress	11.00	0.57	14.00	
T22	Oak	20.00	0.70	17.00	
T23	Poplar	18.00	0.70	22.00	
T24	Poplar	14.00	0.60	21.00	
T25	Willow	17.00	1.00	18.00	
T26	Oak	7.00	0.27	7.00	Holm
T27	Pine	7.00	0.18	6.00	
T28	Unknown	6.00	1.00	5.00	Multi Bole
T29	Unknown	3.00	0.20	4.00	
T30	Unknown	8.00	0.27	7.00	Leaning
T31	Laurel	8.00	0.10	4.00	Multi Bole
T32	Willow	15.00	0.50	12.00	
T33	Unknown	4.00	0.18	3.00	
T34	Laurel	6.00	0.27	3.00	Coppice Bole
T35	Unknown	10.00	0.28	6.00	Multi Bole
T36	Unknown	5.00	0.30	5.00	Multi Bole

HEDGES					
No.	SPECIES	Av. WIDTH	LENGTH	HEIGHT	NOTE
H1	Hornbeam	1.00	3.80	4.00	
H2	Hornbeam & Cypress	1.50	7.00	4.00	
H3	Cherry Laurel	2.50	15.00	3.50	
H4	Blackberry	2.50	2.50	3.00	
H5	Cherry Laurel	3.00	5.20	3.50	
H6	Tree of Heaven	4.00	4.30	3.50	
H7	Hornbeam & Hazel	2.00	13.50	4.50	
H8	Common Hazel	3.00	8.50	3.50	

EXISTING TREE SCHEDULE

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31/05/24	Rev	Description	© copyright	Drawing title	EXISTING LOCATION & TOPOGRAPHICAL PLANS	Drawn By	J. Fisk
				Project	PROPOSED NEW DWELLINGS		
				Address	PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW		
				Note	All Scales relate to A1 paper size	Drawing No.	A549/02
						Revision	

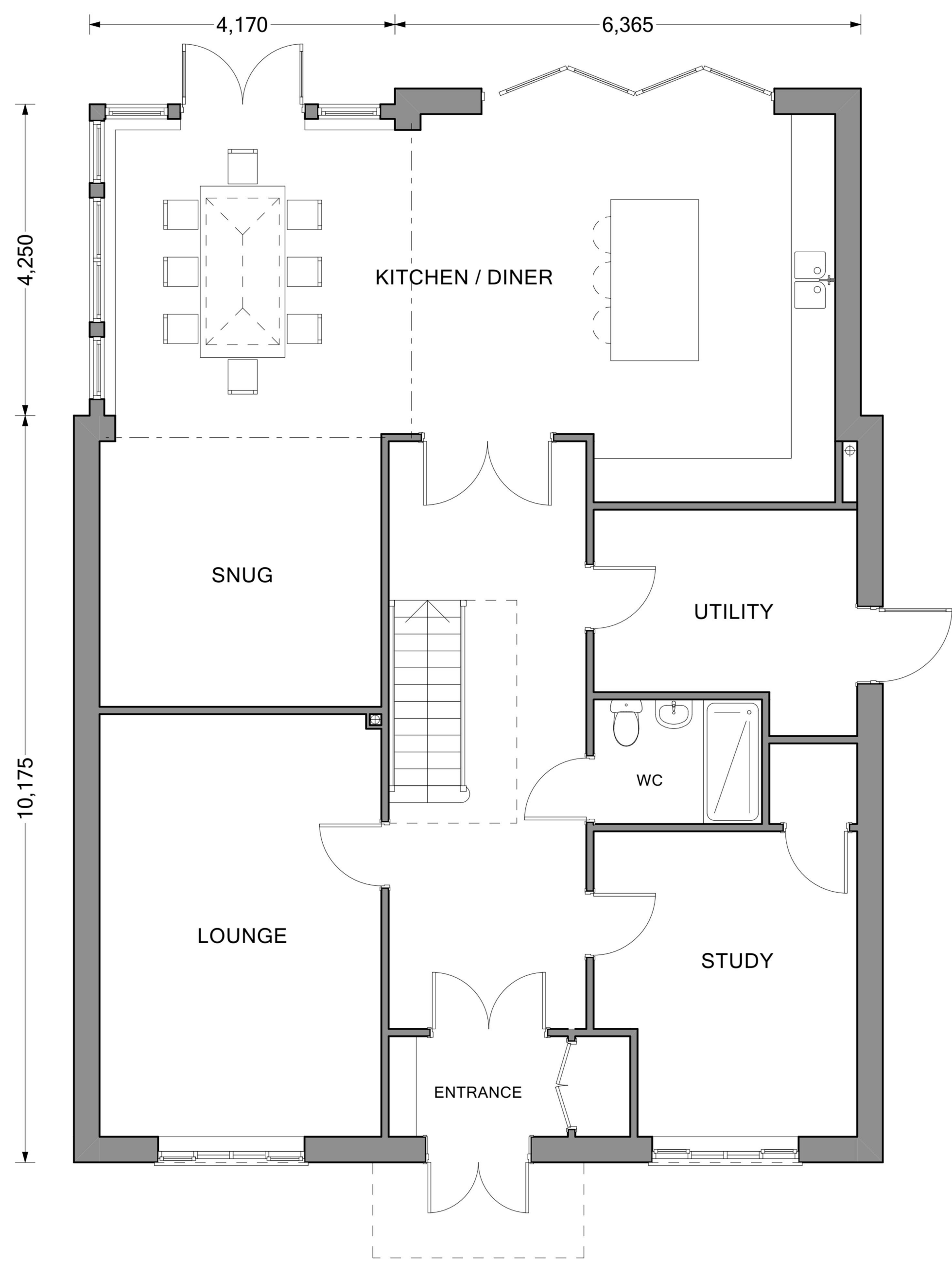


WEST / STREET ELEVATION 1:100

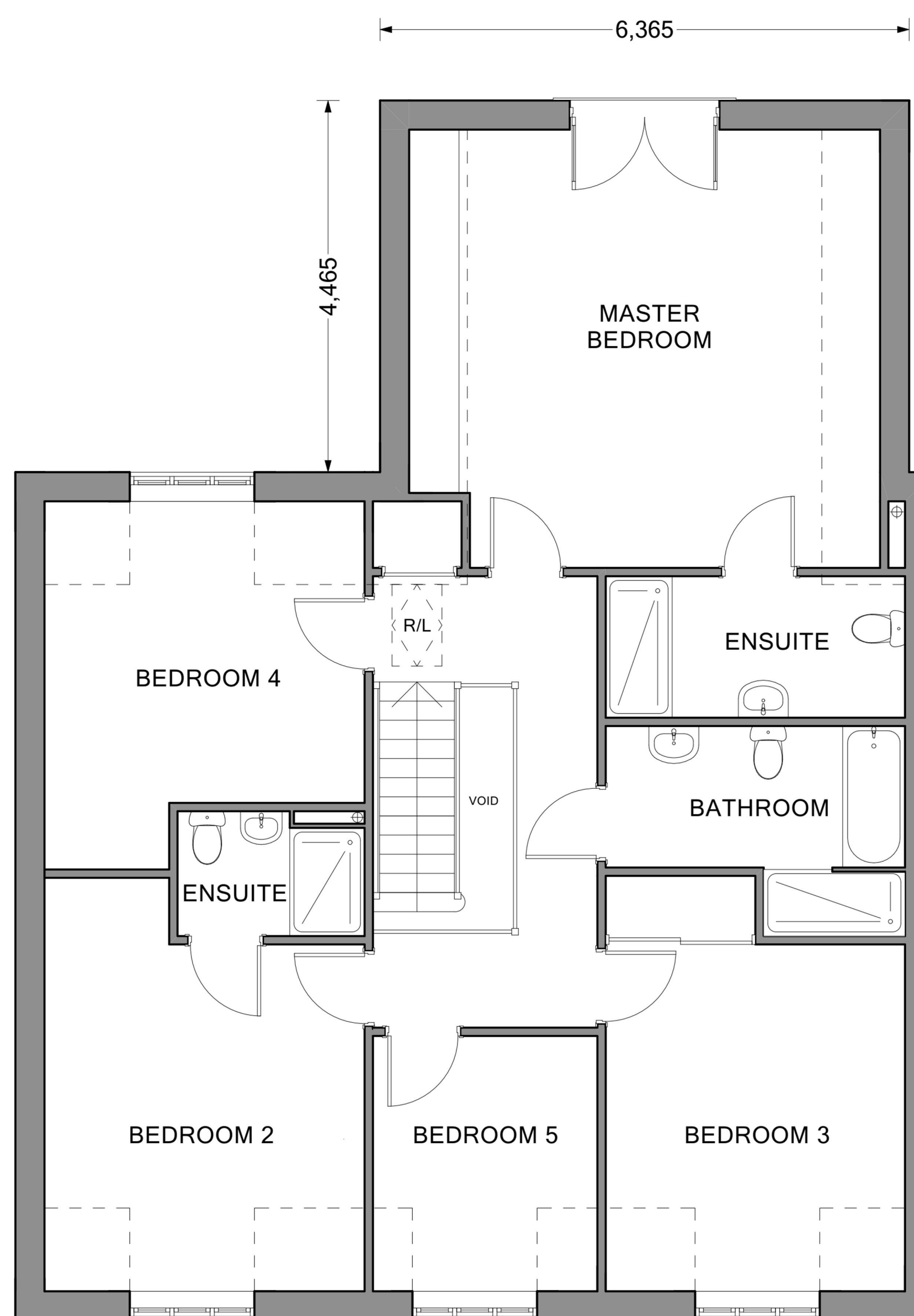
SOUTH ELEVATION 1:100

EAST ELEVATION 1:100

NORTH ELEVATION 1:100



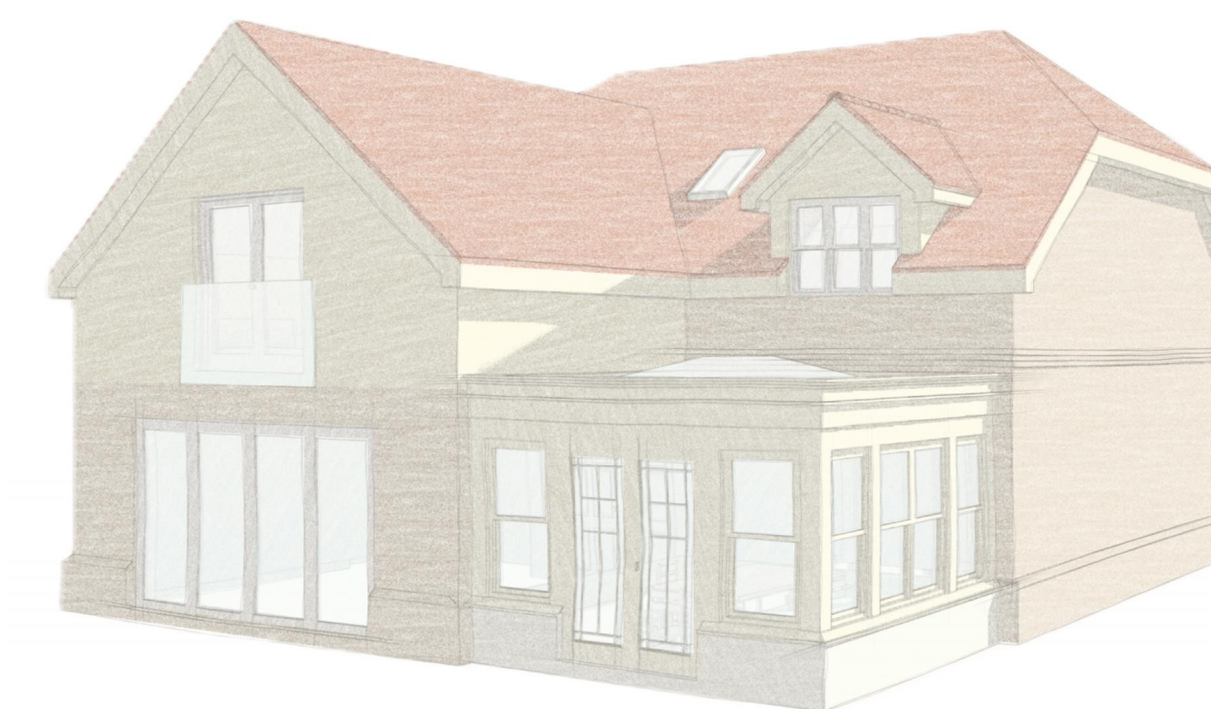
GROUND FLOOR PLAN 1:50



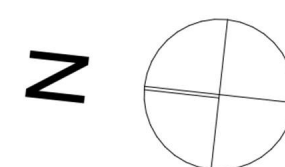
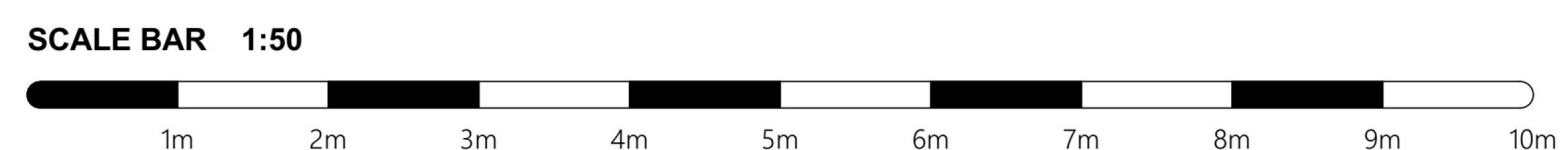
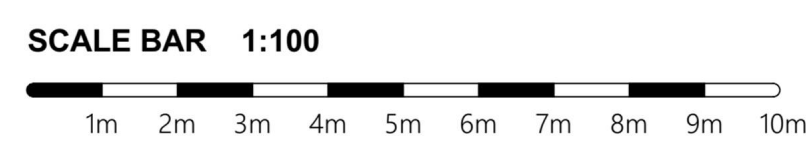
FIRST FLOOR PLAN 1:50



FRONT PERSPECTIVE



REAR PERSPECTIVE



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Date	Rev	Description	© copyright
14/10/24	F	Finalised for Planning Application	
01/10/24	E	Ridgeline reduced further front gable removed	
25/09/24	D	Revised Design to Reduce Scale and Floor Area - 1st Draft	
19/06/24	C	Alterations to Elevations and Internal Layout	
13/06/24	B	Internal Layout & Revised Elevations	
23/05/24	A	Revisions to Massing & Height	
10/05/24		First Issue	

Drawing title	HOUSE 1 - PROPOSED PLANS & ELEVATIONS
Project	PROPOSED NEW DWELLINGS
Address	PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW
Note	All Scales relate to A1 paper size

Drawn By	J. Fisk
<b>Broadfield Homes</b>	
Drawing No.	Revision
A549/03	F

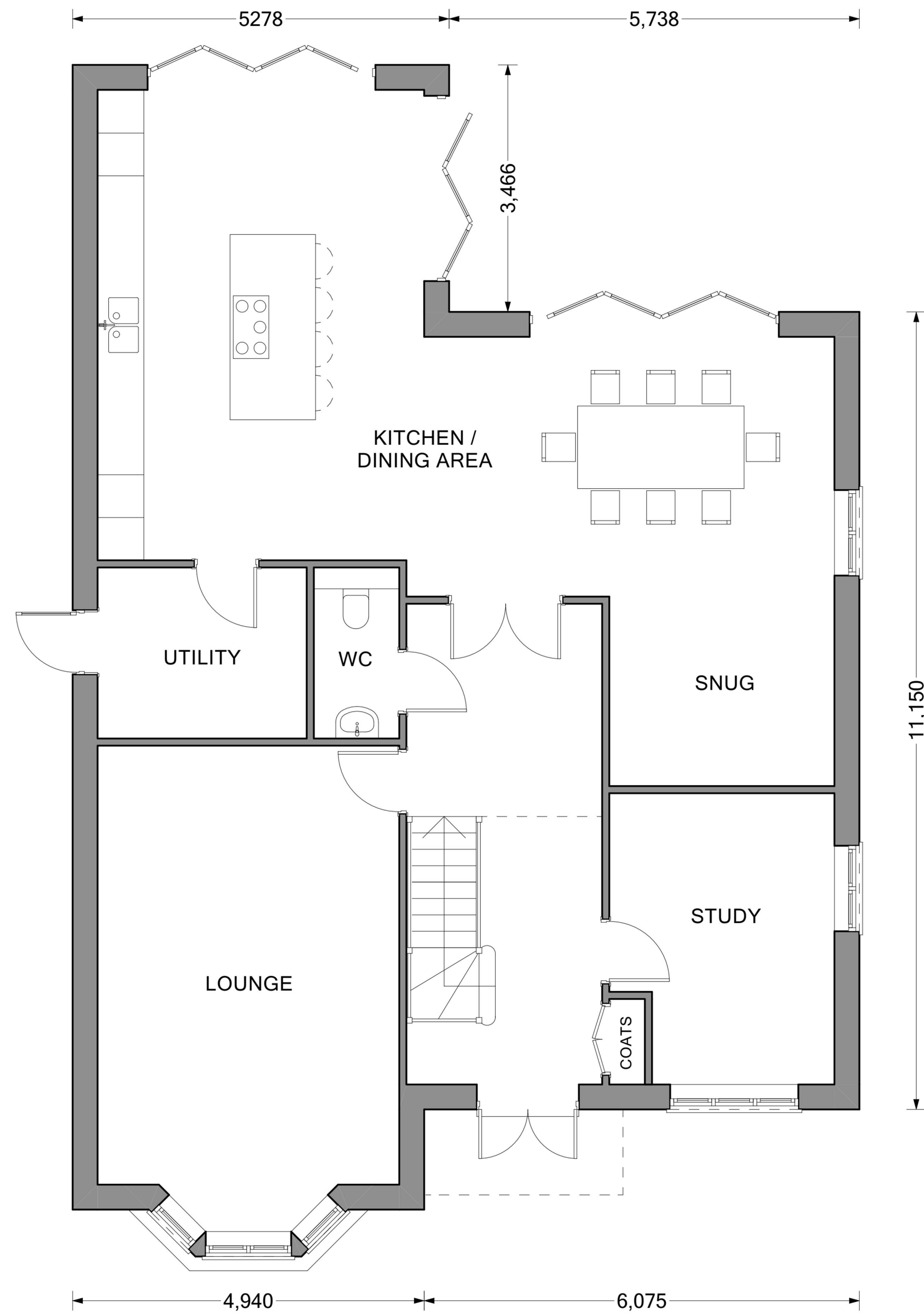


WEST / STREET ELEVATION 1:100

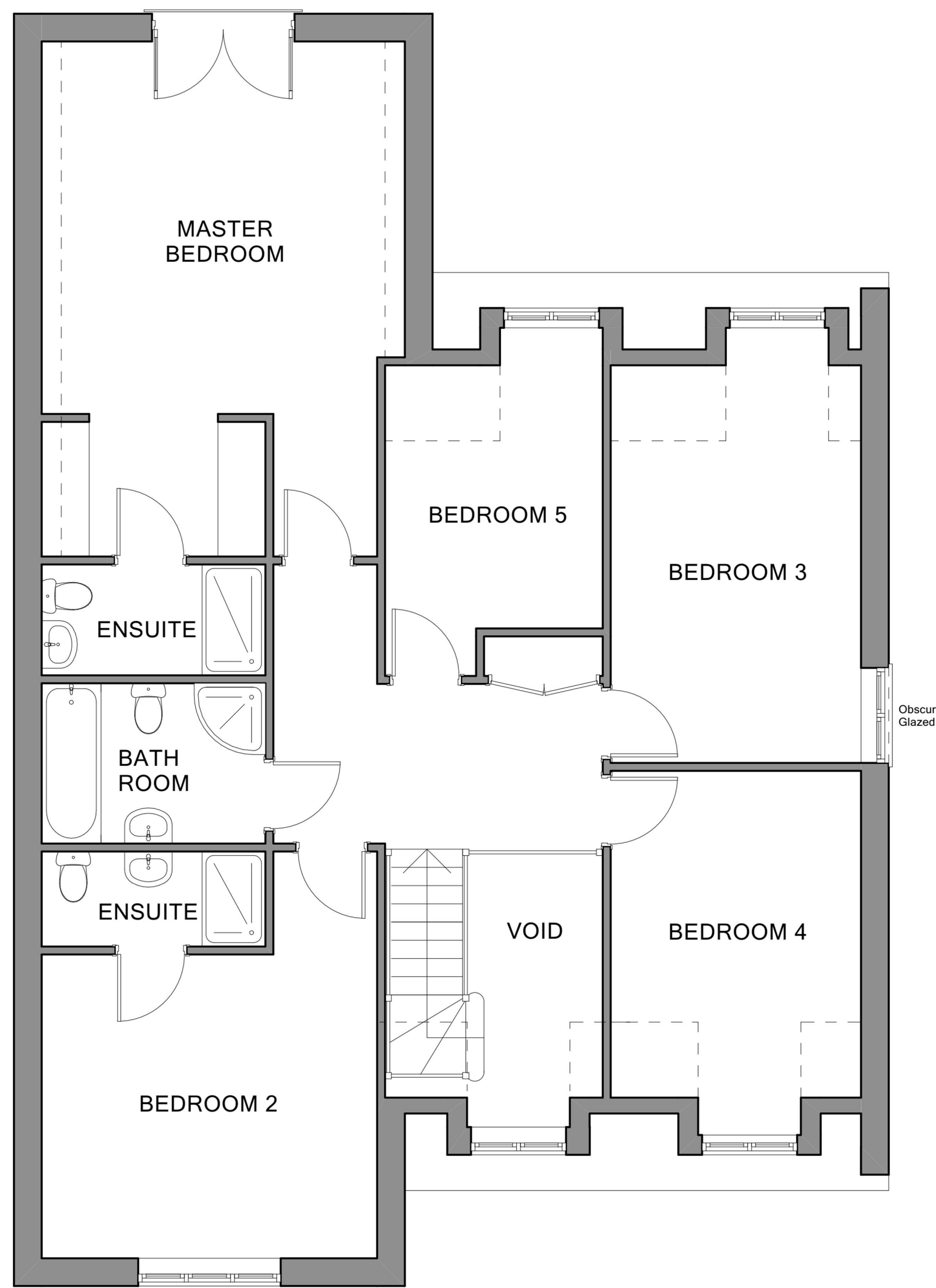
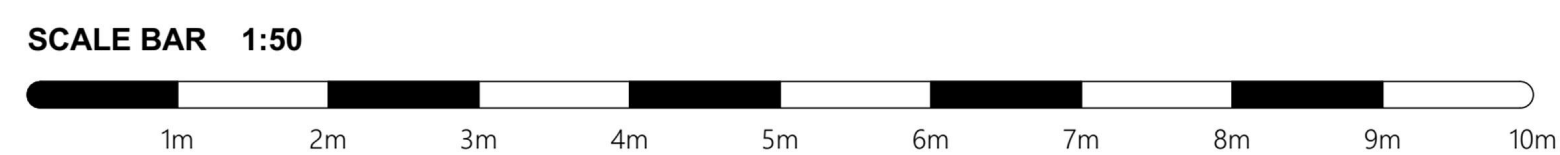
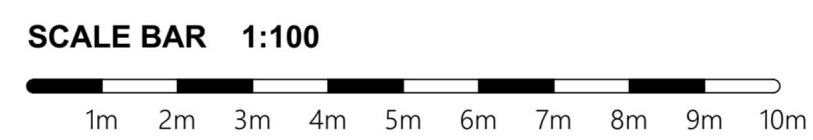
SOUTH ELEVATION 1:100

EAST ELEVATION 1:100

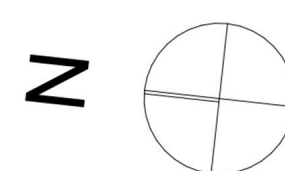
NORTH ELEVATION 1:100



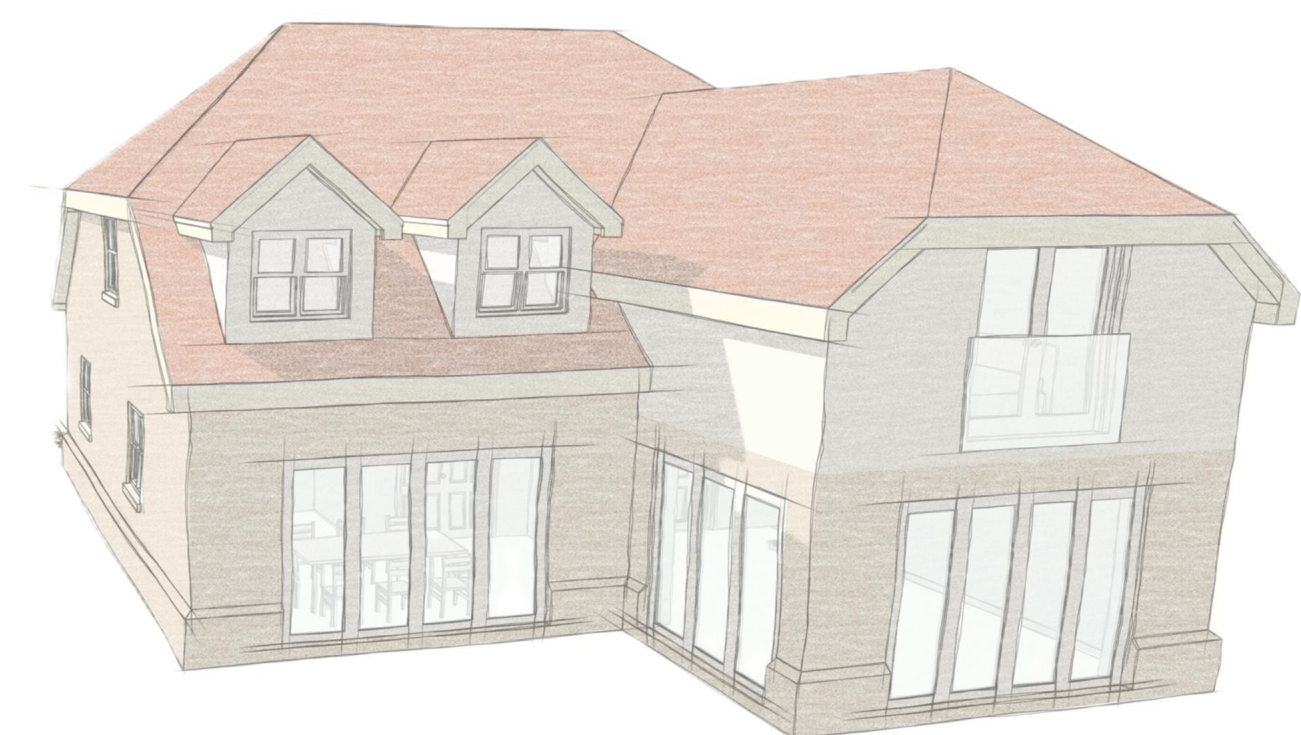
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



FRONT PERSPECTIVE



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Date	Rev	Description	© copyright
17/10/24	H	Various alterations and improvements - final revised planning issue	
10/10/24	G	Ridge height lowered, rear dormer and eaves height alt; layout alt	
03/10/24	F	Reworked Design - Intro of hipped gable portion to front	
27/09/24	E	Reworked Design - Reduction in Area, Height, Massing, Appearance	
24/06/24	D	Alterations to Layout and Elevations	
22/06/24	C	Alterations to Elevations and Internal Layout	
13/06/24	B	Massing, Internal Layout & Revised Elevations	

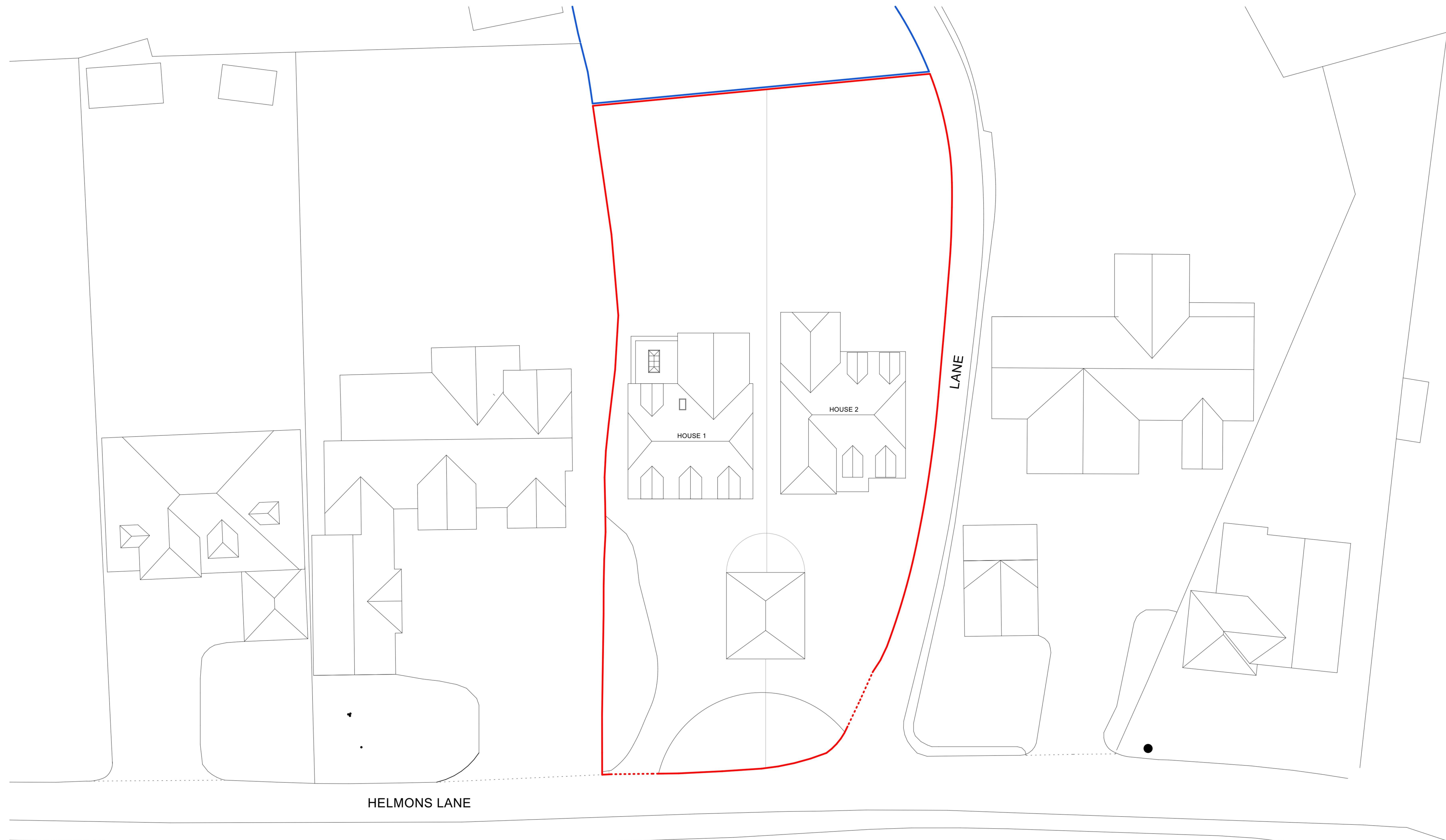
Drawing title	HOUSE 2 - PROPOSED PLANS & ELEVATIONS
Project	PROPOSED NEW DWELLINGS
Address	PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW
Note	All Scales relate to A1 paper size

Drawn By	J. Fisk
Drawing No.	Revision
A549/04	H



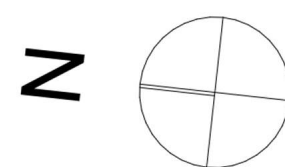
PROPOSED STREET SCENE ELEVATION 1:200

APPLICATION SITE



PROPOSED BLOCK PLAN 1:200

NOTE: Please Refer to Drawing A549-06 Proposed Site Plan for Further Site Detail & Indicative Landscaping Proposal



1:200 Scale Bar

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Date	Rev	Description
19/10/24	F	Updated to suit final rev drawings. Street Elev added, colour removed, landscaping moved to separate drawing
10/10/24	E	Updated to reflect revised proposals
26/06/24	D	Alteration to front landscaping to retain more trees
25/06/24	C	General updates, finalising landscaping layout
24/06/24	B	Updated to suit
24/05/24	A	Repositioning, new trees / hedges included
23/05/24		First issue

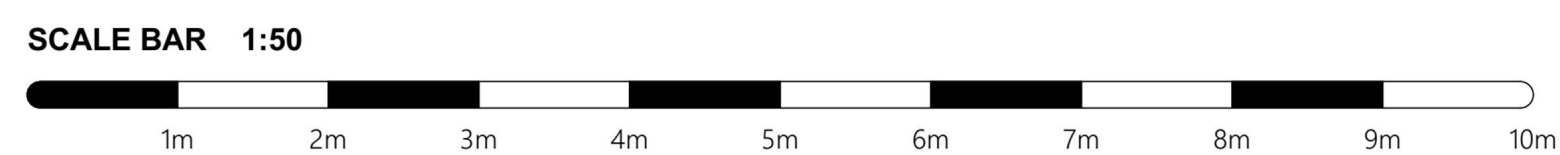
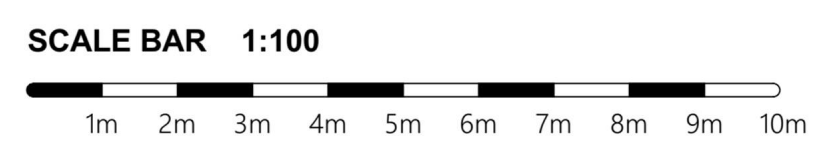
Drawing title	PROPOSED BLOCK PLAN
Project	PROPOSED NEW DWELLINGS
Address	PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW
Note	All Scales relate to A1 paper size

Drawn By	J. Fisk
Drawing No.	Revision
A549/05	F





PROPOSED SITE PLAN 1:200



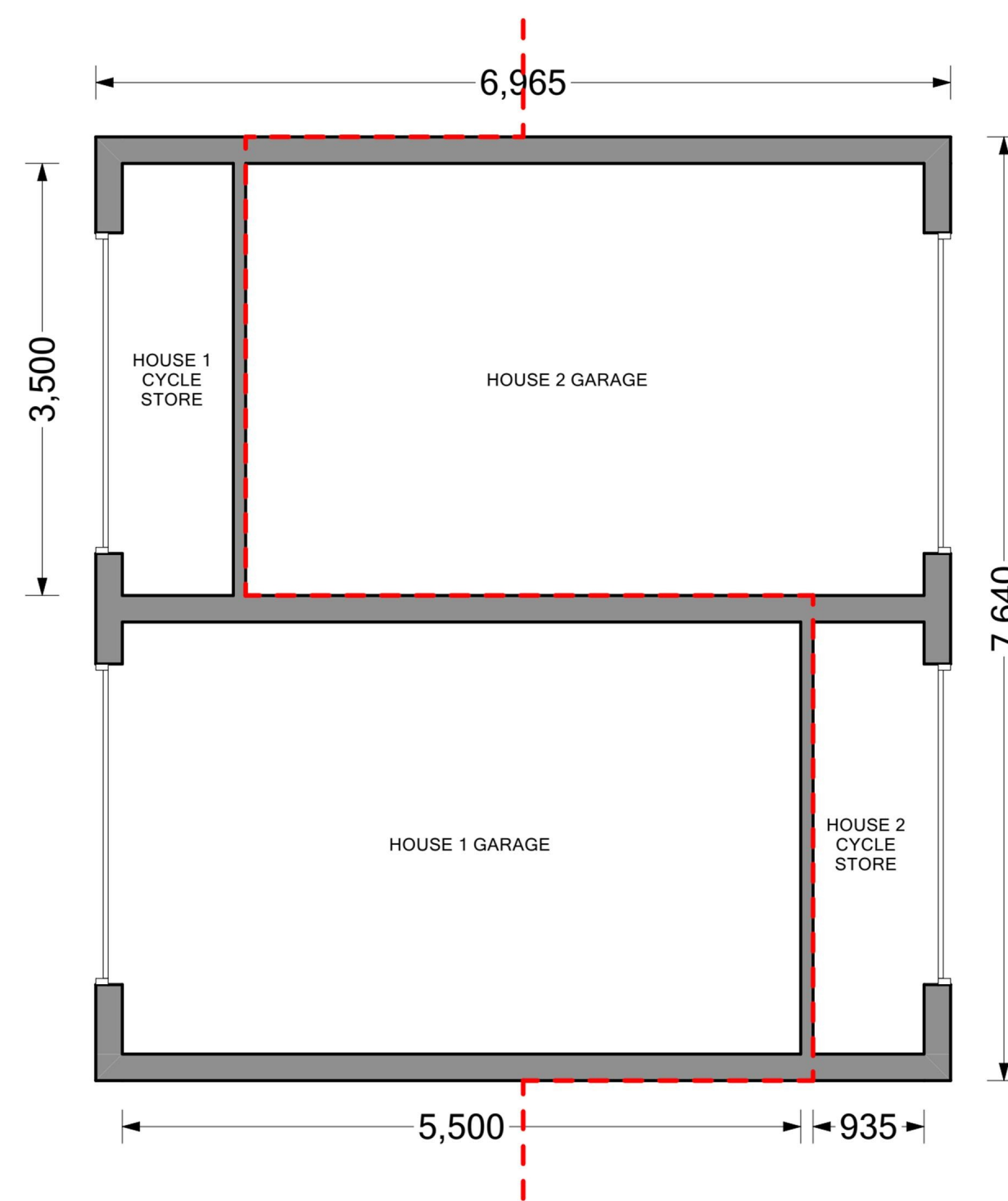
GARAGE SOUTH ELEVATION 1:100



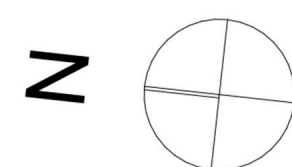
GARAGE NORTH ELEVATION 1:100



GARAGE WEST ELEVATION 1:100



GARAGE FLOOR PLAN 1:50



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18/10/24	A	Updated to suit final revised scheme	Drawing title	PROPOSED SITE PLAN	Drawn By	J. Fisk
10/10/24		First Issue	Project	PROPOSED NEW DWELLINGS		
			Address	PIPPINS PLACE, HELMONS LANE CHELMSFORD ESSEX, CM2 8UW		
			Note	All Scales relate to A1 paper size		
Date	Rev	Description	© copyright		Drawing No.	Revision
					A549/06	A

TREE SCHEDULE

TREE SCHEDULE							
No.	SPECIES	SPREAD	DIAMETER	HEIGHT	NOTE	RETAINED / REMOVED	DIA OVER 300mm (Incl individually in SS3)
T1	Palm	3.00	0.25	4.00		REMOVED	N
T2	S.Birch	6.00	0.15	10.00		RETAINED - OUTSIDE BOUNDARY	N/A
T3	S.Birch	10.00	0.30	14.00	Leaning	RETAINED - OUTSIDE BOUNDARY	N/A
T4	Hazel	7.00	0.27	4.00	Multi Bole	REMOVED	N
T5	Hazel	7.00	0.16	5.00	Coppice Bole	REMOVED	N
T6	Magnolia	8.00	0.3	5.00	Multi Bole	REMOVED	N
T7	F.Acacia	6.00	0.20	9.00	Indicative	RETAINED - OUTSIDE BOUNDARY	N/A
T8	Pine	7.00	0.35	13.00	Indicative	RETAINED - OUTSIDE BOUNDARY	N/A
T9	Oak	22.00	1.00	18.00		RETAINED - OUTSIDE BOUNDARY	N/A
T10	Unknown	12.00	0.80	12.00		RETAINED - OUTSIDE BOUNDARY	N/A
T11	Pine	6.00	0.28	10.00		RETAINED - WITHIN BOUNDARY	N
T12	Cypress	10.00	0.60	18.00		RETAINED - WITHIN BOUNDARY	Y
T13	Cypress	8.00	0.34	16.00		RETAINED - WITHIN BOUNDARY	Y
T14	Cypress	5.00	0.27	11.00		RETAINED - WITHIN BOUNDARY	N
T15	Yew	5.00	0.14	4.00		RETAINED - WITHIN BOUNDARY	N
T16	Pine	3.50	0.16	5.00		RETAINED - WITHIN BOUNDARY	N
T17	Oak	17.00	1.00	16.00		RETAINED - OUTSIDE BOUNDARY	N/A
T18	Unknown	4.50	0.16	4.00		REMOVED	N
T19	S.Birch	7.00	0.40	10.00	Multi Bole	RETAINED - OUTSIDE BOUNDARY	N/A
T20	Cypress	11.00	0.70	14.00		RETAINED - OUTSIDE BOUNDARY	N/A
T21	Cypress	11.00	0.57	14.00		RETAINED - OUTSIDE BOUNDARY	N/A
T22	Oak	20.00	0.70	17.00		RETAINED - OUTSIDE BOUNDARY	N/A
T23	Poplar	18.00	0.70	22.00		RETAINED - OUTSIDE BOUNDARY	N/A
T24	Poplar	14.00	0.60	21.00		RETAINED - OUTSIDE BOUNDARY	N/A
T25	Willow	17.00	1.00	18.00		RETAINED - OUTSIDE BOUNDARY	N/A
T26	Oak	7.00	0.27	7.00	Holm	RETAINED - WITHIN BOUNDARY	N
T27	Pine	7.00	0.18	6.00		RETAINED - OUTSIDE BOUNDARY	N/A
T28	Unknown	6.00	1.00	5.00	Multi Bole	RETAINED - OUTSIDE BOUNDARY	N/A
T29	Unknown	3.00	0.20	4.00		RETAINED - OUTSIDE BOUNDARY	N/A
T30	Unknown	8.00	0.27	7.00	Leaning	REMOVED	N
T31	Laurel	8.00	0.10	4.00	Multi Bole	RETAINED - WITHIN BOUNDARY	N
T32	Willow	15.00	0.50	12.00		RETAINED - OUTSIDE BOUNDARY	N/A
T33	Unknown	4.00	0.18	3.00		RETAINED - WITHIN BOUNDARY	N
T34	Laurel	6.00	0.27	3.00	Coppice Bole	RETAINED - WITHIN BOUNDARY	N
T35	Unknown	10.00	0.28	6.00	Multi Bole	RETAINED - OUTSIDE BOUNDARY	N/A
T36	Unknown	5.00	0.30	5.00	Multi Bole	RETAINED - OUTSIDE BOUNDARY	N/A

HEDGES

No.	SPECIES	Av. WIDTH	LENGTH	HEIGHT	NOTE	RETAINED / REMOVED
H1	Hornbeam	1.00	3.80	4.00		RETAINED - WITHIN BOUNDARY
H2	Hornbeam & Cypress	1.50	7.00	4.00		RETAINED - WITHIN BOUNDARY
H3	Cherry Laurel	2.50	15.00	3.50	(To be reduced in width)	Y
H4	Blackberry	2.50	2.50	3.00	(To be reduced in width)	Y
H5	Cherry Laurel	3.00	5.20	3.50	(To be reduced in width)	Y
H6	Tree of Heaven	4.00	4.30	3.50	(To be reduced in width)	Y
H7	Hornbeam & Hazel	2.00	13.50	4.50		RETAINED - WITHIN BOUNDARY
H8	Common Hazel	3.00	8.50	3.50		RETAINED - WITHIN BOUNDARY

TREE LEGEND

- PROPOSED NEW TREE
- RETAINED TREE
- NEIGHBOURING TREES
- TREES TO BE REMOVED



**Planning Committee  
21<sup>st</sup> January 2025**

<b>Application No</b>	:	24/01373/FUL Full Application
<b>Location</b>	:	Land South West Of Brooklands Sheepcotes Lane Little Waltham Chelmsford Essex
<b>Proposal</b>	:	<b>Demolition of domestic storage building and replacement with single residential dwelling including bin store.</b>
<b>Applicant</b>	:	J Fitzwater Stratstone Development London Ltd.
<b>Agent</b>	:	Laura Dudley-Smith
<b>Date Valid</b>	:	9th October 2024

### Contents

<a href="#">1. Executive summary</a>	2
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<a href="#">3. Details of the proposal</a>	3
<a href="#">4. Other relevant applications</a>	4
<a href="#">5. Summary of consultations</a>	4
<a href="#">6. Planning considerations</a>	5
<a href="#">7. Community Infrastructure Levy (CIL)</a>	14

### Appendices:

Appendix 1	Drawing No(s)
Appendix 2	Consultations

## 1. Executive summary

- 1.1. This application is for the demolition of a Nissen hut and construction of a new detached four bedroom dwelling. The planning application is presented to Planning Committee at the request of Councillor Steel, to consider whether it is appropriate development in the Green Wedge.
- 1.2. The proposal is located within the Rural Area and also more specifically the Green Wedge, which has an identified intrinsic character and beauty.
- 1.3. The proposal would not satisfy the criteria for redevelopment of previously developed land, as set out in Part B of Policy DM7 and Policy DM8 of the Chelmsford Local Plan (2020). The replacement building would not be in the same use as the existing building being replaced and would therefore not meet the criteria of replacement buildings set out in Part C of Policy DM7 and Policy DM8. The proposal would not infill a small gap and would harm the character and beauty of the Green Wedge and Rural Area. The proposal would therefore not meet the criteria of infill development set out in Policy DM9 of the Chelmsford Local Plan. Consequently, the proposal would not fall within the prescribed forms of development set out in Policies DM7, DM8 or DM9.
- 1.4. The proposal would be of a greater scale, size, mass and spread than existing. The proposal would have a greater visual impact than the existing building and additionally the consequential impact of activities and use of the site would be greater. In combination these factors would erode the rural appearance of the site and adversely affect the intrinsic character and beauty of the Green Wedge and Rural Area. The proposal would therefore conflict with Chelmsford Strategic Policy S11.
- 1.5. The proposal would result in harm to the environmental strand of sustainable development, and this harm would outweigh the economic and social benefits. The proposal would not be sustainable development under paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).
- 1.6. In purely design terms the proposal would achieve a high quality of form and detailing. The physical relationship with neighbouring properties would be acceptable. The proposed development can meet the required provisions for living accommodation and amenity (internal space standards and garden provision). The applicant has provided appropriate safeguards to mitigate any impact on the natural environment and conditions could be attached to secure biodiversity net gain. Conditions could be attached to ensure the provision of adequate parking, tree planting, management of construction impacts, surface water impacts, ecology and to safeguard archaeology. These considerations do not however overcome the overall policy conflict in the planning balance.
- 1.7. Objections have been received from local residents and Little Waltham Parish Council. These cover a range of topics including impact upon the character of the area, drainage, ground water impact, ecology, disruption during construction, use of the Public Right of Way (PROW) and highway. All representations and consultee comments have been considered as part of the wider planning considerations of this development.
- 1.8. The application is recommended for refusal.

## **2. Description of site**

- 2.1. The site is roughly rectangular and approximately 0.06 hectares in size. A gradual slope runs from the west to the east of the site at the front, with a greater slope from south to north. The site is occupied by a Nissen hut which is set back from the highway. Low fencing runs from the hut to the western and eastern side boundaries. There is hedging and vegetation to side and rear boundaries, and as part of the front boundary. There is a gated entrance to the front of the eastern side boundary to the adjacent property, Brooklands, to provide access to their garage. Both Brooklands and the application site achieve vehicular access from Sheepcotes Lane, which is a narrow highway and also a Public Right of Way (Footpath 16 Little Waltham).
- 2.2. The site is situated in the Rural Area outside the Defined Settlement of Little Waltham and is also within the Green Wedge as designated in the Chelmsford Local Plan. The site is close to the boundary of the Defined Settlement, which follows the southern side of Sheepcotes Lane and encompasses part of western neighbour's site, No.19 Church Hill. The site is located approximately 30m from public open space to the northwest. At its closest point the site is located 146m from the Little Waltham Conservation Area.
- 2.3. The western neighbour, No.19 Church Hill, is a detached two storey property on lower ground to the applicant site and sits at the entrance to Sheepcotes Lane with No.21 Church Hill. No. 21 Church Hill is an attached bungalow which forms the end of a row for four similar designed low rise bungalows, whose side boundary runs along Sheepcotes Lane and is on higher ground to the applicant site. No's. 37 and 39 Church Hill, a pair of semi-detached houses, rear boundaries run along Sheepcotes Lane, opposite the front of the applicant site. These properties sit on higher ground to the applicant site. The eastern neighbour, Brooklands, is a detached property with their detached garage located close to their gated access within the site.

## **3. Details of the proposal**

- 3.1. The new dwelling would be partly subterranean, cut into the slope of the ground. The upper ground would form the accommodation above the current ground level, in the position of the current Nissen hut. The form of the structure above ground will be semi-cylindrical to mimic the form of the Nissen hut.
- 3.2. The exterior materials proposed are sheet metal roof with timber cladding to the front elevation and glazing with cladding to the rear elevations. There would be windows and a door punctuating the barrel of the roof to provide access and light to the upper ground floor, which would contain three bedrooms, a bathroom and the primary entrance for the dwelling. The lower ground floor would contain an open plan living, dining and kitchen, WC, principal bedroom with en-suite and study/playroom. Lightwells would be provided to the kitchen and study/playroom towards the front of the building.
- 3.3. The development includes the formation of a patio area to the rear of the dwelling, accessed by the principal bedroom and the open plan accommodation. A parking and turning area with two car spaces would be laid out at the front of the building adjacent Sheepcotes Lane. A new building containing the bin and bicycle store would be provided to the front, adjacent to the western side boundary.

#### 4. Other relevant applications

- 4.1. Planning permission was refused on 4<sup>th</sup> May 2010 for a new single storey two bedroom dwelling on site (10/00375/OUT) on the grounds that a new dwelling did not fall within the purposes of the Policy DC2, would result in encroachment into the countryside harmful to the character and appearance of the Rural Area, and that no unilateral agreement had been signed/completed contrary to Policies CP4 and DC40. An appeal was lodged, it was dismissed on 2<sup>nd</sup> December 2010. The inspector agreed that the development would cause harm to the character and appearance of the surrounding area and did not justify a departure from Policy DC2 which exercised strict control on development in the countryside. The Green Wedge was not a consideration at this time as it was introduced as a designation in the Chelmsford Local Plan (2020).
- 4.2. Planning permission was granted to change the use of land adjacent to 19 Church Hill to use as garden land (12/00346/FUL). This consent includes the application site.
- 4.3. Planning permission was refused on 17<sup>th</sup> June 2024 for alteration to existing access (24/00557/FUL) on the grounds that the works would give the site a more developed and urbanised appearance resulting in visual harm and would not contribute or enhance the natural environment or landscaping setting contrary to several Development Plan policies.

#### 5. Summary of consultations

ECC Historic Environment Branch: Recommends conditions to record the history of the building, as the Nissen hut may contain evidence of historical wartime use, and an archaeological trial-trench evaluation due to potential for significant archaeological remains at the site associated with the proximity of a Roman Road and the possibility that prehistoric, Roman or later activity that may have survived associated with the spring on the adjacent the site known as “Springs Head”.

Little Waltham Parish Council: Objects to this planning application for the following reasons:

- Disruption to many local residents.
- Environmental and ecological impacts due to the proximity of the proposal to water courses.
- Request for a groundwater risk assessment to be carried out to ensure the local water courses are protected.
- Water courses which run from this area feed the streams in Little Waltham, so any interference at this location will affect the streams in other parts of the parish.

Public Health & Protection Services: Should provide EV charging point at a rate of 1 per dwelling, and any asbestos encountered during demolition or phases must be removed by an appropriately licenced specialist contractor and disposed of at an approved facility.

Recycling & Waste Collection Services: No comment

Essex County Council Highways: The proposed residential development would be accessed from an existing vehicular access to Sheepcotes Lane, which is a private single-track lane. Sheepcotes Lane accommodates Public Right of Way Footpath no. 22, Little Waltham Parish 225. Sheepcotes Lane accommodates vehicular access to Brooklands located to the north of the proposed development.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions requiring the public right of way over Footpath 22 remains free and unobstructed at all times; the provision of a construction management plan; the construction of the proposed

access with vehicular crossover; the provision of 2 car parking space and associate turning and the provision of bicycle parking and storage.

Ramblers Association: No comment

Local residents Six representations received from local residents, objecting to the proposal. Concerns raised:

- Affect existing water features
- Sewage issues
- Wildlife/habitat harm
- Public footpath affected
- Construction disturbance
- No longer incidental use
- Affect access
- Inadequate parking
- Harm to Rural setting
- Previous refusals
- Amenity harm
- Inadequate infrastructure
- No housing need

Two supportive responses received, with the following comments:

- Historic structure
- Worse alternative uses
- Improvement
- Good design
- No change to Rural character
- Housing benefit

An expanded summary of the neighbour comments is provided within Appendix 2.

## **6. Planning considerations**

### ***Main Issues***

- 6.1. The site is located in the Rural Area beyond the Defined Settlement of Little Waltham and also within the Green Wedge. The main issues for consideration are the impact upon the Rural Area and Green Wedge, impact on residential amenity and on the natural and historic environment.

### ***Principle of Development – Green Wedge and Rural Area***

*Local Plan Strategic Policies: S1 and S11, Local Policy: DM7, DM8, DM9*

- 6.2. Chelmsford Local Plan Strategic Policy S1 sets out the spatial principles within the Local Plan and identifies that the Council will require all new development to accord with those stated spatial principles. This includes a requirement to “respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity”.
- 6.3. Strategic Policy S11 sets out the role of the countryside. This states that when determining planning applications, the Council will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with the Spatial Strategy, and to support thriving rural communities whilst ensuring that development does not have an adverse impact on the different roles and character of the countryside.

- 6.4. Part B of this policy specifically relates to the Green Wedge, stating that “The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks, which have been instrumental in shaping the City's growth, character, and appearance. These networks prevent urban sprawl and settlement coalescence and provide for wildlife, flood storage capacity, leisure and recreation, and travel by cycling and walking, which allows for good public access which will be further improved through the requirements of development allocated in the Local Plan. Development which materially harms the role, function and intrinsic character and beauty of the Green Wedge will not be approved.”
- 6.5. The reasoned justification of Strategic Policy S11 states that a detailed landscape assessment of the areas around the main river valleys has been undertaken which identifies these areas as having distinctive landscape qualities and an important multifunctional role. These areas are designated as the Green Wedge. Where the main river valleys permeate into the existing or proposed built-up areas of Chelmsford, the role and value of these areas is amplified, and development pressure is at its greatest. The unchecked erosion of open land in these sections of the river valleys would be harmful to the character and function of these areas and therefore it should be afforded greater protection. The Green Wedge designation within the river valleys reflects this multi-faceted green network.
- 6.6. The site forms part of Character Area A6 of the Landscape Character Assessment (LCA). This indicates that this landscape has a relatively high susceptibility to change. The skyline of the valley slopes is visually sensitive, with open and formed cross valley views and long views along the river corridor affected by new tall or non-screened new development.
- 6.7. The site forms part of site CN3 within the Green Wedges and Green Corridors: Defining Chelmsford’s River Valley Review Report (2017), part of the evidence base for the Local Plan. This report incorporated a full review of the Green Wedge designations including their suitability as a protective planning tool, their boundaries and whether the areas covered by the designation could be justified. The study demonstrated the spatial and functional continuity of the River Valleys, to which the site form’s part, as the basis for their recognition as Green Wedges. The valley of the River Chelmer, designated as a Green Wedge, is an important part of Chelmsford’s landscape and natural environment and confirms that they should be recognised and protected for their special qualities and value to the City as a coherent network. This is an indication that the river valley is a locally distinctive and a relatively rare natural environment asset/natural landscape feature. The boundary of the Green Wedge is formed by the southern side of the public right of way.
- 6.8. Chelmsford Local Plan Policy DM7 considers new buildings and structures in the Green Wedge, and states that planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge and is for one of a number of prescribed developments. The proposal would not extend an existing building, provide a rural worker’s dwelling or affordable housing, so of direct relevance to the proposal would be criterion *ix. redevelopment of previously developed land in accordance with Part B of the Policy; and/or xi. replacement of buildings in accordance with Part C of the Policy.*
- 6.9. Policy DM8 concerns new buildings in the Rural Area which is also applicable. This policy is not as restrictive as the Green Wedge Policy DM7. This policy seeks to grant consent for new buildings where development will not adversely impact on the identified intrinsic character and beauty of the countryside and is for a number of prescribed developments. The proposal would not provide affordable homes, so of relevance to the proposal would be *viii. a dwelling which is of design of*

*exceptional quality or innovative nature; ix. Infilling in accordance with Policy DM9; or xii. redevelopment of previously developed land in accordance with Part B of the Policy; or xiii. replacement buildings in accordance with Part C of the Policy.*

- 6.10. Policy DM9 states that planning permission will be granted for infilling in the Green Wedge or Rural Area provided that the site is a small gap in an otherwise built up frontage and the development does not detract from the existing character or appearance of the area, and would not unacceptability impact on the function and objectives of the designation.
- 6.11. The NPPF is a material consideration. Paragraphs 7 and 8 of the NPPF set out that the purpose of the planning system is to contribute to the achievement of sustainable development, and that achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental. Paragraph 187 a) and b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. The NPPF defines previously developed land as *Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed).*

#### *Previously Developed Land*

- 6.12. Part B of Policy DM7 concerns previously developed land, and states that planning permission will only be granted where the role and function of the Green Wedge, in maintaining open land between built-up areas, protecting biodiversity and promoting recreation would not be materially harmed, and where the development would have no greater impact on the character and appearance of the area than the existing use and/or development. The Council will assess the development based on the following:
- i. the size, scale, massing and spread of the new development compared to the existing; and
  - ii. the visual impact of the development compared to the existing; and
  - iii. the impact of the activities/use of the new development compared to the existing requires buildings
- 6.13. Part B of Policy DM8 concerns previously developed land in the Rural Area, and states that planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area. This policy covers the same three criteria under Part B of Policy DM7 and a fourth criterion specifying that the location of the site is appropriate to the type of development proposed.
- 6.14. The site gained planning permission to be used as a residential garden in 2012 (12/000346/FUL) associated with No.19 Church Hill. A statutory declaration has been provided by the previous occupants of No.19 to confirm that they used the Nissen hut as domestic storage and the associated land as garden between October 2008 and August 2022. The land is now in separate ownership from that property.
- 6.15. Under the above circumstances the site could be considered to meet the definition for *previously developed land* set out in the NPPF.
- 6.16. The existing building is a semi-cylindrical Nissen hut with corrugated sheet metal roof and walls, horizontal timber clad ends with double doors to the front elevation and a three light window in



the rear elevation. The footprint measures 5.2m in width and 11.4m in length, with a floor area of 60sqm. The land falls from south east to north west. The hut roof is 2.6m above ground level to the front and 3.6m above ground level to the rear (owing to the slope). There is some compacted ground in front of the hut. Low fencing is provided to the front to either side of the hut extending to the side boundaries.

- 6.17. The footprint of the proposed building above natural ground measures 5.5m in width and 12.7m in length with a floor area of 70sqm. The site would be excavated to create the lower ground floor which including the areas of the light wells would measure 120sqm. A 30sqm patio area would extend beyond the rear of the principal bedroom and the living area. A 42sqm flat roof would be provided above the floor space excavated into the slope beyond the footprint of the upper ground floor. An access path to the property would be provided on this flat roof, with a low fence proposed adjacent to this access. The dwelling roof would be 3.1m above ground level at the front and 5.8m above ground level at the rear. A 3.8m wide, 0.9m deep and 1.5m high bin and cycle store would be provided to the front of the site.
- 6.18. The proposal would provide a dwelling above natural ground level with a floor area 10sqm greater than existing, a 0.3m increase in width and a 1.3m increase in length. Overall, the building floorspace would double the size of the existing (60sqm greater). The proposal would have an increased height of 0.5m at the front and 2.2m at the rear. The new building would have a greater depth, width and height. Hard surfacing would be created with the entrance path to the dwelling and the creation of the 30sqm patio area. An additional building for the storage of waste and bicycles would be provided, covering a footprint of 3.4sqm. Excluding the area allocated for parking the proposal would spread from 60sqm overall to 153sqm. In comparison with the existing development the proposal would increase the size, scale, massing and spread of development.
- 6.19. Church Hill consists of residential development formed of detached, semi and terraced housing fronting the roadways. Church Hill has a standard width with pavements either side. The housing is setback allowing parking to be provided to the front or small grassed areas. These all combine to create a suburban character. The development fronts Sheepcotes Lane, which runs off Church Hill. In contrast this is a narrow carriageway with no pavements, with hedging and greenery to the edges of the carriageway. This quickly changes the character from suburban to rural, so that the application site has a different character to the sites fronting Church Hill, and a key site defining the start of the Green Wedge and Rural Area.
- 6.20. The existing building is a simple utilitarian hut having corrugated metal walls/roof and horizontal weather board ends. From public viewpoints along Sheepcotes Lane, it is an ancillary structure within the wider rural landscape framed by existing vegetation. Its use for domestic storage is limited and low impact. There is a set of double doors at the front and a three light windows at the rear. There is a 1m tall panel fence on the western side of the hut in line with its front elevation, there may have been occasional parking on the grass sward in front of the building when used as garden area in association with No.19 Church Hill. No.19 has since been sold and is now in separate ownership to the site.
- 6.21. The design and form of the proposed dwelling seeks to mimic the appearance of the hut with a semi-cylindrical form having a sheet metal roof standing seems, vertical timber clad end elevations with metal verges. The western wall will introduce a recessed door and a window, the eastern elevation has three windows. A hardened parking and turning area will be provided between the building and Sheepcotes Lane. Waste and cycle storage will be provided to the front on the western side of the dwelling. To the rear, the dwelling would have two storeys and a newly created hard surfaced patio. The patio and the ground floor would be sunken with three steps

leading up to the natural ground level. The redevelopment of the land will have a more domestic character and appearance than the current site. There will be intensified use of the land, with associated vehicle and pedestrian movements. Light will be evident from new domestic windows. The incidental use of the site with No.19 Church Hill would have allowed domestic paraphernalia to be present on site, however, due to the size of the garden, it is unlikely that the level of domestic paraphernalia on site would equate to the level to be provided by a separate dwelling. These visual changes to the site would alter its character and appearance.

- 6.22. The site is viewable from Sheepcotes Lane at the front of the site. From the rear, views of the site are afforded from the public open space and allotments. The site is partially obscured from Church Hill due to the amount of vegetation, the narrowness of the lane and the changes in ground levels. The visual changes arising from the development would be clear from both Sheepcotes Lane and the allotments to the rear. The proposal would therefore have a greater visual impact compared to existing.
- 6.23. The site has previously been used for garden land, with the hut used for domestic storage. The proposed use is as a separate dwelling. With four bedrooms the proposal would effectively provide a large family home. The proposed use would attract regular pedestrian and vehicular movements to and from the property, beyond those experienced by an incidental use. The proposed use will be more intensive than the existing. This increase in activity would have an urbanising impact, suburbanising this rural site which would be harmful to the intrinsic character and beauty of the within the boundary of the Green Wedge and the Rural Area.
- 6.24. The proposal would be of a greater scale, size, mass and spread than existing. The proposal would have a greater visual impact than existing and the impact of activities and use on site would be greater. In combination these would erode the rural appearance of the site, and adversely affect the intrinsic character and beauty of the start of the Green Wedge and the Rural Area. The proposal is contrary to Part B of Policy DM7 and Part B of Policy DM8.

#### *Replacement building*

- 6.25. Part C of Policy DM7 and Policy DM8 states that planning permission will be granted for the replacement of a building in the Green Wedge and Rural Area respectively provided that:
- i. the existing building being replaced is of permanent and substantial construction; and
  - ii. the new building is in the same use as the existing; and
  - iii. the new building would not be out of keeping with its context and surroundings, and does not result in any other harm

Part C of DM7 for the Green Wedge has an additional criterion; iv. the new building is not materially larger than the one it replaces.

- 6.26. No structural survey has been provided to confirm that the building being replaced is of permanent and substantial construction. The existing building has most recently been used incidentally with the use of the dwellinghouse, No.19 Church Hill. The land is now in separate ownership to this property. The proposal would create an independent dwellinghouse, which is a material change of use from a building for incidental purposes. Consequently, the replacement building would not be in the same use as the existing building being replaced. The proposal would be contrary to Part C of Policies DM7 and DM8.

- 6.27. The design of the dwelling is not of exceptional quality or innovative in nature sufficient to meet criteria viii. of Policy DM8.
- 6.28. The proposal would not meet the criteria of the prescribed forms of development set out in Policies DM7 and DM8. It would erode the rural appearance of the site, and adversely affect the intrinsic character and beauty of the Green Wedge and the Rural Area, also conflicting with Strategic Policy S11.

### *Infilling*

- 6.29. Policy DM9 specifies that planning permission will be granted for infilling in the Green Wedge or Rural Area provided that:
- i. the site is a small gap in an otherwise built-up frontage; and
  - ii. the development does not detract from the existing character or appearance of the area, and would not unacceptably impact on the function and objectives of the designation.
- 6.30. The proposal sits between the side gardens of No.19 Church Hill and Brooklands, Sheepcotes Lane. These side gardens are of a considerable size, and hence the frontage of Sheepcotes does not appear built-up. The site is not a small gap in an otherwise built-up frontage.
- 6.31. As outlined above the development would urbanise the site and detract from the existing rural character and appearance of Sheepcotes Lane. Due to the delicate position of the site, this would unacceptably impact on the function and objectives of its designation as Green Wedge and Rural Area. The proposal would not satisfy the tests for infilling within Policy DM9.

### ***Layout and Design***

*Local Policies: DM23, DM25, DM26*

- 6.32. Policy DM23 requires new development to respect “the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape.” Part B of this policy requires all new buildings to be of a high-quality design and compatible with the character and appearance of the area.
- 6.33. The form of the proposed dwelling replicates the semi-cylindrical form of the Nissen hut. The new building is in the same position. The proposed building has a single storey appearance from the front and two storey to the rear. This scale is reflective of nearby dwellings. The architecture is a contemporary interpretation of the historic structure, using modern materials. The design of the proposal respects the character and appearance of the area in which it is located and would be compatible with the neighbouring properties. The design complies with Policy DM23 of the Chelmsford Local Plan.
- 6.34. Policy DM25 requires all new dwellings to incorporate sustainable design features, including that dwellings shall meet the Building Regulations optional requirement for water efficiency of 110 litres/person/day and that Electric Vehicle charging point infrastructure of 1 charging point per unit shall be provided. These requirements can be secured by condition.
- 6.35. Policy DM26 requires all new dwellings to comply with criteria in respect of achieving suitable privacy and living environment for residential occupiers, achieving sufficient private amenity space, meeting appropriate internal space and providing appropriate and well-designed recycling

and waste storage. Standards are set out Appendix B to the Local Plan and the above criteria must be in accordance with those standards.

- 6.36. Most of the outlook from the proposed dwelling would be to the rear. The upper ground floor provides bedroom accommodation having windows with an outlook to the side. The subterranean part of the dwelling includes light wells to the kitchen and a study/playroom, with the living room and master bedroom benefiting from outlooks to the rear. The kitchen forms part of an open plan area with the living and dining area, and therefore some form of outlook would be possible from the large rear openings. The playroom/study would not be provided with an outlook (only a lightwell). However, this is the smallest room in the property, and the lack of an outlook to this space would not negate the overall standard of accommodation when considering the proposed dwelling as a whole.
- 6.37. The property would achieve suitable privacy and would be provided with adequate garden area. The internal space meets the Nationally Described Space Standards for a 4 bedroom 7-person property. Adequate space is provided for recycling and waste storage to the front of the site.
- 6.38. The proposal complies with Policy DM26 of the Chelmsford Local Plan.

### ***Sustainable development***

*NPPF 2024: Paragraphs 7 and 8*

- 6.39. Paragraphs 7 and 8 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives to sustainable development: economic, social and environmental.
- 6.40. The proposal would provide a small contribution to the economy with the construction of the proposal; however, this would be short term contribution. The proposal is close to the edge of the Defined Settlement of Little Waltham and has pedestrian and cycle access to amenities within this settlement. Bus stops are found within Little Waltham which would provide connections with the city centre. Active and sustainable transport are viable options, ensuring the development isn't solely reliant on the motor car. The proposal, however, would harm the function of the Green Wedge, and result in visual harm to the intrinsic beauty and character of the Green Wedge and the Rural Area, resulting in environmental harm. The proposal would result in harm to the environmental strand of sustainable development, and this harm would outweigh the slight economic and social benefits. The proposal would not represent sustainable development under paragraphs 7 and 8 of the NPPF.

### ***Flooding and Drainage***

*Local Policies: DM18*

- 6.41. The site is in Flood Zone 1, the lowest area of flood risk. There is a stream on site, at the lowest point of the site, to the rear. This stream runs in a southwest direction and exits the site at the southwest corner. There is a spring in the adjacent garden (No.19 Church Hill) garden known as "Springs Head". The submission confirms that there is a high risk of surface water flooding in the area near the stream. The proposed works are outside of the area of flooding, and the land falls downwards to the north. The dwelling, and its occupants, would not be affected by this surface water risk.
- 6.42. There is potential for surface water from the development to flow into the stream on site. Land also falls to the west towards "Springs Head". Residents have raised concerns regarding the

impact of the development upon these watercourses, and the potential for harm to underground water sources by the excavation works required as part of the proposal.

- 6.43. The submitted drainage assessment considers that the scheme is a like for like replacement, as the new footprint and roof area remains consistent with the existing structure maintaining the current level of surface water run-off. Soakaways are proposed to improve overall surface water management.
- 6.44. The proposal would increase the footprint of development on site, and the amount of sealed surface/built form on site. The existing levels on site are provided on the existing site plan. The position of the surface water soakaway has not been provided, and it is unclear whether there would be sufficient capacity to cover the increase in sealed surface and built form on site. Following construction of the proposal ground levels are likely to change, which could have implications for surface water drainage. Further details to provide greater clarity could be provided via conditions, if the application was approved.
- 6.45. The submitted drainage assessment considers that there is potential to connect to the existing main foul drainage system and anticipate if required a single pump drainage system would likely be sufficient. The assessment states that this solution would be subject to technical design and approval, ensuring proper wastewater management while accommodating any potential elevation differences between the property and the main sewer line. Neighbours consider that a pump would not be sufficient in this location due to its proximity to watercourses. Foul drainage would be resolved at Building Regulations stage.

#### ***Access and Parking***

*Local Plan Policy: DM27*

- 6.46. 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).
- 6.47. The proposal would provide two vehicle parking spaces and cycle storage in accordance with the adopted Parking Standards. Subject to their provision in an appropriate manner the proposal complies with Policy DM27.
- 6.48. The Highway Authority recommends conditions for submission of a construction management plan and for the public right of way to remain open during construction. The public right of way provides the vehicular access to the site, and consists of a narrow roadway, and due to the constraints of this access it is considered reasonable to require the approval of a construction management plan. The public right of way is covered by legislation beyond planning and hence an informative could bring this matter to the attention of the applicant.

#### ***Residential Amenity***

*Local Plan Policy: DM29*

- 6.49. Policy DM29 seeks to safeguard the living environment of the occupiers of any nearby residential property by ensuring that the development is not overbearing and does not result in unacceptable overlooking or overshadowing. The development shall also not result in excessive noise, activity or vehicle movements.
- 6.50. The dwelling is orientated with most of its outlook to the rear (north), which does not overlook neighbouring properties. Windows in the side elevations are positioned at head height, above the

existing natural ground level. Views from these windows would be obscured by boundary treatments, and the distances between the proposed windows and the neighbouring properties would be adequate not to be harmful.

- 6.51. Residents have raised concerns regarding potential overlooking from a rear balcony. The dwelling would be accessed at ground level above the principal bedroom and the study/playroom, to the west of the access. The roof of this area would be partially raised above natural ground level to a maximum height of 1m and is close to the western boundary. The western neighbour's garden slopes downwards to the west leading to the spring, and hence a raised area serving the new dwelling could obtain direct views above the boundary treatment and into the neighbour's garden, resulting in a loss of privacy. A condition could be used to prevent this area being used as a sitting area, and on this basis the proposal would not materially impact the living environment of neighbouring residential occupiers.
- 6.52. Disruption during construction is transient and is not a sufficient reason to refuse planning permission. An informative could be attached to any planning permission with advisory hours of construction to minimise disruption.
- 6.53. The proposal complies with Policy DM29 of the Chelmsford Local Plan.

### **Ecology**

#### *Local Plan Policies: DM16*

- 6.54. 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.
- 6.55. The application is accompanied by a preliminary ecological survey (PEA). The PEA identifies that the site is not within close proximity to statutory designated sites. The site has the potential to support nesting birds within the trees and hedgerows and therefore any works should be undertaken outside of nesting season. There is some suitable habitat for reptiles, however there is poor connectivity and basking opportunities, making it unlikely to support the species. The Precautionary Working Method outlined in the PEA should be implemented to limit the potential for harm. Though it is unlikely that the site would support further species, a Precautionary Working Method as per the report should also be implemented for badgers, Great Crested Newts and hedgehogs. A low impact lighting strategy is also recommended. The provision of a low impact lighting strategy and compliance with the PEA can be secured via conditions.
- 6.56. 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 contribution has been made by the applicant to address the need for mitigation for the dwelling which would be created by the proposal.

- 6.57. The baseline habitat includes modified grassland, other grassland, bramble scrub and urban trees. Only some individual trees are to be retained. On site creation includes green roof, vegetated garden and urban trees. Baseline hedgerow includes native hedgerow, non-native and ornamental hedgerow. The native hedge is to be retained. The watercourse units are not visible on the metric and would need to be included in the final BNG plan. The BNG assessment states the watercourse habitat includes a ditch (stream) which is to be retained and enhanced from poor to moderate. The other neutral grassland, new trees, native hedgerow and ditches are to be fenced off from the vegetated garden, confirmation is required on who would be responsible for maintaining this habitat as part of the final BNG plan. It is suggested that off-site units would be required to address the unit deficit. This is 0.30 but this is without the spatial risk multiplier. A Habitat Management and Monitoring Plan and Final BNG Plan can be secured via conditions. If this includes off site credits a legal agreement would be required.

### ***Other Matters***

- 6.58. The County Historic Environment Services advises that the Nissen hut could retain historic artefacts from WWII and that given the sites proximity to a Roman Road and “Springs Head” there may be Roman and Prehistoric archaeology at the site. To comply with Policy DM15 (Archaeology), if the application was recommended for approval a condition would have been attached requiring the agreement to and undertaking of a Written Scheme of Investigation for investigating and making record of archaeology at the site.
- 6.59. The development can accommodate on site the provision of three new trees per dwellings as required by the Council to address its declared climate crisis. A landscape scheme condition could be attached to secure this provision.

## **7. Community Infrastructure Levy (CIL)**

- 7.1. This development is CIL liable. CIL payments are required to help pay for general infrastructure arising from development.

## **8. Conclusion**

- 8.1. The proposal is located within the Rural Area and more specifically the Green Wedge, which has an identified intrinsic character and beauty. The proposal would not meet the criteria for redevelopment of previously developed land set out in Part B of Policy DM7 or Policy DM8. The replacement building would not be in the same use as the existing building being replaced and would therefore not meet the criteria of replacement buildings set out in Part C of Policy DM7 and Policy DM8. The proposal would not infill a small gap and would harm the character and beauty of the Green Wedge and Rural Area. The proposal would therefore not meet the criteria of infill development set out in Policy DM9. Consequently, the proposal would not fall within the prescribed forms of development set out in Policies DM7, DM8 and DM9 of the Chelmsford Local Plan.
- 8.2. The proposal would be of a greater scale, size, mass and spread than existing. The proposal would have a greater visual impact than existing and the impact of activities and use on site would be greater. In combination these would erode the rural appearance of the site and adversely affect the intrinsic character and beauty of the Green Wedge and Rural Area. The proposal would erode the rural appearance of the site and adversely affect the intrinsic character and beauty of the Green Wedge and Rural Area. The proposal would therefore conflict with Strategic Policy S11 of the Chelmsford Local Plan.

- 8.3. The proposal would result in harm to the environmental strand of sustainable development, and this harm would outweigh the slight economic and social benefits. The proposal would not represent sustainable development under paragraphs 7 and 8 of the NPPF.
- 8.4. The individual design of the new property would respect the character and appearance of the area in which it is located and would be compatible with the neighbouring properties. The proposed development can meet the required provisions for living accommodation and garden space. The applicant has provided appropriate safeguards to mitigate any impact on the natural environment and conditions could be attached to secure biodiversity net gain. Conditions could be attached to ensure the provision of adequate parking, tree planting, manage construction impacts, surface water impacts, ecology and safeguard archaeology.
- 8.5. The benefits of the scheme would not outweigh the harm to the Green Wedge and the Rural Area. The application is recommended for refusal.

## **RECOMMENDATION**

### **The Application be REFUSED for the following reasons:-**

#### **Reason 1**

Strategic Policy S11 and DM Policies DM7, DM8 and DM9 of the Chelmsford Local Plan (2020) are applicable to the proposal and its location within the Green Wedge and Rural Area. The National Planning Policy Framework (2024) is a material consideration.

Strategic Policy S11 addresses the role of the countryside. Part B, relating to the Green Wedge, states that development which materially harms the role, function and intrinsic character and beauty of the Green Wedge will not be approved.

Policy DM7 considers new buildings and structures in the Green Wedge, and states that planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge and is for one of a number of prescribed developments. The proposal would not extend an existing building, provide a rural worker's dwelling or affordable housing, so of relevance to the proposal would be ix. redevelopment of previously developed land in accordance with Part B of this Policy; or xi. replacement of buildings in accordance with Part C of this Policy.

Policy DM8 considers new buildings in the Rural Area, and states that planning permission will be granted where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land and replacement buildings subject to meeting prescribed criteria.

Policy DM9 states that planning Permission will be granted for infilling in the Green Wedge or Rural Area where the site is a small gap in an otherwise built up frontage and where the development would not detract from the existing character or appearance of the area and would not unacceptably impact on the function and objectives of the designation.

The proposal would be of a greater scale, size, mass and spread than existing, having a greater visual impact than existing and the impact of activities and use on site would also be greater. In combination these factors would erode the rural appearance of the site and adversely affect the intrinsic character and beauty of the Green Wedge and the Rural Area. The proposal would not satisfy the criteria for redevelopment of previously



developed land in Part B of Policy DM7 and Policy DM8. The replacement building would not be in the same use as the existing building being replaced and would not fall within the remit of replacement buildings set out in Part C of Policy DM7 and DM8. Consequently, the proposal would not fall within the prescribed forms of development set out in Policy DM7 and DM8 of the Chelmsford Local Plan.

The proposal would not infill a small gap and would harm the character and beauty of the Green Wedge and Rural Area. The proposal would therefore not meet the criteria of infill development set out in Policy DM9 of the Chelmsford Local Plan.

The proposal would erode the rural appearance of the site and adversely affect the intrinsic character and beauty of the Green Wedge and Rural Area. The proposal would therefore conflict with Strategic Policy S11 of the Chelmsford Local Plan.

The proposal would not represent sustainable development under paragraphs 7 and 8 of the National Planning Policy Framework (2024) as the harm found under the environmental strand would outweigh any social and economic benefits.

#### **Notes to Applicant**

- 1 This application would be liable for a payment under the Community Infrastructure Levy Regulations (as Amended) 2010 if planning permission had been granted. If an appeal is lodged and subsequently allowed, the CIL liability will be applied.

#### **Positive and Proactive Statement**

The Local Planning Authority provided advice to the applicant before the application was submitted but the applicant did not take on board all or some of that advice. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework to deliver sustainable development.

**Plans to be listed on any Decision Notice:**

- 250 Floor Plans and Elevations/P6
- 251/P6
- 253 Surface Water Risk Plan/P1
- Drainage Assessment
- Image 1 Front Elevation
- Image 2 Front Elevation
- 24077/TK01/A
- 252/P1
- 151/P3
- FRNT\_22.503\_601\_P01 Issue 6
- Landscape Character Assessment
- Sustainable Development Checklist
- Metric Calculation Tool
- Planning Statement
- Arboricultural Survey/August 2024
- Arbtech AIA 01 Arboricultural Impact Assessment
- Biodiversity Net Gain Assessment
- Preliminary Ecological Appraisal and Roost Assessment
- Statutory Declaration
- Photos of property

**Appendix 2 – Consultations**

**ECC Historic Environment Branch**

Comments
<p>24.10.2024 - The building proposed for demolition is a Nissen Hut. Nissen Huts were primarily constructed for military use in the Second World War. While it has clearly been relocated since its construction, it still may contain fixtures, fittings, graffiti or other evidence that relates to its historical wartime use and should be the subject of a building record prior to its demolition.</p> <p>Essex Historic Environment Record (EHER) shows that the proposed development site is in an area with the potential for significant archaeological remains to be present. The main road through Little Waltham (some 290m to the west) is on the line of the main Roman road between Chelmsford and Long Melford in Suffolk (EHER 6057). Recent work in the proximity of this historic routeway has uncovered a large amount of Roman settlement evidence, including industrial activity, burials and agricultural features. To the north of the proposed development is an area of cropmarks interpreted as showing three ring-ditches, suggesting prehistoric activity in the vicinity (EHER 6131).</p> <p>The proposed development is located directly adjacent to a spring, named as "Springs Head" on early Ordnance Survey mapping. Springs are traditionally areas of historic settlement activity, and there is the</p>

possibility that prehistoric, Roman or later activity may survive associated with this water source, and be negatively impacted by the groundworks associated with the proposed development.

Recommends the following conditions:

RECOMMENDATION: Historic building recording

- (i) No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a Written Scheme of Investigation (WSI) to be submitted by the applicant for approval by the Local Planning Authority.
- (ii) No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI submitted.
- (iii) The applicant will submit a report detailing the results of the recording programme to the Local Planning Authority for approval and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority.

RECOMMENDATION: Archaeological trial-trench evaluation

- (i) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.
- (ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above, and any subsequent mitigation has been agreed.
- (iii) The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

A professional and accredited team of historic building specialists and archaeologists should undertake the work. This work will consist of a historic building recording survey undertaken prior to the demolition of the Nissen Hut. Subsequently, an archaeological trial-trench should be excavated within the footprint of the proposed new building, to assess the potential for archaeological remains to survive on site. Depending on the results of this trial-trench further stages of archaeological excavation and/or monitoring may then be required.

The City Council should inform the applicant of the recommendations and its financial implications. A brief outlining the level of investigation will be issued from this office on request and should be acquired before the production of any Written Schemes of Investigation. If the same contractor was appointed to both roles this office would have no objection to the production and submission of a single Written Scheme of Investigation detailing both programmes of work.

## Little Waltham Parish Council

Comments
<p>11.11.2024 – Objects to this planning application. The Parish Council understand that the location of this site will disrupt many local residents. The Parish Council also have genuine concerns about the environmental and ecological impacts which could result on building on land which is so close to water courses. The Parish Council request for a groundwater risk assessment to be carried out to ensure the local water courses are protected.</p> <p>The water courses which run from this area feed the streams in Little Waltham, so any interference at this location will affect the streams in other parts of the parish.</p> <p>The Parish Council consider the bio-diversity and environmental impacts when considering planning applications, and feel that we need to object on these grounds.</p>

## Public Health & Protection Services

Comments
<p>15.10.2024 - Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is not allocated).</p> <p>Any asbestos encountered during demolition or construction phases must be removed by an appropriately licenced specialist contractor and disposed of at an approved facility</p>

## Recycling & Waste Collection Services

Comments
<p>No response received</p>

## Essex County Council Highways

Comments
<p>14.11.2024 - The proposed residential development would be accessed from an existing vehicular access to Sheepcotes Lane, which is a private single track lane. Sheepcotes Lane accommodates Public Right of Way Footpath no. 22, Little Waltham Parish 225. Sheepcotes Lane accommodates vehicular access to Brooklands located to the north of the proposed development.</p>

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. The public's rights and ease of passage over public footpath no.22 (Little Waltham Parish 225) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11.

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

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

3. Prior to first occupation of the development, the vehicular access shall be constructed as shown in the Proposed Site Plan, drawing no. 251 Revision P4 at right angles to Sheepcotes Lane and shall be provided with an appropriate vehicular crossover construction to Sheepcotes Lane.

Reason: To ensure that vehicles can enter and leave Sheepcotes Lane in a controlled manner in the interest of highway safety in accordance with policy DM1 and to maintain the integrity of Footpath no.22 in accordance with Policy DM11.

4. Prior to first occupation of the proposed development the 2no. vehicle parking spaces and associated turning shall be hard surfaced, as shown in the Proposed Site Plan, drawing no. 251 Revision P4. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking and turning area shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

5. The cycle parking shown in the Proposed Bin & Cycle Store drawing no. 252 Revision P1 shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

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

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

Informative: 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.

## Ramblers Association

### Comments

21.10.2024 - NO COMMENT.

## Local Residents

### Comments

Local residents Six representations received from local residents, objecting to the proposal. Concerns raised:

- Water features – on site and adjacent site feed River Chelmer, harmful impact, pollution, excavation would dry up stream and destroy underground watercourses, stream on site frequently overwhelmed
- Sewage – not achieved safely, sewage pump not viable option, septic tank cannot be placed within 10m of water source
- Wildlife/habitat – harm, disturbance
- Public footpath – disruption, disrupt access to Sheepcotes Farm
- Construction – disruption, noise, blocking access, parking
- Use – no longer used incidentally with No.19 Church Hill, land maintained by neighbour
- Access – block neighbouring driveway access, no ‘right of way’ via Sheepcotes Lane
- Parking – insufficient parking, parking on nearby streets dangerous, parking area lead to subsidence
- Rural setting – not in keeping, not contribute/enhance natural environment, unsympathetic alteration
- Previous refusals – doesn’t address previous reasons
- Amenity – loss of privacy
- Infrastructure – doctors and schools full
- Need – no local need for housing and serves no purpose to community

Two supportive responses received, with the following comments:

- Historic structure – rotten and been reroofed with modern materials
- Alternative uses – worse than the proposal
- Condition – vacant, previously used as dumping ground
- Design – high quality, contemporary
- Rural Character – no impact, positive change
- Benefit – housing for Little Waltham



0 5 10 20 Metres

1:500



**Planning Committee  
24/01373/FUL**

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

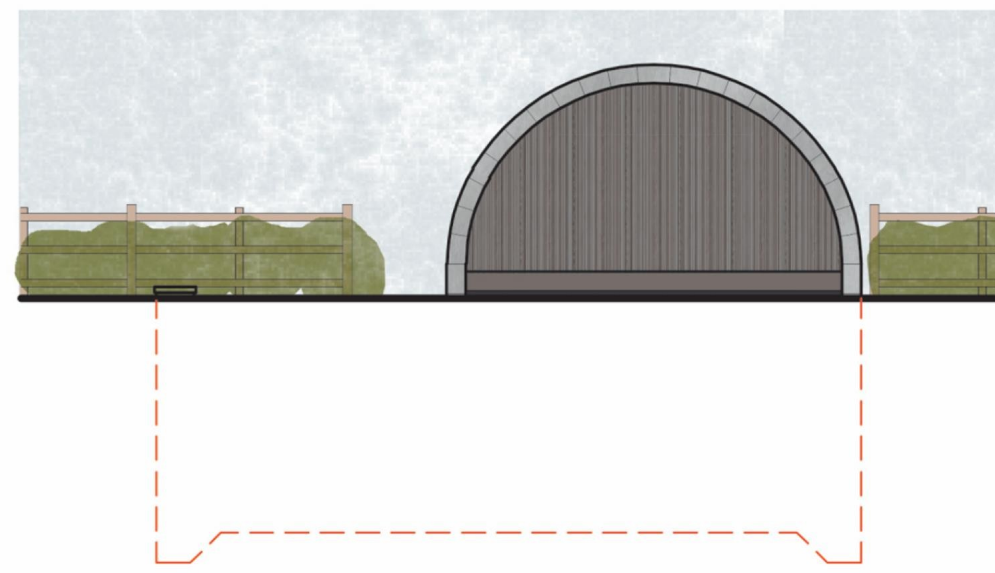
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Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

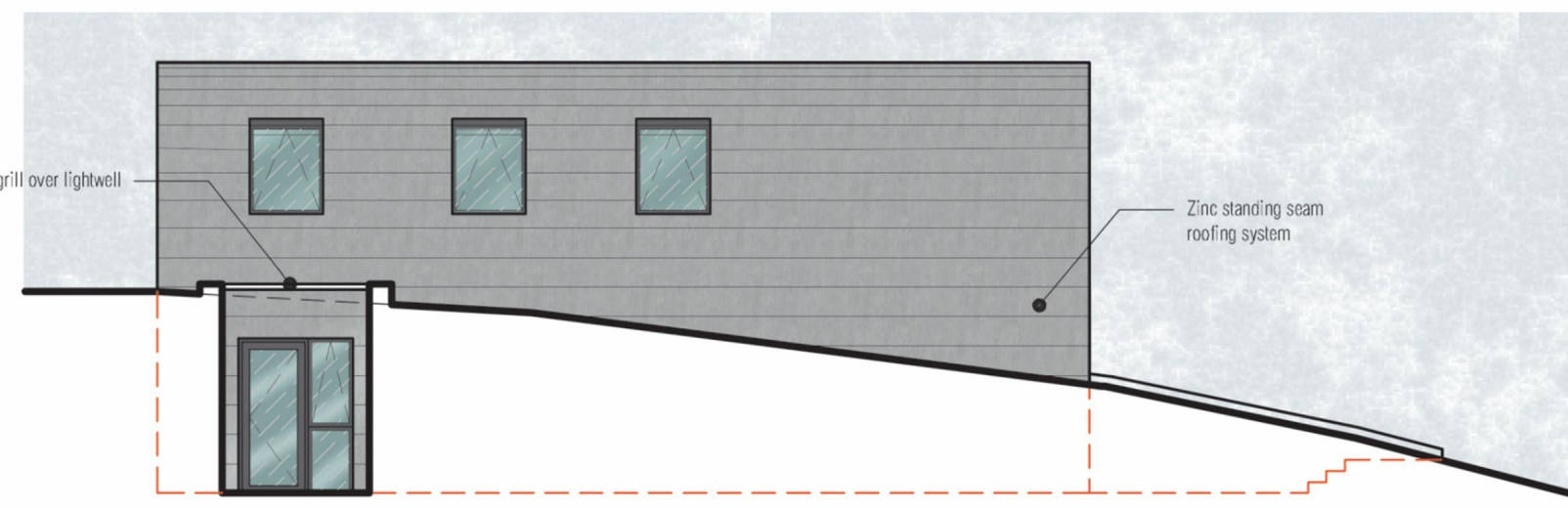
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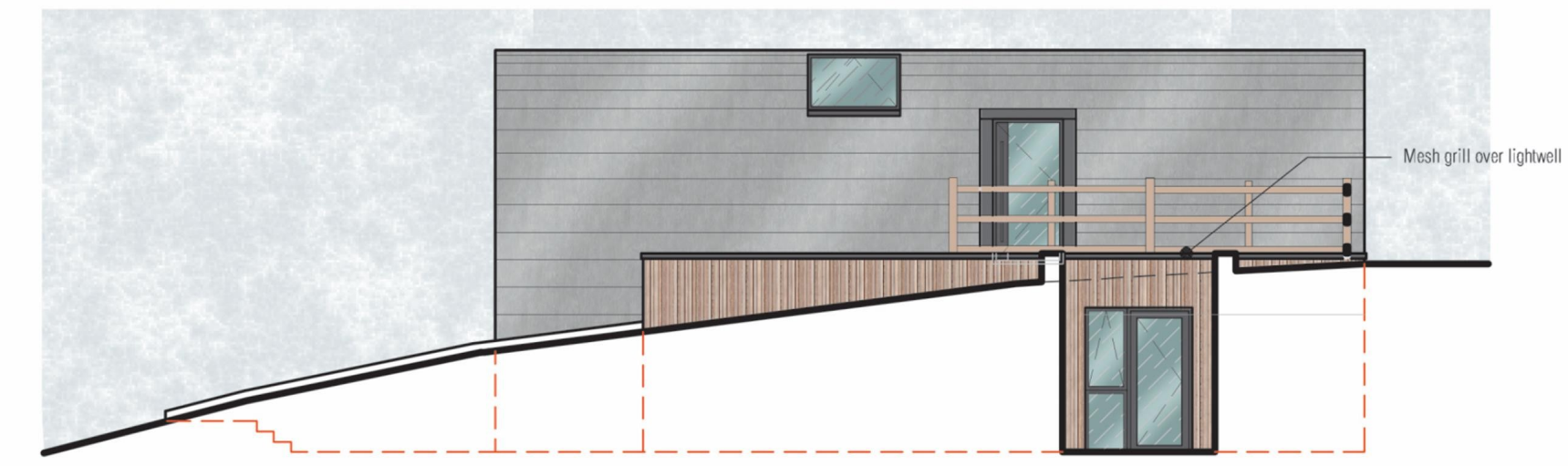
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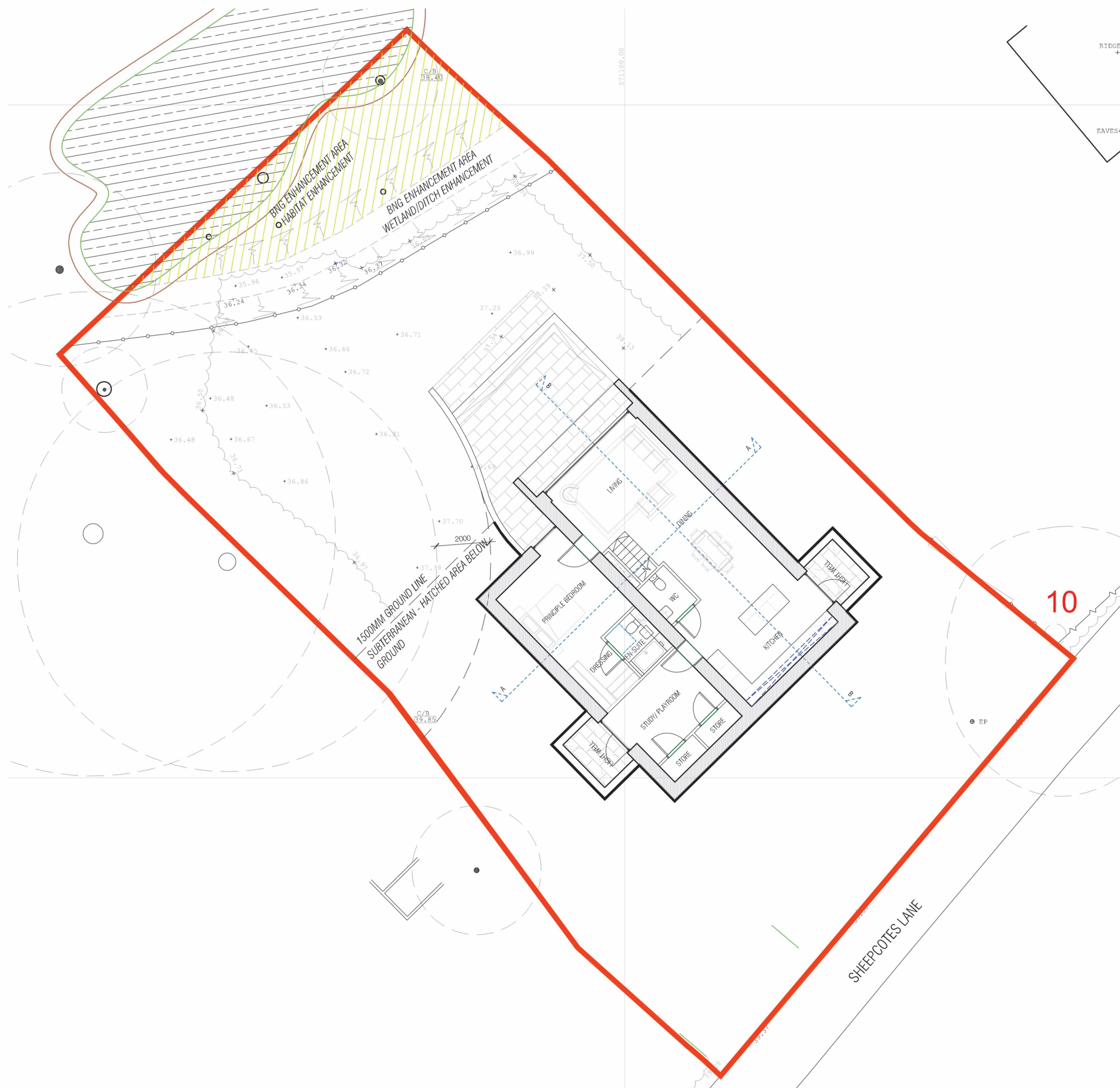
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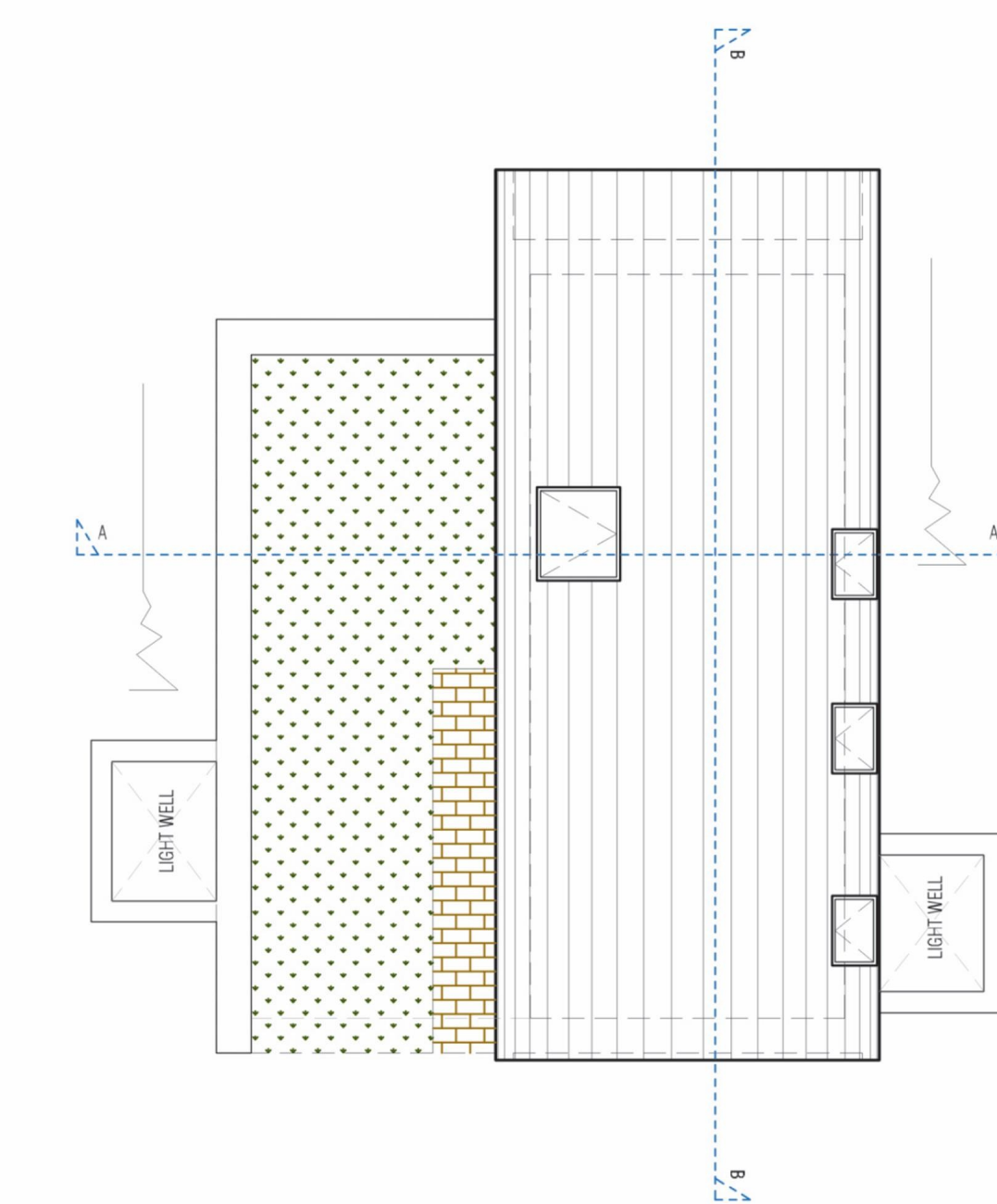
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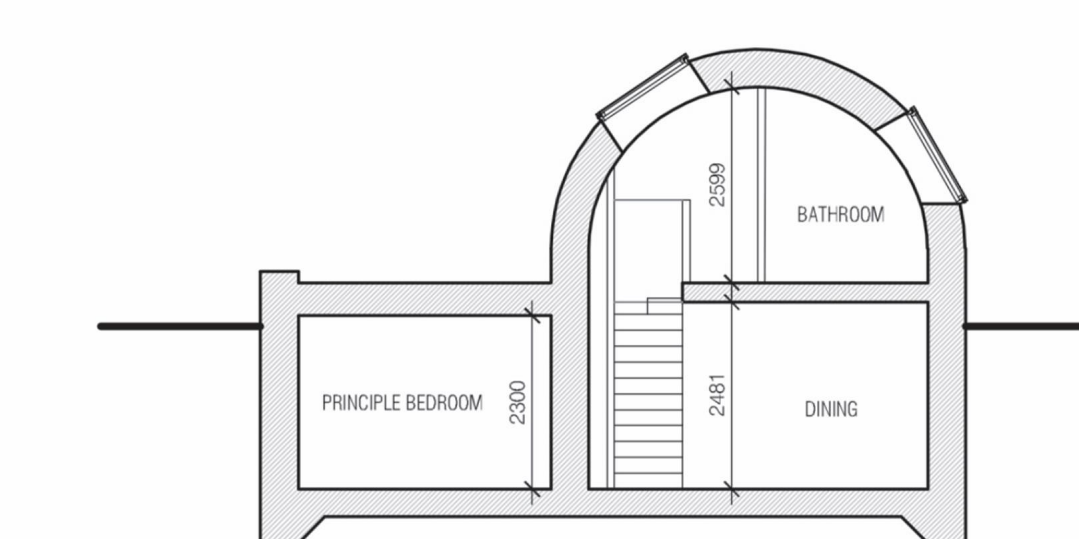
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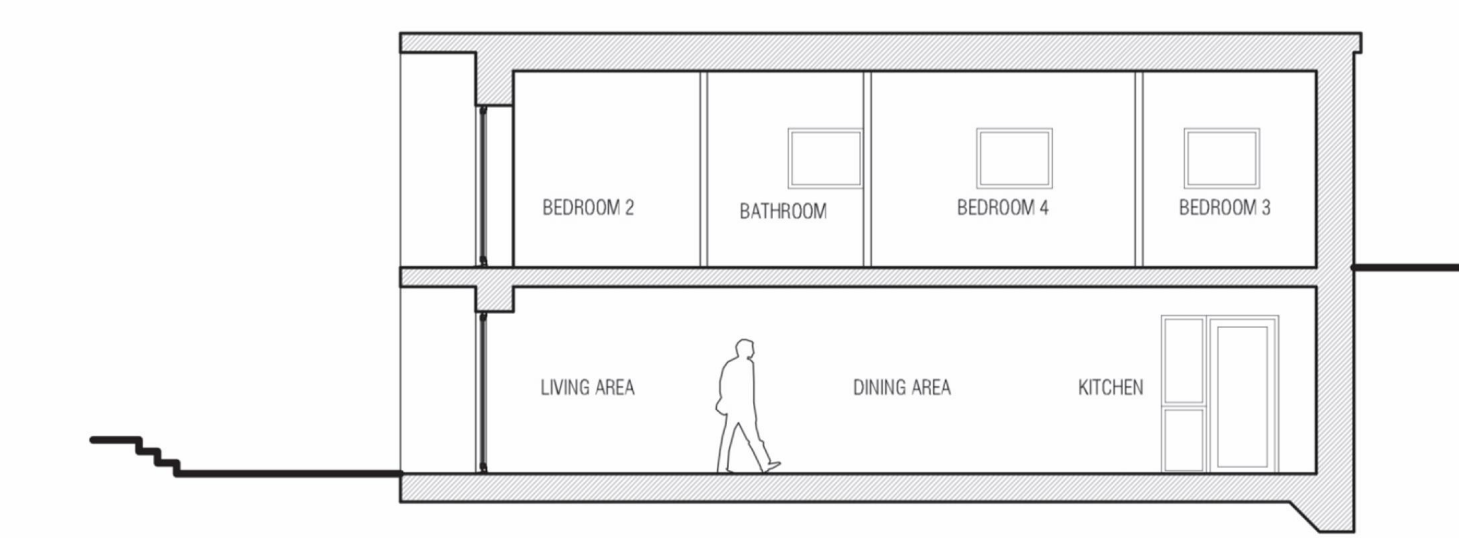
PROPOSED LOWER GROUND FLOOR  
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Page 328 of 338



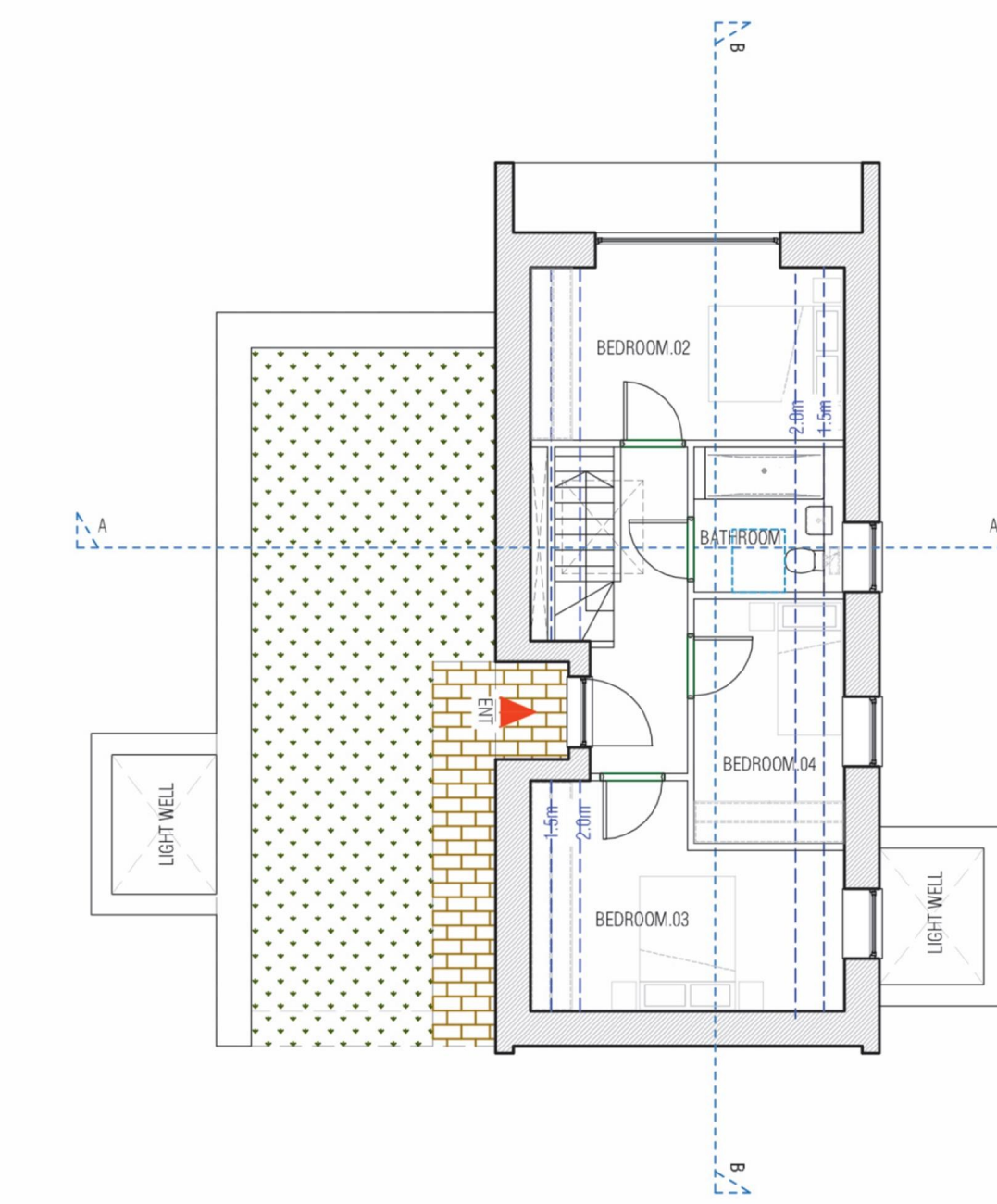
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PROPOSED SECTION A-A  
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PROPOSED SECTION B-B  
SCALE 1:100 @ A1



PROPOSED GROUND FLOOR  
SCALE 1:100 @ A1

REV.	DATE	APPENDIX	DRAWN
P6	18.11.2024	PLANNERS COMMENTS	FK
P5	18.11.2024	PLANNERS COMMENTS	FK
P4	17.09.2024	CLIENT COMMENTS	FK
P3	11.09.2024	CLIENT COMMENTS	FK
P2	04.09.2024	CLIENT COMMENTS	FK
P1	28.08.2024	PRELIMINARY ISSUE	FK

PROJECT:  
**RESIDENTIAL DEVELOPMENT**  
 SHEPCOTES LANE  
 LITTLE WALTHAM  
 CHELMSFORD, CM3 3LR  
 DRAWING TITLE:  
 PLANNING APPLICATION PACKAGE  
 PROPOSED FLOOR PLANS AND ELEVATIONS

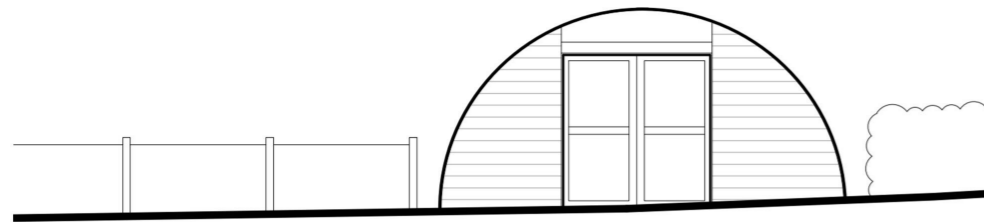
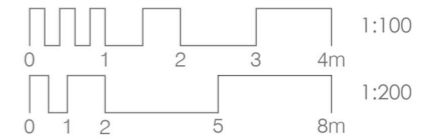
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 STRATSTONE DEVELOPMENTS

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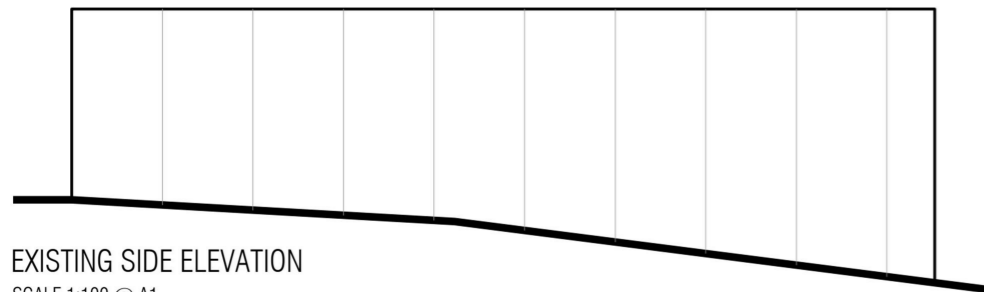
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PROJECT NO.	DATE	STATUS	REVISION
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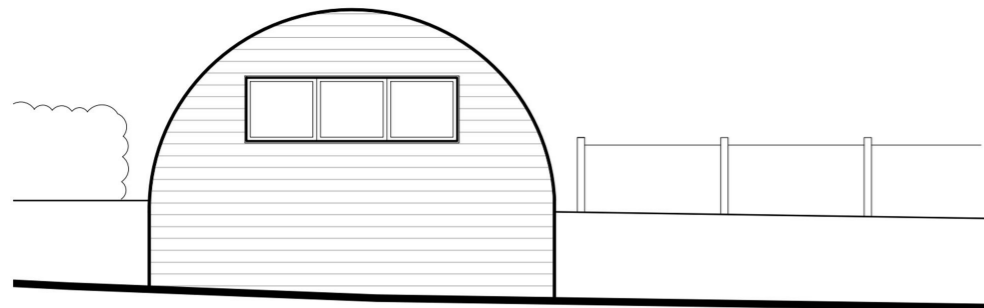




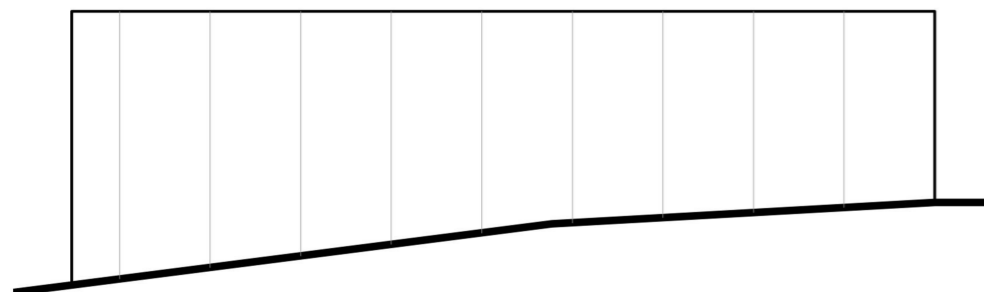
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EXISTING REAR ELEVATION  
SCALE 1:100 @ A1



EXISTING SIDE ELEVATION  
SCALE 1:100 @ A1



EXISTING SITE PLAN  
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PROJECT:  
SHEEPCOTES LANE  
LITTLE WALTHAM  
CHELMSFORD, CM3 3LR

CLIENT:  
STRATSTONE DEVELOPMENTS  
DRAWING TITLE:  
PLANNING PACKAGE  
EXISTING SITE PLAN & ELEVATIONS

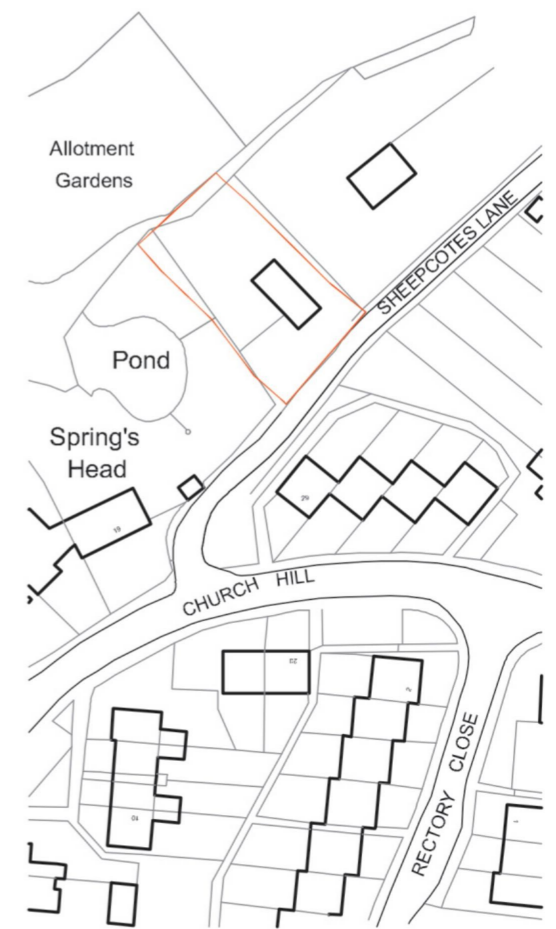
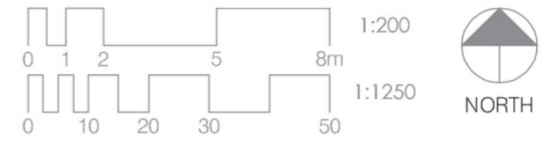
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P2	03.09.2024	CLIENT COMMENTS	RK
P1	30.08.2024	PRELIMINARY ISSUE	RK

PROJECT NO.	REVISION	DRAWING NO.
22.503	P3	
DATE: AUG 2024		151

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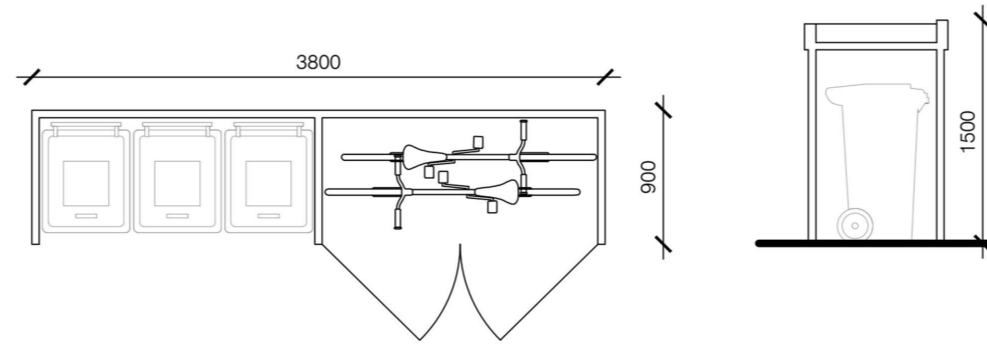


LOCATION PLAN  
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PROPOSED SITE PLAN  
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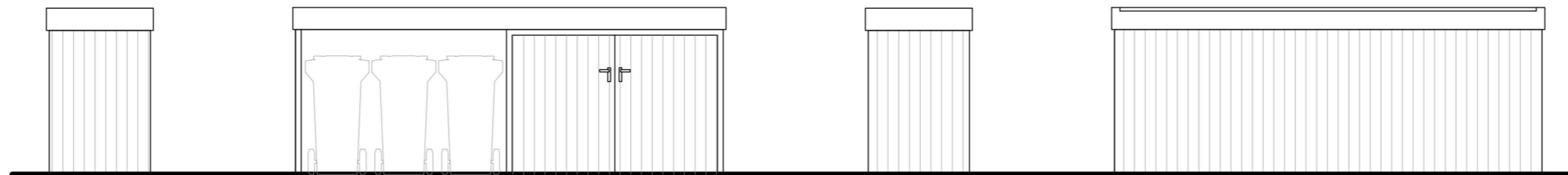
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P2	03.09.2024	CLIENT COMMENTS	FK
P1	29.08.2024	PRELIMINARY ISSUE	FK
REV.	DATE	AMENDMENT	DRAWN

PROJECT	CLIENT	PROJECT NO.	REVISION	DRAWING NO.
SHEEPCOTES LANE LITTLE WALTHAM CHELMSFORD, CM3 3LR	STRATSTONE DEVELOPMENTS	22.503	P6	251
DRAWING TITLE		DATE		
PLANNING PACKAGE PROPOSED SITE PLAN		AUG 2024		



PROPOSED STORE PLAN  
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PROPOSED STORE SECTION  
SCALE 1:50@A3



PROPOSED STORE ELEVATIONS  
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PROJECT:  
SHEEPCOTES LANE  
LITTLE WALTHAM  
CHELMSFORD, CM3 3LR

CLIENT:  
STRATSTONE DEVELOPMENTS  
DRAWING TITLE:  
PLANNING PACKAGE  
PROPOSED BIN & CYCLE STORE

P1	03.09.2024	PRELIMINARY ISSUE	FK
REV.	DATE	AMENDMENT	DRAWN
PROJECT NO.	REVISION	DRAWING NO.	252
22.503	P1		
DATE:	SEPT 2024		
FRONT.		171 HIGH STREET, RAYLEIGH, ESSEX, SS6 7QA. TEL: +44 (0)1702 831 415   EMAIL: HELLO@FRONT-ARCHITECTURE.CO.UK	

Appeal Decisions received between 16/11/2024 and 08/01/2025

## PLANNING APPEALS

Total Appeal Decisions Received	21	
Dismissed	13	62%
Allowed	8	38%
Split	0	0%

### Public Inquiry

#### Land South Of Southlands Cottages Runwell Road Runwell Wickford Essex

<b>Reference</b>	23/00532/FUL
<b>Proposal</b>	Installation of a solar farm with battery storage and associated infrastructure
<b>Appeal Decision</b>	Appeal Allowed - 26/11/2024
<b>Key Themes</b>	Green belt landscape flood risk and heritage
<b>Agreed with CCC on</b>	Landscape
<b>Disagreed with CCC on</b>	Green belt, heritage flooding
<b>Costs Decision</b>	None

#### Field North Of Montpelier Farm Main Road Little Waltham Chelmsford Essex

<b>Reference</b>	23/01787/FUL
<b>Proposal</b>	Erection of an Integrated Retirement Community (Use Class C2) comprising; a Village Care Centre, 58 bedroom care home, 45 care suites (comprising one and two bedrooms), 100 care apartments (comprising one and two bedrooms), wellness spa, open space and ass
<b>Appeal Decision</b>	Appeal Dismissed - 22/11/2024
<b>Key Themes</b>	Heritage - Conservation Area, Designated and Non Designated Heritage Assets, Trees, Countryside, Specialist Housing Supply, Landscape
<b>Agreed with CCC on</b>	Heritage Designated and Non Designated Heritage Assets, Trees, Countryside, Specialist Housing Supply, Landscape
<b>Disagreed with CCC on</b>	Heritage Conservation Area
<b>Costs Decision</b>	None

## Written Repts

### Bushy Hill Communication Station Edwins Hall Road Woodham Ferrers Chelmsford CM3 8RU

<b>Reference</b>	22/00644/CLEUD
<b>Proposal</b>	Security accommodation which is ancillary to the primary activity of the Class B1 operation.
<b>Appeal Decision</b>	Appeal Dismissed - 25/11/2024
<b>Key Themes</b>	Lawfulness of caravan, impact on the character and beauty of the countryside, unsustainable location
<b>Agreed with CCC on</b>	Lawfulness of caravan, impact on the character and beauty of the countryside, unsustainable location
<b>Disagreed with CCC on</b>	Nothing
<b>Costs Decision</b>	None

### Bushy Hill Communication Station Edwins Hall Road Woodham Ferrers Chelmsford CM3 8RU

<b>Reference</b>	22/00022/FUL
<b>Proposal</b>	Retrospective application for the siting of a mobile home to provide accommodation for security guard.
<b>Appeal Decision</b>	Appeal Dismissed - 25/11/2024
<b>Key Themes</b>	The use for which a LDC is sought is described in the application as security accommodation which is ancillary to the primary activity of the Class B1 operations.
<b>Agreed with CCC on</b>	-The stationing of a mobile home on the land does not normally amount to operational development and is a use of land.-The mobile home did not meet the relevant 10 years period to be considered lawful.
<b>Disagreed with CCC on</b>	the mobile home for security accommodation is ancillary to the primary activity of the site, which is the Class B1 operations.
<b>Costs Decision</b>	None

### Heathfield Dowsett Lane Ramsden Heath Billericay Essex CM11 1JH

<b>Reference</b>	22/01811/CLOPUD
<b>Proposal</b>	Construction of incidental domestic outbuilding
<b>Appeal Decision</b>	Appeal Allowed - 20/11/2024
<b>Key Themes</b>	Whether the provision of the proposed outbuilding would be required for a purpose incidental to the enjoyment of the dwellinghouse as such is permitted by virtue of Class E to the GPDO.
<b>Agreed with CCC on</b>	Did not agree with the Council.
<b>Disagreed with CCC on</b>	Inspector disagreed with the Council, highlighting that the information on the plans was sufficient to demonstrate that the existing outbuilding containing an office and gym use would be removed following the construction of the new outbuilding and thus the proposed use would not be replicated. The proposal would therefore be genuinely and reasonably required.
<b>Costs Decision</b>	None

### Heathfield Dowsett Lane Ramsden Heath Billericay Essex CM11 1JH

<b>Reference</b>	22/02164/CLOPUD
<b>Proposal</b>	Construction of single storey rear and two single storey side extensions.
<b>Appeal Decision</b>	Appeal Dismissed - 20/11/2024

<b>Key Themes</b>	Whether the proposed single storey side extension to the western elevation of the property would conflict with sub-section (e)(ii) of Class A to the GPDO.
<b>Agreed with CCC on</b>	Agreed with the Council that the western side extension would front a highway and would not therefore be permitted development.
<b>Disagreed with CCC on</b>	None
<b>Costs Decision</b>	None

### Crowsheath Farm Hawkswood Road Downham Billericay Essex CM11 1JT

<b>Reference</b>	22/01677/FUL
<b>Proposal</b>	Retrospective application for stone wall.
<b>Appeal Decision</b>	Appeal Dismissed - 10/12/2024
<b>Key Themes</b>	- Openness and purposes of the Green Belt;- Character and appearance of the surrounding area;- Ecological value of the site; and- Whether other considerations clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.
<b>Agreed with CCC on</b>	- the stone wall adversely impacted on openness of the Green Belt;- it is out of character of the surrounding area;- natural habitats have been lost as a result of the wall;- no very special circumstances exist to outweigh the harm to the Green Belt.
<b>Disagreed with CCC on</b>	- none
<b>Costs Decision</b>	None

### Bushy Hill Communication Station Edwins Hall Road Woodham Ferrers Chelmsford CM3 8RU

<b>Reference</b>	22/02252/FUL
<b>Proposal</b>	New footpath link to the pre-existing footpath to the south of the site.
<b>Appeal Decision</b>	Appeal Dismissed - 25/11/2024
<b>Key Themes</b>	- adverse impact on the visual amenities of the area
<b>Agreed with CCC on</b>	- The scale and locating of the proposed public path is not appropriate.- The footpath will be noticeable in views from the surrounding area.- It would be seen as an obtrusive feature on the landscape because of its positioning.- The proposed path would link an office site to a dead-end public right of way route, thus would not improve, or enhance the existing public right of way network in the area. - There would be no public benefit to outweigh the potential visual harm to the character and beauty of the countryside.
<b>Disagreed with CCC on</b>	- nothing
<b>Costs Decision</b>	None

### Barn East Of St Marys Church Church Road Little Baddow Chelmsford Essex CM3 4BE

<b>Reference</b>	23/00370/FUL
<b>Proposal</b>	Conversion of existing agricultural building to a single residential dwelling with associated parking, landscaping and improvements to existing access.
<b>Appeal Decision</b>	Appeal Dismissed - 18/11/2024
<b>Key Themes</b>	a) the principle of the development and its effect on the character and appearance of the area,b) its effect on the significance of the nearby Grade I listed church andc) its effect on the living conditions of future residents.
<b>Agreed with CCC on</b>	- The proposal does not comply with Policy DM10, as the conversion will amount to a new build;- Gifting of parking spaces cannot be secured by a condition;- The building form and the associated garden areas will impact and encroach the countryside;
<b>Disagreed with CCC on</b>	- the proposal would not impact the setting of the listed building.
<b>Costs Decision</b>	None

**The Orchards Roxwell Road Writtle Chelmsford Essex CM1 3SA**

<b>Reference</b>	23/01770/FUL
<b>Proposal</b>	Retrospective application for Cabin and timber deck located on edge of ponds within residential garden
<b>Appeal Decision</b>	Appeal Dismissed - 22/11/2024
<b>Key Themes</b>	- adverse impact on the openness of the Green Belt - inappropriate development - no very special circumstances exist
<b>Agreed with CCC on</b>	- adverse impact on the openness of the Green Belt as it replaced much smaller building - inappropriate development - no very special circumstances exist- no certificate provided to establish that the cabin is within the curtilage of the dwelling
<b>Disagreed with CCC on</b>	- nothing
<b>Costs Decision</b>	None

**Land South West Of Warehouse Highwood Road Highwood Chelmsford Essex**

<b>Reference</b>	23/01385/OUT
<b>Proposal</b>	Outline Planning Permission for the construction of a new warehouse (Use Class B8) with ancillary office floorspace and including new access, car parking/servicing arrangements. Access being sought, all other matters (appearance, landscaping, layout, sca
<b>Appeal Decision</b>	Appeal Dismissed - 25/11/2024
<b>Key Themes</b>	Whether inappropriate development in Green Belt Whether location suitable for commercial development
<b>Agreed with CCC on</b>	Is inappropriate development in the Green Belt Harm to openness Not a suitable location due to lack of alternative to car borne travel options
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**Meadowcroft Nursery Woodham Road Rettendon Wickford Essex SS11 7QU**

<b>Reference</b>	23/01143/FUL
<b>Proposal</b>	Temporary permission to expand the car park capacity
<b>Appeal Decision</b>	Appeal Allowed - 02/12/2024
<b>Key Themes</b>	Green Belt - whether inappropriate development; sustainable growth and expansion of a rural business; any very special circumstances (VSC)
<b>Agreed with CCC on</b>	Inappropriate development and harmful to the Green Belt
<b>Disagreed with CCC on</b>	Sustainable expansion of rural business; there are VSC to justify the temporary development
<b>Costs Decision</b>	None

**Clarity Independent School Bridge Farm Woodhill Road Sandon Chelmsford Essex CM2 7SB**

<b>Reference</b>	23/00946/FUL
<b>Proposal</b>	Retrospective erection of 2 outbuildings for use as a Staff Room and Classroom/Meeting Room.
<b>Appeal Decision</b>	Appeal Allowed - 18/11/2024
<b>Key Themes</b>	Whether Suitable location Effect on neighbour Effect on highway safety
<b>Agreed with CCC on</b>	
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**Buildings At The Orchards Roxwell Road Writtle Chelmsford Essex**

<b>Reference</b>	23/01609/FUL
<b>Proposal</b>	Demolition of existing farm shop and storage buildings, replacement with construction of 2 new dwellings
<b>Appeal Decision</b>	Appeal Dismissed - 22/11/2024
<b>Key Themes</b>	Inappropriate development in the green belt - agreed Unsuitable location for housing - disagreed
<b>Agreed with CCC on</b>	Inappropriate development in the green belt
<b>Disagreed with CCC on</b>	Unsuitable location for housing
<b>Costs Decision</b>	None

**Leighams Farm Leighams Road Bicknacre Chelmsford Essex CM3 4HF**

<b>Reference</b>	23/01859/FUL
<b>Proposal</b>	Appeal to remove Condition 6 to Planning Permission for Conversion of an agricultural building to b8 commercial storage with external alterations.
<b>Appeal Decision</b>	Appeal Allowed - 20/12/2024
<b>Key Themes</b>	Is the condition relevant to the development permitted
<b>Agreed with CCC on</b>	Could be relevant if existing building is agricultural
<b>Disagreed with CCC on</b>	Existing building is not agricultural; condition fails the tests for conditions
<b>Costs Decision</b>	Appellant's application for costs: Costs allowed - partial

**27-30 Garage Block Rear Of Lionfield Terrace Chelmsford Essex CM1 7RH**

<b>Reference</b>	23/01671/FUL
<b>Proposal</b>	Demolition of existing garage storage area and construction of 2 no new dwellings and associated development
<b>Appeal Decision</b>	Appeal Dismissed - 06/01/2025
<b>Key Themes</b>	Impact on living conditions of neighbouring properties
<b>Agreed with CCC on</b>	Significant harm to living conditions of neighbouring properties
<b>Disagreed with CCC on</b>	Loss of light/overshadowing
<b>Costs Decision</b>	None

**116 Maldon Road Danbury Chelmsford CM3 4RA**

<b>Reference</b>	24/00358/FUL
<b>Proposal</b>	Demolition of existing residential dwelling. Proposed four dwellings with associated car parking and private amenity space. Widening of existing access (Revised Proposal)
<b>Appeal Decision</b>	Appeal Allowed - 06/01/2025
<b>Key Themes</b>	- the character and appearance of the area.- the living conditions of surrounding residential occupiers, with particular regard to those at Hyde House in respect of privacy.
<b>Agreed with CCC on</b>	- nothing
<b>Disagreed with CCC on</b>	- the impact on the neighbour is not material to justify a refusal.- the character of the area with this nearly identical proposal will be acceptable.
<b>Costs Decision</b>	None



## Householder

### 1 Brookside Cottages Main Road Margaretting Ingatestone Essex CM4 0EG

<b>Reference</b>	23/02027/FUL
<b>Proposal</b>	Two storey side extension and single storey rear extension with part duo pitched roof and part flat roof. New roof dormers.
<b>Appeal Decision</b>	Appeal Dismissed - 22/11/2024
<b>Key Themes</b>	
<b>Agreed with CCC on</b>	Poor design failing to preserve the character and appearance of the Margaretting Conservation Area
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None
<b>Key Themes</b>	
<b>Agreed with CCC on</b>	Disproportionate extension to house amounting to inappropriate development in the Green Belt Adverse impact on openness of Green Belt
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

### Linden Maldon Road Margaretting Ingatestone Essex CM4 9JW

<b>Reference</b>	24/00343/HHPAA
<b>Proposal</b>	The construction of an additional storey by increasing the building height by 2.95mm
<b>Appeal Decision</b>	Appeal Allowed - 18/11/2024
<b>Key Themes</b>	The main issue in this appeal is whether the development would accord with the provisions of Part 1, Class AA of the GPDO, with particular regard to the external appearance of the building, including the design and architectural features of the principal elevation of the dwellinghouse
<b>Agreed with CCC on</b>	The Inspector did not agree with the Council
<b>Disagreed with CCC on</b>	The inspector disagreed that the raising of the roof of the property to create a first floor would result in the dwelling appearing out of character with its surroundings.
<b>Costs Decision</b>	None

### 17 Lynmouth Gardens Chelmsford Essex CM2 0UH

<b>Reference</b>	24/00301/FUL
<b>Proposal</b>	Proposed two storey side extension with additional front and rear dormer windows
<b>Appeal Decision</b>	Appeal Allowed - 03/01/2025
<b>Key Themes</b>	impact to neighbours- dm29
<b>Agreed with CCC on</b>	
<b>Disagreed with CCC on</b>	relationship with neighbour - dealt with via condition of obscure glazed
<b>Costs Decision</b>	None

### The Briars Castledon Road Downham Billericay Essex CM11 1LH

<b>Reference</b>	24/00182/FUL
<b>Proposal</b>	Retrospective application for fencing
<b>Appeal Decision</b>	Appeal Dismissed - 05/12/2024
<b>Key Themes</b>	Highway safety
<b>Agreed with CCC on</b>	Harmful effect on highway safety
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

