



Planning Committee

4th November 2025

Application No	:	24/01786/OUT Outline Application
Location	:	Land South Of Maldon Road And East Of Hyde Green Maldon Road Danbury Chelmsford
Proposal	:	Outline application for the erection of up to 72 dwellings with associated infrastructure and open space. Access being sought. Appearance, layout, landscaping and scale reserved.
Applicant	:	Richborough
Agent	:	Ms Jenny Fryer
Date Valid	:	17th January 2025

Contents

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

Appendices:

- | | |
|------------|--------------------------------|
| Appendix 1 | Drawings to be approved |
| Appendix 2 | Consultation responses summary |

1. Executive Summary

- 1.1. This application proposes the development of Danbury Neighbourhood Plan Site B – Land at Tyndales Farm West. The scheme would provide up to 72 dwellings, with associated infrastructure and open space. The application is submitted in outline form with all matters reserved except access.
- 1.2. The application site partially crosses the boundary with Maldon District Council. An identical application has also been made to Maldon District Council (Maldon ref. 24/01014/OUTM). Maldon District Council has devolved their decision-making powers to Chelmsford for the determination of the applications under Section 101 (1) of the Local Government Act 1972.
- 1.3. The scheme would deliver up to 72 dwellings. It would provide 35% affordable homes and a new vehicular access onto Maldon Road. The provision of additional dwellings above the indicative figure is not prohibited by the neighbourhood plan policy. The proposed number of dwellings would also not compromise the indicative figure (of around 100 dwellings) identified for Danbury within the Chelmsford Local Plan.
- 1.4. The proposal demonstrates conformity with the Danbury Neighbourhood Plan, the Chelmsford Local Plan and Maldon Local Development Plan. It is therefore recommended that the application should be approved by the Director of Sustainable Communities subject to conditions and the completion of the legal agreement.

2. Site and context

- 2.1. The application site consists of an agricultural field of approximately 6.76ha, located south of Maldon Road and east of Cherry Garden Lane. It is an irregular shaped site plan with the main parcel directly south of Maldon Road, a segment encompassing part of Maldon Road and two narrow limbs extending south towards Mill Lane. The southeastern part of the eastern limb is located within Maldon District Council.
- 2.2. The application site partially crosses the boundary with Maldon District Council. An identical application has also been made to Maldon District Council (Maldon ref. 24/01014/OUTM). Maldon District Council has devolved their decision-making powers to Chelmsford for the determination of the applications under Section 101 (1) of the Local Government Act 1972.
- 2.3. The application site slopes down towards Mill Lane to the south and is bounded by trees and landscaping. The trees to the western boundary, along the rear of Hyde Green, are protected by a Tree Preservation Order (TPO/2007/046). The trees within the curtilage of Heyrons, Cherry Garden Lane are also protected by a Tree Preservation Order (TPO/2008/043). The site falls within Flood Zone 1. A public right of way (PRoW) runs roughly diagonally through the site (Danbury 38).
- 2.4. Existing residential development lies directly to the west in Cherry Garden Lane, Hyde Green and Barley Mead. To the east and south are agricultural fields. To the north side of the application site (north of Maldon Road) are agricultural fields, with sporadic residential development. Maldon Road provides access between Danbury/Chelmsford and Maldon. The Defined Settlement of Danbury lies to the west of the site.
- 2.5. The vast majority of the application site is designated for development within the Danbury Neighbourhood Plan under Site Specific Policy B: *Land at Tyndales Farm West*. It is allocated for up to 65 dwellings. The site is within the Rural Area beyond the Defined Settlement of Danbury in the

Chelmsford Local Plan, and the Maldon sections of the application site (two southern limbs) is in the countryside beyond the defined settlements in the Maldon District Local Development Plan.

- 2.6. There are no designated or non-designated assets within the site. Danbury Conservation Area lies some 850m west of the site. Within 1km of the site, there are four Grade II listed buildings located on Runsell Green to the northwest, a hamlet of six Grade II listed buildings on Southend Road (within Maldon District) to the southeast and a group of non-designated heritage assets adjacent to Runsell Green.
- 2.7. The site is not subject to any statutory or known non-statutory wildlife designations. The site falls within the zone of influence for the Dengie and Blackwater estuary SPA/SAC and Ramar sites. There are three local Sites of Special Scientific Interest, Danbury Common SSSI is around 770m to the west, Woodham Walter Common SSSI around 860m to the northwest and Blake's Wood and Lingwood Common SSSI around 1.4km to the northwest of the site.

3. Details of the proposal

- 3.1. The application is for outline permission for up to 72 dwellings with associated infrastructure and open space. All matters are reserved except for access.
- 3.2. The proposal would create a new access onto Maldon Road. To accommodate this new access, the proposal would widen Maldon Road to create a right lane filter. A new pavement would be created to the south side of Maldon Road, with the northern pavement widened. Bus stops would be provided to the south and north sides of Maldon Road.
- 3.3. The proposal would result in the closure of the Cherry Garden Lane access onto Maldon Road and divert this road into the new development. The diverted section of Cherry Garden Lane would be between 2.7m and 5.5m wide, increasing in width as it approaches the main access into the development. A raised crossing of Cherry Garden Lane is proposed, to allow for the continuation of the public right of way.
- 3.4. The parameter plan proposes two parcels of residential development connected by two internal access roads. These parcels are surrounded by open space for amenity green space, children's play provision, landscaping, footpaths, drainage and other associated infrastructure.
- 3.5. An indicative landscaping masterplan has been provided for the 72 dwellings.

4. Other relevant applications

- 4.1. None of relevance.

5. Summary of consultations

- 5.1. The initial consultation for both applications was carried out separately by the respective Councils (Chelmsford and Maldon). Following the devolution of planning powers to Chelmsford City Council, any reconsultations have been undertaken by Chelmsford City Council. The following were consulted on the application, and is a summary of their responses (organised by relevant Council). A more detailed summary to be found in Appendix 2:

- Public Health & Protection Services - Submitted air quality impact, contamination land and acoustic assessments have been accepted. Recommend conditions.
- Danbury Parish Council – initial objections concerning traffic and highway safety concerns, traffic and road safety issues, non-compliance with Danbury Neighbourhood Plan policies, conflict with Chelmsford Local Plan policies, environmental and biodiversity impact, compliance with UK environmental laws, strain on local infrastructure and services, sustainable development and overdevelopment. Subsequent comments concerned Cherry Garden Lane not being suitable access/egress for the new development, preference of one way section, restrictions to prevent parking, HGVs or vans, boundary treatment to prevent damage to verges, laybys to maintain flow of traffic, signalised pedestrian crossing and extension of 40mph beyond bus stops.
- Essex County Council Highways – Acceptable, principally, subject to implementation of proposed access and change to existing arrangement of Cherry Garden Lane. Offers benefit removing existing substandard junction and lightly trafficked Cherry Garden Lane to access properties along it and used by pedestrians and cyclists to access village amenities. Re provided section at a minimum width to discourage through traffic, and indicative access from houses is not supportive. Recommends conditions and financial contributions towards bus service.
- Recycling & Waste Collection Services – No response received
- Active Travel England – Refers to Active Travel England standing advice
- Mid And South Essex Integrated Care Board – Requests financial contribution to increase capacity.
- Parks & Open Spaces - Open to adoption of Open Space subject to an appropriate maintenance contribution sum. If proceed, further details required regarding bunding along southern boundary, planting edge and western boundary, sufficient safe play space, trim trail recreation, and maintenance plans. This would feed into whether a contribution is pursued towards suitable alternative natural green space or recreational avoidance and mitigation strategy to support local leisure infrastructure. Suggest orchard space may be more beneficial as protected kickabout/recreation area with orchard trees potentially relocated to eastern pathway north to south or eastern side. Off-site contribution for allotments should be sought. Proposed tree numbers do not meet the minimum three tree requirement. Each tree planned for removal should be surveyed for bats and bat boxes are encouraged.
- ECC Minerals & Waste Planning – Initial request for Mineral Infrastructure Impact Assessment and Waste Infrastructure Impact Assessment. Subsequent comments no longer required the submission of these assessments.
- Leisure & Heritage Services – No response received
- Anglian Water Services Ltd - Chelmsford water recycling centre is within the acceptance parameters and can accommodate the flows from the proposed growth. Recommends informative.
- Essex County Council (SUDS) - Initial holding objection overcome subject to conditions
- Essex and Suffolk Water – No response received

- Housing Standards Team – No response received
- Ramblers Association – Trodden path of Footpath 38 (Danbury) diverges from formal line of Public Right of Way and will be retained. Dedicated shared use pedestrian/cycle route will be provided along the route and suitably checked when full details submitted. Pedestrian access should remain during construction.
- Natural England – Initial objections overcome subject to conditions or obligation to secure mitigation to Blake's Wood and Lingwood Common SSSI, Woodham Walter common SSSI and Danbury Common SSSI.
- ECC Historic Environment Branch – Archaeological potential from the Essex Historic Environment Record, crop marks on site and archaeological work to the northwest. Recommend programme of archaeological trial trenching and mitigation.
- Maldon District Council – Have devolved powers to Chelmsford City Council to determine this cross boundary application. No comments.
- Essex Wildlife Trust Ltd – endorse position of objection stated by Natural England. The current details of mitigation measures outlined are insufficient and further information provided including the proposed circular dog walk. Defer to Natural England to the level of detail required at this stage.
- Essex County Fire & Rescue Service – Access and facilities will be considered at Building Regulations consultation stage, additional water supplies for firefighting may be necessary and strongly recommend risk-based approach to the inclusion of automatic water suppression systems.
- The National Trust – Disappointed submitted without early engagement and note Natural England objection. Limited detail and defer to Natural England on adequacy of the detail. No mention of off-site mitigation to address residual impact on Danbury SSSIs, and welcome discussion about potential mitigation options.
- ECC Community Infrastructure Planning (Education) – one single response to both Chelmsford and Maldon Councils. As there are sufficient places available in the area, a developers' contribution towards new childcare places and secondary education will not be required. Seeks contribution towards primary education, secondary school transport and libraries, and an employment and skills plan.
- Police - Strategic Planning Team – comments regarding road safety
- Historic England – Specified that the ecological Impact Assessment recommends the promotion of Danbury Country Park to divert pressures from the nearby Sites of Scientific Interest. Increased recreational pressures upon Danbury Country Park may exacerbate physical wear and tear and worsen management issues. If reliant on Danbury Park we ask you to be satisfied that a robust battery of measures is agreed to ensure provision of appropriate repair and maintenance of Danbury Park's infrastructure and facilities. Recommend that the archaeological and built heritage assessment is expanded to provide further information on potential impacts and potential for mitigation on the registered Danbury Park and any other registered park and garden that might be affected by the scheme.
- Cycling Action Group – No response received

5.2. Below is a summary of responses from representations. There were 19 contributions, some of which were from the same representative.

- Character – existing rural lanes preserved, Hyde Lane a protected lane, affect rural feel of this part of the village,
- Access – onto Maldon Road only, Cherry Garden Lane reserved for emergency access only, no access to/from Hyde Lane, direct access onto Priority 1 or 2 roads, offer sufficient visibility, no good location for a junction, no pavements
- Traffic – rat running to avoid congestion or short cut, dangerous blind spot at crosswords with Hyde Lane, traffic jams if increased use of Cherry Garden Lane, existing lanes a challenge due to limited width and not built to modern standards, existing standoffs at lane junctions, increased traffic to very narrow lanes, increased use of Cherry Garden Lane harmful, will become gridlocked, Google regularly directs to back lanes at busy times, A414 already overloaded, overburden the lanes, unsafe for pedestrians and cyclists, survey does not take into account new developments and frequent roadworks.
- Infrastructure – existing road network insufficient, medical centre oversubscribed, no secondary education, overpopulated, only Tesco local and co-op for food, schools at full capacity, new residents need to travel for these
- Alternatives – keep clear box to Cherry Garden Lane, roundabout on Maldon Road, no change to Cherry Garden Lane and development access moved to the south so clear separation between accesses, Cherry Garden Lane to become a cul-de-sac, proposed realignment footpath only, housing should be at the other end of the village, Cherry Garden Lane one way eastwards
- Cumulative impacts – of developments
- Overlooking - privacy ensured with replacement of trees with evergreens, too close to property
- Noise and disturbance – construction, completion, increased traffic, no street lights, hedges for noise
- Air quality – reduction
- Quality of life – noise and disruption, loss of natural environment, reduce green space for outdoor activities, affect sense of community and tranquillity
- Policy – network of old narrow lanes, exceedance beyond policy numbers
- Lack of detail to be supportive
- Wildlife – severely affected, wouldn't support same as arable farmland, existing wildlife disturbed, orchard and pond won't be provided or maintained, reduce biodiversity, displace wildlife, disrupt ecosystem, long term negative consequences
- Site – not suitable for development, loss of agricultural land, leisure space and green space, affect the use of the rest of the field
- Future development – will seeks to develop entire field, no guarantee (regarding further development)

Maldon District Council

- Purleigh Parish Council – No response received
- Woodham Walter Parish Council – objections with regards to increased traffic movements. The suggested route for access to the A12 North would be through Woodham Walter which is unacceptable. Hoe Mill Bridge is weak and subject to restrictions and roads too narrow for further traffic. Egress onto the A414 at Runsell Green will be severely impacted by additional traffic making an already busy road more difficult. Medical, dental and other facilities are overstretched, and the proposal would have a detrimental impact for residents accessing these services.
- Woodham Mortimer with Hazeleigh Parish Council – No objection and would like to see the 40mph limited extended to pass the proposed development to the 30mph in Woodham Mortimer to

introduce a calming measure to mitigate the extra volume of traffic that would be leaving and accessing the site. Wish to see a S106 commitment towards additional bus services and associated infrastructure. Public footpath 38 Danbury to be always protected. Request an investigation for potential Danbury/Woodham Mortimer bypass road to be instigated.

- Essex County Council (SUDS) – Repeated advice provided to Chelmsford City Council (provided above)
- Place Services – Comments are limited to supporting the benefits of the proposal for Maldon District residents, businesses and visitors. Of benefit to Maldon District residents, businesses and visitors are the off-site pedestrian and bus stop improvements on Maldon Road. Raise no concerns.
- Maldon Housing Development & Allocations – Proposing Market and Affordable housing within Chelmsford City Council so nominations to the affordable rented properties will be undertaken by Chelmsford City Council.
- Essex County Council Highways – Very small section falls within Maldon District Council's area and from a highway and transportation perspective the impact is acceptable to the Highways Authority.
- Essex Police – Neither object nor support this application and provide comments on security and crime prevention.
- Police - Strategic Planning Team – Comments regarding road safety
- RSPB – No response received
- Maldon Environmental Protection – No significant comments or objections and unlikely to be any adverse impacts from noise, air quality or land contamination from the proposed development on existing receptors within the Maldon district or vice versa.
- Chelmsford City Council – No response received
- Place Services – Ecology – No objection subject to securing biodiversity mitigation and enhancement measures.
- ECC Historic Environment – Potential to impact on archaeological remains. The archaeological desk-based assessment submitted with the planning application has identified that 'there is the low to medium potential for remains relating to the later Prehistoric, Roman and post-medieval periods to be present. Recommends condition for programme of archaeological assessment.
- Place Services – Arborist – No objection subject to the submission of detailed arboricultural method statement and tree protection plan following layout design.

5.3. The following sections will deal with a number of planning matters, some issues raised through representations are not material considerations or issues covered through other legislation. This report will not comment on requests for amendments or further information, as the application is considered on its submitted details (substantive elements of which are in outline only) and appraised on its individual merits.

6. Planning considerations

Principle of Development

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

CLP Local Plan Strategic Policies: S1, S6, S7. CLP Local Policies: DM10. MLP Policy: S8.

DNP Policy DNP1, Site Specific Policy B

- 6.1. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the application consists of: Chelmsford Local Plan (CLP, 2020); Danbury Neighbourhood Plan (DNP, 2024); Maldon Local Development Plan (MLP, 2017); The Essex Minerals Local Plan (2014); Essex and Southend on Sea Waste Local Plan (2017).
- 6.2. CLP Strategic Policy S1 sets out the spatial principles, including to locate development at well-connected and sustainable locations, CLP Strategic Policy S6 sets the housing need for the Plan period and CLP Strategic Policy S7 sets out the spatial strategy to focus new housing in accordance with the Settlement Hierarchy. Danbury is a Key Service Settlement in this Hierarchy.
- 6.3. DNP Policy DNP1 concerns housing allocations, and specifies the site as Site B. It states that development will be permitted subject to meeting the requirements of policies in this Plan and the CLP having regard to guidance contained in the Danbury Design Guide and the Essex Design Guide. This guidance will be considered closer at reserved matters, once the details of the design and layout are available.
- 6.4. The site is within the Rural Area of the CLP. The northern portion of the site, the area proposed for housing development, falls within DNP Site Specific Policy B: Land at Tyndales Farm West. The southeastern corner of the site falls within the Countryside of the MLP.
- 6.5. In accordance with national and local policy requirements, the Council is reviewing its Local Plan, following its adoption in May 2020. The third round (Regulation 19 Pre-Submission) of public consultation was completed in March 2025. The northern section of the site is allocated for development in the Regulation 19 Pre-Submission Local Plan, as part of Strategic Growth Site 13 – Danbury.
- 6.6. Site Specific Policy B in DNP specifies that the land is allocated for around 65 homes subject to criteria. The provision of additional dwellings, above the indicative figure, is not prohibited by the policy. The principle of the number dwellings is therefore acceptable, subject to the proposal complying with relevant policies in the development plan.
- 6.7. The works within the southern segments, beyond the Neighbourhood Plan allocation, form part of the surface water drainage strategy - to direct surface water to the ditches south of the site. These would constitute an engineering operation in the Rural Area (or Countryside) and are subject to CLP Policy DM10 and MLP Policy S8. This part of the proposal would not cause harm to the intrinsic character and beauty of the Rural Area (or Countryside) subject to appropriate landscaping once complete. The proposal would therefore comply with CLP Policy DM10 and MLP Policy S8. Landscaping can be secured by conditions.

Housing delivery

CLP Strategic Priority 2 (new homes)

CLP Strategic Policy: S6. CLP Local Policies: DM1, DM2. DNP Policies: DNP2

Housing supply position

- 6.8. The Chelmsford Local Plan adopted on 27 May 2020 is more than five years old. As such the strategic policies within the Plan related to the quantum of local housing need are considered out of date. As such, the Council cannot demonstrate a five-year housing land supply based on the latest local housing need calculated using the standard method, so the titled balance set out in paragraph 11(d) of the NPPF (2024) is engaged.

Market Housing

- 6.9. CLP Policy DM1, under Part A (i), seeks the provision of an appropriate mix of dwelling types and sizes that contribute to current and future housing needs and create mixed communities. DNP Policy DNP2 seeks a mix of housing consistent with this policy. The reasoned justification within CLP Policy DM1 outlines an appropriate mix for market housing to address the Council's greatest need. The proposed revised policy within the Local Plan review will provide an indicative market mix based on the latest Strategic Housing Needs Assessment (SHNA) 2024. The housing mix is indicative but is generally acceptable. As the application is submitted in outline the future mix will be a matter to be secured through the reserved matters application.
- 6.10. CLP Policy DM1 Part A (ii) requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). This can be achieved through planning condition.

Affordable Housing

- 6.11. The application is for "up to" 72 dwellings. CLP Policy DM2 Part A requires 35% of developments of 11 or more residential units to be provided as affordable housing. DNP Policy DNP2 requires affordable housing to be provided in accordance with CLP Policy DM2. The affordable housing requirement equates to 26 dwellings overall (rounded up). The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. The Council will expect the affordable housing to include 22% of the total number of dwellings within the development as either social or affordable rented accommodation. This will be secured by legal agreement.
- 6.12. Policy DNP2 also states that the nationally prescribed 30% discount on First Homes applies to new developments which meet the threshold on affordable housing, and that developments which seek to apply at a discount of 30% or greater will be supported. The proposal meets the threshold for affordable housing but does not propose any First Homes. First Homes are no longer a requirement of national policy following the update to the National Planning Policy Framework in 2024, and Chelmsford's Strategic Housing Needs Assessment (2023), including the 2024 addendum, does not evidence a need for First Homes in the Chelmsford City Council area. First Homes are therefore not sought on the scheme.
- 6.13. CLP Policy DM1 Part B (i) also requires 5% of the affordable units to meet requirement M4(3) of the Building Regulations 2015 (wheelchair user dwellings). This will be secured by legal agreement.
- 6.14. There is no policy requirement for self-build/custom homes or specialist residential housing for the scheme. None are proposed.

Transport

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

- 6.15. The NPPF states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios” (paragraph 116).

Access and routes

- 6.16. DNP Site Specific Policy B sets out that the main vehicular access to the site will be a new junction from the A414 together with an associated diversion of Cherry Garden Lane east into the proposed access road, subject to detailed design, including provision of bus stops and associated crossing points. It also requires the development to provide pedestrian and cycle connections to existing routes adjacent to the site and DNP Policy DNP13 seeks a connection to sustainable transport and village amenities.
- 6.17. Access would be achieved through the creation of a new junction onto Maldon Road, a Priority 1 road. The details submitted demonstrate that, subject to conditions, the proposed new access onto A414 would be safe to use and its impact upon the highway network would be an acceptable one.
- 6.18. The Cherry Garden Lane access onto the A414 would be closed and the lane would be diverted into the main access road in the development. Residents have raised concerns regarding the use of Cherry Garden Lane by occupants of the development, and the creation of a “rat run”. It is not intended for Cherry Garden Lane to be the desired access/egress for the development. The diverted Cherry Garden Lane is designed to appear ‘low key’ and incorporates measures to reduce the attractiveness of the route, such as the raised crossing and its reduced width, thereby limiting its attractiveness as a “rat run”. Subject to the measures proposed, the diversion of Cherry Garden Lane is acceptable. The Highway Authority consider the measures sufficient.

Bus, pedestrian and cycle infrastructure

- 6.19. New bus stops are proposed to both sides of Maldon Road, outside the application site, and a contribution towards the local bus service is requested by the Highway Authority to increase the frequency of the existing bus service. The provision and widening of footpaths outside the site are also proposed along with a dropped kerb crossing to access the new bus stops. A formal pedestrian crossing is not deemed necessary by the Highway Authority. An extension of the 40mph limit outside the site, to reduce the speed limit on approach to the site and the proposed bus stops, is also proposed. The bus infrastructure will be secured through conditions. There is a commitment to submit the Traffic Regulation Order to alter speed limits and its financial contribution through legal agreement.
- 6.20. Bus laybys suggested by the Parish Council are not requested, as any stopping on the carriageway effectively prioritises passenger transport. The Highway Authority are content with the pedestrian and bus infrastructure proposed.
- 6.21. It is intended for cyclists to use the diverted Cherry Garden Lane westwards to the village amenities. This route is acceptable to the Highway Authority and is deemed safe to use. Pedestrians will have the choice of using the existing and proposed footpaths to the village amenities, or to use the rural lanes to the west.

Transport Modelling

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

Natural Environment

CLP Strategic Priority 7 (Protecting and enhancing the Natural and Historic and Environment)

CLP Strategic Policy S4. CLP Local Policies: DM16 and DM17, MNP Policies DNP6, DN7, DNP9, DNP10

Loss of agricultural land

- 6.23. The site comprises agricultural land. The submitted Agricultural Land Classification Report assessed the grading of the site and concluded that the site consists of Grade 3b (moderate quality) agricultural land. This would be permanently lost. The land is allocated in the DNP – this loss has therefore previously been considered and deemed acceptable by Danbury Parish Council. The site is allocated within the Pre-Submission Local Plan (Regulation 19), where the loss has been considered at strategic level and deemed acceptable by Chelmsford City Council. There is no material change in circumstances evident to form an alternative conclusion.

Minerals and waste

- 6.24. There is no requirement to provide waste and mineral assessments. There is no conflict with the Essex and Southend-on-Sea Waste Local Plan and Essex Minerals Local Plan.

Ecology – designated sites

- 6.25. CLP Policy DM16 concerns internationally, nationally and locally designated sites. DNP Policy DNP9 concerns recreational pressure on Sites of Special Scientific Interest (SSSI), nationally designated sites.
- 6.26. In respect of internationally designated sites, the site lies within the Zone of Influence identified as part of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) for Dengie and Blackwater Estuary Special Protection Areas and Ramsar sites, and the corresponding component of Essex Estuaries Special Area of Conservation (SAC). These sites have national, European and international importance. The Council have carried out an Appropriate Assessment. The Appropriate Assessment concludes that RAMS is deemed applicable to reduce potential effects to a level which is not significant. This is supported by the recommendations within the submitted Ecological Impact Assessment (amended during the lifetime of the application). A financial contribution in accordance with the requirements of the Essex Coast RAMS is to be secured through the legal agreement.
- 6.27. In respect of nationally designated sites, Danbury Common SSSI is around 770m to the west, Woodham Walter Common SSSI around 860m to the northwest and Blake's Wood and Lingwood Common SSSI around 1.4km to the northwest of the site. The submitted Ecological Impact Assessment (EcIA) foresees construction of new residential units could cause an increase in recreational pressure on these local SSSIs and that traffic pollutants could also increase near the site. The mitigation measures to deter visitors to the local SSSI's recommended include provision of dog waste bins, safe contiguous footpath on site, provision of information boards on site, including a map detailing on and off-site walking routes and promoting the use of the Country Park, distribution of householder information leaflet and a suitable alternative natural greenspace. The suitable

alternative natural greenspace consists of a partly on site and partly off site dog walking route, and measures are needed to improve this route such as signage and dog bins. Natural England has no objection to the proposed measures subject to the mitigation being secured. The residential education, on site interpretation board, bins and signage to the circular route off site can be secured through the legal agreement. The details of the on-site route and dog bins will be agreed as part of the reserved matters.

- 6.28. The nearest country park is Danbury Country Park, a Grade II Registered Park and Garden (RPG). For the purposes of the NPPF and the development plan it is a designated heritage asset and the impact of directing residents to this RPG will be considered in the heritage section below.

Ecology – on site and Biodiversity Net Gain

- 6.29. The EclA sets out that desktop study and preliminary ecological appraisal, along with Phase 1 habitat surveys, have taken place. No notable or priority habitats have been found on site or adjacent, and the biodiversity value of the site is local value only except for the veteran oaks on site which are of intrinsic value. Most of the existing native hedges and oak trees would be retained and protected during construction. The application achieves 10% Biodiversity Net Gain on site, and this will be achieved through a final biodiversity plan and habitat management plan by condition and is in accordance with DNP Policy DNP6.
- 6.30. Whilst landscaping is a reserved matter, the indicative landscaping plan shows a belt of landscaping along the eastern edge of the site which would aid wildlife connectivity in accordance with DNP Policy DNP7.
- 6.31. Turning to species, the locality of the site has good bat habitat value. Transact surveys and update surveys identified the site to be used by bats. Most of the trees and hedges would be retained and where removed these would need to be replaced. Replacements with native and fruit bearing would increase foraging opportunities. A low lighting strategy and bat box enhancements are recommended and secured by condition.
- 6.32. The field margins provide suitable habitat for reptiles and surveys have recorded the presence of slow worms. As the hedgerows are to mostly be retained, only a Precautionary Working Method (PWM), as outlined in the EclA, should be implemented. The boundary hedgerow also provide habitat for nesting birds. If this habitat is to be removed, then it should be done outside of the nesting season or supervised by an ecologist. Bird boxes are recommended throughout the site and will be secured by condition along with compliance with the EclA.
- 6.33. There are no ponds on-site and all ponds within 500m have been surveyed. It was concluded following negative results of eDNA tests that Great Crested Newts are absent from these ponds. The boundary habitat has some suitability, however the PWM for reptiles would suitably provide preventative measures. There is the potential for a new wildlife pond to be incorporated as part of any SuDS provision.
- 6.34. There are no badger setts on or within a 30m boundary of the site, with the closest being 430m away. As badgers are mobile, it is recommended that an updated survey of the site is carried out three months prior to the commencement of works and precautionary working methods are implemented during the works. These will be secured by condition.
- 6.35. Either planning conditions or matters within the legal agreement can address the ecological constraints of the site.

Trees

- 6.36. CLP Policy DM17 seeks to protect trees, woodlands and other landscape features. The application is accompanied by an Arboricultural Impact Assessment (AIA). A Tree Preservation Order TPO/2007/046 protects trees along the western boundary. These would be retained, and a buffer is proposed from built development to ensure their future retention. Overhead cables run along and close to the western boundary, by the preserved trees. The AIA specifies proposed underground re-routing of these overhead cables. Details of the layout of re-routing, including the method and measures to ensure the protection of the preserved trees will be dealt with at reserved matters.
- 6.37. Beyond those preserved, five individual trees and two partial groups would be removed to necessitate the vehicular and pedestrian accesses. The loss of trees is regrettable, but also essential; they will however be compensated through provision of new trees as shown within the AIA. These are indicatively shown on a landscaping plan. The details of which would be approved through the reserved matters. The allocation, and the necessary physical infrastructure that flows from such an allocation will facilitate and provide housing, and in this context the proposed loss of trees would not be unacceptable.
- 6.38. Tree planting of three trees per residential unit will be achieved through the legal agreement.

Historic Environment

CLP Strategic Priority 7 (Protecting and enhancing the Natural and Historic and Environment)

CLP Strategic Policy: S3. CLP Local Policies DM13, DM14 and DM15. DNP Policies: DNP16

Heritage

- 6.39. CLP Policy DM13 considers the impact of any development proposal on the significance of a designated heritage asset, and CLP Policy DM14 considers the impact of a development upon the significance of a non-designated heritage asset. The site is not within the Conservation Area and includes no heritage assets.
- 6.40. Danbury Conservation Area lies some 850m west of the application and is separated from the site by the modern development expansion of the village. There are no significant views towards or out of the Conservation Area that would be affected.
- 6.41. There are four Grade II listed buildings located on Runsell Green to the northwest; Garlands Farm, the Anchor Inn, Gill House, the barn adjacent Gill House. The latter being the closest some 140m away. There is a group of characterful traditional buildings adjacent to Runsell Green, which are considered as non-designated heritage assets, comprising The Old Bakery, Wickham House, Florence Cottage and Greenview. The closest being around 130m away. This group of designated and non-designated heritage assets derive part of their significance from their grouping and setting within a rural location. Whilst there may be glimpsed distinct views towards the development this would be mitigated by the setback position and new landscaping, the application site is sufficiently set away and without historic associations that there would be no harm to their settings.
- 6.42. To the southeast there is a hamlet of six Grade II listed building on Southend Road (within Maldon district) some 500m away. These are sufficiently distant that there would be no impact on their settings.

- 6.43. The promotion of the country park, to deter visitors away from the local SSSI's, has the potential to impact upon the Grade II Danbury Registered Park and Garden (RPG) as a consequence. This designated heritage asset is on the Historic England's Heritage at Risk Register and Chelmsford City Council's Buildings at Risk Register from 2018. The issues arise because the site is divided between multiple owners, resulting in differential management, obstructed views and fragmentation of the designated landscape. A Conservation Management Plan is informing improvements for parts of the site.
- 6.44. Historic England comments state that increased recreational pressures upon the RPG may exacerbate physical wear and tear and worsen management issues. If reliant on the RPG they seek a robust battery of measures is agreed to ensure provision of appropriate repair and maintenance of Danbury Park's infrastructure and facilities. They also recommend that the archaeological and built heritage assessment is expanded to provide further information on potential impacts and potential for mitigation on the RPG affected by the scheme.
- 6.45. The RPG lies about 2.28km to the west of the application site, and the most direct route on hard paths would be around a 2.9km walk and via public footpaths mostly avoiding roads without footpaths this would be around 2.5km walk. This distance reduces the likelihood of the RPG being accessed by foot and the number of residents using the RPG as an alternative to the local SSSIs. Nevertheless, the country park will be promoted.
- 6.46. The eastern half of the RPG is owned and managed by Essex County Council. A financial contribution is proposed, and agreed with Essex County Councils Country Parks team, to mitigate the impact from additional visitors resulting from the proposed development towards improvements to footpaths, installation of dog bins, targeted repairs during times of inclement weather and prevent additional damage. Whilst this would not fully address any matters within the Conservation Management Plan, it would mitigate the impact of the development and the amount proposed is reasonable to the scale of development and the number of residents that would use the RPG. This contribution will be secured through a legal agreement.
- 6.47. DNP Policy DNP16 seeks to maintain the character of protected lanes and not give rise to a material increase in traffic along such lanes. Protected lanes are a non-designated heritage asset and are also covered by CLP Policy DM14. The protected lanes evident within Danbury will not be impacted by the development as the proposal would gain access from a Priority 1 road. The diverted Cherry Garden Lane is a local road and so are they adjoining roads.
- 6.48. There would be no adverse impact on the setting of any designated or non-designated heritage asset.

Archaeology

- 6.49. A programme of archaeological trial trenching and mitigation will be secured by condition to take account of any archaeological remains on site as recommended by ECC Historic Environment in accordance with CLP Policy DM15.

Residential Amenity

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

CLP Local Policies DM29

- 6.50. CLP Policy DM29 seeks to protect the living environment of the occupiers of any nearby residential property. Subject to the detailed design and layout at reserved matters, there appears sufficient

space within the site to ensure the development would not become overbearing or unacceptably overlook or overshadow any nearby residential property. Noise and air quality assessments have been submitted; the City Council's Public Health and Protection Service have reviewed the content of these reports subject to the mitigation within the acoustic report. This mitigation concerns providing adequate sound insulation for the proposed dwellings. During operation, the proposed would not result in unacceptable levels of noise to nearby residents or affect air quality adversely, subject to the above condition. A suitably worded condition is proposed to secure acceptable noise levels for future occupants.

- 6.51. During construction, it is likely there will be some disruption, by nature of the construction of properties, however this is likely to be on a short-term basis only. Hours of construction are restricted by other legislation, however, the route for construction, allocation of storage areas and a contact for local residents can be secured by condition. Construction dust mitigation strategy is recommended by the City Council's Public Health and Protection Service, and will be secured by condition.

Infrastructure

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

CLP Strategic Policies S9, S10. CLP Local Policies: DM20 DNP Policies: Site Specific Policy B, DNP8, DNP14

- 6.52. DNP Site Specific Policy B seeks contributions towards appropriate improvements as necessary to the local and strategic road networks, primary, secondary education, early years and childcare provision, additional library facilities and healthcare facilities as required.
- 6.53. The improvements to the local and strategic road networks have been covered above. Essex County Council's view on the education, early years and childcare provision has been sought. The proposal would provide a contribution towards primary school places and secondary school transport in accordance with those comments through a legal agreement. Contributions towards library facilities is achieved through the Community Infrastructure Levy. Healthcare contribution would be achieved through a legal agreement in accordance with the request from the NHS.
- 6.54. DNP Policy DNP8 sets triggers for the provision of new open space on site at 10 dwellings or more and requires this to follow the standards established by the CLP and the design to reflect good design principles. The detailed design of the open space will be covered at reserved matters. Nevertheless, indicative layout outlines the provision of local amenity open space and semi-natural green space on site. A contribution will be sought towards strategic open space.
- 6.55. DNP Policy DNP14 seeks the provision of recreation and leisure facilities and seeks to support the provision of additional play space, youth space or a community garden/orchard/allotment in the east of the village. The indicative plans propose the provision of a community orchard and play areas, these can be secured by condition. Contributions will be sought towards allotments in the vicinity of the site.

Design and Layout

CLP Local Policies: DM23, DM24, DM25, DM26. DNP Policies: DNP3, DNP4, DNP5, DNP12

- 6.56. CLP Policy DM23 seeks high quality design and DNP Policy DNP4 seeks requirements in relation to built form. The submitted indicative landscaping plan shows that the principle of providing up to 72 dwellings could be accommodated, whilst respecting the character and appearance of the area. The detailed layout and design will be considered as part of the reserved matters.

- 6.57. DNP Policy DNP5 seeks to maintain the character of the street scene in Danbury. The indicative masterplan shows the new housing set back from the road and would maintain the spacious and open character of Danbury. It also requires utilities/services sympathetically designed and camouflaged/underground where possible, this is proposed as part of the scheme. DNP Policy DNP5 requirements of on plot parking, rear access, integrated cycle parking, waste storage and other matters such as privacy, private amenity, adherence with the nationally designed space standards required through CLP Policy DM26 will be considered at reserved matters.
- 6.58. The proposal would not affect the identified key views in DNP Policy DNP12.
- 6.59. CLP Policy DM24, and more widely the strategic policies, require public art to be embedded within major development schemes. A condition is proposed to secure public art for the scheme.
- 6.60. DNP Policy DNP3 of the Danbury Neighbourhood Plan concerns sustainable housing design and seeks all homes to be 'Future Homes Standard' ready as a minimum. This is a matter for Building Regulations, which is covered by separate legislation to planning. CLP Policy DM25 seeks water efficiency and EV charging points, which will be secured by condition.

Flooding and Drainage

CLP Local Policy DM18

- 6.61. The Environment Agency Flood Zone map indicates that the site lies within Flood Zone 1 'Low Probability', therefore not at risk from fluvial flooding (river/stream).
- 6.62. CLP Policy DM18 states that all major development will be required to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. A SuDs drainage strategy is included as part of the application. The principle of the drainage strategy is to ensure that the water draining from the site would be no more than the existing situation and has been considered by the Lead Local Flood Authority at Essex County Council who do not object and recommend conditions to secure the SuDs scheme, together with its management and maintenance.
- 6.63. Anglian Water has confirmed that there is adequate capacity within the nearest Water Recycling Centre to accommodate flows from the development.

Contamination

CLP Local Policy DM30

- 6.64. The City Council's Public Health and Protection Service have reviewed the content of the contamination report and have accepted its findings.

Sustainable development

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

Economic

- 6.66. The proposal would generate jobs through the construction process and in the longer term

through the on-site open space management. The construction of up to 72 dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.67. The proposed development would provide a range of house types and sizes and would meet the City Council's identified growth needs. The development would provide affordable homes of varying type, self or custom build, wheelchair user homes and accessible or adaptable homes.
- 6.68. The scheme includes facilities that would encourage social interactions and the growth of a new community, whilst also improving physical connections with the existing village. The onsite facilities will local open space, and play spaces. The development would also be mitigating its own impacts in relation to education through the provision of financial contributions. The scheme has been designed to connect pedestrian and cycle links with the village to the west. Active and sustainable modes of transport are a realistic prospect.
- 6.69. It is recognised that the development will result in additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of the additional traffic through local highways improvement, and financial contribution to increase the frequency of an existing bus route.
- 6.70. The proposal provides social benefits, which weigh in favour of the development.

Environmental

- 6.71. The development would result in a loss of open countryside and some loss of trees. The proposal seeks to retain most of the existing trees and hedgerows and would result in no harm to protected species subject to conditions. A biodiversity net gain will be achieved. Additional tree planting will be secured. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, and by requiring water efficiency building regulations to be met. A condition is attached to ensure that the archaeology of the site is properly recorded.
- 6.72. For the reasons outlined above the environmental impact can be considered as neutral.
- 6.73. Overall, with the provision of appropriate conditions and s.106 obligations, the proposal is considered to comply with the three strands and therefore represents sustainable development.

Legal obligations

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

CLP Strategic Policies: S6, S9, S10. CLP Local Policies: DM1, DM2, DM16, DM20. DNP Policies: Site Specific Policy B, DNP2, DNP6, DNP8, DNP9, DNP13, DNP14

- 6.74. The nature of the requirements for mitigation of this type of application will necessitate a legal agreement to be signed. The heads of terms are agreed with the applicant and are summarised as follows. Any contributions listed are correct at the time of publication and based on 'up to' 72 dwellings.

Affordable Housing

- 35% of the total number of all residential units to be affordable housing - split 22% Affordable Rent or Social Rent with the remaining 13% Shared Ownership
- Tenure split, size, number and occupancy capacity, phasing, delivery, Registered Provider and restrictions of affordable housing
- Mix of Affordable Rent/Social Rent to be in accordance with the latest Strategic Market Needs Assessment
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes

Open Space/Recreation

- Installation, management and maintenance of play space
- Financial contribution towards allotments (£60,552)
- Open Space Maintenance Bond where open space is maintained and managed by a management company appointed by the developer or financial contribution where open space is maintained and managed by Chelmsford City Council
- S106 sets out the requirements, phasing, delivery and future maintenance and management of local and semi-natural open space
- Financial contribution for Strategic Open Space (£75,744)
- Three trees per dwelling on site or financial contribution (£100 per tree)

Biodiversity/RAMS

- Financial contribution in accordance with the Essex Recreational disturbance Avoidance and Mitigation Strategy (tariff for 2025/26 is £169.45 per net new dwelling)
- Residential education; leaflets within welcome packs, on-site interpretation board promoting country park and circular walking route, signage to circular walking route and dog bins
- Financial contribution to mitigate the impact upon the country park (£8,000)

Healthcare

- Financial contribution towards existing healthcare facilities in accordance with consultation response (£35,600)

Education

- Primary school financial contribution in accordance with ECC guide (£431,762.00 index linked to Q1-2024)
- Secondary school transport contribution in accordance with ECC guide (£85,636.80 Index Linked to 2Q 2023)
- Employment and Skills Plan

Transport/Infrastructure

- Passenger Transport contribution of £237,500 (£47,500 per year for 5 years) towards bus service improvements in the vicinity of the site.
- Commitment to submit a revision to the Traffic Regulation Order to extend the 40mph speed limit to the east
- Commitment to the necessary legal process to prohibit vehicular traffic following the closure of the existing Cherry Garden Lane access with A414

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

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

8. Conclusion

- 8.1. The site is allocated in the Danbury Neighbourhood Plan as a sustainable extension to Danbury.
- 8.2. The development is required to meet the housing needs for the area and is a direct consequence of the plan-led system. The finer details of the scheme will be addressed through reserved matters. The application would satisfactorily meet the requirements of Site Specific Policy B of the Danbury Neighbourhood Plan.
- 8.3. The proposed development accords with the Danbury Neighbourhood Plan, the Chelmsford Local Plan and the Maldon Local Development Plan. It would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is acceptable, subject to conditions and the completion of the legal agreement.

RECOMMENDATION

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

Condition 1

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

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

Condition 2

- (i) Application for approval of the reserved matters shall be made to the local planning authority no later than 3 years from the date of this permission.
- (ii) Application for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this planning permission.
- (iii) Implementation of a Reserved Matters Approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

Reason:

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

of the Planning and Compulsory Purchase Act 2004.

Condition 3

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

Drawing No. P23-2778_DE_006-01 Rev C – Land Use Parameter Plan

Drawing No. P23-2778_009 Rev C – Land Use Parameter Plan

Reason:

In order to achieve satisfactory development of the site

Condition 4

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

Drawing No. 0001 Rev P12 - Proposed Site Access

Drawing No. 07128-TR-0005 Rev P6 – Proposed Site Access Tracking

Drawing No. 07128-TR-0009 Rev P2 – Landscaping Works Plan

Drawing No. P23-2778_DE_001 (C) – Location Plan

Drawing No. P23-2778_DE_001-01 – Authorities Split

Reason:

In order to achieve satisfactory development of the site.

Condition 5

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 6

a) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of archaeological work has been submitted to and approved in writing by the local planning authority.

b) 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 and a copy of the final report of findings has been submitted to and approved in writing by the local planning authority.

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 7

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

Reason:

In order to safeguard protected species on site in accordance with Policy DM16 of the Chelmsford Local Plan

Condition 8

An application for approval of reserved matters which includes "layout" shall include a final written Biodiversity Gain Plan to ensure that there is a minimum 10% net gain in biodiversity as a result of the development. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time.

The development hereby permitted shall be carried out in complete accordance with the Biodiversity Gain 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 9

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

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

Reason:

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

Condition 10

Prior to any works above slab level and concurrent with reserved matters, a Biodiversity Enhancement Strategy for protected, Priority and threatened species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason:

To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2024 and s40 of the NERC Act 2006 (Priority habitats & species).

Condition 11

Prior to the commencement of development on any phase (including site and vegetation clearance works), the following shall be submitted and approved in writing by the local planning authority in respect of that phase: -

- a) a Tree, Shrub and Hedgerow Retention and Removal Plan, identifying all trees, including all preserved trees, shrubs and hedgerow to be removed and retained (including tree BS 5837:2012 categorisation);
- b) details of tree protective fencing to comply with BS 5837:2012;
- c) an Arboricultural Monitoring scheme for the construction phase which shall include details of (a) persons to conduct the monitoring; (b) the methodology and programme for reporting; and (c) a timetable for inspections;
- d) an Arboricultural Method Statement (AMS) to comply with BS 5837:2012 which shall include (a) any no dig construction method details for parking areas, footpaths, roads, drainage runs and other forms of hard landscaping; (b) foundation details for properties near to retained trees on or adjacent to the site; (c) the storage of materials and siting of temporary structures for contractors; and (d) any access facilitation pruning in accordance with BS 3998 (2010)

No trees, shrubs or hedges within the site which are shown to be retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed, without the prior written consent of the local planning authority. Any retained trees, shrubs or hedgerow indicated on the approved drawings which, within a period of 5 years following the completion of the construction phase die, become seriously damaged or diseased shall be replaced during the next available planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the local planning authority. Any pruning works shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

No tree and/or hedge clearance shall be carried out during bird nesting season (1st March to 31st August inclusive) unless the site has been surveyed in advance for breeding birds and a scheme to protect breeding birds has first been submitted to and approved in writing by the local planning authority.

The development shall be carried out at all times in accordance with the details approved and the tree protective fencing shall be installed and inspected prior to the commencement of development and shall thereafter remain in place until the completion of the relevant construction phase.

Reason:

To ensure that controls are in place for tree, shrub and hedgerow retention and removal and to ensure the necessary protection measures are in place during the construction phase.

Condition 12

The residential properties shall be constructed so that the internal noise levels in habitable rooms, with windows closed, does not exceed 35 dBA LAeq (0700-2300 hours) and 30 dBA LAeq (2300-0700 hours).

Reason:

In the interests of protecting the living environment of occupiers of the dwellings in accordance with Policy

Condition 13

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:

- a. construction vehicle access and routing,
- b. any temporary traffic management/signage,
- c. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- d. contractor and visitor parking clear of the highway,
- e. turning, loading and unloading of plant and materials and storage of plant and materials used in constructing the development, and
- f. hours of deliveries.
- g. named contact for local residents

Reason:

In the interests of highway safety and to minimise the impact of construction upon local residents.

Condition 14

No development shall take place, including any ground works or demolition, until a Dust Mitigation Strategy has been submitted to, and approved in writing by, the local planning authority. The approved strategy shall be adhered to throughout the construction period.

Reason:

In the interests of minimising the impact of dust during construction upon local residents.

Condition 15

Prior to first occupation of any dwelling within the development, the provision of a right turn lane access and highway works shown in PJA plan 0001 rev 12, to include but not limited to:

- a. Provision of visibility splays as shown in the plan, to be available clear to ground and retained free of obstruction at all times
- b. Provision of footway on the south side of A414 between Cherry Garden Lane access and the new dropped kerb crossing to access the east bound bus stop, and the widening of existing northern footway to 2m between new dropped kerb crossing point and bus stop, including necessary removal of vegetation
- c. Provision of east and west bound bus stops with associated infrastructure including raised kerbing, shelter (cantilever, where necessary), seating, RTPI screen, static information display, bus cage and bus stop flag.
- d. Revision of the existing TRO to extend the current 40mph speed limit to the east to include the visibility splay and bus stops, and provision of associated signage with gateway feature.
- e. The existing Cherry Garden Lane access with A414 shall be suitably and permanently closed to vehicular traffic, incorporating the reinstatement to full height of the highway verge, kerbing and footway along with undertaking the necessary legal process/agreement to prohibit vehicular traffic and provide a pedestrian route, immediately the proposed new access via the estate road is brought into first beneficial use

Reason:

To ensure that vehicles, pedestrians and cyclists can enter and leave the highway in a controlled manner in the interest of highway safety.

Condition 16

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 17

Prior to the first occupation of any dwelling details of the proposed surface material to the parts of the Public Right of Way 38 (Danbury) within the application site shall be submitted to and approved by the Local Planning Authority. Once approved, this shall be implemented in its entirety prior to the first occupation of any dwelling.

Reason:

To ensure an appropriate surface to the Public Right of Way reflecting the increase in users by reason of the development and to maintain a high quality development in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 18

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Ecological Impact Assessment (Arbtech version 2.6).

Reason:

To ensure that no harm is caused to protected species in accordance with Policy DM16 of the Chelmsford Local Plan.

Condition 19

No development, including demolition, ground works or vegetation clearance, shall take place until the local planning authority has been provided with a badger walkover and/or monitoring survey including mitigation measures in the form of a method statement. The method statement shall set out the organisation or person responsible for implementing and supervising the method statement including whether a development licence will be required from Natural England for the closure of any sett(s). The scheme shall be implemented as approved.

Reason:

This information is needed prior to commencement of the development to ensure there is no harm caused to badgers in accordance with Policy DM16 of the Chelmsford Local Plan

Condition 20

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

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason:

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

Condition 21

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 trees;

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 22

No building shall be brought into use until such time as the approved vehicle parking for that building has been made available for use. The spaces shall not thereafter be used for any purpose other than the parking of motor vehicles in conjunction with the building which they serve.

Reason:

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

Condition 23

Prior to the first occupation of the dwelling/s hereby permitted, charging infrastructure for electric vehicles shall be installed and retained at a rate of 1 charging point per dwelling or 1 charging point per 10 spaces (where off-road parking is unallocated)

Reason:

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

Condition 24

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 25

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 26

A landscape management plan, including long term design objectives, management responsibilities and schedule of landscape maintenance for a minimum period of five years for all landscape areas, 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 DM23 of the Chelmsford Local Plan.

Condition 27

No dwelling shall be occupied until secure and covered bicycle parking has been laid out within the site in accordance with details which shall previously have been submitted to and approved in writing by the local planning authority. Those spaces shall thereafter be kept available for the parking of bicycles only.

Reason:

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

Condition 28

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 29

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 30

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

Reason:

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

Condition 31

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 32

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 33

Prior to the commencement of the development:

(i) A detailed site wide surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development; MEC Response to LLFA Comments (27957-FLD-0102 Rev A), the outline drainage Plan (27957_01_230_01 Rev D), the Flood Risk Assessment (MEC Consulting Group, December 2024) and

(ii) A detailed site wide Sustainable Drainage Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with the approved scheme and shall thereafter be maintained in perpetuity in accordance with the approved Sustainable Drainage Management Plan.

Reason:

To prevent flooding by ensuring the satisfactory storage of disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

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

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 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.

3. Essex County Council Highways Authority

All work within or affecting existing and future highways is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.

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.

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.

APCs

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.

Commuted Maintenance Payments

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.

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.

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 38 Danbury shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

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

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. 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.

7. Essex County Council SuDS team

Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the consultation response from Essex County Council SuDS team.

It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.

8. The applicant's attention is drawn to the need to carefully consider:

- the position of proposed underground routing of the cables and drainage, and the impact upon the preserved trees
- the position of the footpath in the south western corner of the scheme and the impact upon the preserved trees
- the changes to the surfacing of the Public Right of Way and the impact upon existing tree 10

Full details of position of these features and the impact upon trees will be expected at reserved matters when the details of the layout and landscaping are provided.

9. Anglian Water

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

10. You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
11. This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk

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.

Background Papers

Case File

Plans to be listed on any Decision Notice:

Drawing No. 0001 Rev P12 - Proposed Site Access
 Drawing No. 07128-TR-0005 Rev P6 – Proposed Site Access Tracking
 Drawing No. 07128-TR-0009 Rev P2 – Landscaping Works Plan
 Drawing No. P23-2778_DE_001 (C) – Location Plan
 Drawing No. P23-2778_DE_001-01 – Authorities Split

Appendix 2 – Consultations

Chelmsford City Council Consultations

Public Health & Protection Services

Comments
24.01.2025 - The submitted air quality impact assessment has been accepted. A construction dust mitigation strategy should be required by planning condition. The contaminated land assessment has been accepted. The acoustic assessment has been accepted. The assessment sets out that mitigation is required. Planning condition should be set to require mitigation so that the following is achieved: the dwellings should be constructed so that the internal noise levels meet the standards of BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings. That is, the internal noise levels in bedrooms at night (2300 hours - 0700 hours) with windows closed should not exceed 30dB(A) LAeq. The internal noise levels in habitable rooms during the day (0700hours - 2300hours) with windows closed should not exceed 35dB(A) LAeq. 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).

Danbury Parish Council

Comments
24.02.2025 - Danbury Parish Council strongly objects to the current access arrangements proposed in planning application 24/01786/OUT. Additionally, we have significant concerns regarding non-compliance with the Danbury Neighbourhood Plan (DNP) 2023-2036, major traffic and highway safety issues, environmental and biodiversity impacts, and the strain on local infrastructure. Following extensive public engagement, the Parish Council has received multiple objections from residents, who have raised serious concerns about the proposed development. These concerns are outlined in detail below. 1. Traffic & Highway Safety Concerns 1.1 Cherry Garden Lane ' Unsuitable Access Point

The proposed access arrangements directly contradict policies in the Danbury Neighbourhood Plan (DNP) and Chelmsford City Council Local Plan, as outlined below:

- Cherry Garden Lane is a single-track rural lane with no passing places and is unsuitable for increased traffic.
- If used for site access, Cherry Garden Lane will become a rat run, significantly impacting local residents.

Residents have proposed alternative solutions, including:

- Making Cherry Garden Lane a cul-de-sac.
- Making Cherry Garden Lane one-way with no entry from the development.
- Moving the access point on the A414 further from Cherry Garden Lane.
- The junction onto the A414 is unsafe, with concerns about visibility, increased congestion, and accident risks.
- Emergency vehicle access will be compromised due to potential congestion on Cherry Garden Lane.
- Increased traffic will create safety risks for pedestrians and cyclists due to the lack of designated crossings and cycle lanes.
- Additional traffic will cause significant wear and tear on Cherry Garden Lane, resulting in higher maintenance costs for the local authority.
- The speed limit from Oak Corner to the development should be reduced to 30mph to improve road safety.

1.2 A414 Traffic & Road Safety Issues

- The A414 is already heavily congested, and this development will worsen traffic flow through Danbury.
- A traffic light-controlled crossing on the A414 should be installed to improve pedestrian and cyclist safety.

1.3 Non-Compliance with Danbury Neighbourhood Plan (DNP) Policies

- DNP5 & DNP16: Cherry Garden Lane is a rural lane and should not be used for development access.
- DNP13: Development must have access from Priority 1 or 2 roads' this site should have direct access from the A414, not local roads.
- The development would increase rat-running through Hyde Lane, Runsell Lane, Hopping Jacks Lane, and Mill Lane, damaging their rural character.

1.4 Conflict with Chelmsford City Council Local Plan Policies

- Policy S4: Developments must minimize car dependency by ensuring access to sustainable transport. Danbury has limited public transport, meaning most residents will rely on cars, increasing congestion on the A414.
- Policy DM23: Cherry Garden Lane is unsuitable for additional traffic, making its use as an access point a direct contradiction of this policy.

2. Environmental & Biodiversity Impact

The proposed development threatens local wildlife, habitats, and biodiversity, contradicting DNP policies and the Chelmsford City Council Local Plan.

2.1 Threat to Protected Species & Biodiversity

- The site is home to skylarks, slow worms, deer, badgers, and foxes, which will be displaced by development.

- Mature oak trees on-site support over 1,500 species, making biodiversity loss irreversible.
- Wildlife corridors must be created within the development to maintain ecological connectivity.

2.2 Compliance with UK Environmental Laws

- Has an independent ecological survey been conducted? Given the presence of protected species under UK wildlife laws, a full impact assessment is required.
- The 2023 Environment Act mandates a minimum 10% biodiversity net gain (BNG)'there is no evidence the developer has proposed sufficient mitigation strategies for this to be achieved onsite

2.3 Conflict with Danbury Neighbourhood Plan (DNP) Policies

- DNP6 & DNP7: The application lacks a biodiversity mitigation strategy and does not ensure wildlife connectivity.
- DNP9: No mitigation plan to address recreational pressure on Sites of Special Scientific Interest (SSSIs).
- DNP10: The development fails to minimize light pollution, impacting local wildlife and Danbury's dark skies.

2.4 Conflict with Chelmsford City Council Local Plan Policies

- Policy S6 & DM16: The development damages Danbury's rural character and landscape.
- Policy DM17: Mature trees and protected species must be safeguarded.
- Policy DM29 & DM30: The development fails to meet the required 10% biodiversity net gain and lacks mitigation measures for Blackwater Estuary SPA & RAMSAR site.

3. Strain on Local Infrastructure & Services

The proposed development will place excessive strain on Danbury's already overstretched healthcare, education, and amenities, without adequate mitigation.

3.1 Healthcare Strain

- Danbury Medical Centre is already oversubscribed. The application does not provide any additional healthcare provision.

3.2 Education Capacity

- Danbury has no secondary school, meaning students will need to travel to Chelmsford or Maldon, increasing congestion on the A414.
- Local primary school places are at capacity, and there is no plan for expansion.

3.3 Conflict with Danbury Neighbourhood Plan (DNP) Policies s

- Limited shopping facilities exist in Danbury, and the development does not include additional community amenities as recommended by DNP14.

3.4 Conflict with Chelmsford City Council Local Plan Policies

- Policy S8: New developments must contribute to local infrastructure' this application fails to do so.
- Policy DM24: The lack of healthcare and education provisions contradicts local planning requirements.

4. Sustainable Development & Overdevelopment

- Approval of this application would set a dangerous precedent for urban sprawl, undermining Danbury's rural character.

- A Green Wedge should be established from the eastern edge of the Tyndales to the Parish Boundary to prevent excessive development.
- There is no guarantee of genuinely affordable homes for local residents.
- Public open spaces within the development should be adopted by Chelmsford City Council or Danbury Parish Council, rather than managed by private companies.

4.1 Conflict with Chelmsford City Council Local Plan Policies

- Policy S1 & S2: Developments must ensure sustainable growth without excessive infrastructure strain' this application fails to do so.
- Policy S7: Danbury is a Service Settlement, meaning growth must be carefully controlled. This development does not align with sustainable planning policies.

5. Design and Access Statement

- Concerns regarding whether the proposed 18 visitor parking spaces for the site (based on 0.25 per house) will be sufficient throughout the site bearing in mind only 2 car spaces are provided for houses 2+ bedrooms to ensure the strategy is delivered
- The most sensitive part of the site is in the north west near Little Heyrons. CCC commented in September 2024 (page 43) that the landscaped western boundary should be increased in width. However, this has not been implemented where the greenway runs from the south to north passing Little Heyrons where it 'protrudes' into the site. This should be redesigned to provide a substantial buffer to Little Heyrons. The Built Form diagram on page 57 includes two northernmost houses which could be removed to facilitate this. The resulting scheme will still have capacity to provide the allocation of around 65 houses in the Neighbourhood Plan

Conclusion

Danbury Parish Council strongly objects to this application due to its failure to comply with the Danbury Neighbourhood Plan and Chelmsford City Council Local Plan. We urge Chelmsford City Council to reject this application unless significant amendments are made, particularly regarding:

1. Access arrangements ' Cherry Garden Lane must not be used for site access.
2. Traffic impact mitigation ' The A414 needs additional infrastructure to handle increased congestion.
3. Biodiversity protection ' The developer must meet legal BNG requirements.
4. Infrastructure provisions ' Additional healthcare, education, and community facilities are essential.

We request that these concerns be taken into full consideration when reviewing this application

01.08.2025 - The Parish Council considers that Cherry Garden Lane is not a suitable access/egress for the new development. To prevent rat running along Cherry Garden Lane, Hyde Lane and Mill Lane (and any subsequent detriment to residents), the Parish Council would prefer the suggestion of a one-way section along a short stretch of the diverted part of Cherry Garden Lane in order to prevent the flow of traffic from the new development/Maldon along Cherry Garden Lane towards the West i.e. towards Eves Corner.

Please could a restriction be imposed on Cherry Garden Lane for no HGVs or vans except for access.

The Parish Council is concerned about vehicles parking and obstructing the diverted section of Cherry Garden Lane. Double yellow lines along this section would prevent this.

Please could measures be implemented to prevent damage to the verges where Cherry Garden Lane narrows, caused by vehicles passing each other or by wide vehicles perhaps a hedge or fence.

To reduce the impact on the flow of traffic along Maldon Road as a result of buses stopping, please could laybys be installed at the new bus stops.

For the safety of pedestrians crossing Maldon Road:

1. The extent of the 40mph speed limit must be extended from the junction of Maldon Road with Cherry Garden Lane to a suitable distance beyond the new bus stops (towards Maldon) as proposed in the access plan.
2. The proposed pedestrian crossing on the Maldon Road, must be a signalised crossing and not a zebra crossing or a non-signalised crossing point that just has dropped kerbs with a central reservation.

12.08.2025 - The Parish Council considers that Cherry Garden Lane is not a suitable access/egress for the new development. To prevent rat running along Cherry Garden Lane, Hyde Lane and Mill Lane (and any subsequent detriment to residents), the Parish Council would prefer the suggestion of a one-way section along a short stretch of the diverted part of Cherry Garden Lane in order to prevent the flow of traffic from the new development/Maldon along Cherry Garden Lane towards the West i.e. towards Eves Corner.

Please could a restriction be imposed on Cherry Garden Lane for no HGVs or vans except for access.

The Parish Council is concerned about vehicles parking and obstructing the diverted section of Cherry Garden Lane. Double yellow lines along this section would prevent this.

Please could measures be implemented to prevent damage to the verges where Cherry Garden Lane narrows, caused by vehicles passing each other or by wide vehicles perhaps a hedge or fence.

To reduce the impact on the flow of traffic along Maldon Road as a result of buses stopping, please could laybys be installed at the new bus stops.

For the safety of pedestrians crossing Maldon Road:

1. The extent of the 40mph speed limit must be extended from the junction of Maldon Road with Cherry Garden Lane to a suitable distance beyond the new bus stops (towards Maldon) as proposed in the access plan.
2. The proposed pedestrian crossing on the Maldon Road, must be a signalised crossing and not a zebra crossing or a non-signalised crossing point that just has dropped kerbs with a central reservation.

Essex County Council Highways

Comments

14.08.2025 - The Highway Authority has considered the above application, having previously provide pre-application advice to the applicant and requested revisions to the originally submitted plans, which have been undertaken.

The application is acceptable to the Highway Authority subject to the requirements set out below, principally, the implementation of the proposed access and change to the existing arrangement of Cherry Garden Lane. The principle of which is contained in Danbury Parish Neighbourhood Plan, and offers a benefit to all, removing the existing sub-standard junction of Cherry Garden Lane with A414, by diverting the lane to a junction on the new development access road. Cherry Garden Lane is a lightly trafficked lane which would be used to access the properties along it and could be used by pedestrians and cyclists to access village amenities, avoiding the A414. It has been agreed that the reprovided section of Cherry Garden Lane will be provided at a minimal width so as not to encourage through traffic. Whilst the submitted BMD.23.0067.DR.P0001D Illustrative Landscape Masterplan does show indicative vehicular access to the site from the reprovided section of Cherry Garden Lane, this would not be supported by the Highway Authority at the reserved matters stage, in order to minimise vehicular traffic using Cherry Garden Lane.

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

S106 contributions:

1. A contribution of £237,500 (£47,500 per year for 5 years) towards bus service improvements in the vicinity of the site (index linked from July 2025).

Reason: To provide sustainable travel options to/from the site

Conditions

Construction Management Plan

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:

- a. construction vehicle access and routing,
- b. any temporary traffic management/signage,
- c. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- d. contractor and visitor parking clear of the highway,
- e. turning, loading and unloading of plant and materials and storage of plant and materials used in constructing the development, and
- f. hours of deliveries.

Reason: In the interests of highway safety.

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

Highway works:

3. Prior to first occupation of any dwelling within the development, the provision of a right turn lane access and highway works shown in PJA plan 0001 rev 12, unless otherwise agreed with the Highway Authority, to include but not limited to:

- a. Provision of visibility splays as shown in the plan, to be available clear to ground and retained free of obstruction at all times
- b. Provision of footway on the south side of A414 between Cherry Garden Lane access and the new dropped kerb crossing to access the east bound bus stop, and the widening of existing northern footway to 2m between new dropped kerb crossing point and bus stop, including necessary removal of vegetation
- c. Provision of east and west bound bus stops with associated infrastructure including raised kerbing, shelter (cantilever, where necessary), seating, RTPI screen, static information display, bus cage and bus stop flag.
- d. Revision of the existing TRO to extend the current 40mph speed limit to the east to include the visibility splay and bus stops, and provision of associated signage with gateway feature.
- e. The existing Cherry Garden Lane access with A414 shall be suitably and permanently closed to vehicular traffic, incorporating the reinstatement to full height of the highway verge, kerbing and footway along with undertaking the necessary legal process/agreement to prohibit vehicular traffic and provide a pedestrian route, immediately the proposed new access via the estate road is brought into first beneficial use
- f. Details of the proposed surface material of PROW 38 to be submitted and agreed with the Highway Authority

Reason: to ensure that vehicles, pedestrians and cyclists can enter and leave the highway in a controlled manner in the interest of highway safety.

Residential Travel Information Packs

4. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, 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.

The above requirements 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 in February 2011, within Chelmsford City Council's Local Plan and within NPPF 2024

Informative:

All work within or affecting existing and future highways is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.

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.

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.

APCs

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.

Commuted Maintenance Payments

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.

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.

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 38 Danbury shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those

active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available

Recycling & Waste Collection Services

Comments

No response received.

Economic Development & Implementation

Comments

31.01.2025 - No further comments from Economic Development.

Active Travel England

Comments

13.03.2025 - Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

Mid and South Essex Integrated Care Board

Comments

15.04.2025 - 1.0 Further to a review of the application details the following comments are made in regard to the primary healthcare provision on behalf of the health partners of the Mid and South Essex Integrated Care System (the ICS).

2.0 Existing healthcare position proximate to the planning application site

2.1 The proposed development is likely to have an impact on the services of the Surgery which operates within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development and cumulative development in the area.

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

3.0 Review of planning application

3.1 The planning statement submitted in support of the application refers to a health impact assessment (HIA) prepared to assess the impact of the development

and to identify suitable mitigation. The statement notes that the HIA identifies health related benefits resulting from the development and concludes that the development will have a generally positive impact on future residents and those in the surrounding area.

3.2 The planning statement includes draft heads of terms for a S106 agreement which includes healthcare provision as required by the NHS/CCG.

3.3 The health baseline profile in the HIA identifies 2 GP surgeries within 2.5 miles of the application site both of which are accepting new patients. However, the data shown differs significantly from current workforce and patient list sizes for the practices.

3.4 In January 2025 the Beacon Health Group had 10.5 FTE GP's and 24,776 registered patients, rather than 18 GPs and 25,614 patients as stated in the HIA. The Wyncroft Surgery has 2.9 FTE GP's and 11,166 registered patients rather than 2 GP's and 3,226 patients. The HIA shows GP to patient ratios of 1:1,423 and 1: 1,613 whereas they are actually 1:2,360 and 1:3,850.

3.5 The assessment of access to healthcare infrastructure refers to the proximity of these two surgeries and recommends that suitable mitigation is agreed in consultation with the NHS as the design develops.

4.0 Assessment of development impact on existing healthcare provision

4.1 The ICB assesses capacity using the Department for Health standards for GP surgeries, as set out below. The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 173 new residents and subsequently increase demand upon existing constrained services.

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

Table 1: Summary of position for healthcare services within a 2km radius of (or closest to) the proposed development

GP surgeries within 2km - Beacon Health Group

Weighted List Size (1) - 22,882

NIA (sqm) (2) - 1,553

Capacity (3) needed for current weighted list size - 1,569

Spare Capacity (NIA sqm) (4) - -16

Existing floorspace deficit of 16sqm

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.

2. Current Net Internal Area occupied by the Practice

3. Based on 120sqm per 1750 patients (this is considered the current optimal list size for a single GP within the Mid and South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"

4. Based on existing weighted list size

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

5.0 Healthcare needs arising from the proposed development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace for support the population arising from the proposed development is calculated to be £35,600.

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

Additional Population Growth (72 dwellings) (5) - 173

Additional floorspace required to meet growth (sqm) (6) – 11.8

Capital required to create additional floor space (£) 7 = 35,600

Notes:

5. Calculated using the Chelmsford City Council average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).

6. Based on 120sqm per 1750 patients (this is considered the current optimal list size for a single GP within the Mid & South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"

7. Based on BCIS cost multiplier (£3,015) for new build and extensions to health centres and hospitals using rates for gross internal floor area for the building costs including prelims updated to 01/01/2022 and rebased for Essex, rounded to nearest £100.

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

5.3 The ICS therefore requests that the sum of £35,600 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.

6.0 Conclusions

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

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

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

Parks and Open Spaces

Comments

02.06.2025 - Based on this being an Outline application not a Reserve or FULL application, our comments are as follows:

The Council is open to considering the adoption of Open Spaces at this site in the future, contingent upon an appropriate maintenance contribution sum. Should the plan proceed, further details will be required, including but not limited to:

- Clarification on bunding ; Specifics regarding the size and impact of the bunding along the southern boundary.
- Planting Edge: There is a preference for a stronger planting edge (trees and thicket corps) along the southern boundary to reinforce the boundary, provide glimpse views from the development, and minimise the impact on the wider countryside.
- Western Boundary: There appears to be reliance on the existing developments green buffer. Strengthening this position with an increased tree buffer is recommended, particularly in case of presence, which may be affected by ash dieback.

The Councils position on play and recreation cannot be determined at this Outline stage. Further details will be required at later planning stages, such as ensuring sufficient safe play space (e.g., fencing play areas adjacent to roads) and providing details of accessible and inclusive play facilities.

It is suggested that the orchard space may be more beneficial as a protected kickabout/recreation area, with the orchard trees potentially relocated to the eastern pathway north to south or eastern side leading towards the SUDS area.

Further details on Trim Trail recreation, leisure, and play are needed to determine if the Council should pursue a contribution towards a Suitable Alternative Natural Greenspace or Recreational Avoidance and Mitigation Strategy (RAMS) to support local leisure, recreation and play infrastructure in the Danbury area. If appropriate this could potentially be transferred to the Parish Council.

It is our understanding that the local parish council provides allotments. An off-site contribution to provide or enhance local allotments should be sought.

With 72 dwellings (estimated 2.4 residents per dwelling), the application notes a total number of 156 trees plus hedgerows (including the removal of trees for access). However, this does not appear to meet the minimum requirement of three trees per resident (in this case 173 trees), including accounting for any tree removals for access.

Each tree planned for removal should be individually surveyed for bats as per the Baat Activity Transect Survey. The installations of additional licensed professional bat boxes is encouraged, with appropriate positioning.

Future application stages must include sufficient and suitable details on maintenance plans, including but not limited to a tree/woodland management plan, grassland management plan, and ecology plan (including taking account of existing bat foraging corridors), SUDS plan.

ECC Minerals and Waste Planning

Comments
11.02.2025 - The 'application site' forms the basis for the minerals and waste safeguarding assessment set out below. This response deals with mineral policy matters and waste policy matters in turn. A spatial representation of the application site and the matters discussed can be found in Appendix One. A list of relevant designations and specific facilities which would potentially be affected are listed, with their most recent planning application reference where relevant, in Appendix Two. Mineral Matters Safeguarding Mineral Resources The entirety of the application site is located within land which is designated as a Mineral Safeguarding Area (MSA) and therefore the application is subject to Policy S8 of the Essex Minerals Local Plan 2014 (MLP). The MLP can be viewed on the County Council's website via the following link: - https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan Policy S8 of the MLP requires that a non-mineral proposal located within an MSA which exceeds defined thresholds must be supported by a Minerals Resource Assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource, as required by the National Planning Policy Framework (Paragraph 223). The NPPF requires policies that encourage the prior extraction of mineral where it is practical and environmentally feasible. At 6.76ha, the area of land associated with the proposed development that lies within an MSA for sand and gravel exceeds the 5ha threshold upon which local resource safeguarding provisions are applied for this mineral (please see Appendix One). Part of the application site also falls within a MSA for brick clay / brickearth and exceeds the threshold of one dwelling for this mineral. These thresholds are defined in Policy S8 of the MLP Policy S8 of the MLP therefore applies, and this states "... Proposals which would unnecessarily sterilise mineral resources or conflict with the effective workings of permitted minerals development or Preferred Mineral site allocation shall be opposed." Commonly a 100m standoff distance is applied from the façade of any sensitive development to reflect what would be a more practical extraction area, thus reducing the workable area for mineral extraction. After applying this typical standoff distance, this reduces the amount of land in a MSA to 3ha. This is below the 5ha threshold applied for this mineral and therefore a Minerals Resource Assessment (MRA) would not be required as part of a planning application on this site. Mineral Infrastructure Matters The application site passes through Mineral Consultation Area associated with Royal Oak as shown in Appendix One and listed in Appendix Two. With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same.

Paragraph 200 of the NPPF states that "Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Due to the proposed project passing through a Mineral Consultation Area, a Mineral Infrastructure Impact Assessment (MIIA) is required as part of the planning application. Based on the nature of the proposed development, development may be considered to be 'Excluded development' for the purposes of whether an MIIA is required (see Appendix 5 of the MLP). The MWPA has designed a generic schedule of information requirements that should be addressed as relevant through an MIIA. The detail to be provided should be in proportion to the nature of the proposed application.

Mineral Infrastructure Impact Assessment Components

Minerals Infrastructure Impact Assessment Components Information requirements & sources

- Site location, boundaries and area - Application site area in relation to safeguarded site(s), Description of proposed development, Timescale for proposed development,
- Description of infrastructure potentially affected - Type of safeguarded facility e.g. wharf, rail depot, concrete batching plant; asphalt plant; recycled aggregate site, Type of material handled/processed/supplied, Throughput/capacity.
- Potential sensitivity of proposed development as a result of the operation of existing or allocated safeguarded infrastructure (with and without mitigation) - Distance of the development from the safeguarded site at its closest point, to include the safeguarded facility and any access routes, The presence of any existing buildings or other features which naturally screen the proposed development from the safeguarded facility, Evidence addressing the ability of vehicle traffic to access, operate within and vacate the safeguarded development in line with extant planning permission, Impacts on the proposed development in relation to: Noise, Dust, Odour, Traffic, Visual and Light
- Potential impact of proposed development on the effective working of the safeguarded infrastructure/allocation - Loss of capacity - none, partial or total, Potential constraint on operation of facility - none or partial.
- Mitigation measures to be included by the proposed development to reduce impact from existing or allocated safeguarded infrastructure - External and internal design & orientation e.g. landscaping; living & sleeping areas facing away from facility, Fabric and features e.g. acoustic screening & insulation; non-opening windows; active ventilation.
- Conclusions - How the MIIA informed the final layout of the proposed development. Potential sensitivity of proposed development to effects of operation of the safeguarded infrastructure/facility and how these can be mitigated satisfactorily; or If loss of site or capacity, or constraint on operation, evidence it is not required or can be re-located or provided elsewhere.

A MIIA is expected to be evidence based and informed by quantified information. It is recognised that the requirements of an MIIA may be addressed through other evidence base documents, such as those addressing transport, odour and noise issues. In these instances, it would be acceptable for the MIIA to signpost to the relevant section of complementary evidence supporting the planning application. The MWPA welcomes early engagement to clarify the requirements of MIIA.

Safeguarding Waste Infrastructure

The application site passes through a Waste Consultation Area associated with Royal Oak as shown in Appendix Two. Its location within a Waste Consultation Area means that the application is subject to Policy 2 of the Essex and Southend-on-Sea Waste Local Plan 2017 (WLP). The WLP can be viewed on the County Council's website via the following link: <https://www.essex.gov.uk/minerals-waste-planning-policy/waste-local-plan>

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m.

Due to the proposed project passing through a Waste Consultation Area, a Waste Infrastructure Impact Assessment (WIIA) is required as part of the planning application. Based on the nature of the proposed development, development may be considered to be 'Excluded development' for the purposes of whether an WIIA is required (see Appendix C of the WLP). In order to satisfy the provisions of Policy 2, the MWPA has designed a generic schedule of information requirements that should be addressed as relevant within the supporting evidence of any application which falls within a Waste Consultation Area. The detail to be provided should be in proportion to the nature of the proposed application.

Waste Infrastructure Assessment Components

- Site location, boundaries and area - Application site area in relation to safeguarded site(s), Description of proposed development and Timescale for proposed development
- Description of infrastructure potentially affected - Nature of relevant safeguarded facility, Type of material handled/processed/supplied and Throughput/capacity
- Potential sensitivity of proposed development as a result of the operation of existing or allocated safeguarded infrastructure - Distance of the development from the safeguarded site at its closest point, to include the safeguarded facility and any access routes. The presence of any existing buildings or other features which naturally screen the proposed development from the safeguarded facility. Evidence addressing the ability of vehicle traffic to access, operate within and vacate the safeguarded development in line with extant planning permission. Impacts on the proposed development in relation to: Noise, Dust, Odour, Traffic, Visual and Light
- Potential impact of proposed development on - Loss of capacity - none, partial or total safeguarded infrastructure/ allocation, Potential constraint on operation of facility - none, partial or full
- Measures to mitigate potential impacts of operation of infrastructure on proposed development - External and internal design & orientation e.g. landscaping; living & sleeping areas facing away from facility. Fabric and features e.g. acoustic screening & insulation; non-opening windows; active ventilation
- Conclusions - Sensitivity of proposed development to effects of operation of safeguarded infrastructure/facility can be mitigated satisfactorily; or If loss of site or capacity, or constraint on operation, evidence it is not required or can be re-located or provided elsewhere

A WIIA is expected to be evidence based and informed by quantified information. It is recognised that the requirements of a WIIA may be addressed through other evidence base documents, such as those addressing transport, odour and noise issues. In these instances, it would be acceptable for the WIIA to signpost to the relevant section of complementary evidence supporting the planning application. The MWPA welcomes early engagement to clarify the requirements of WIIA.

See Appendix One and Appendix Two

12.03.2025 - The 'application site' forms the basis for the minerals and waste safeguarding assessment set out below.

This response deals with mineral policy matters and waste policy matters in turn. A spatial representation of the application site and the matters discussed can be found in Appendix One. A list of relevant designations and specific facilities which would potentially be affected are listed, with their most recent planning application reference where relevant, in Appendix Two.

Mineral and Waste Matters

Ordinarily, Policy S8 of the Essex Minerals Local Plan and Policy 2 of the Essex and Southend-on-Sea Waste Local Plan requires development within 250m of an active, permitted or allocated minerals and/or waste site to be accompanied by a Mineral Infrastructure Impact Assessment (MIIA) and/or Waste Infrastructure Impact Assessment (WIIA). However, due to the nature of restoration at Royal Oak and the time frames in which restoration is set to complete, the MWPA consider that a MIIA and WIIA are not required as part of the planning application.

Leisure & Heritage Services

Comments
No response received.

Anglian Water

Comments
19.02.2025 - Section 1 - Assets Affected There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence. WASTEWATER SERVICES

Section 2 - Wastewater Treatment

When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take the latest DWF figures, as verified by the Environment Agency and add to this, sites with planning consent. Based on the above assessment Chelmsford WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Document reviewed - 27957-FLD-0101 Rev B The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 .
2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
3. INFORMATIVE – Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed.

We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA). The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems>

18.07.2025 - This application amendments are not relevant to Anglian Water we have no further comments to make since our last response (PLN-0222685 dated 13th February 2025). Please note Anglian Water will only comment on matters relating to drainage/surface water connections to our network.

Essex County Council (SUDS)

Comments
19.02.2025 - As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015. In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents: - Non-statutory technical standards for sustainable drainage systems - Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide - The CIRIA SuDS Manual (C753) - BS8582 Code of practice for surface water management for development sites. Lead Local Flood Authority position Having reviewed the Flood Risk Assessment (27957-FLD-0101 Rev B) and the associated documents which accompanied the planning application, we wish to issue a holding objection to the granting of planning permission based on the following: - From our own investigation using the IH124 Method, this produced a greenfield 1:1 discharge rate of 2.58 l/s based on the 2.14 ha impermeable area. Please clarify the proposed rate of 6.7l/s. The LLFA preference is that greenfield runoff rates should be calculated using the following rainfall data: FSR and FEH and should be calculated using the IH124 method. It should be shown that the method selected is the most conservative of the options available. https://www.essexdesignguide.co.uk/suds/rates-and-storage/calculating-runoff-rates/ - Whilst it is acknowledged that the final outfall is within the applicants land ownership, as it is outside of the planning red line boundary, we require details clarifying how the 457m stretch to the outfall will be safeguarded and maintained in the future. - Please clarify how the runoff from the roofs will be treated as it is not clear from the preliminary drainage plan. It would be helpful to see the potential locations of the permeable paving also. We also have the following advisory comments: We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

- <https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022.
- Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply. <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

15.08.2025 - As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- o Non-statutory technical standards for sustainable drainage systems
- o Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- o The CIRIA SuDS Manual (C753)
- o BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the MEC Response to LLFA Comments (27957-FLD-0102 Rev A), the updated Drainage Plan (27957_01_230_01 Rev D), the Flood Risk Assessment, and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Condition 1

No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 6.7l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.

- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- Any SuDS features located within made ground to be lined with an impermeable membrane.
- Final modelling and calculations for all areas of the drainage system.
- Further investigation regarding the ditch network downstream and demonstration that there is sufficient capacity.
- The appropriate level of treatment for all runoff leaving the site (including all roofs), in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- Confirmation that the 457m stretch of surface water pipework to the outfall will be safeguarded and maintained in the future.
- Confirmation of the depth of the existing water main to avoid any pipe clashes.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment.
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

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

Reason

The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoil during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

The maintenance plan should make reference to the 457m stretch of surface water pipework to the outfall to ensure it is maintained throughout the lifespan of the development.

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

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
- <https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022.
- Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.
- <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the

planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications 'Preparing for Floods' and 'Improving the flood performance of new buildings'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

Essex and Suffolk Water

Comments
No response received.

Housing Standards

Comments
No response received.

Ramblers Association

Comments
30.01.2025 - On behalf of the Ramblers Association we wish to make the following comments:- - As confirmed in the Design & Access Statement Footpath 38 - Danbury passes North to South through the centre of the proposed site. - It is noted that the trodden path diverges from the formal line of the PRow as it travels South. - The Framework Plan confirms that part of the existing PRow and the trodden path are to be retained. - The residential access road will cross the PRow. - Although a route will be maintained through the site it will not fully follow the line of Footpath 38 - Danbury, assume that this will be to the approval of the Highway Authority. - Ultimately a dedicated shared-use pedestrian/cycle route through a new north-south central green corridor will be provided along the route of the existing formalised PRow. - During construction pedestrian access should be retained to the existing PRow/trodden path. - Suitability of the new route can be checked in detail on submission of the FULL planning application. 25.07.2025 - We have NO FURTHER COMMENTS to those already made on the 23 January 2025, and recorded.

Natural England

Comments
13.02.2025 - Note that this is a cross-boundary consultation response for the same application. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. SUMMARY OF NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES As submitted, the application could have potential significant effects on Blake's Wood and Lingwood Common SSSI, Woodham Walter Common SSSI and Danbury Common SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required: - Revised ecological impact assessment (EcIA), to consider recreational impacts on SSSIs

- Details of measures to deter visits to SSSIs, including -
- Improved green space provision on-site (see details below)
- Redirection of residents to a ground-truthed PRoW circular walk and Country Park

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Additional Information required

The application site lies approximately 750m northwest of Danbury Common SSSI, 860m southeast of Woodham Walter Common SSSI and 1.4km southeast of Blake's Wood & Lingwood Common SSSI. All of these sites are vulnerable to recreational pressure from increased visitor burden.

Ecological Impact Assessment (EcIA)

The submitted EcIA makes no consideration of the recreational pressure impact on the nearby SSSIs, nor does it acknowledge their proximity (within 15 minutes' walking distance). The EcIA needs to be revised to consider the cumulative impacts of recreational pressure on nearby SSSIs.

Whilst Natural England welcomes the good-faith efforts to design on-site green space thus far, we do not believe that this can fully mitigate for additional visits to the sensitive SSSIs nearby, and thus further investigation into these residual impacts and potential mitigation should be undertaken.

The applicant should make contact with the relevant management bodies, including the National Trust (as owners of much of the land) and the Essex Wildlife Trust (EWT), in order to discuss the likely impacts of this development and potential mitigation options (e.g. funding habitat works).

Proposed Mitigation Measures

In addition to the above, Natural England advises that the following measures are undertaken in order to further improve the quality of on-site green space provision and deter visits to the SSSIs:

Incorporate the provision of strategically located dog waste bins on-site, with a commitment for them to be regularly emptied/maintained (at least weekly)

Make the on-site circular footpath more contiguous/safe/obvious in the north-west corner of the development, as it currently gets cut off by the road with no clear accessible pedestrian crossing and/or route connecting it back up with the north-east corner

Assess whether a safe circular route of at least 2.7km through the surrounding countryside can be established and appropriately signed (ideally at every corner / every 500m). We recommend the applicant considers the following route:

- the PRoW (EX/217/38) that runs north-south through the development, connecting south (EX/269/1) to Mill Lane, then following Southend Road (B1418) east, meeting the PRoW (EX/269/3) which heads north until Chelmsford Road (A414), returning west to the site's main entrance on Maldon Road.
- Measure and report the total length of this walk (or safe alternative) once it is ground-truthed

- Provide information boards on-site, including a map detailing on and off-site (PRoW circular) provision, highlighting the opportunity to visit Danbury Country Park (omitting the SSSIs)
- Distribution of a householder information leaflet prior to first occupation, with maps indicating on-site provision, wider PRoW links and circular routes, which again directs residents to Danbury Country Park and intentionally omits mention of the sensitive SSSIs

Additionally, we calculate that the provision of 3.05ha of GI on a 6.67ha site accommodating 173 people (72 dwellings x 2.4 average occupancy) equates to roughly 17ha per 1000 population; this exceeds the SANG ('Suitable Alternative Natural Greenspace') area requirement of 8ha/1000.

Natural England should continue to be consulted on all proposals which include provision of site specific on-site green space and/or where other bespoke mitigation for recreational impacts is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including substantial on-site green space seek pre application advice from Natural England through its Discretionary Advice Service.

Habitats Regulations Assessment - Appropriate Assessment record

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

However, we note that the wording of your AA could be improved, to more accurately reflect the difference between the "Screening" stage (which concludes 'LSE' (Likely Significant Effect)) and the "Appropriate Assessment" stage (where mitigation allows your conclusion of 'no AEOI' (no Adverse Effect On Integrity)). When referring to a general "significant effect" on the environment, the word "impact" more readily lends itself to broad usage as LSE and AEOI are distinct legal terms under the Habitats Regulations 2017 (as amended). The HRA should be updated to clearly set out the Screening and Appropriate Assessment stages and the conclusion reached at the end of each.

Essex Coast RAMS

The application site lies roughly 5km west of the Blackwater Estuary Special Protection Area (SPA) and Ramsar, and falls within the Zone of Influence (ZOI) for Dengie SPA and Ramsar, both of which constitute part of the Essex Estuaries Special Area of Conservation (SAC).

Based on the size and location of the proposal, Natural England's advice is that the development will likely lead to an increase in recreational pressure on coastal sites in combination with other plans and projects, and therefore requires mitigation.

The in-combination effects of development on the protected sites can be mitigated via financial contribution to the Essex Coast RAMS (Recreational Avoidance and Mitigation Strategy). The RAMS tariff for the current Financial Year (2024/25) is £163.86* per dwelling. This payment should be secured by way of a Unilateral Undertaking or Section 106 agreement.

*Please note that this amount is subject to indexation and will likely change with each new financial year.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

03.06.2025 - I am writing to you regarding the above-mentioned consultation. Thank you for submitting a revised EclA (Version 2.4, Arbtech Consulting Ltd, dated 16th May 2025). In the interest of speed I include my informal response below, to further clarify our current position in comparison to our previous formal response:

SUMMARY OF NATURAL ENGLANDS INFORMAL ADVICE

OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Blakes Wood and Lingwood Common SSSI, Woodham Walter Common SSSI and Danbury Common SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Revised ecological impact assessment (EclA), to consider recreational impacts on SSSIs < provided to a reasonable extent, though some factual errors remain. It would be acceptable to leave the EclA as-is, provided that the recommended mitigation measures are secured and detailed at later stages of the planning process.
- Details of measures to deter visits to SSSIs, including -
- Improved green space provision on-site (see details below) < there is no updated plan, although dog bin provision etc is mentioned in the amended EclA.
- Redirection of residents to a ground-truthed PROW circular walk and Country Park < this is completely absent.

FURTHER INFORMATION REQUIRED

In essence, they (the applicants consultant, acting on behalf of the applicant) have amended the Ecological Impact Assessment (EclA) to include a brief mention of the recreational impact on designated sites (please see pages 15-16 of the EclA, annotated below).

No substantive further assessment has been carried out, and there is no evidence of further consideration; however, the headline comments of our suggested mitigation have been copied and pasted into the EclA, which implies that they have been taken on board. As such, the revised EclA is deemed sufficient.

Unfortunately, details have not been forthcoming of the specific mitigation options that we have recommended (particularly the circular walk which we have routed on their behalf). Based on the current level of information available, we will have to maintain our objection.

We note that this is an outline planning application therefore, the detailed plans of the green space design may be intended to be brought forward with the full planning application and/or at reserved matters stage. Natural England's ultimate advice will depend on this information being presented in the plans presented at that stage. We must be consulted again on the detailed plans.

Essex Coast RAMS

Our previous comments regarding European Sites still stand; however, please note that the tariff quoted is now out of date.

The RAMS tariff is currently set at £169.45 per dwelling for the Financial Year 2025/26.

Please be aware that this is subject to indexation and may increase in future, should all matters not be settled promptly. This should be detailed in a S106/UU, and in the HRA Stage 2: Appropriate Assessment (a template is available to the LPA to facilitate this).

ATTACHMENTS

Amended EclA (pages 15-16, annotated)

29.09.2025 - Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- Damage or destroy the interest features for which Blake's Wood and Lingwood Common SSSI, Woodham Walter common SSSI, and Danbury Common SSSI have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- Alterations to the proposed circular route as detailed within the updated Ecological Impact Assessment (EclA v 2.6)
- We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Further advice on mitigation

In Natural England's previous response (ref: 500343 & 501253, 13 February 2025), we requested further information on proposed mitigation in regard to protected sites, specifically recreational impacts on Blake's Wood and Lingwood Common SSSI, Woodham Walter common SSSI, and Danbury Common SSSI. This

included a revised Ecological Impact Assessment to account for the above protected sites, as well as a redirection of residents to a ground-truthed PRoW circular walk and Country Park.

We welcome the amendments made to the submitted EcIA and the provided Illustrated Landscape Masterplan (11 September 2025) and, subject to the following being conditioned/secured through an appropriate planning mechanism, consider that impacts on the above SSSIs can be mitigated:

- Incorporate the provision of strategically located dog waste bins on-site, with a commitment for them to be regularly emptied/maintained.
- A post/bollard with demarcation of the circular route at the junction of Cherry Garden Lane and Hyde Lane
- A post/bollard with demarcation of the circular route at the junction of Hyde Lane and Mill Lane
- A sign to be added to the existing wooden PROW sign with demarcation of the circular route at the southernmost extent of the PROW (FP 38 217) off Mill Lane
- Distribution of householder information leaflets prior to first occupation related to provided information boards, with maps indicating on-site/off-site walking provisions.

Essex Coast Rams

In line with our previous response, we would like to reiterate the following:

The application site lies roughly 5km west of the Blackwater Estuary Special Protection Area (SPA) and Ramsar, and falls within the Zone of Influence (ZOI) for Dengie SPA and Ramsar, both of which constitute part of the Essex Estuaries Special Area of Conservation (SAC). Based on the size and location of the proposal, Natural England's advice is that the development will likely lead to an increase in recreational pressure on coastal sites in combination with other plans and projects, and therefore requires mitigation.

The in-combination effects of development on the protected sites can be mitigated via financial contribution to the Essex Coast RAMS (Recreational Avoidance and Mitigation Strategy). The RAMS tariff for the current Financial Year (2024/25) is £163.86* per dwelling. This payment should be secured by way of a Unilateral Undertaking or Section 106 agreement.

*Please note that this amount is subject to indexation and will likely change with each new financial year

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

ECC Historic Environment

Comments
05.02.2025 - The application comprises an Outline application for the erection of up to 72 dwellings with associated infrastructure and open space. Access being sought. Appearance, layout, landscaping and scale reserved. The Essex Historic Environment Record (EHER) shows that the proposed development site is in a location with the potential for archaeological remains to survive. Cropmarks on the proposed development site, identified from aerial photography, show a series of historic field boundaries and rectilinear features (EHER 18194). Archaeological work in the proximity of the site, to the north-west, uncovered two successive seventeenth/eighteenth-century brick kilns (EHER 5736). Little other archaeological work has been undertaken in the area surrounding the site, but given this known archaeological activity, and the identification of possible features within the site itself by aerial photography, the groundworks associated with the development have the potential to impact upon significant archaeological remains. As a result of this archaeological potential, I recommend that a programme of archaeological trial-trenching is undertaken on the proposed development site prior to the commencement of any development works. This will assess the presence and extent of archaeological remains and inform on any mitigation measures (if required). In view of the above, I recommend that the following conditions are applied to any consent, in line with the National Planning Policy Framework paragraph 218 and the Chelmsford Local Plan policy DM15: RECOMMENDATION: Archaeological Trial-Trenching and mitigation (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 evaluation identified in the WSI defined in Part 1 and confirmed by the archaeological advisors to the Local Planning Authority. (iii) No development or preliminary groundworks of any kind shall take place until the submission of a mitigation WSI detailing the excavation/preservation strategy for approval by the Local Planning Authority. (iv) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation WSI, and approved by the Archaeological Advisors to the Local Planning Authority. (v) The applicant will submit a Post Excavation Assessment and/or Updated Project Design for approval by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The required archaeological work will comprise a programme of trial-trenching within the proposed development site, undertaken prior to the commencement of development. The results of this trenching will inform on a programme of archaeological mitigation work, to be submitted for approval to the local planning authority. Depending on the remains uncovered, this mitigation may include archaeological excavation and/or monitoring, or preservation in situ, as appropriate. After the completion of the archaeological work a final report detailing the results will be submitted to the planning authority for approval.

The City Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief will be produced from this office detailing the work required on request and should be acquired prior to the production of a Written Scheme of Investigation.

Essex County Council Public Right Of Way

Comments
No response received

Maldon District Council

Comments
30.09.2025 - As you are aware, Maldon District Council has devolved powers to Chelmsford City Council to determine this cross boundary application. On that basis we have no comments to make on the application.

Essex Wildlife Trust

Comments
10.07.2025 - We endorse the position of objection stated by Natural England in their responses dated 13 February and 3 June. We share their concerns that increased recreational impacts on Blakes Wood and Lingwood Common SSSI, Woodham Walter Common SSSI and Danbury Common SSSI must be fully assessed and mitigated. The current details of mitigation measures outlined in the updated EclA are insufficient and further information should be provided, including in regard to the proposed circular dog walk. We are happy to defer to Natural England in regards to the level of detail required at this stage of the planning application process

Essex County Fire & Rescue Service

Comments
04.03.2025 - The application has been considered and I draw your attention to the following comments: Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13. The plans supplied provide insufficient detail to comment on access for Fire Service Appliances, other than for general access to the site. It is therefore not possible to fully confirm compliance at this time.

More detailed observations on access and facilities for the Fire Service will be considered on submission of suitable plans at Building Regulation consultation stage. This will require that access is in accordance with Approved Document B.

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with The Building (Registered Building Control Approvers Etc.) (England) Regs 2024.

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 576000.

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

National Trust

Comments

02.06.2025 - Given Danbury Neighbourhood Plan was made in December and the site allocated in the Plan. It is therefore disappointing that the application was submitted shortly thereafter, without early engagement having taken place between the applicant and the National Trust or indeed with Natural England prior to submission, as set out in Policy DNP9 Recreational Pressure on Sites of Special Scientific Interest.

ECC Community Infrastructure Planning (Education)

Comments

04.02.2025 - Thank you for providing details of the above Outline planning application proposing 72 dwellings. As the unit size and mix has not been advised, I have assumed they will all be houses of 2 or more bedrooms.

When estimating the number of children that a new housing development will generate, and that will require a school place (yield), ECC takes account of the number of houses and flats that are suitable to

accommodate children. One-bedroom units and some dwellings, such as student and elderly accommodation, are excluded from the education calculation.

With reference to the details above, a development of this size can be expected to generate the need for up to 6.48 Early Years and Childcare (EY&C) places; 21.60 Primary School places, and 14.40 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.

Early Years and Childcare

Essex County Council has a statutory duty under the Childcare Act 2006 to ensure that there is sufficient and accessible high-quality early years and childcare provision to meet local demand and parental choice. This includes provision of childcare places for children aged between 0-5 years as well as wrap around provision for school aged children (5-11 or up to 19 with additional needs). The proposed development is located within the Little Baddow, Danbury and Sandon ward and will create the need for an additional 6.48 places. According to Essex County Council's childcare sufficiency data, published in 2024 there are 5 providers of early years and childcare in the area. Overall a total of 23 unfilled places were recorded. As there are sufficient places available in the area, a developers' contribution towards new childcare places will not be required for this application. Childcare sufficiency data is updated annually and demand for provision will change, therefore the outcome for any subsequent application within this area may receive a different response.

Primary Education

There are two primary schools in Danbury. The proposed development is closer to St John's CE Primary School but part of the site is within Danbury Park Community Primary school's Priority Admissions Area. As at the last school census in October, both schools were full in the majority of year groups and provisional data for the 2025/26 admission round suggests both will again be full in September. The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £431,762.00 index linked to Q1- 2024, is sought to mitigate its impact on local Primary School provision. This equates to £19,989 per place.

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. However, in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2023), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and skills opportunities.

School Transport

Having reviewed the proximity of the site to the nearest Primary school, 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. Where appropriate, engagement with Essex Highways is advised to ensure this is achieved. All sites will be suitably assessed in accordance with the current climate and national and local drive to provide more sustainable modes of travel and to meet the initiative towards active travel provision. However, having reviewed the proximity of the site to the nearest Secondary School, the distance is in excess of the statutory walking distance, therefore, Essex County Council will be seeking a School Transport contribution toward Secondary School Transport. The cost of providing this is £85,636.80 Index Linked to 2Q 2023, applying a cost per pupil of £6.26.

Libraries

ECC may seek contributions to support the expansion of the Library Service to meet customer needs generated by residential developments of 20+ homes. The provision of a Library Service is a statutory duty under the 1964 Public Libraries and Museums Act and it's increasingly become a shared gateway for other services such as for accessing digital information and communications. The suggested population increase brought about by the proposed development is expected to create additional usage of Great Baddow Library. A developer contribution of £5,601.60 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. This equates to £77.80 per unit, index linked to April 2020.

Monitoring Fees

In order to secure the delivery of the various infrastructure improvements and to meet the needs arising from development growth, ECC needs to monitor Section 106 planning obligations to ensure they are fully complied with on all matters. ECC has a resultant obligation to ensure the money is received and spent on those projects addressing the needs for which it was sought and secured. To carry out this work, ECC employs a staff resource and charges an administration/monitoring fee towards funding this requirement. The Monitoring Fee will be charged at a rate of £700 per obligation (financial and otherwise). On large developments the Monitoring Fee will be calculated using a bespoke approach.

Employment and Skills Both Central and Local Government have a crucial role to play in identifying opportunities to maximise employment, apprenticeships, and to invest in skills to realise personal and economic aspirations. ECC has a role to play in supporting Local Planning Authorities and helping to ensure that the development industry has the necessary skills to build the homes and communities the county needs. ECC supports Chelmsford Council in securing obligations which will deliver against this crucial role in supporting employment and skills in the district.

In the current economic climate and national skills shortage, ECC supports Chelmsford Council in requiring developers to prepare an 'Employment and Skills Plan' (ESP) seeking to drive forward an increase in construction employability levels and workforce numbers. These plans will help to address negative perceptions of the sector and develop a strong future pipeline. This is referred to as the 'development phase'. ECC also supports Chelmsford Council in requiring landowners to produce an ESP for commercial developments, to enable wider employment opportunities for those requiring additional support to enter the job market. This is referred to as the 'end-use phase'. Additionally, ECC encourages Chelmsford Council to consider the inclusion of other requirements, including financial contributions, to support appropriate employment and skills outcomes as a result of this development.

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 EY&C, Primary Education, Secondary School Transport and Libraries.

The contributions requested have been considered in connection with the CIL Regulations 2010 (as Amended) and are CIL compliant. Our standard formula s106 agreement clauses that ensure the contribution would be necessary and fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

If your council were minded to refuse the application, ECC request that we are automatically consulted on any appeal or further application relating to the site.

Police - Strategic

Comments

30.01.2025 - As a key emergency service provider, Essex Police advocates to continuously adapt and reflect its practices to ensure that the service provided is efficient and effective in keeping our communities safe. With the policing landscape continually changing we welcome any opportunities to develop and enhance this provision. Essex Police are committed to working with our emergency services partners, local authorities, developers, and infrastructure providers to deliver safe, secure, and sustainable developments. This is supported through the Emergency Services Planning Protocol ([Essex.police.uk](https://www.essex.police.uk/emergency-services-planning-protocol)).

We note the scheme proposes the erection of up to 72 dwellings with associated infrastructure and open space. Access being sought. Appearance, layout, landscaping and scale reserved. This document provides an initial response to this proposal and outlines the Essex Police considerations to development and infrastructure change which forms part of the organisations strategic planning considerations and provides key information on our policing priorities. If further information or clarification is required to support this development, please contact the Strategic Planning team at Strategic.Planning@essex.police.uk

Essex Design Guide

This document supports the content and key objectives outlined in the Essex Design Guide for engaging with the emergency services during the design process for the creation of safe and secure communities and sustainable estate provision.

Emergency Services engagement

Key considerations

- To encourage effective engagement between Essex Police, Local Authorities and Developers at the earliest opportunity.
- To create a proactive, consistent, and informed early response to the new demand placed on emergency services that housing developments and infrastructure change will bring.
- To endeavour to create a collaboration programme with emergency services and other partners that will enhance our ability to achieve service benefits and property performance targets for the efficiency of the estate.
- Support the National Planning Policy Framework to promote healthy and safer communities.
- Community Safety Partnership and Emergency Service Estates Provision

Key considerations:

- Encouragement of proactive police service-related communication to new residents and communities that promote public confidence and cohesion.
- To deliver estates provision that responds to the demands of modern policing, embracing the digital and cultural enablers that allow us to reduce our physical footprint.

Protecting and serving Essex

Explore opportunities for a shared, environmentally sustainable co-located community estate that shares facilities in appropriate locations within the community to provide flexible spaces to accommodate the changing needs of policing and create a more local, visible, and accessible policing provision.

Designing out crime and Secured by design

Key considerations:

- To work with planners, architects, and developers to ensure that new developments in Essex provide a mix of well-designed homes, open spaces and promote neighbourhoods that consider community safety and wellbeing that provide benefit to all communities.
- That the prevention of crime and disorder is supported through well-designed places that includes the provision of a sense of community and safety.
- Ensuring 'Secured by Design' standards and applicable 'Police Crime Prevention Initiatives' are fully incorporated throughout new development (including associated buildings) as a minimum whilst maximising opportunities against current and future crime pattern changes.
- Implement a 'Crime Impact Statement' within the 'Design and Access Statement.' Such statements are devised to identify specific measures that will be adopted to reduce crime.
- Support developers and planners to provide work, education and public spaces that are sufficiently well designed to promote safe, secure communities and environments.
- Constructing well designed places, buildings and communities that promote both sustainable communities and health and wellbeing is an objective that the Essex Police Designing out Crime Office (DOCO) supports; however, it is imperative that they must also be safe, secure, and accessible.
- The physical security of a building alone does not necessarily make it 'secure;' instead, it is a by-product of well thought out, inconspicuous crime prevention measures, that are incorporated within the whole design.
- When considering future developments, it is imperative to achieve sustainable reductions in crime, to help people live and work in a safer society.
- The Essex Police DOCO response to this proposal will be provided under separate cover. For any queries relating to secured by design and designing out crime matters relating to new developments please contact: designingoutcrime@essex.police.uk

Traffic management Considerations

Key considerations:

- Ensure an understanding of the key objectives at the forefront of Essex Police strategic road safety campaigns. This includes aspects such as managing road infrastructure, improved vehicle design, redesigning speed limits, and supporting Essex Police enforcement policies.
- Engagement with planning for any transport related aspects of development, collaboratively working with the relevant authorities to ensure that new developments are planned and designed to improve

safety on the various road networks. This will include preventing those Killed or Seriously Injured (KSI) and Road Traffic Collisions where possible.

- Promote engagement in the Safe System approach 'Vision Zero' (actionvisionzero.org), which recognises that human beings' lives and health should never be compromised by their need to travel and any fatal or serious

Protecting and serving Essex: injuries that occur within the road system are unacceptable. This is considered as best practice in road safety according to the World Health Organisation and the Organisation of Economic Cooperation and Development (OECD).

Road design: In the interest of road safety and reducing casualties linked to highways usage, Essex Police believe that developers should contribute to designing out the need for enforcement within the construction of newly built roads whilst ensuring speed limits are appropriate and meet the needs of all road users and visitors. This also applies to internal estate roads where the introduction of any desired speed limit is largely self-enforcing through design. This is especially relevant to the strong desire for 20mph limits or zones within new developments where there is an expectation that the restriction will be enforced. Essex Police request the use of creative and self-enforcing road design which can reduce the need for enforcement and limit the impact to local policing resources.

Developers also need to consider how their planning decisions can have a negative long-term impact upon neighbours and communities around simple things such as parking disputes through the lack of available parking, which can be factored into designing out crime.

For distributor roads we identify more and more roads being built by developers which become roads for distributing high volumes of traffic around new estates and towns. These roads have the potential to become roads where young drivers may use them as roads to test their ability for travelling at high speeds or for anti-social driving.

For such examples we would look to ensure:

- Speed limits are appropriate and meet the needs of all road users and residents.
- With an evidenced case, and where possible, a developer is requested to install average speed detections systems to ensure road user compliance, thereby reducing the need for police presence to enforce speed limits on newly built roads.
- Considering the prevention of crime and to enhance community safety, Essex Police believe that commercial and residential developers should contribute to the costs of installing Automatic Number Plate Recognition (ANPR) systems on newly designed roads where there is a recognised need for ANPR deployment.

Road safety: Technology exists for red light enforcement at traffic lights and developers should consider enforcement technology as part of any traffic light systems installed, improving overall safety of the location but also providing an efficient way to enforce the restriction.

In terms of road safety, Developers should make provision for all road users and in particular the most vulnerable road users, cyclists, and pedestrians. Essex Police request the development supports the ethos of the five essential pillars in the Safe System approach, ultimately to reach zero road related

deaths, these being:

- Safe Speeds: Road users understand the risks and implications of exceeding the speed limit and therefore, travel at appropriate speeds to the conditions and within posted speed limits.
- Safe Road Use: Road users who know and comply with the rules of the road and take responsibility for the safety of themselves and others, especially the vulnerable.
- Safe Roads & Roadsides: Road design encourages safe travel and one that is predictable and forgiving of mistakes.
- Safe Vehicles: That vehicle fleets comprise of well-maintained vehicles that reduce the risk of collisions and, in the event of a collision, reduce the harm to road users, including pedestrians, pedal cyclists, motorcyclists and vehicle occupants.
- Post Collision Response & Care: Provision of a more operative response to collisions by working effectively with all emergency services and the National Health Service (NHS). Road victims receive appropriate medical care and rehabilitation to minimise the severity and long-term impact of their injuries. Learnings from collisions are captured and acted upon. Families of those killed or seriously injured are appropriately supported.

Zero Emission Fleet and Infrastructure Strategy

Key considerations:

- To include infrastructure considerations to ensure and develop an efficient policing response in the future. This includes such matters as community based Electric Vehicle charging points to support the Essex Police Zero Emission Fleet and Infrastructure Strategy.
- As part of Essex Police's comprehensive Zero Emission Fleet and Infrastructure Strategy, we are committed to achieving a fully electrified vehicle fleet by 2035. In pursuit of this objective, we have developed plans to install electric vehicle charging points across all our police premises. The broader strategy also recognises the crucial role of community-based charging infrastructure in supporting extended patrols and recharging vehicles during and after operations.
- One of the primary challenges of electric vehicles is their limited range and lengthy charging time and access to external charging facilities is vital for the force to carry out their duties effectively. To ensure that we can recharge our vehicles locally and work in specific areas away from police premises for an extended period, we ask developers to consider the inclusion of charging facilities into their design, with one or two charging points allocated for emergency services use to support our operations.
- By providing dedicated charging points for emergency services, we can expand our patrols in the area and increase visible police presence, thereby contributing to a safer environment for local communities and visitors. As well as promoting safer communities, this infrastructure plan aligns with our commitment to promote sustainable practices and support the transition towards a greener future.

Information on Essex policing priorities and context.

Police, Fire, and Crime Commissioner for Essex (PFCC): Police Fire and Crime plan 2024 - 2028

The Police, Fire and Crime Plan 4 sets out the policing priorities and aims for keeping Essex safe. It brings together police, partners, and the people of Essex to build safe and secure communities, thereby promoting public confidence in the police and ensuring that victims are satisfied with the service and support they receive.

The priorities set out in the plans will inspire and challenge Essex Police, Essex County Fire and Rescue

Service and all community safety partners to create a safer county for all. The plans provide strategic direction for both services that tackle the root causes of crime, improving road safety and protecting the most vulnerable residents. Twelve priorities are included in the plan. These are:

Police and Crime priorities:

- 4 Police and Crime Plan I Police. Fire & Crime Commissioner for Essex jpfcc.police.uk)
- More local, visible, and accessible policing
- Drive down anti-social behaviour and crime
- Beat knife crime and drug gangs and protect young people
- Tackle violence against women and girls and domestic abuse
- Ensure vulnerable people are protected
- Improve road safety and reduce road deaths in Essex to zero
- Fire and Rescue priorities:
- Protect vulnerable people
- Improve road safety and reduce road death in Essex to zero
- Make buildings across Essex safer
- Adapt to our changing environment
- Promote a positive culture and develop the workforce
- Improve efficiency and effectiveness

Essex Police Force Plan

Essex Police force priorities are drawn from the Police, Fire and Crime Commissioner's (PFCC) Police and Crime plan. The plan provides our main effort, which helps us focus our energies on our priorities and think about helping victims, identifying vulnerability, preventing violence, and being visible in everything we do, whatever role we do to ensure we:

- Help people: Deliver the best possible service prioritising threat, harm, risk and putting victims at heart of what we do.
- Keep people safe: Prevent crime, protect the vulnerable, keep our communities and people safe and work with partners to do this.
- Catch criminals: Identify suspects and bring them to justice targeting the most harmful and paying attention to the needs and views of victims.

Historic England

Comments

24.06.25 - Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

10.07.2025 - Thank you for your letter of regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

This letter follows our advice dated 19 June 2025. Having noted the recommendations of the Ecological Impact Assessment (EclA) Version 2.4, we would like to offer the following comments:

Danbury Country Park falls within the registered Danbury Park, comprising mid-19th century gardens created for the Bishops of Rochester, focussed on the early 19th century Danbury Palace and set with a 16th/18th century landscape park developed from an earlier medieval deer park.

The registered park is in Historic England's Heritage at Risk Register. This is primarily due to its division across multiple ownerships, which has resulted in differential management, obstructed views and fragmentation of the landscape.

The EclA recommends the promotion of Danbury County Park as an alternative accessible greenspace. This is in order to divert pressures from the nearby Sites of Special Scientific Interest (SSSI).

Increased recreational pressures resulting from the promotion and use of the public open space at Danbury Country Park as proposed may exacerbate physical wear-and-tear and worsen management issues already affecting the historic environment at Danbury Park or any other registered park and garden - such as the nearby Riffhams to cite another local example.

Consequently, should the Council be minded to grant permission to this application in its present form and the proposed development rely on the use of Danbury Park as an alternative accessible greenspace, we ask you to be satisfied that a robust battery of measures are agreed to ensure provision of appropriate repair and maintenance of Danbury Park's infrastructure and facilities. We suggest this could align with the recommendations of the Danbury Park CMP prepared by Place Services. Given the inclusion of the park in our Heritage at Risk Register, we would be pleased to provide advice on such measures, should you find this useful.

We would also recommend that the archaeological and built heritage assessment is expanded to provide further information on potential impacts and potential for mitigation on the registered Danbury Park and any other registered park and garden that might be affected by the scheme

Recommendation

The issues and recommendations outline in our advice need to be addressed in order for the application to meet the requirements of paragraphs 212 and 213 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

In addition, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires you to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Cycling Action Group

Comments
No response received

Maldon Consultation Responses

Purleigh Parish Council

Comments
No response received

County Highways

Comments
04.04.2025 - The information that was submitted in association with the application has been duly considered by the Highway Authority. It is noted that almost all of the applicant's red line boundary falls within Chelmsford City Council's area. The Highway Authority is currently in ongoing discussions with that authority in relation to all highways matters (Chelmsford application reference 24/01786/OUT). It has been clarified that the very small section of the site boundary to the south-east of the site that falls within Maldon District Council's area is designated as a drainage route. As such, there is no impact on the local highway network within Maldon's boundary. Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the following Development Management policies: A) Safety: Policy DM1 of the Highway Authority's Development Management Policies B) Accessibility: Policy DM9 of the Highway Authority's Development Management Policies C) Efficiency/Capacity: Policy DM1 of the Highway Authority's Development Management Policies D) Road Hierarchy: Policy DM2-4 of the Highway Authority's Development Management Policies

RSPB

Comments
No response received

West Mortimer and Hazeleigh Parish Council

Comments
25.02.2025- We raise no objection but wish to make the following comment: Cllrs raise no objection to the proposed development and would like to see the current 40mph speed limit from its existing location in Danbury extended to pass the proposed development site along Maldon Road to the 30mph limit in Woodham Mortimer at the Zara Restaurant, this would introduce a traffic calming

measure to mitigate the extra volume of traffic that would be leaving and accessing the site. Cllrs would also like to see a s106 commitment towards additional bus services and associated infrastructure. Public Footpath 38 Danbury aligns through the centre of the development and a condition should be imposed to protect its use at all times. As the proposal is another development highly likely to see an increase in traffic passing through Woodham Mortimer Village Cllrs request an investigation for a potential Danbury/Woodham Mortimer bypass road be instigated.

Ecology – Place Services

Comments
20.02.2025 - No objection subject to securing biodiversity mitigation and enhancement measures. Summary We have reviewed the Ecological Impact Assessment (EcIA) (Arbtech, January 2025), the Bat Activity Transect Surveys (Arbtech, December 2024), the Statutory BNG File Note (Arbtech, December 2024), and the submitted Statutory Biodiversity Metric - Calculation Tool and Condition Sheets (December 2024) and the relevant plans relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation and mandatory Biodiversity Net Gains. We are satisfied that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. We note that the site falls within the evidenced recreational Zone of Influence (ZOI) of Essex Coast RAMS. Therefore, given the residential element of this development is relevant, the LPA will need to prepare a project level HRA Appropriate Assessment to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites. This will mitigate for predicted recreational impacts in combination with other plans and projects and avoid Adverse Effect on Integrity of the designated Habitats sites. In addition, we note that the site is located approximately 630m east of the Danbury Common Site of Special Scientific Interest (SSSI). Therefore, given the close proximity of the development to the statutory designated site, Natural England should be consulted on this application. The mitigation measures identified in the Ecological Impact Assessment (EcIA) (ArbTech, January 2025) and the Bat Activity Transect Surveys (Arbtech, December 2024), should be implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, amphibians, reptiles, nesting birds, and mobile mammals. It is recommended that a Construction Environmental Management Plan (CEMP: Biodiversity) is provided to secure appropriate mitigation measures for biodiversity during the construction phase. The site is considered suitable for foraging and commuting bats. Therefore, if any external lighting is to be proposed, it is advised that a sensitive lighting scheme is developed to minimise any impacts to foraging and commuting bat habitat. The scheme should summarise the following measures will be implemented:

- o Light levels should be as low as possible as required to fulfil the lighting need. o Warm White lights should be used at <2700K. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- o The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- o Lights should be designed to prevent horizontal spill e.g., cowls, hoods, reflector skirts or shields.

With regard to mandatory biodiversity net gains, we are satisfied that the pre-development baseline is appropriate and in line with the Ecological Impact Assessment (EclA) (Arbtech, January 2025). Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. Therefore, we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a Habitat Management and Monitoring Plan should be secured for all significant on-site enhancements. Based on the submitted post-intervention values, it is suggested that this includes the following habitats: Other neutral grassland, mixed scrub, Traditional Orchard, Urban trees, Sustainable Drainage Systems and Species-rich Native hedgerows. This should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 2, 5, 10, 15, 20, 25, 30 any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved. Any off-site measures will also need to be secured via legal agreement with the LPA for the 30-year period.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (2024). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This is necessary to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under the NERC Act 2006 (as amended). Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, in line with the Ecological Impact Assessment (EclA) (ArbTech, January 2025) and the Bat Activity Transect Surveys (Arbtech, December 2024).

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"

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

2. PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)

A Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the: o initial enhancements, as set in the HMMP, have been implemented; and o habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

3. PRIOR TO ANY WORKS ABOVE SLAB LEVEL AND CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY

"Prior to any works above slab level and concurrent with reserved matters, a Biodiversity Enhancement Strategy for protected, Priority and threatened species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2024 and s40 of the NERC Act 2006 (Priority habitats & species).

4. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan. Local planning authority are strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when

granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using draft text provided by the Secretary of State:

"Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Maldon District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply."

ECC SuDS

Comments

20.02.2025 - As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015. In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- o Non-statutory technical standards for sustainable drainage systems
- o Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- o The CIRIA SuDS Manual (C753)
- o BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

It is noted that the planning red line boundary mostly sits under Chelmsford City Council. The Flood Risk Assessment reference 27957-FLD-0101 Rev B has been submitted to both Local Planning Authorities. We reviewed the Flood Risk Assessment and submitted our comments for Chelmsford planning reference 24/01786/OUT on the 14/02/25. Our comments were as follows:

Having reviewed the Flood Risk Assessment (27957-FLD-0101 Rev B) and the associated documents which accompanied the planning application, we wish to issue a holding objection to the granting of planning permission based on the following:

- o From our own investigation using the IH124 Method, this produced a greenfield 1:1 discharge rate of 2.58 l/s based on the 2.14 ha impermeable area. Please clarify the proposed rate of 6.7l/s. The LLFA preference is that greenfield runoff rates should be calculated using the following rainfall data: FSR and FEH and should be calculated using the IH124 method. It should be shown that the method selected is the most conservative of the options available.

<https://www.essexdesignguide.co.uk/suds/rates-and-storage/calculating-runoff-rates/>

- o Whilst it is acknowledged that the final outfall is within the applicants land ownership, we require details

clarifying how the 457m stretch to the outfall will be safeguarded and maintained in the future.

- o Please clarify how the runoff from the roofs will be treated as it is not clear from the preliminary drainage plan. It would be helpful to see the potential locations of the permeable paving also.

We also have the following advisory comments:

- o We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

- o Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022.

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

- o Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply. <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

- o Whilst not within our remit, we would advise that the Essex PROW Team should be contacted on this application as works are proposed on/around the PROW. The landowner should contact the PROW Team for any relevant approvals prior to works commencing.

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- o Sequential Test in relation to fluvial flood risk;

- o Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);

- o Safety of the building;

- o Flood recovery measures (including flood proofing and other building level resistance and resilience measures);

- o Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- o Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- o Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- o Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- o It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- o The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- o We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Place Services Arboriculture

Comments
19.02.2025 - Following a review of the submitted information and aerial imagery I am in a position to provide the following comment: This application is supported by arboricultural information compiled by Arbtech and indicates that three category B and 2 category C trees require removal to facilitate development as well as partial removal of a further two Category C groups of trees. However, outline proposals indicate significant new planting in mitigation. I have no objection to the proposals subject to the submission of a detailed arboricultural method statement and tree protection plan following layout design and prior to commencement DECISION NO OBJECTION Where permission is granted subject to conditions, the following should apply in relation to trees G2 Retention and protection of existing trees (all trees to be retained) - o development shall commence until information has been submitted and approved in writing by the local planning authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows: - o Tree survey detailing works required - o Trees to be retained - o Tree retention protection plan - o Tree constraints plan

- o Arboricultural implication assessment
- o Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority. The tree protection measures shall be carried out in accordance with the approved detail

Environmental Health

Comments

I have no significant comments or objections to this application as it lies almost exclusively within the Chelmsford district. There are unlikely to be any adverse impacts from noise, air quality or land contamination from the proposed development on existing receptors within the Maldon district or vice versa.

Archaeology

Comments

The proposed development site has the potential to impact on archaeological remains. The Essex Historic Environment Record (EHER) shows that the proposed development is located to the east of the Scheduled Danbury Camp (List Entry Number: 1005571), a Middle/Late Iron Age hillfort located on the top of Danbury Hill. There are undated cropmarks of field boundaries and rectilinear features from the site itself (MEX1031721). The archaeological desk-based assessment submitted with the planning application has identified that 'there is the low to medium potential for remains relating to the later Prehistoric, Roman and postmedieval periods to be present.

Archaeological deposits are both fragile and irreplaceable and any permitted development on site should therefore be preceded by a programme of archaeological investigation which should be secured by an appropriate condition attached to any forthcoming planning consent. This is in line with advice given in the National Planning Policy Framework.

L1 Archaeological Assessment

No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the local planning authority and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.

L2 Implementation of Archaeological Fieldwork Programme

No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has secured the implementation of a programme of archaeological work from an accredited archaeological contractor in accordance with a written scheme of investigation which has been submitted to and approved in writing by

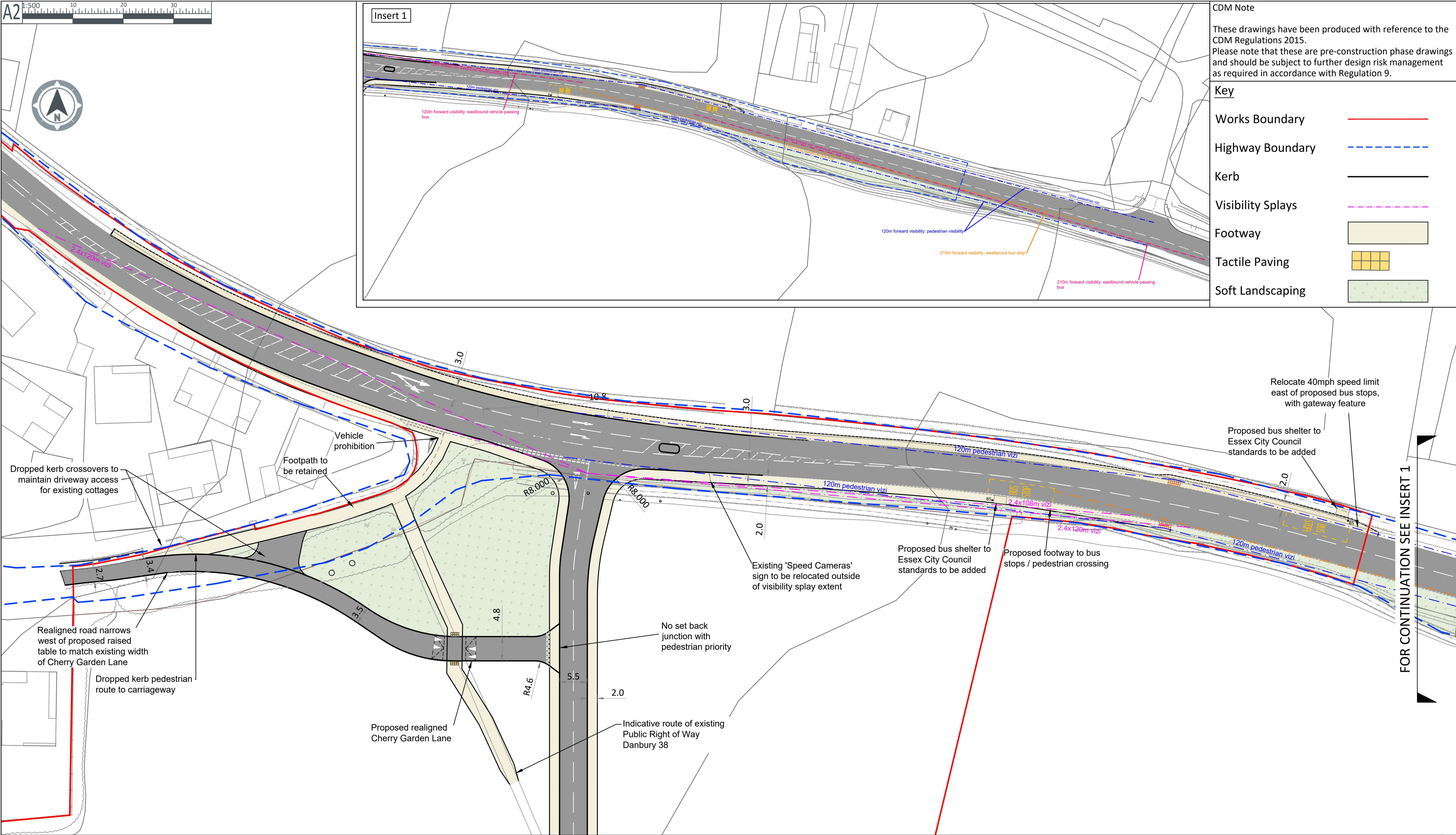
the local planning authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

The archaeological work will comprise trial-trenching of the proposed development area, followed by full excavation if archaeological features are identified. All fieldwork should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

Housing Department

Comments
The above Application, OUT/MAL/24/01014 is proposing an Outline Application with all matters reserved except for access for the erection of up to 72 dwellings with associated infrastructure at Land South of Maldon Road, Danbury, Chelmsford. The Application is proposing both Market and Affordable housing, however, this development is within the planning authority boundary of Chelmsford City Council. Nominations to the affordable rented properties will be undertaken by Chelmsford City Council and allocated to applicants registered on that authorities Housing Register System and not therefore from Maldon District Council's Housing Register. Strategic Housing Services therefore have no comments with regards to this Application.

File name C:\Users\BEN KELLY\ONEDRIVE - PHIL JONES ASSOCIATES\SHARED\DATA - 07128 MALDON ROAD, DANBURY\3.1 DRAWINGS\07128-TR-0001-P12-SITE ACCESS.DWG, printed on 20/05/2025 10:01:16, by Ben Kelly



CDM Note

These drawings have been produced with reference to the CDM Regulations 2015. Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9.

Key

Works Boundary

Highway Boundary

Kerb

Visibility Splays

Footway

Tactile Paving

Soft Landscaping

P12	20/05/25	BK	JG	MF
P11	16/04/25	BK	JG	MF
P10	11/02/25	JG	MF	MF
P9	28/03/24	LK	MF	MF
P8	06/03/24	PR	LK	MF
P7	16/02/24	LK	MF	MF
P6	24/01/24	LK	MF	MF
P5	15/01/24	LK	MF	MF
P4	05/12/23	LK	MF	MF
Rev	Date	Drw	Chk	App

1.

Do not scale from this drawing.
2.

All dimensions in metres unless otherwise stated.
3.

The purpose of this drawing is to set out a design option for the Cherry Garden Lane arrangement with the intention of discouraging development traffic from using the lane and preventing rat running.
4.

This drawing is based upon the topographical survey drawing 22915_T_REV0 supplied by Greenhatch Group, as well as OS mapping and arboricultural survey data from Arbtch
5.

The drawing has been prepared in line with the requirements set out within Manual for Streets and Manual for Streets 2, with reference to DMRB visibility requirements for a 70kph design speed.
6.

Levels, earthworks and/or the need for retaining structures has not been considered at this stage.
7.

The impact of statutory undertakers equipment has not been considered at this stage.
8.

All design elements are subject to further design development and relevant technical approvals.

Client

Richborough Estates

Project

Land south of Maldon Road, Danbury

Drawing Status

Concept

Title

Proposed Site Access

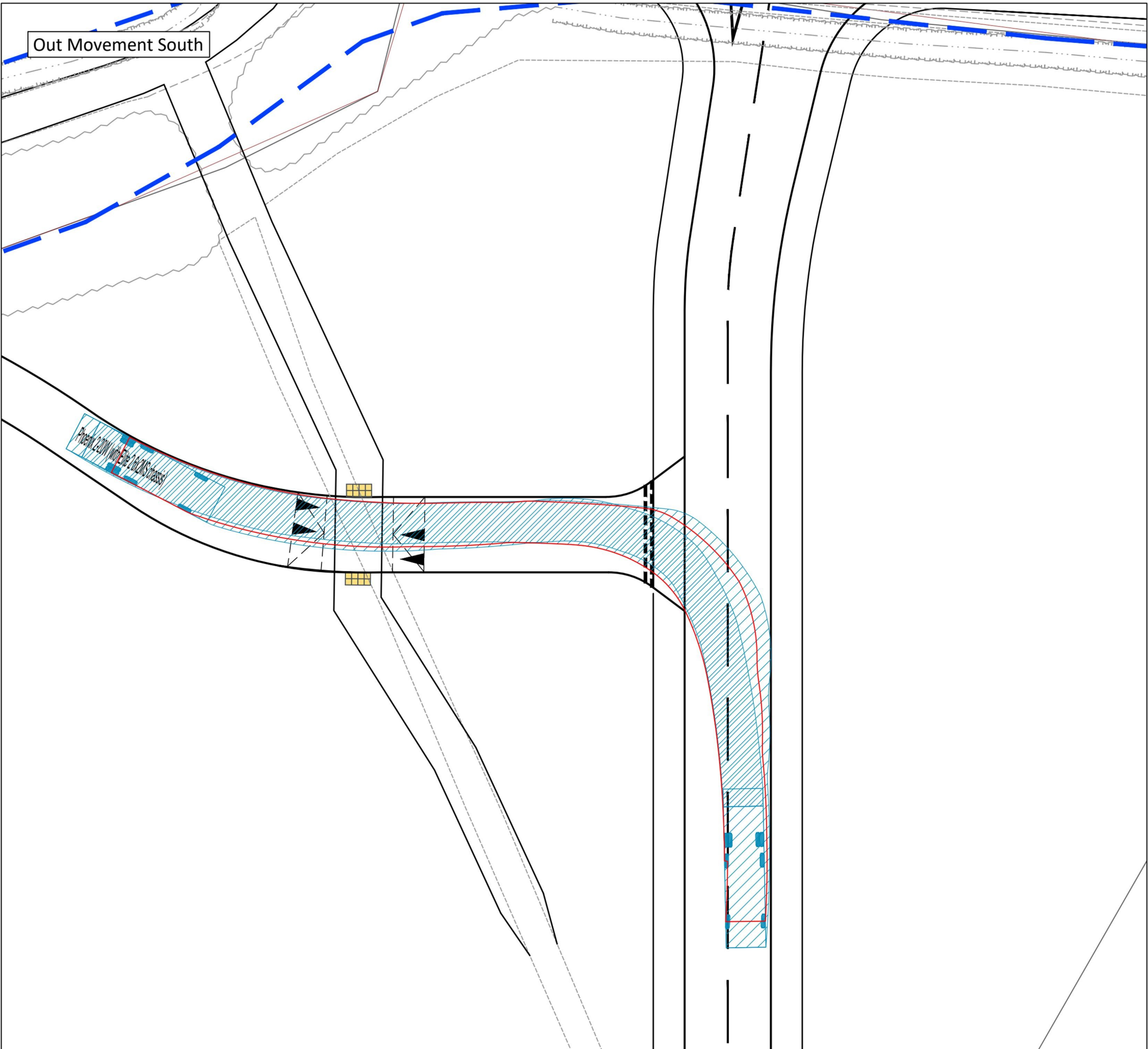
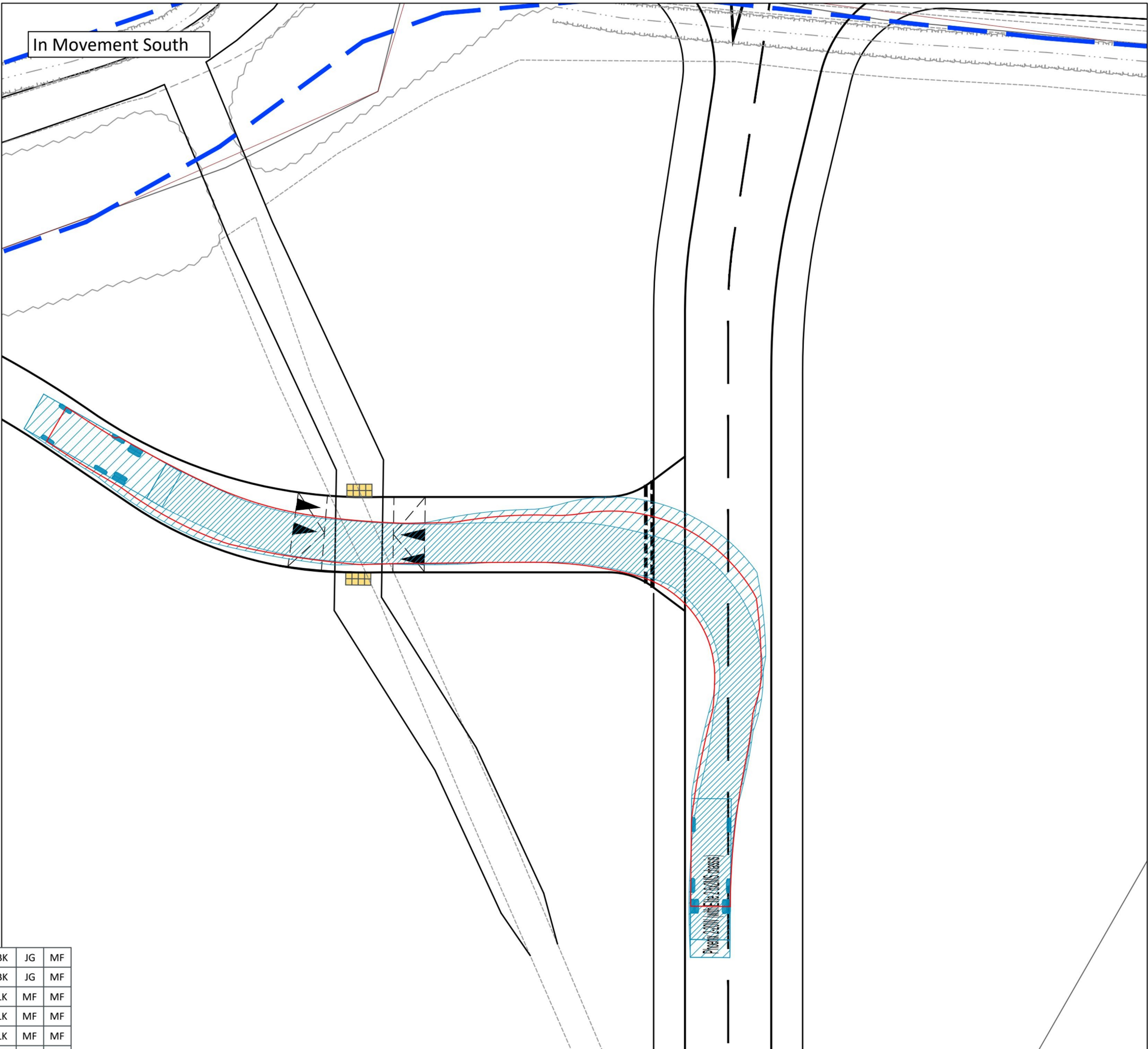
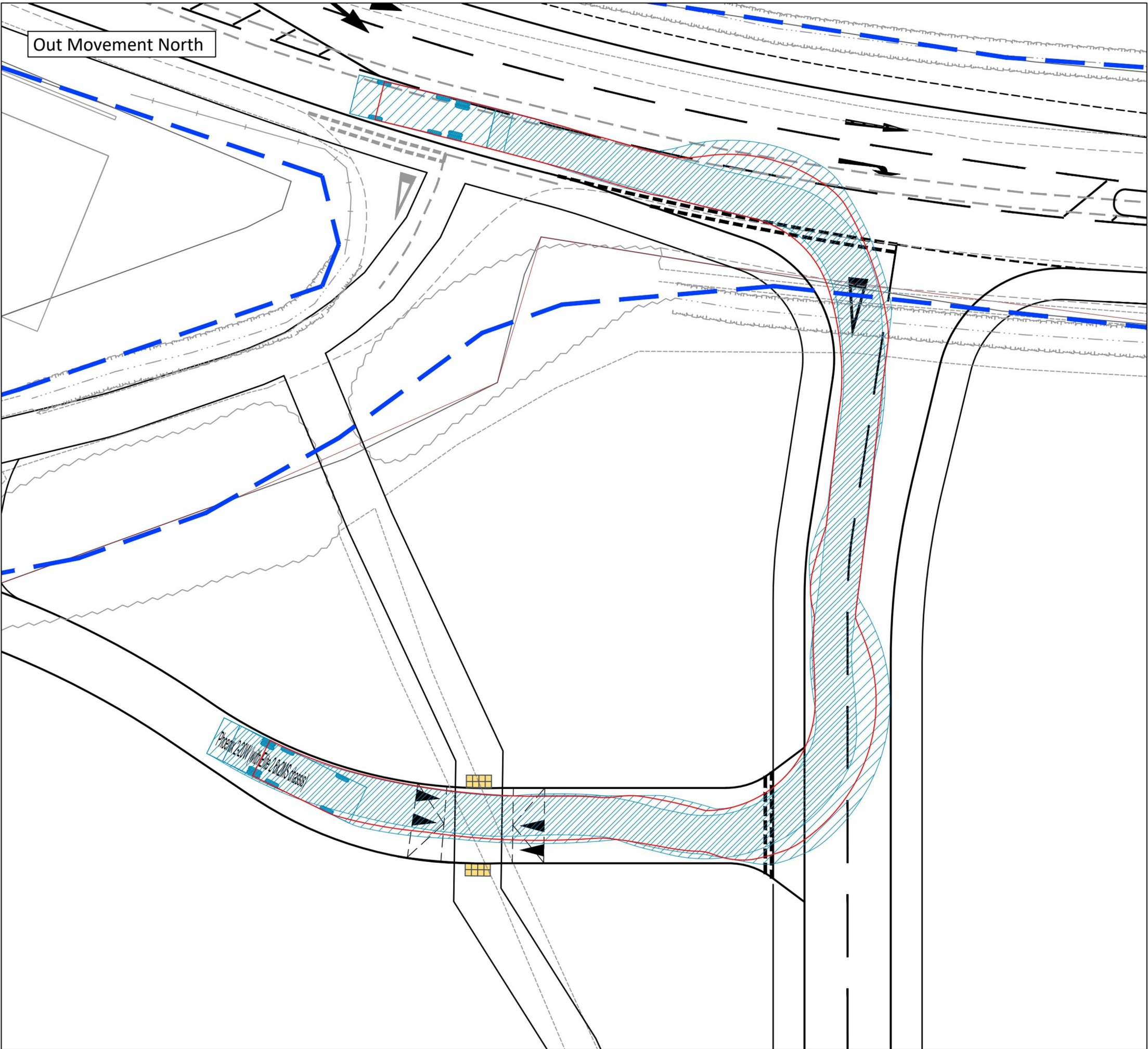
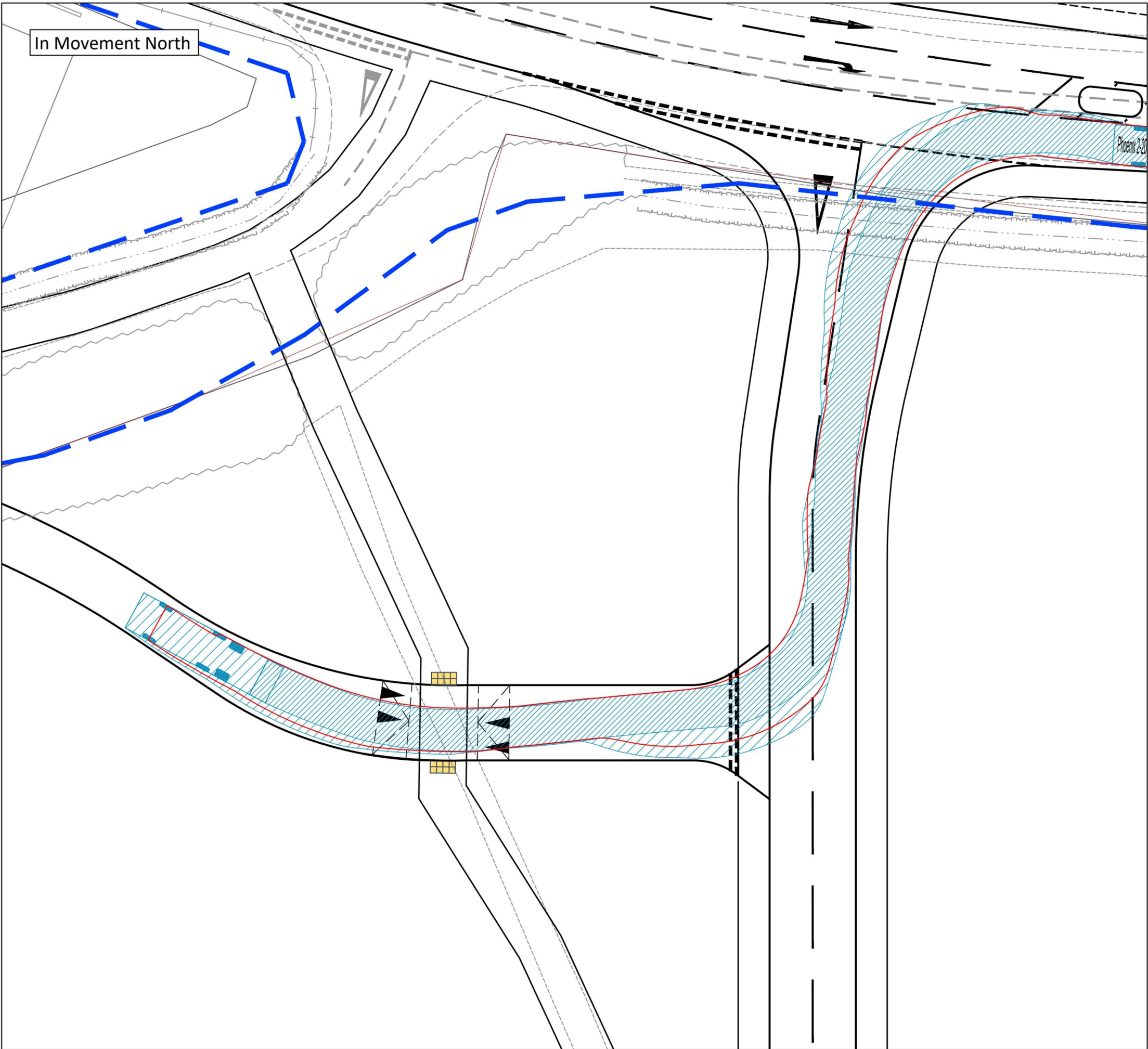
Drawing No.

0001

PJA

transport • engineering • placemaking

Birmingham | Bristol | Cambridge | London | Manchester | Reading
Melbourne | Perth
pja.co.uk | pja.com.au



CDM Note

These drawings have been produced with reference to the CDM Regulations 2015. Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9.

Proposed kerbline
Proposed edge of footway
Existing kerbline
Indicative highway boundary

Phoenix 2.20W (with Elite 2 6x2MS chassis)
Overall Length 10.120m
Overall Width 2.530m
Overall Body Height 3.211m
Min Body Ground Clearance 0.416m
Track Width 2.530m
Lock to lock time 4.00s
Kerb to Kerb Turning Radius 10.550m

File name C:\Users\BEN KELLY\ONEDRIVE - PHIL JONES ASSOCIATES\SHARED\DATA - 07128 MALDON ROAD, DANBURY\3. TECHNICAL\3.1 DRAWINGS\07128-TR-0001-P12-SITE ACCESS.DWG, printed on 20/05/2025 10:03:17, by Ben Kelly

P6	20/05/25	BK	JG	MF
P5	16/04/25	BK	JG	MF
P4	28/03/24	LK	MF	MF
P3	16/02/24	LK	MF	MF
P2	02/02/24	LK	MF	MF
P1	24/01/24	LK	MF	MF
P0	05/12/23	LK	MF	MF
Rev	Date	Drw	Chk	App

Client
Richborough Estates

Project
Land south of Maldon Road, Danbury

Drawing Status
Concept

Title
Proposed Site Access Tracking

Drawing No.
07128-TR-0005

PJA

transport • engineering • placemaking

Birmingham | Bristol | Cambridge | London | Manchester | Reading
Melbourne | Perth
pja.co.uk | pja.com.au

File name C:\USERS\BEN KELLY\ONE DRIVE - PHIL JONES ASSOCIATES\SHARED DATA - 07128 MALDON ROAD, DANBURY\3.1 DRAWINGS\07128-TR-0009-P2-LANDSCAPING WORKS PLAN.DWG, printed on 20/05/2025 14:01:53, by Ben Kelly

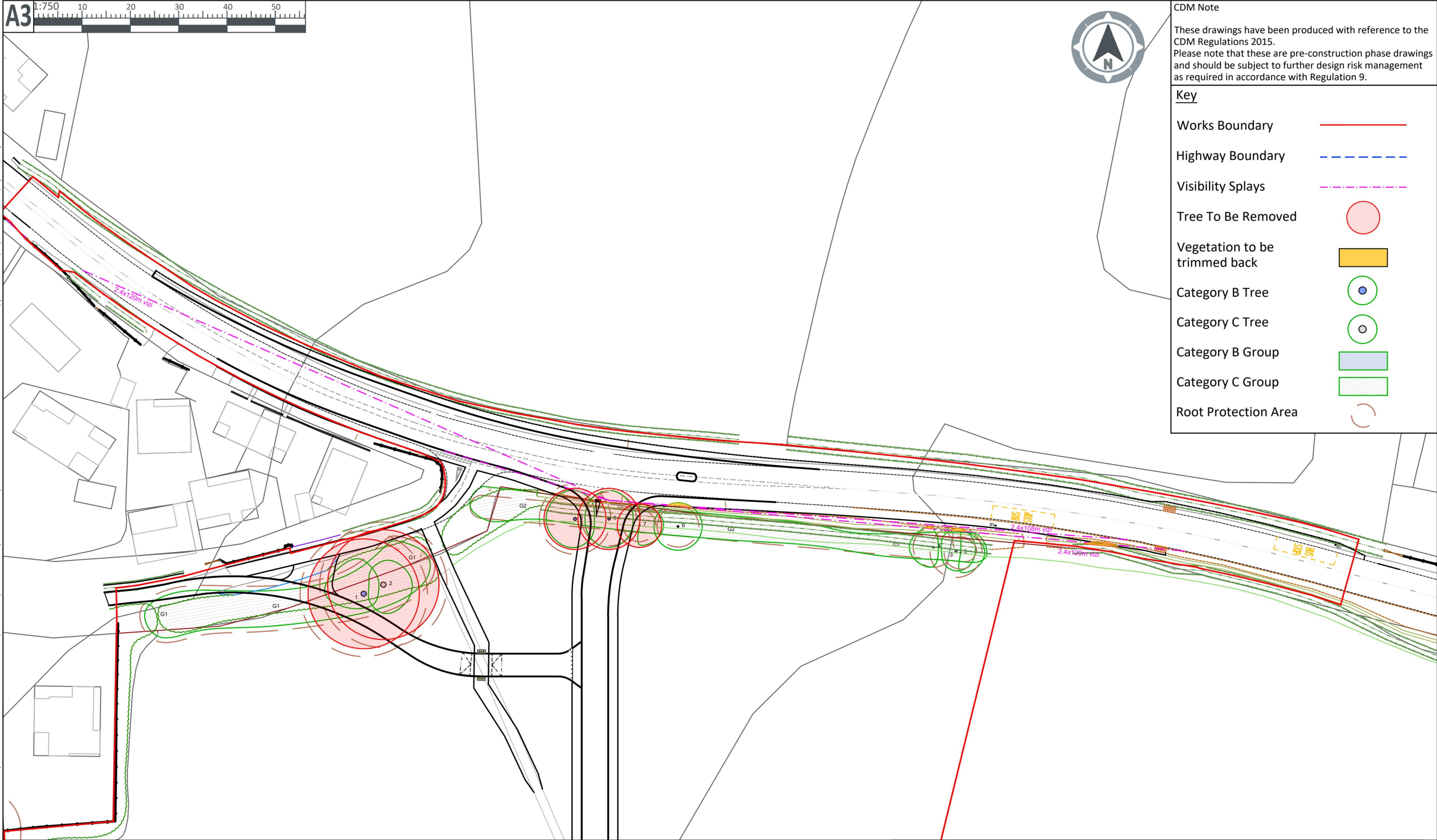


CDM Note

These drawings have been produced with reference to the CDM Regulations 2015. Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9.

Key

Works Boundary	
Highway Boundary	
Visibility Splays	
Tree To Be Removed	
Vegetation to be trimmed back	
Category B Tree	
Category C Tree	
Category B Group	
Category C Group	
Root Protection Area	



1. Do not scale from this drawing.
2. All dimensions in metres unless otherwise stated.
3. The purpose of this drawing is to set out the works to existing landscaping/vegetation to provide the proposed realignment of Cherry Garden Lane.
4. This drawing is based upon the topographical survey drawing 22915_T_REV0 supplied by Greenhatch Group, as well as OS mapping and arboricultural survey data from Arbtech.
5. The drawing has been prepared in line with the requirements set out within Manual for Streets and Manual for Streets 2, with reference to DMRB visibility requirements for a 70kph design speed.
6. Levels, earthworks and/or the need for retaining structures has not been considered at this stage.
7. The impact of statutory undertakers equipment has not been considered at this stage.
8. All design elements are subject to further design development and relevant technical approvals.

P2	20/05/25	BK	JG	MF
P1	16/04/25	BK	JG	MF
Rev	Date	Drw	Chk	App

Client
Richborough Estates

Project
Land south of Maldon Road, Danbury

Drawing Status
Concept

Title
Landscaping Works Plan

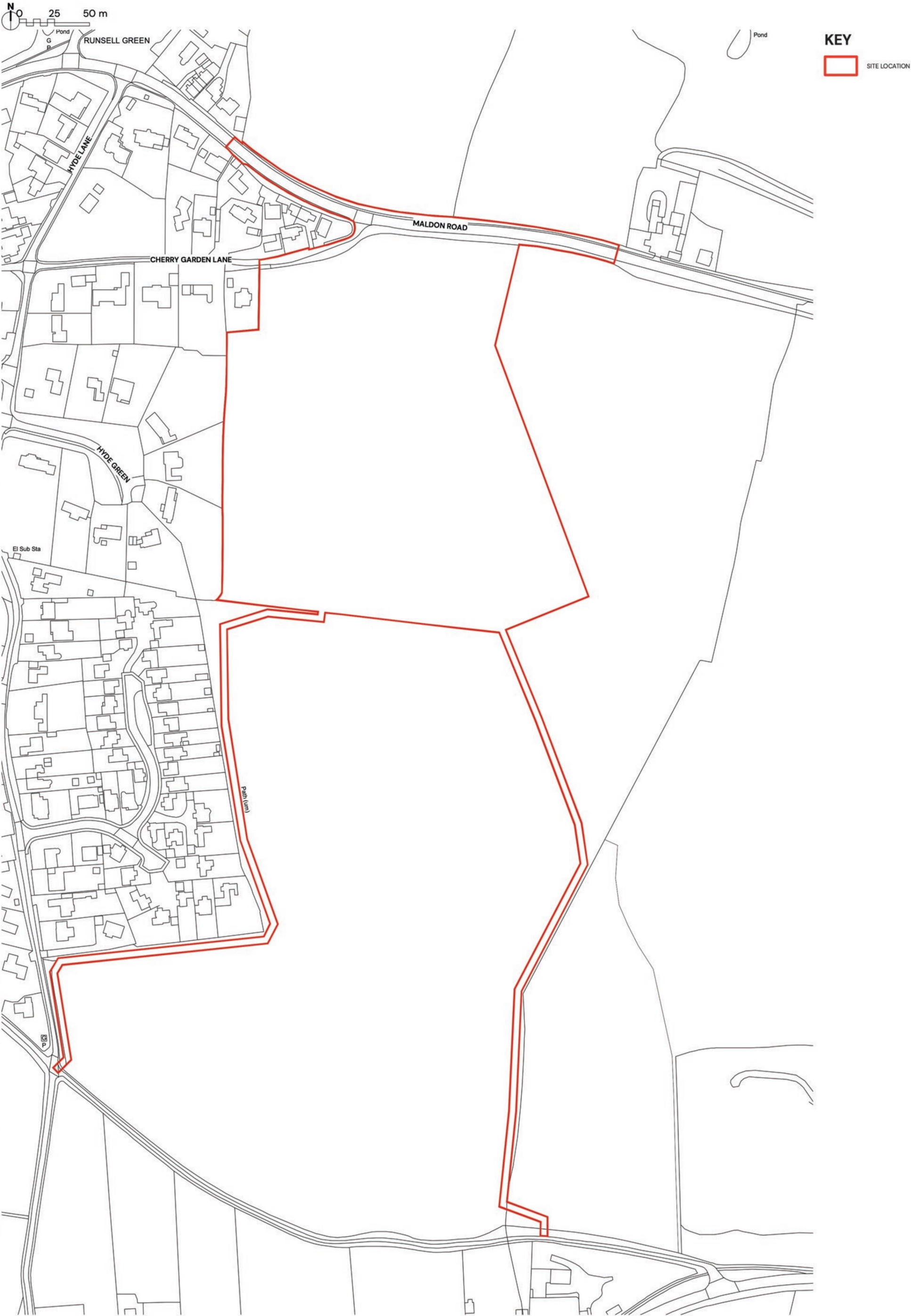
Drawing No.
07128-TR-0009



transport • engineering • placemaking

Birmingham | Bristol | Cambridge | London | Manchester | Reading
Melbourne | Perth
pja.co.uk | pja.com.au

© Pegasus Planning Group Limited. © Crown copyright and database rights OS 100042093. Promap Licence number 100020449. EmapSite Licence number 0100031673. Terms & Conditions @ pegasusgroup.co.uk



LAND OFF MALDON ROAD, DANBURY – SITE LOCATION PLAN



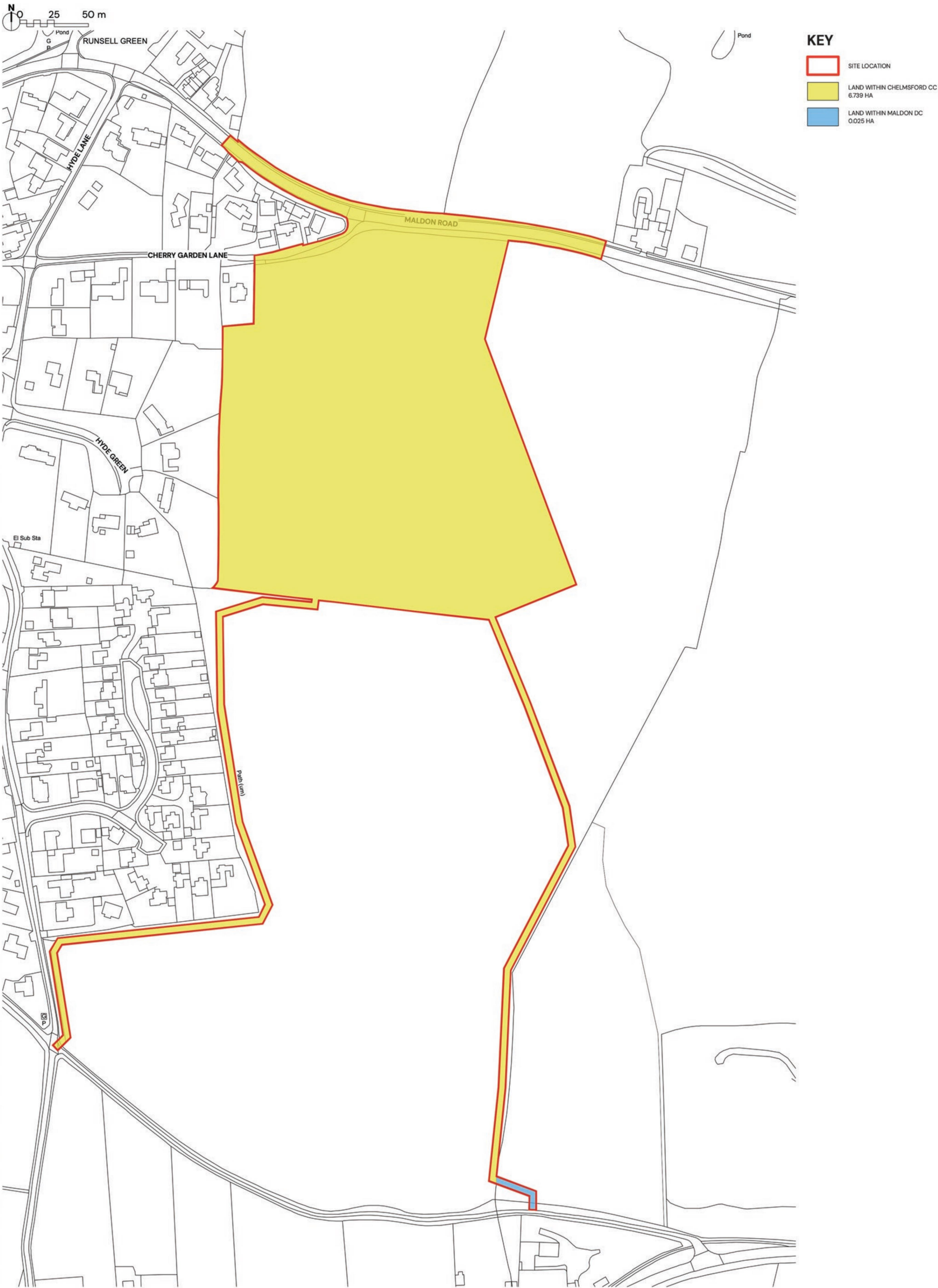
Expertly Done.

| PEGASUSGROUP.CO.UK | TEAM/DRAWN BY: MC | APPROVED BY: JW | DATE: 20.08.24 | SCALE: 1:2500@A3 | DRWG: P23-2778_DE_001 | REV: C | CLIENT: RICHBOROUGH

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE

Copyright Pegasus Planning Group Ltd. Crown copyright. All rights reserved. 2022. Ordnance Survey Copyright Licence number 100042093. Promap Licence number 100020449. Pegasus accepts no liability for any use of this document other than for its original purpose, or by the original client, or following Pegasus' express agreement to such use. T 01285641717 www.pegasusgroup.co.uk

© Pegasus Planning Group Limited. © Crown copyright and database rights OS 100042093. Promap Licence number 100020449. EmapSite Licence number 0100031673. Terms & Conditions @ pegasusgroup.co.uk



LAND OFF MALDON ROAD, DANBURY – LOCATION PLAN (AUTHORITIES SPLIT)

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE

Copyright Pegasus Planning Group Ltd. Crown copyright. All rights reserved. 2022. Ordnance Survey Copyright Licence number 100042093. Promap Licence number 100020449. Pegasus accepts no liability for any use of this document other than for its original purpose, or by the original client, or following Pegasus' express agreement to such use. T 01285641717 www.pegasusgroup.co.uk

| PEGASUSGROUP.CO.UK | TEAM/DRAWN BY: EA | APPROVED BY: JW | DATE: 09.01.25 | SCALE: 1:2500@A3 | DRWG: P23-2778_DE_001-02 | REV: - | CLIENT: RICHBOROUGH

