

Planning Committee Agenda

5 November 2019 at 7pm

**Council Chamber
Civic Centre, Duke Street
Chelmsford CM1 1JE**

Membership

Councillor J A Sosin (Chair)

and Councillors

L Ashley, H Ayres, A Davidson, S Dobson, P Hughes, R J Hyland,
R Lee, G H J Pooley, R J Poulter, T E Roper, C Shaw,
R J Shepherd, M Springett and I Wright

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. If you would like to find out more, please telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923, email brian.mayfield@chelmsford.gov.uk, call in at the Civic Centre or write to the address above.

Council staff will also be available to offer advice in the Civic Centre for up to half an hour before the start of the meeting.

If you need this agenda in an alternative format please call 01245 606923. Minicom textphone number: 01245 606444.

Recording of the part of this meeting open to the public is allowed. To find out more please use the contact details above.

PLANNING COMMITTEE

5 November 2019

AGENDA

PART I

Items to be considered when members of the public are likely to be present

1. **CHAIR'S ANNOUNCEMENTS**
2. **APOLOGIES FOR ABSENCE**
3. **MINUTES**

To consider the minutes of the meeting held on 8 October 2019.

4. **PUBLIC QUESTION TIME**

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

If a number of people wish to ask substantially the same questions or make the same points on a matter, they are encouraged to appoint one or more spokespersons to do so on their behalf in order to avoid repetition.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Where an application is returning to the Committee that has been deferred for a site visit, for further information or to consider detailed reasons for refusal, those who spoke under public questions at the previous meeting may not repeat their questions or statements.

5. **DECLARATION OF INTERESTS**

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

6. **REGIMENT WAY GOLF CENTRE, PRATTS FARM LANE, LITTLE WALTHAM – 19/00561/FUL**
7. **18-20 MILDMAY ROAD, CHELMSFORD - 19/01354/FUL**
8. **19 LEYBOURNE DRIVE, SPRINGFIELD, CHELMSFORD - 19/01619/FUL**
9. **PLANNING APPEALS**

PART II (EXEMPT ITEMS)

NIL

MINUTES

of the

PLANNING COMMITTEE

held on 8 October 2019 at 7:00 pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, A Davidson, S Dobson, J Frasca, P V Hughes, R J Hyland, R Lee, G H J Pooley, R J Poulter, T E Roper, C Shaw, R J Shepherd and I Wright

Also present: Councillors K Bentley, P Clark, R Massey and L Millane

1. **Chair's Announcements**

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

2. **Apologies for Absence**

Apologies for absence were received from Councillors M Springett, who had appointed Councillor J Frasca as his substitute.

3. **Minutes**

The minutes of the meeting held on 3 September 2019 were confirmed as a correct record and signed by the Chair.

4. **Public Question Time**

Members of the public attended to ask questions and make statements on item 8 on the agenda. Details are recorded under the relevant minute number below.

5. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda. Those declared are referred to in the relevant minutes below.

6. **Site at Jubilee Farm, Newney Green, Writtle, Chelmsford – 19/01149/FUL**

(M7, PL10, 2019) The Committee considered a report on the detailed reasons for the refusal of an application for the demolition of two existing dwellings and an equestrian centre on a site at Jubilee Farm, Newney Green, Writtle, and its redevelopment to provide six dwellings with associated landscaping, access, garages, parking and amenity space.

RESOLVED that the application 19/01149/FUL in respect of the site at Jubilee Farm, Newney Green, Writtle, Chelmsford be refused for the reasons set out in the report to the meeting.

(7.05pm to 7.08pm)

7. **154 Celeborn Street, South Woodham Ferrers, Chelmsford – 19/01304/FUL**

The application before the Committee was for the demolition of the existing garage at 154 Celeborn Street, South Woodham Ferrers and the construction of a front extension with three side-facing dormers and rooflights and a new car port. A two-storey front bay extension, a rear single-storey glass box extension, fenestration changes to the front of the property and the corbelling of the left-hand side chimney were also proposed.

A ward councillor attended the meeting to speak on behalf of local residents who objected to the application. Their concerns, which were shared by the Town Council, centred on the view that the proposal represented over-development of the site, was overbearing, of a poor design and adversely affected the street scene and the amenities of neighbours. The application also failed to incorporate the pre-application advice given by planning officers and was the latest in a series of applications that had resulted in a substantial increase in the size of the original property.

The Committee was informed that no limit was placed on the number of applications that could be made in respect of a property, and each had to be considered on its merits. Pre-application advice could not be regarded as imposing constraints on development and was simply a guide to developers. Officers did not regard the proposal as over-development, the car port and front extension were relatively minor features, and the scheme was not so harmful to the street scene that a reason for refusal on that ground could be justified.

The Committee decided against holding a site visit before determining the application. Whilst a comment was made that it would have been useful to know how the proposal differed from the pre-application advice given and why the scheme was acceptable to the officers nonetheless, the Committee was of the view that the development was acceptable in its context.

RESOLVED that the application 19/01304/FUL in respect of 154 Celeborn Street, South Woodham Ferrers, Chelmsford be approved, subject to the conditions detailed in the report to the meeting.

(7.08pm to 7.29pm)

8. **Morelands Industrial Estate, Tile Works Lane, Rettendon, Chelmsford – 19/00384/OUT**

Councillor R J Poulter informed the Committee that he was pre-determined on this application and wished to speak on it in his capacity as ward councillor. He withdrew from the meeting after doing so and took no part in the decision.

The Committee considered an outline planning application for the demolition of existing buildings at the Morelands Industrial Estate, Tile Works Lane, Rettendon and, in their place, a residential development of up to 92 dwellings with public open space and landscaping, with all matters reserved except for the access into the site from Tile Works Lane. It was also proposed to relocate the existing bund to the west of the A130 road. A Green Sheet of additions and alterations to the report before the Committee was distributed at the meeting.

Two members of the public, a representative of Rettendon Parish Council and two ward members spoke in support of the application. They emphasised the disturbance the current use caused to local residents, the environmental damage from pollution and contamination and the unlawful activities still taking place at the site.

The Committee shared those concerns and believed that the proposed scheme would be a substantial improvement on the present use. The only questions in members' minds concerned the loss of industrial units; the lack of affordable housing, although this was understandable on grounds of viability and the particular challenges presented by the site; the impact of the development on the surrounding road network; and whether the Committee was being asked to decide separately on that part of the application site within the site allocation boundary and that outside of the boundary to the north.

In response to those points, the officers said that the application was in two parts as the site covered areas to which different policy considerations applied; it should, however, be decided as a single application. The whole of the application area was being brought forward to make the scheme viable, after taking into account the cost of decontamination, and compliant with policy. It would not be viable if the developer was required to provide 35% affordable housing. They had agreed, however, to a commuted sum of £60,000 in lieu of that provision and it would be allocated towards some form of affordable housing on another site. The development would result in no more vehicle movements than the present use and would reduce considerably the number of heavy goods vehicles on surrounding roads. The development did not represent intensification of the use of the existing site and therefore no further road improvements could be required or were necessary. The Committee was also informed that East Hanningfield had now designated their Neighbourhood Plan area and would begin the process to draw up their Plan; it was within the scope of a Neighbourhood Plan to allocate further commercial units in the parish to replace those lost by the Morelands site if there was an identified need.

RESOLVED that:

1. the Committee being minded not to refuse the application 19/00384/OUT in respect of the site at Morelands Industrial Estate, Tile Works Lane, Rettendon, Chelmsford refers it for consultation to the Secretary of State as required by Articles 9 and 10 (as development covered by Article 5) of the Town and Country Planning (Consultation) (England) Direction 2009;

2. for the purposes of Article 5(e) the report to the meeting constitutes the Statement of the material considerations which this Council consider indicate the reasons for this departure application being determined otherwise than in accordance with s38(8) of the Planning and Compulsory Purchase Act 2004; and
3. Upon the expiry of the 21 day period in which the Secretary of State has to respond from the date on which she confirms receipt of the material required under Article 10, or upon notification that the Secretary of State does not intend to intervene (if received sooner than the 21 day period), the Director of Sustainable Communities be authorised to grant the application, subject to an agreement as indicated in the report to the Committee being entered into by 8 April 2020 pursuant to the Town and Country Planning Act 1990 and the conditions set out in the report, as amended by the Green Sheet distributed at the meeting.

(7.29pm to 8.19pm)

9. **Planning Appeals**

RESOLVED that the information on appeal decisions between 23 August and 25 September 2019 be noted.

(8.19pm to 8.20pm)

10. **Urgent Business**

There were no matters of urgent business brought before the Committee.

The meeting closed at 8.20pm.

Chairman

PLANNING POLICY BACKGROUND INFORMATION

DEVELOPMENT PLAN

Section 38 (6) of the Planning and Compensation Act 2004 Act states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

DEVELOPMENT PLAN DOCUMENTS

The Core Strategy and Development Control Policies Development Plan (DPD) was adopted by Chelmsford Borough Council on 20 February 2008. This contains Core and Development Control Policies (prefixed by CP or DC) which are applied Borough-wide. The Borough's area is covered by three further adopted development plan documents: Chelmsford Town Centre Area Action Plan (2008), North Chelmsford Area Action Plan (2011) and the Site Allocations DPD (2012). These development plan documents implement the Core Strategy by identifying land-use allocations, proposals and notations which are set out in their relevant Proposals Maps.

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

DEVELOPMENT PLAN DOCUMENT 2001 - 2021

- CP5** Core Policy CP5 Containing Urban Growth - Urban growth will be contained by defining the physical limit of the urban areas of Chelmsford and South Woodham Ferrers and the Defined Settlements.
- CP8** Core Policy CP8 Promoting Accessibility - All development proposals will be required to be accessible to people of all abilities, whether for themselves or for the delivery of goods and services, and by all forms of sustainable modes of transport, in a socially inclusive and safe manner in accordance with a modal hierarchy.
- CP9** Core Policy CP9 Protecting Areas of Natural and Built Heritage Importance - The City Council is committed to protecting and enhancing the City's important natural and historic environment and will therefore seek to sustain biodiversity, archaeological and geological conservation.
- CP10** Core Policy CP10 Protection from Flooding - The City Council will require that development is protected from flooding and that appropriate measures are implemented to mitigate flood risk and will work with the Environment Agency to put in place strategic flood defence measures.
- CP12** Core Policy CP12 Protecting and Enhancing Recreational Provision - The City Council will seek to maintain and enhance the provision of formal and informal recreation facilities, at appropriate locations within the City, including the designation of new local parks and gardens, country parks and other public open spaces.
- CP21** Core Policy CP21 Ensuring Buildings are Well Designed - All new buildings should be well designed, fit for purpose, appropriate for the site and its setting and adaptable for long term use. Additionally they should be designed to make best use of sustainable construction techniques.

- DC2** Development Control Policy DC2 Controlling Development in the Countryside beyond the Metropolitan Green Belt - The countryside within the rural area beyond the Metropolitan Green Belt will be protected for its intrinsic character and beauty. Planning permission will be granted for development within the rural area provided that the intrinsic character and beauty is not adversely impacted upon and provided it is for a new building that supports sustainable growth of an authorised viable rural business and there is a justified need and no adverse impact upon character, appearance and visual amenity of the countryside; or promotes development and diversification of agriculture and other appropriate land based rural businesses or is accommodation in connection with such uses; or is for affordable housing for local needs; or is for the replacement of a building; or is for local transport infrastructure; or is for residential infilling in villages. These are subject to compliance with policies DC33, DC32, DC11 and DC12. The extension or reuse of an existing building is acceptable subject to compliance with Policy DC47 or DC57. Engineering or other operations or changes of use of land are acceptable provided they would have no material effect on the appearance and character of the countryside.
- DC4** Development Control Policy DC4 Protecting Existing Amenity - All development proposals should safeguard the amenities of the occupiers of any nearby properties by ensuring that development would not result in excessive noise, activity or vehicle movements, overlooking or visual intrusion and that the built form would not adversely prejudice outlook, privacy, or light enjoyed by the occupiers of nearby properties.
- DC7** Development Control Policy DC7 Vehicle Parking Standards at Developments - All development will be required to comply with the vehicle standards as set out at Appendix C of the Core Strategy and Development Control Policies Development Plan Document.
- DC9** Development Control Policy DC9 Green Wedges - The City Council will seek to protect and enhance the open character of the river valleys and associated floodplains and will provide a network of natural habitats and areas of informal recreation within the green wedges as defined on the Proposals Map. The policy sets the criteria for restrictions on development within these areas.
- DC13** Development Control Policy DC13 Site of Biodiversity and Geological Value - The City Council will seek to restore, maintain, and enhance biodiversity and geological conservation interests. Appropriate weight will be attached in respect of designated sites when determining planning applications.
- DC14** Development Control Policy DC14 Protected Trees and Hedges - Planning permission will be refused for any development that would be liable to cause demonstrable harm to protected woodland, trees and hedgerows, unless conditions can be imposed requiring the developer to take steps to secure their protection.
- DC17** Development Control Policy DC17 Conservation Areas - All development proposals within Conservation Areas must preserve or enhance the character or appearance of the area. Planning permission will be refused where the siting, form, massing, height, proportions, elevation design, or materials would harm the character and appearance of the Conservation Area. Additionally, the development must not prejudice the appearance, significant spaces, inward or outward views and must be compatible with the function of the Conservation Area.
- DC18** Development Control Policy DC18 Listed Buildings - Planning permission and/or listed building consent will be refused where development proposals or works affect both the exterior and interior of buildings on the statutory List of Buildings of Special Architectural or Historic Interest unless they preserve or enhance the special character and/or setting of those buildings. The City Council will only permit the change of use of a listed building where it is in the interests of the long-term preservation of the building and its setting.
- DC22** Development Control Policy DC22 Areas of Flood Risk - Sets criteria for the submission of Flood Risk Assessments for development in the Environment Agency's Flood Zones 2 and 3 and circumstances where planning permission will be granted.

- DC25** Development Control Policy DC25 Water Efficiency and Sustainable Drainage Systems - The City Council requires developments to incorporate measures that reduce the demand for water, and the provision of sustainable drainage systems for the disposal of surface water within and leading from development sites.
- DC38** Development Control Policy DC38 Promoting Sport, Leisure, Recreation and Tourism - Sets criteria for granting permission for new facilities or improvements and extensions to existing.
- DC44** Development Control Policy DC44 Private Amenity Space - All new dwellings will be required to have a high degree of privacy and the use of private amenity space appropriate for the type of dwelling and its location.
- DC45** Development Control Policy DC45 Achieving High Quality Development - Planning permission will only be granted for new buildings and extensions to existing buildings provided that they are well designed in themselves and amongst other matters, the siting, scale form and detail of the proposed buildings has an appropriate visual relationship with the character and appearance of the surrounding area.
- DC47A** Development Control Policy DC47 Extensions to Buildings - Permission will be granted where the extension is acceptable in siting, form, scale, architecture, landscape design and materials and would not adversely affect the character, appearance or visual amenities of the area; and it would not adversely prejudice outlook, privacy or light enjoyed by neighbours; and off street parking is provided in accordance with the City Council's parking standards.

EMERGING CHELMSFORD DRAFT LOCAL PLAN

- LPCO1** Local Policy CO1 Green Belt, Green Wedges, Green Corridors and Rural Areas - Inappropriate development within the Green Belt will not be approved except in very special circumstances. Green Wedges will be protected and enhanced as valued and multi-faceted landscapes. The valued landscape character of the main river valleys where they extend into the countryside will be protected as Green Corridors. The intrinsic character and beauty of the Rural Area will be assessed and development will only be supported where it would not adversely impact on its identified value.
- LPCO3** Local Policy CO3 New Buildings and Structures in Green Wedges and Green Corridors - Planning permission will be granted for new buildings where the development does not conflict with the purposes of the Green Wedge or Green Corridor designation and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- LPHE1** Local Policy HE1 Designated Heritage Assets - The impact of any development proposal on a designated heritage asset, and the level of any harm, will be weighed against any public benefits arising from the proposed development. The Council will preserve listed buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.
- LPHE2** Local Policy HE2 Non Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.
- LPMP1** Local Policy MP1 High Quality Design - Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape.
- LPMP4** Local Policy MP4 Design Specification for Dwellings - All new dwellings shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. All houses in multiple occupation shall also provide, amongst other matters, adequate cycle storage, parking and sound proofing.

- LPMP5** Local Policy MP5 Parking Standards - All development will be required to comply with the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended.
- LPNE1** Local Policy NE1 Ecology and Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
- LPNE2** Local Policy NE2 Trees, Woodland and Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
- LPNE3** Local Policy NE3 Flooding/SUDs - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off.
- LPPA1** Local Policy PA1 Protecting Amenity - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions
- SPS5** Strategic Policy S5 Conserving and Enhancing the Historic Environment - The Council will protect and enhance the historic environment. When assessing applications for development there will be a presumption in favour of the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to protect the significance of non-designated heritage assets.
- SPS6** Strategic Policy S6 Conserving and Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures.

VILLAGE DESIGN STATEMENTS

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was published in July 2018. It replaces the first NPPF published in March 2012 and almost all previous national Planning Policy Statements and Planning Policy Guidance, as well as other documents.

Paragraph 1 of the NPPF sets out the Government's planning policies for England and how these should be applied. Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and should be read as a whole.

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

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

Paragraph 213 in the implementation section of the NPPF confirms that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).



Planning Committee

5th November 2019

Application No	:	19/00561/FUL Full Application
Location	:	Regiment Way Golf Centre Pratts Farm Lane Little Waltham Chelmsford Essex CM3 3PR
Proposal	:	Application for new facilities as agreed under the fifth Deed of Variation to the Channels legal agreement (18/01251/MOD106) including: adventure golf, safety netting, extensions to driving range including operational hub to provide food and drink facilities, provision of training equipment to driving range, extension to existing car park, patio area with outdoor furniture, signage, relocation of two existing golf course holes and associated landscaping and engineering works.
Applicant	:	Cliffords Ltd
Agent	:	Strutt And Parker LLP
Date Valid	:	29th April 2019

Contents

1. Executive Summary.....	2
2. Description of Site.....	2
3. Details of the Proposal.....	2
4. Other Relevant Applications	3
5. Summary of Consultations (Full summaries contained at Appendix 1)	4
6. Planning Considerations	5
8. Community Infrastructure Levy (CIL)	13

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive Summary

- 1.1. The application is referred to Planning Committee at the request of a local ward member.
- 1.2. A deed of variation to the s106 Agreement for the residential-led development at Channels, secured a mitigation package to compensate for the loss of the 18-hole golf course (18/01251/MOD106 refers). The mitigation package proposed that half of the investment (£1.074 million) that would otherwise have been spent on the provision of the replacement golf course, (£2.148 million), be used for investment in a series of major improvements to Little Channels. The application includes proposals for delivering all the Phase 1 works as required by the deed of variation, and some of the facilities forming Phase 2 of the Little Channels Investment Strategy.
- 1.3. The application would see the enhancement of the existing facilities at Little Channels to meet the needs of a variety of users, whilst also offering more family orientated facilities through the provision of adventure golf and extensions to the existing driving range to enable Toptracer technology to be employed (tracking the play of a golf ball and providing instant shot replays and statistical feedback to improve play). The objective is to encourage younger players to take up the sport, to play more regularly and to help reverse the national decline in those regularly playing golf. The works to Little Channels would retain the existing 9-hole golf course.
- 1.4. The scheme would enhance and improve an existing recreational facility, which is an appropriate form of development within the Green Wedge. The layout, scale and form of the development is acceptable, and would not prejudice the wider purpose and function of the Green Wedge, and its open character. The public benefits of the scheme outweigh the less than substantial harm caused to the setting of the listed buildings.
- 1.5. Sport England and England Golf have advised that the proposals are consistent with those discussed at pre-application stage, and the proposals for the new and enhanced facilities at Little Channels, would meet and exceed, the requirements of the deed of variation.
- 1.6. Approval is recommended.

2. Description of Site

- 2.1. The application relates to the site of Little Channels Golf Course, located off Pratts Farm Lane, west of Essex Regiment Way in Little Waltham.
- 2.2. Little Channels currently provides a range of golfing facilities including a 9-hole golf course, floodlit driving range and coaching programme for juniors, together with a restaurant, bar, private dining and courtyard. The venue also hosts weddings and other private functions throughout the year.
- 2.3. The wider site includes two Grade II listed buildings; Pratts Farmhouse and Pratts Farm Cottages.

3. Details of the Proposal

- 3.1. Planning permission was granted in October 2012 for a residential-led development at Channels; 10/01976/OUT refers. The planning permission was subject to a s106 legal agreement, which required the applicant to provide a replacement golf course.

- 3.2. A formal request to vary the legal agreement, removing the planning obligation to provide a replacement golf course, was agreed in September 2018; 18/01251/MOD106 refers. The deed of variation to the s106 Agreement, completed on 1st October 2018, secured a mitigation package to compensate for the loss of the 18-hole golf course at Channels.
- 3.3. The mitigation package proposed that half of the investment (£1.074 million) that would otherwise have been spent on the provision of the replacement golf course, (£2.148 million), be used for investment in a series of major improvements to Little Channels; these were contained within the 'Investment Strategy for Little Channels'. The strategy was prepared in consultation with Sport England, England Golf, and other sport stakeholders. Investment in Little Channels was intended to be delivered in three phases. The sum of £1.074 million was secured for the delivery of Phase 1 of the strategy.
- 3.4. The second part of the mitigation package comprises the payment of a commuted sum of £1.074 million to the City Council, to be directed towards investment, or enhancement of, the facilities at the replacement Chelmsford Riverside Ice and Leisure Centre, or other sporting, leisure or community facilities within the City administrative area.
- 3.5. The planning application secures the delivery of all elements forming Phase 1 of the Investment Strategy, and some parts of Phase 2. Phase 1 consists of the following:
- ◆ Adventure Golf (36 holes)
 - ◆ Safety Netting
 - ◆ Extended Car Park (120 parking spaces)
 - ◆ Patio Area
 - ◆ Outdoor Furniture
 - ◆ Signage

The elements of Phase 2 included within the application comprise the following:

- ◆ Operational Hub
- ◆ Enclosure of Open Elements of and Extension to, the Driving Range (20 bay driving range)

The anticipated costs for implementing Phase 1, exceed the investment of £1.074 million as required by the deed of variation to the legal agreement.

4. Other Relevant Applications

- 4.1. 18/01251/MOD106 - Request for modification of the s106 (legal) Agreement associated with planning permission (10/01976/OUT) to remove the requirement to provide 18 playable holes of golf at all times and to provide a replacement golf course prior to the occupation of any units within Phases 5 and 6 of the Channels residential-led development. Agreed 04.09.18
- 4.2. 10/01976/OUT - Outline planning permission, with all matters reserved, for the erection of a minimum of 650 and a maximum of 750 dwellings, community hub, open space and the provision of the northern section of the Radial Distributor Road and junction improvement works to Essex Regiment Way - Granted with s106 Agreement - 30.10.12 (Channels Residential-Led Development)

5. Summary of Consultations (Full summaries contained at Appendix 1)

- ◆ Little Waltham Parish Council - Objection
- ◆ Traffic Generation - Impact on Little Waltham village; access should be direct from Essex Regiment Way.
- ◆ Adventure Golf - No detailed plans; Parish Council would wish to have opportunity to comment. Agree with Golf England that approval of a detailed design and layout should be a planning condition.
- ◆ 9-Hole Golf Course - Concern that two holes of the existing 9-hole course would be removed prior to the development of the Adventure Golf. Concern at potential loss of membership and an argument being made to develop Little Channels for housing rather than continuing to provide a golfing facility.
- ◆ Public Health & Protection Services - Informatives regarding construction times and food safety and hygiene.
- ◆ Sport England Eastern Region - No objection subject to a condition requiring approval to the detailed design and layout of the adventure golf centre prior to the commencement of development. Proposals for the new and enhanced facilities at Little Channels would meet and exceed the requirements of the deed of variation. Sport England's position has been informed by the views of England Golf.
- ◆ Essex County Council Highways - Acceptable subject to conditions relating to cycle parking, provision of a 2m footway adjacent Pratts Farm Lane and the safeguarding of a 4m corridor along the routes of existing Public Rights of Way within the site boundary.
- ◆ Essex County Council (SUDS) - No objections subject to conditions requiring approval to a detailed surface water drainage scheme and a maintenance plan and yearly logs of maintenance.
- ◆ Local Residents - Four letters of representation raising the following objections:
 - ◆ Channels Golf Course - Loss of Channels Golf Course adversely affected many residents who were deprived of an excellent golf course and recreational facility. Many members evicted from Channels Golf Course - joined Little Channels to be faced with further changes to the detriment of golfers. Thin end of the wedge leading to the cessation of proper golf and making land available for further housing development. Many golfers transferred to Little Channels and are reliant upon the course for their golf not least as it is now ideal for them in view of their age and mobility.
 - ◆ Little Channels Offer - Additional facilities should not adversely affect or downgrade the existing course. Place for social interaction and provides for varying golf abilities. Food and beverage facilities for golfers should remain.
 - ◆ Relocated Holes - Two relocated holes to be provide to a proper standard. One hole re-sited nearer the roundabout; potential issue.
 - ◆ Retention of 9 Hole Course - Legal reassurance to retain a 9-hole course.
 - ◆ Driving Range - Query food and beverage offer for existing members; reference to packaged sandwiches and vending machine drinks.
 - ◆ Adventure Golf - Facility offers little for members evicted from Channels Golf Club; thin end of the wedge, leading to the cessation of golf and further land for housing.
 - ◆ Use of the Facilities - New facilities cater mainly for families, likely use mainly at weekends. Little point in introducing children to golf if there are no courses to progress to. Current members make good use of the facility at all times and pay an annual fee. Government initiatives encourage the pursuit of healthy exercise to abate isolation and loneliness in retirement.
 - ◆ Car Parking - Increase of 130 parking spaces; query the need and whether further development is proposed.
 - ◆ Consultation - Existing golfers have not been informally or formally consulted on the scheme; insufficient to rely on a site notice.

6. Planning Considerations

Main Issues

6.1. The main issues are as follows:

- ✦ Principle of Development
- ✦ Layout, Scale & Design of the Proposed Facilities
- ✦ Heritage Considerations
- ✦ Traffic Generation, Parking & Access Arrangements
- ✦ Trees
- ✦ Ecology
- ✦ Drainage

Principle of Development

Little Channels Investment Strategy

- 6.2. The fifth deed of variation to the Channels s106 legal agreement secured a mitigation package to compensate for the loss of the 18-hole golf course at Channels. The mitigation package, as outlined at paragraph 3.3 above, was considered to deliver an appropriate balance between achieving a clear pathway into golf for a far wider audience than the intended replacement golf course, as well as investment in improvements, and enhancements to, a publicly operated sporting and leisure centre (Riverside) of considerable benefit to a wider spectrum of the population, in both cases, within the City Council administrative area and beyond.
- 6.3. The principle of delivering Phase 1 of the Little Channels Investment Strategy (part of the mitigation package) has been confirmed as appropriate, through the deed of variation to the s106 Agreement. The deed of variation to the s106 Agreement, requires the applicant to apply for planning permission for the Phase 1 facilities within 6 months of completing the deed of variation, and, if successful, to make the facilities available within 2 years of the planning permission becoming implementable, or prior to the occupation of more than 70% of the residential units within Phase 6 of the Channels development (18/01056/REM refers), if later.
- 6.4. The Little Channels Investment Strategy was the subject of detailed discussion with England Golf, prior to the submission of the request to vary the legal agreement. England Golf took the view that the Investment Strategy would provide Little Channels with a unique selling point, and that the proposed investment would appeal to a more diverse audience within the local area, many of whom might not have considered golf, or who were not attracted by the current playing offer. England Golf in their letter of support, advised that the variety of options that the development of Little Channels would provide, would benefit the local community, and enable the facility to target families more effectively. Golf being one of the few sports which all ages, and all members of the family, can participate in together.
- 6.5. England Golf considered the Little Channels Investment Strategy responsive to the changes and developments taking place, generally, in golf participation, and concluded that it set out a clear strategic direction, for the future of the facility. The concept advanced for Little Channels, was intended to allow pathways to be created from beginner level, to more advanced golfers, on the same site.
- 6.6. The development at Little Channels was considered to align with England Golf's objectives, and delivery of the investment strategy, in its entirety, was supported by them and Sport England. The package of measures allowed for full engagement with the latent demand for golf within

the area, responding positively to changes in the sport of golf nationally, allowing the potential to grow and sustain participation in golf, for a wider range of participants.

- 6.7. The fifth deed of variation requires the implementation of Phase 1 of the Little Channels Investment Strategy. The application includes proposals for delivering all the Phase 1 works, and some of the requirements of Phase 2. Sport England and England Golf welcome delivery of some of the Phase 2 works, in addition to Phase 1, as they consider this should help realise the delivery of the overall project, as contained within the strategy, rather than the minimum required to meet the terms of the deed of variation.
- 6.8. The application would see the enhancement of the existing facilities at Little Channels, to meet the needs of a variety of users, whilst also offering more family orientated facilities through the provision of adventure golf and Toptracer facilities. The objective being to encourage younger players to take up the sport, to play more regularly and to help reverse the national decline in those regularly playing golf.
- 6.9. Sport England and England Golf have advised that the proposals are consistent with those discussed at pre-application stage and have been informed by the design of other comparable facilities.
- 6.10. The works to Little Channels would retain the 9-hole golf course.

Development in the Green Wedge

- 6.11. Little Channels lies within the rural area and within the Green Wedge.
- 6.12. Policy DC2 of the development plan, does permit the construction of new, or extended buildings and the carrying out of engineering or other operations, or the making of material changes to the use of land where they comprise essential small scale facilities for outdoor sport or recreation, and where the works, or use concerned, would have no material effect on the openness, appearance and character of the countryside in the rural area. Policy DC9 seeks to protect and enhance the open character of the river valleys, which perform an important role in shaping the form and character of urban Chelmsford; these areas have been defined as Green Wedges. The City Council encourages the enhancement and improvement of existing leisure and recreational facilities within the Green Wedges, where they do not prejudice their wider purpose and function.
- 6.13. The draft Local Plan continues to recognise the importance of the main river valleys. Policy CO1 advises that Green Wedges will be protected and enhanced as valued and multi-faceted landscapes for their openness, and function as important green networks, which include leisure and recreation. Development which materially harms the role, function, character and appearance of this valued landscape will be resisted. The reference to 'valued landscapes' is to be deleted from the Plan, in response to comments made by the Inspector, and is set out in the main modifications schedule which is currently in its consultation period. The essence and objective of the policy would be retained.
- 6.14. Policy CO3 permits the construction of new buildings within the Green Wedge, where they provide appropriate facilities for outdoor recreation.
- 6.15. Policy DC9 requires compliance with one of five criteria; in this case, the works at Little Channels are directly associated with a leisure use, and can be viewed as essential facilities for outdoor recreation, required as mitigation for the loss of the Channels Golf Course, which preserve the

open character of the Green Wedge, and do not conflict with the purposes of the Green Wedge designation; in this respect criteria (i) and (ii) are satisfied. The application similarly satisfies criteria (v) of Policy CO3, in that the works constitute appropriate facilities for outdoor sport.

- 6.16. Notwithstanding the acceptability of the use in principle, it is necessary to ensure that the proposed works are proportionate, in size and scale, in relation to their intended uses, to ensure that development does not materially harm the role, function, character and appearance of the Green Wedge.

Layout, Scale & Design of the Proposed Facilities

Adventure Golf, Safety Netting, Patio & Outdoor Furniture

- 6.17. The adventure golf area is proposed to the east of the existing driving range and set parallel with Essex Regiment Way. Final details of the golf course layout and design would be secured by condition. The applicant's intention is that the area would comprise three courses, each of twelve holes, designed around a central theme of animals. Various features are proposed within the adventure golf area to create interest. A small building is proposed at the entrance to the course, where visitors would collect clubs; this would also incorporate food and drink sales and an outdoor seating area to the rear.
- 6.18. The eastern boundary of the site is heavily lined with trees and vegetation, which are to be retained. Essex Regiment Way sits below the level of the golf course. The accompanying Landscape & Visual Appraisal confirms that the development would be largely unseen from outside Little Channels, with only glimpsed views from Public Footpath 33, to the east of Essex Regiment Way, and from the road itself, and adjoining lay-by, through the established boundary hedge.
- 6.19. The conclusion is supported by the accompanying section drawings, which confirm that the maximum height of any structure within the adventure golf course would be 3.5m. The scale is not considered large, or imposing, and the open nature of the site and the openness of the Green Wedge would be respected.
- 6.20. Further north, views of the proposed adventure golf facility would be more evident, however this needs to be considered in the context of the existing use of the site. The proposed works constitute part of a mitigation scheme to enhance and improve an existing facility. Users of Public Footpaths 35 and 34 Little Waltham, which skirt the perimeter of the site, would be mindful that they are walking through a managed landscape, which contains a leisure use.
- 6.21. Safety netting is proposed to prevent any conflict between the outdoor driving range and the surrounding uses, including the outdoor seating and adventure golf area. Details of the design and height of the safety netting would be required by condition; see Conditions 4 and 5.
- 6.22. A terraced area is proposed to the east of the extended driving range; this is intended to offer a further outdoor seating space for visitors to Little Channels to use, whilst waiting for their allotted time. The terrace would be contained by the driving range and the adventure golf area and its visual impact would be limited.

Extended Car Park & Signage

- 6.23. The existing car park, which provides 120 spaces would be extended to the east, to provide a further 130 spaces; these would accommodate additional visitors to the site. No amendments

are proposed to the existing access arrangements however once within the site, low level signage would direct visitors to the relevant area of car parking.

- 6.24. The extended car park would be reflective of the treatment of the current car park with spaces 'grouped' by planting and no formal demarcation of bays. The car park would be surfaced with gravel. Public Footpath 33 runs along the eastern site boundary and sits within a planted corridor; glimpsed views through the planting would be possible onto the future extended car park.
- 6.25. The car park extension would include new planting, designed to reflect the shrub and hedge planting in place around the existing car park. The tree and shrub screen to the A130 would be enhanced with new native species planting as part of the development.
- 6.26. Low level lighting is proposed within the car park for safety reasons. The submitted plans show indicative locations. Precise details of the lighting design and locations would be required by condition.
- 6.27. The works to extend the car park require the relocation of two existing golf course holes. Works to create the new holes would be undertaken prior to the removal of the existing holes, to accommodate the car park and to ensure a 9-hole golf course is continually playable. The matter is addressed by condition 7.

Driving Range Extensions & Operational Hub

- 6.28. The existing driving range comprises 12 bays housed within the building itself, the remaining 10 bays are located to the east and west; those to the east are open and uncovered. The bays are currently too small to meet recommended guidelines, with limitations on the use of the outdoor bays in poor weather.
- 6.29. The driving range building would be extended to the east, and west, with the internal bays reconfigured to make them larger. 20 bays would be provided within the extended building, to enable the use of Toptracer technology. Toptracer tracks the path of a golf ball and provides instant shot replays and statistical feedback on interactive game screens, providing information to golfers seeking to improve their game. The technology also includes other games and modes to provide a more competitive aspect. The applicant concludes that Toptracer will be a valuable resource for all golf users of the driving range, giving those who wish to improve detailed information and comparisons.
- 6.30. Space restrictions limit the size of the reception and waiting area. The food and beverage offer are currently restricted to a fridge of cold drinks and a small snack range. An operational hub would be created by an extension of the building to the east, this would house a counter/coffee shop, seating area, restrooms, office, back of house facilities and storeroom.
- 6.31. The proposed extensions to the driving range, replicate the design of the existing building, maintain its existing single storey form and would be constructed in matching materials appropriate to the rural context. Existing mounding has been created in the past to screen the floodlit driving range from properties to the north of the site. The extensions would be seen in the context of the buildings and the impact on openness would be very limited. The works to the driving range would improve the facility ensuring that it meets current requirements for bay sizes.

Heritage Considerations

- 6.32. Little Channels comprises a complex of buildings. Pratts Farmhouse originates from the sixteenth century and is Grade II listed. The adjacent modern, and traditional farm buildings form part of the setting. The agricultural context, which once formed part of its setting has been degraded by the construction of Essex Regiment Way and impacted by the golf course and associated works. The surroundings remain rural in their character, which contributes to the setting and significance of the listed building.
- 6.33. Heritage assets are to be conserved in a manner appropriate to their significance (paragraph 184 of the NPPF) and when considering the impact of a proposed development on the significance of a designated asset, greater weight should be given to the asset's conservation (paragraph 193 of the NPPF). Harm is to be weighed against the public benefits of a proposal, including where appropriate, securing its optimum viable use (paragraph 196 of the NPPF).
- 6.34. The adventure golf area includes a range of structures and artificial features up to 3.5m in height. The course would be sited between the driving range and Essex Regiment Way, and sufficiently set away from the listed building, that it would not adversely affect its setting.
- 6.35. The works to the driving range, to extend and enclose the building at its western end, and to create a 'hub' reception/server area to the eastern end, would be seen in the context of the existing driving range buildings. The scale of the extended building would not be unduly prominent, given the visual separation from the listed building.
- 6.36. The car park would be enlarged to the east, and south-east. The landscape within this part of the site has previously been degraded, with the introduction of the existing car park and the golf course. Enlargement of the car park would further erode the semi-rural setting of the listed building; it is therefore desirable that the car park includes a more comprehensive landscaping scheme with additional tree planting. Details of the landscaping scheme, signage, car park edging, bay demarcation, surface material and lighting would be secured by condition; see Condition 7.
- 6.37. The scheme would cause less than substantial harm to the setting of the listed building and the works are assessed as being at the lower end of the scale of harm. The concept advanced for Little Channels is intended to allow pathways to be created from beginner level, to more advanced golfers, on the same site. The package of measures allows for full engagement with the latent demand for golf within the area, responding positively to changes in the sport of golf nationally, allowing the potential to grow and sustain participation in golf for a wider range of participants. The public benefits outweigh the less than substantial harm caused to the setting of the listed buildings and accordance with the provisions of the NPPF is achieved.

Traffic Generation, Parking & Access Arrangements

- 6.38. The golf course, driving range and adventure golf would operate between the hours of 08.00-21.00 Mondays to Fridays, 07:00-19:00 Saturdays and 07:00-17:00 Sundays. Use of the proposed facilities is weather dependent, with the most intensive use occurring between March and October.
- 6.39. Trip rates indicate that activity associated with the driving range and golf course complex is likely to be at its highest at weekends, with the most intensive trip generation taking place during the middle of the day (11:00-15:00). Weekday peak usage is anticipated to occur between 12:00-17:00. Trip rate information for adventure/mini-golf has been estimated, based

on the number of holes (12 per course), and the time taken to complete a round (2 hours). The course has the capacity to accommodate 72 people at any one time. The target audience is likely to consist of younger players who would typically arrive in multiple occupancy vehicles with parents; based on this, it is estimated that the course could generate approximately 20-25 trips per hour during peak operating times, typically at weekends, which would occur outside of peak traffic periods on the main highway network and at weekends.

- 6.40. The golf course is clearly signposted from Essex Regiment Way, which would be the most direct means of accessing the site.
- 6.41. Redevelopment of the range would result in a reduction in bays, with a beneficial impact in vehicle trips. The proposal is not considered to have a significant impact on the local highway network during peak periods, and consequently should not impact upon congestion and queuing within the vicinity.
- 6.42. Access to Little Channels would remain as existing, via Pratts Farm Lane. Visibility at the site access has recently been significantly improved, through works to cut back the existing hedgeline within the highway verge.
- 6.43. 120 car parking spaces are currently available. The maximum number of spaces required to serve the facility are (i) 9-hole golf course (3 spaces per hole) - 27 spaces, (ii) 22 bay driving range (1 space per bay) - 22 spaces and (iii) Restaurant (1 space per 5 sqm) - 100 spaces; this represents a shortfall of 29 spaces based on the current provision. The proposed adventure golf course (36 hole) gives rise to a maximum additional provision of 108 spaces. The provision of 130 additional spaces satisfies the requirement for adventure golf and meets most of the deficit (22 spaces) leaving only 7 spaces unmet. Officers recognise that visitors to Little Channels may use some, or all, of the facilities, so trips will be shared, in this context, the level of provision is considered appropriate. The Highway Authority has reviewed the submitted Transport Statement and considers that it acceptably demonstrates that the level of proposed parking provision would be sufficient to accommodate the proposed use.
- 6.44. ECC Highways has noted the concerns raised by Little Waltham Parish Council but are of the opinion that most new trips to Little Channels would be via a signed route from Essex Regiment Way and a short section of Back Lane and Pratts Farm Lane; only a small number of local trips would be via the B1008 and the village of Little Waltham. The Highway Authority has advised that a direct access from Essex Regiment Way would be contrary to policy, and impact upon the safety and capacity of this road. New trips to the site would route via Pratts Farm Lane roundabout on Essex Regiment Way, as currently occurs. Further, likely peak demand for the facility, as enhanced, would fall largely beyond the peak time on the highway network; the scheme is therefore unlikely to have a detrimental impact on the nearby highway network.
- 6.45. ECC Highways has advised that the application is acceptable subject to conditions relating to cycle parking, provision of a 2m footway adjacent Pratts Farm Lane and the safeguarding of a 4m corridor along the routes of existing Public Rights of Way within the site boundary. A condition is recommended in relation to cycle parking provision. The matters relating to the provision of a 2m footway adjacent Pratts Farm Lane and the safeguarding of a 4m corridor along the routes of existing Public Rights of Way are not directly related to, or made necessary by, the development; they would not meet the tests for planning conditions as set out in the NPPF.
- 6.46. The proposals for the delivery of a Garden Village in North-East Chelmsford are in the process of being master planned and this work will consider connectivity and the provision of a network of

pedestrian and cycle routes, which connect with existing public footpaths/bridleways and key facilities, which would include Little Channels. Improvements to the Public Right of Way Network will form an important, and integral part of the masterplanning process. Delivery of a footway adjacent to Pratts Farm Lane, and the safeguarding of a corridor or land, now would be premature, as the precise points of connection and the most effective way of delivering an effective pedestrian/cycle and equestrian network of routes is still being progressed. The scheme as proposed, would not hinder delivery of connections to the existing public footpaths nor the widening of the public footpath, as the adventure golf area and extended car park, are sufficiently offset from the path to allow for formal widening, if required, later.

Trees

- 6.47. A single oak tree, subject to Tree Preservation Order 2002/10, is located north of the proposed extended car park and to the east of the driving range and proposed area for adventure golf. The tree would not be affected by the proposed development and it can be suitably retained and protected, as demonstrated by the accompanying tree report, tree protection plan and proposed site plan. A condition requiring adherence to the submitted tree report is recommended; see Condition 11.

Ecology

- 6.48. The site principally comprises hardstanding and amenity grassland. The deciduous woodland, scrub and scattered trees which are present along the eastern and southern boundaries are of greater ecological value.
- 6.49. The ecological appraisal demonstrates that the area proposed to accommodate the car park extension provides low ecological value; consequently, it is unlikely the development would impact upon protected species and their habitats. The development would not likely impact upon any priority habitats.
- 6.50. The site offers opportunities for foraging/commuting badgers, but no foraging signs were observed, and no setts were found within the zone of influence. Precautionary measures to protect badgers during construction works are contained within the ecology report. The driving range building was categorised as offering low potential for roosting bats, with further surveys recommended prior to works commencing.
- 6.51. The report includes a range of avoidance and mitigation measures, which are appropriate. Conditions requiring adherence to the ecology report and approval to a soft landscaping scheme are recommended; see Conditions 12 and 13.

Drainage

- 6.52. The site lies within Flood Zone 1 in an area at low risk from groundwater emergence.
- 6.53. The County SuD's Team raised an initial holding objection; they requested evidence of ground investigations and geology if surface water disposal via infiltration was proposed or alternatively, if infiltration were not found to be feasible, submission of an appropriate drainage scheme. Testing has been undertaken on site and the drainage report has been updated in response.
- 6.54. Having regard to the reasonable infiltration rates expected with the local geology, infiltration can be used and designed to accommodate rainfall events. Roofed areas are proposed to be

drained to two deep bore soakaways. A rainwater butt/tank would collect water for external use, primarily to reduce potable water demand.

- 6.55. Parking areas would be laid with a loose or bound gravel; planting to the perimeter would accommodate any exceedance flows. No impermeable surfaces are to be formed. All SuD's features would be maintained by the land owner / management company.
- 6.56. ECC SuD's Team has reviewed the amended Flood Risk Assessment and the associated documents and has raised no objections subject to conditions requiring approval to a detailed surface water drainage scheme and a maintenance plan and yearly logs of maintenance; see Condition 10.

Other Matters

- 6.57. The letters of representation raise a series of points which have principally been addressed within the report. Officers accept that the adventure golf is likely to be most popular at weekends; the facility forms part of the mitigation scheme to compensate for the loss of the 18-hole golf course at Channels, and it is a legal requirement upon the applicant to secure its delivery. The adventure golf forms part of a series of improvements to Little Channels, centred on delivering a clear pathway into golf for a wider audience than the intended privately run replacement golf course. The improvements do not remove, or adversely impact upon, the existing 9-hole golf course.
- 6.58. The scheme proposes extensions to the existing driving range, to establish an operational hub. The hub would include a coffee shop with seating provided inside, and outside. The coffee shop is provided in addition to, and does not replace, the existing food and beverage offer present within the restaurant and outdoor courtyard seating area.
- 6.59. The local planning authority is being asked to assess the acceptability of the Phase 1 facilities and elements of the Phase 2 facilities, forming part of the Little Channels Investment Strategy; delivery of which forms an obligation within the varied Channels s106 Agreement. The local planning authority cannot lawfully require that Little Channels retain a 9-hole course as part of this planning permission, as it falls beyond the scope of matters to be considered as part of the planning application.
- 6.60. The local planning authority posted two site notices at Little Channels, opposite the main club building and adjacent the driving range, and at the entrance from Pratts Farm Lane. Letters of notification were sent to adjacent residents and to those who submitted representations to the request to modify the Channels s106 Agreement. The local planning authority cannot obtain a list of current members and their addresses and circulate notification letters, as to do so would breach data protection legislation. The applicant would also breach data protection legislation were they to release the list.

7. Conclusion

- 7.1. The scheme would deliver all the Little Channels Investment Strategy Phase 1 works, as required by the deed of variation to the s106 Agreement and some of the facilities forming Phase 2 of the strategy. The application would enhance the existing facilities at Little Channels to meet the needs of a variety of users, whilst offering more family orientated facilities through the provision of adventure golf and extensions to the driving range which would employ Toptracer technology. The use is acceptable in principle. The proposed works are proportionate, in size

and scale, in relation to their intended uses. The development would not materially harm the role, function, character and appearance of the Green Wedge. The scheme would cause less than substantial harm to the setting of the listed building. All other matters have been satisfactorily addressed. The proposed development is acceptable in accordance with the adopted and emerging Development Plan Policies.

8. Community Infrastructure Levy (CIL)

8.1. The application does not attract a charge under the Community Infrastructure Levy.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:

Condition 1 Time Limit

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

Reason:

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

Condition 2 Compliance with Plans & Conditions

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

Reason:

In order to achieve satisfactory development of the site

Condition 3 Re-Provision of Two Golf Holes

Prior to the commencement of works to construct the new facilities hereby approved, the two existing golf holes located to the south and east of Pratts Farm Cottage and identified on Drawing No. 02 Rev B - Existing Site Plan, shall be relocated to the positions shown on Drawing No. 04 Rev B - Proposed Site Plan and provided to a similar par, and standard, to the existing holes.

Reason:

To ensure that nine golf holes are playable at all times at Little Channels, during, and following the construction of the new facilities, hereby approved, in accordance with Policy DC39 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 4 Adventure Golf Details

Prior to the commencement of development, full details of the adventure golf facility, hereby permitted, shall be submitted to, and approved in writing, by the local planning authority. The details shall comprise (i) the layout of the adventure golf course, (ii) the elevations of all structures forming part of the course, (iii) the elevations of the small building proposed for the operation of the adventure golf course and (iv) the layout and design of the outdoor seating area. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable, does not adversely affect the character of the Green Wedge within which Little Channels is located and does not detract from the historical value or character and appearance of the listed buildings in accordance with Policies DC9, DC18 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 5 Samples of Materials

Prior to their use, samples of the materials to be used in the construction of the buildings 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, does not adversely affect the character of the Green Wedge within which Little Channels is located and does not detract from the historical value or character and appearance of the listed buildings in accordance with Policies DC9, DC18 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 6 Safety Netting

Prior to the commencement of development, full details of the height and appearance of the safety netting, hereby permitted, and to be provided to the eastern side of the driving range, as shown by a dashed orange line on Drawing No. 04 Rev B - Proposed Site Plan 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, does not adversely affect the character of the Green Wedge within which Little Channels is located and does not detract from the historical value or character and appearance of the listed buildings in accordance with Policies DC9, DC18 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 7 Extension to Existing Car Park

Prior to the commencement of development, full details of the extension to the existing car park, hereby permitted, and shown on Drawing No's 04 Rev B - Proposed Site Plan and 08 Rev A - Proposed Car Park Layout, shall be submitted to, and approved in writing, by the local planning authority. The details shall show (i) the layout of the car park, (ii) surface materials and edging, (iii) low level lighting and (iv) signage. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable, does not adversely affect the character of the Green Wedge within which Little Channels is located and does not detract from the historical value or character and appearance of the listed buildings in accordance with Policies DC9, DC18 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 8 Parking Spaces

The new facilities hereby approved shall not be brought into use until the new car parking spaces, provided as an extension to the existing car park, and shown on Drawing No's 04 Rev B - Proposed Site Plan and 08 Rev A - Proposed Car Park Layout, have been laid out in accordance with the details approved under Condition 7 of this planning permission. The parking spaces shall thereafter be kept available at all times for the parking of vehicles in conjunction with the use of Little Channels.

Reason:

To ensure that sufficient parking is available to serve the development in accordance with Policy DC7 of the Core Strategy and Development Control Policies Development Plan Document.

Condition 9 Cycle Parking Provision

The new facilities hereby approved shall not be brought into use until cycle parking in the form of 4 Sheffield stands (8 spaces) has been provided in accordance with details, which shall previously have been submitted

to and approved in writing by the local planning authority. The 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 DC7 of the Core Strategy and Development Control Policies Development Plan Document.

Condition 10 Sustainable Drainage & Management

No works shall take place, except for any demolition, until a detailed surface water drainage scheme in accordance with the principles set out in the Flood Risk Assessment & Conceptual SuD's Strategy Report for Little Channels prepared by Innervision Design Ltd Updated October 2019, has been submitted to and certified as technically acceptable in writing by the SUDs approval body or other suitably qualified person(s). The certificate shall thereafter be submitted by the developer to the local planning authority as part of the developer's application to discharge the condition. No development shall commence until the detailed scheme has been approved in writing by the local planning authority. The approved scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- ◆ Provide sufficient storage to ensure no off-site flooding as a result of the development, during all storm events, up to and including the 1 in 100 year plus 40% climate change event.
- ◆ Demonstrate that the soakaways have the capacity for the overflows for the exceedance from the car park.
- ◆ Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
- ◆ Final modelling and calculations for all areas of the drainage system.
- ◆ An appropriate amount of treatment in line with the CIRIA SuD's Manual C753.
- ◆ Detailed engineering drawings of each component of the drainage scheme.
- ◆ A final drainage plan, which details exceedance and conveyance routes, FFL and ground levels and the location and sizing of any drainage features.
- ◆ A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- ◆ Details of how the scheme shall be maintained and managed after completion, including responsibility for different elements of the surface water drainage system and the maintenance activities/frequencies together with details of the long term funding arrangements should any part be maintainable by a maintenance company.

Reason:

The National Planning Policy Framework paragraph 163 states that local planning authorities should ensure flood risk is not increased elsewhere by development. 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 topsoils 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.

Condition 11 Compliance with Tree Report

The development hereby permitted shall be constructed wholly in accordance with the tree protection, construction methods and recommendations contained within the Arboricultural Tree Protection Method Statement prepared by Andrew Day Arboricultural Consultancy dated 9th April 2019.

Reason:

To safeguard the existing trees in accordance with Policy DC14 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 12 Compliance with Ecology Report

The development hereby permitted shall be constructed wholly in accordance with the licensing, mitigation and enhancement measures and requirements contained within the Preliminary Ecological Appraisal - Little Channels Golf Course, Regiment Way, Chelmsford prepared by Southern Ecological Solutions dated April 2019; any variation to the measures and requirements shall be agreed in writing with the local planning authority.

Reason:

In the interests of wildlife habitat protection in accordance with Policies CP9 and DC13 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 13 Soft Landscaping

Details of 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 use of any of the new facilities hereby approved, or in the first available planting season following such use. The landscaping details to be submitted shall include:

- a) Existing trees, hedges or other soft features to be retained;
- b) Planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- c) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DC13 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 14 Landscape Management Plan

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 first use of the new facilities hereby approved. The landscape management plan shall be carried out as approved.

Reason:

To ensure that the landscaping and planting is appropriately maintained in the interests of the character and appearance of the area in accordance with Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document.

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

2 **Environmental Services Food Safety & Hygiene**

The Council's Public Health and Protection Services team should be contacted with regard to any matters relating to food safety and hygiene issues.

3 **Works Affecting the Highway**

The Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are:

Development Management Team,

Essex Highways,

Springfield Highways Depot,

Colchester Road,

Chelmsford

CM2 5PU.

Telephone: 0845 603 7631. Email: development.management@essexhighways.org.

4 **Public Footpaths 32, 33 & 35 Little Waltham**

The public's right and ease of passage over Public Footpaths 32, 33 and 35 - Little Waltham shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive rights of way.

5 **DOC Applications**

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.

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background Papers

Case File

Consultations

Little Waltham Parish Council

Comments
<p>05.06.19</p> <p>Objection on the following grounds:</p> <ol style="list-style-type: none"> 1. Traffic Generation - The application provides for 130 extra car parking spaces which envisions a substantial increase in the amount of traffic accessing the site. Access to the site is via rural roads and users would either travel from Essex Regiment Way to the site via Back Lane and Pratts Farm Lane or from the B1008 via the village of Little Waltham. The development would impose an unacceptable burden on both the village itself or rural roads. Access to the site should be direct from Essex Regiment Way. 2. Adventure Golf - The applicant has failed to provide detailed plans and proposals in relation to the proposed Family Golf Centre; without such plans it is not possible for the Parish Council to comment on the visual impact or general suitability of the golf centre for this site. The Parish Council would wish to have the opportunity to make such comment; it is noted that England Golf have requested that any consent is conditional upon the approval of a detailed design and layout and the Parish Council agrees with that stance. 3. Effect on the Existing 9-Hole Course - The Parish Council wishes to express its concern that the application indicates that two holes of the existing 9-hole course will be removed prior to the development of the Family Golf Centre. The concern is that due to the downgrading of the existing course, the applicant may seek to argue that as membership of the existing club reduces, (which is likely to happen as the facilities are reduced), it is no longer economic to run a golf centre on site and may seek to develop the site for housing rather than continuing to provide a golfing facility as envisaged when the s106 Agreement for the Channels Golf Course was varied, with the intention of retaining golf facilities in the area.

Public Health & Protection Services

Comments
<p>16.05.19</p> <p>Informatives recommended regarding (i) construction times and (ii) food safety and hygiene.</p>

Sport England - Eastern Region

Comments
<p>22.05.19</p> <p>The planning application involves major improvements to the golf facilities at Little Channels Golf Centre. The proposal is intended to partly meet the requirements of the fifth Deed of Variation to the s106 Agreement relating to the Channels Golf Course, approved as part of application 18/01251/MOD106. The deed of variation requires at least Phase 1 of the Little Channels Investment Strategy to be implemented;</p>

this application is intended to help facilitate the strategy. The main elements of the proposals are the adventure golf centre, safety netting around the driving range, extension of the driving range building and reconfiguration of the driving range bays including the provision of an enhanced operational hub which would include new reception, refreshment and toilet facilities.

Sport England has consulted England Golf, who have advised that the proposals are consistent with those discussed at pre-application stage and have been informed by the design of other comparable facilities. England Golf consider the current plans consistent with the original concept for the Little Channels Investment Strategy and therefore do not have any specific comments to make on the design/layout of the scheme.

Sport England does not have any design guidance on golf facilities and as such its position has been informed by the views of England Golf; it has no comments to add on the design and layout of the facilities.

Sport England are pleased to note that the application includes provision for some of the key elements of Phase 2 as well as Phase 1 of the Investment Strategy as this should hopefully result in the delivery of the overall project at Little Channels rather than just the minimum required to meet the deed of variation requirements.

A detailed layout of the adventure golf centre has not been submitted with the application and the Planning Statement refers only to the final designs as in the process of being completed; as the conceptual plans for the detailed layout were considered by England Gold to be acceptable in principle at pre-application stage, Sport England are satisfied for the detailed layout to be submitted and approved as a requirement of the planning permission.

Sport England are satisfied that the proposals for new and enhanced facilities at Little Channels Golf Centre would meet and exceed the requirements of the deed of variation and confirm no objection subject to a condition requiring approval of the detailed design and layout of the adventure golf centre prior to the commencement of development. A condition is required to ensure that the detailed design of the adventure golf centre proposed for delivery, would in practice, be consistent with the Investment Strategy and meet the expectations of England Golf.

The absence of an objection does not commit Sport England or any National Governing Body of Sport to support any related funding application.

Essex County Council - Highways

Comments
<p>04.07.19</p> <p>The level of parking proposed is acceptable to the Highway Authority to accommodate the likely numbers of visitors to the proposal; it is accepted that the current available parking accommodates the existing use and the submitted Transport Statement acceptably demonstrates that the proposed amount of parking will be sufficient to accommodate the proposed use.</p> <p>Little Waltham Parish Council's concerns are noted (comment dated 5th June), however, it is the Highway Authority's opinion that the majority of new trips to the site will be via a signed route from Essex Regiment Way (and a short section of Back Lane and Pratts Farm Lane) and only a smaller number of local trips via B1008 and Little Waltham village. A direct access from Essex Regiment Way is contrary to policy and will impact the safety and capacity of Essex Regiment Way and is therefore not acceptable. New trips to the site</p>

will be routed via the Pratts Farm Lane roundabout on Essex Regiment Wat, as currently occurs. The Highways Authority has noted that the likely peak demand for the proposal falls largely outside the peak time on the highway network and therefore the proposal is unlikely to have a detrimental impact on the nearby highway network.

With the current and future residential development nearby and necessary improvements in the walking and cycling infrastructure including an Essex Regiment Way bridge crossing, it is anticipated that trips by walking and cycling modes will increase to the proposal site in the future and therefore it is important to ensure there is sufficient infrastructure within the site to accommodate these modes of travel. The Highway Authority would wish to see some cycle parking provision for the proposal and an improved pedestrian route into the site from Back Lane. The Highway Authority acknowledges that Back Lane does not have a footway adjacent to the carriageway, but it has a wide verge and there is a network of Public Rights of Way routes which converge near to the junction of Back Lane and Pratts Farm Lane making walking a feasible mode of travel to the site.

Going forward it is important existing Public Rights of Way routes are safeguarded for future improvements to walking and cycling infrastructure and therefore it is requested that as a member of the developer consortium for North East Chelmsford, the applicant provides a safeguarded 4m corridor on the existing Public Right of Way routes through the site, with the obligation on the NE Chelmsford developers to improve the secured routes in the future as part of any planning consent for NE Chelmsford, to assist with achieving pedestrian/cycle permeability for NE Chelmsford.

The impact of the proposal is acceptable to the Highway Authority subject to the following mitigation:

Prior to Occupation

1. Cycle parking in the form of 4 Sheffield stands (8 spaces) shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient and provided prior to occupation and retained at all times.
2. The provision of a 2m footway adjacent Pratts Farm Lane to be provided from and around the junction of Pratts Farm Lane with Back Lane and into the site to allow the safe passage of pedestrians wishing to access from Back Lane.
3. The safeguarding of a 4m corridor along the routes of the existing Public Rights of Way within the site boundary to enable future improvements to ensure pedestrian and cycle permeability within and connected to development at North East Chelmsford.

General

4. The public's rights and ease of passage over public footpaths 32, 33 and 35 (Little Waltham) shall be maintained free and unobstructed at all times.

Informatives

5. All work within, or affecting the highway, is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
6. The applicant's shall be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SM02 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU.
7. The Highway Authority cannot accept any liability for costs associated with a developer's improvement;

this includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973, to protect the Highway Authority against such compensation claims, a cash deposit or bond may be required.

Essex County Council - SuD's Team

Comments
<p>22.10.19</p> <p>No objections subject to conditions as follows:</p> <ol style="list-style-type: none">1. Approval to a detailed surface water drainage scheme for the site prior to works, except demolition, commencing to include, but not limited to:<ul style="list-style-type: none">◆ Provision of sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to, and including, the 1 in 100 year plus 40% climate change event.◆ Demonstrate that the soakaways have the capacity for the overflows for the exceedance from the car park.◆ Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.◆ Final modelling and calculations for all areas of the drainage system.◆ Appropriate level of treatment for all runoff leaving the site in line with the Simple Index Approach in Chapter 26 of the CIRIA SuD's Manual C753.◆ Detailed engineering drawings of each component of the drainage scheme.◆ A final drainage plan, which details exceedance and conveyance routes, FFL and ground levels and the location and sizing of any drainage features.◆ A written report summarising the final strategy and highlighting any minor changes to the approved strategy.2. Approval to 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 including details of long term funding arrangements should any part be maintainable by a maintenance company.3. The applicant, or any successor in title to maintain yearly logs of maintenance which should be carried out in accordance with the approved maintenance plan.

Local Residents

Comments
<p>Four letters of representation raising the following objections:</p> <ol style="list-style-type: none">1. Channels Golf Course - The application flows from the variation to the Channels s106 Agreement and thereby, the closure of Channels Golf Course. Loss of Channels Golf Course adversely affected many residents who were deprived of an excellent golf course and recreational facility. Many members evicted from Channels Golf Course - joined Little Channels to be faced with further changes to the detriment of golfers. Thin end of the wedge leading to the cessation of proper golf and making land available for further housing development. Many golfers transferred to Little Channels and are reliant upon the course for their golf not least as it is now ideal for them in view of their age and mobility.2. Little Channels Offer - The new facilities may broaden the opportunities for a wider cross section of the community, but this must not be to the detriment and cost of golfers who wish to play 9 holes of proper

golf. Additional facilities should not be a vehicle for the full 9-hole golf course to be adversely affected, or downgraded, or the eventual closure of the course as being no longer viable, as happened at Channels. The course is a place for social interaction and provides for varying golf abilities. Provision for meals and drink for golfers should be of the same standard as now.

3. Relocated Holes - Relocation of the two new holes brings back memories of the road to the demise of Channels. The relocation should be done first, and to a proper standard, rather than the golf course having to survive with only 7 holes or inferior holes. One hole re-sited nearer the roundabout on a very busy road. Little Channels is a pay and play course meaning players with no experience could easily mishit their balls and cause dangerous situations on the roundabout; assume netting, whilst ugly and seen from the road, will address the issue.
4. Retention of 9 Hole Course - Legal reassurance to retain a 9-hole course.
5. Driving Range - Proposal to extend the driving range to provide food and drink facilities for members is not acceptable. Members currently have comfortable surroundings to enjoy cooked meals and leisurely coffee. Query food and beverage offer for existing members; reference to packaged sandwiches and vending machine drinks with no personal service from the existing staff. New area at the golf range appears small.
6. Adventure Golf - Facility offers little for members evicted from Channels Golf Club; thin end of the wedge, leading to the cessation of golf, and further land for housing. All previous changes to planning requirements have led to a further downgrading of golfing facilities.
7. Use of the Facilities - New facilities cater mainly for families, likely use mainly at weekends. Query whether families would make use of the new format during the week, with work and school commitments. Little point in introducing children to golf if there are no courses to progress to. Current members make good use of the facility at all times and pay an annual fee. Government initiatives encourage the pursuit of healthy exercise to abate isolation and loneliness in retirement.
8. Car Parking - Increase of 130 parking spaces; query the need and whether further development is proposed. Query whether the future of Little Channels is as precarious as Channels. Current bistro and function room served by the current park of 120 spaces; a few more spaces welcomed, but not 130.
9. Consultation - Existing golfers have not been informally or formally consulted on the scheme; insufficient to rely on a site notice. Query why this has not been done; the time to lodge comments should be extended to enable this to be undertaken.



0 30 60 120 Metres

1:7,500



Planning Committee
19/00561/FUL

Planning & Development Management
Directorate for Sustainable Communities

PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

© Crown copyright and database rights 2016 Ordnance Survey 100023562. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



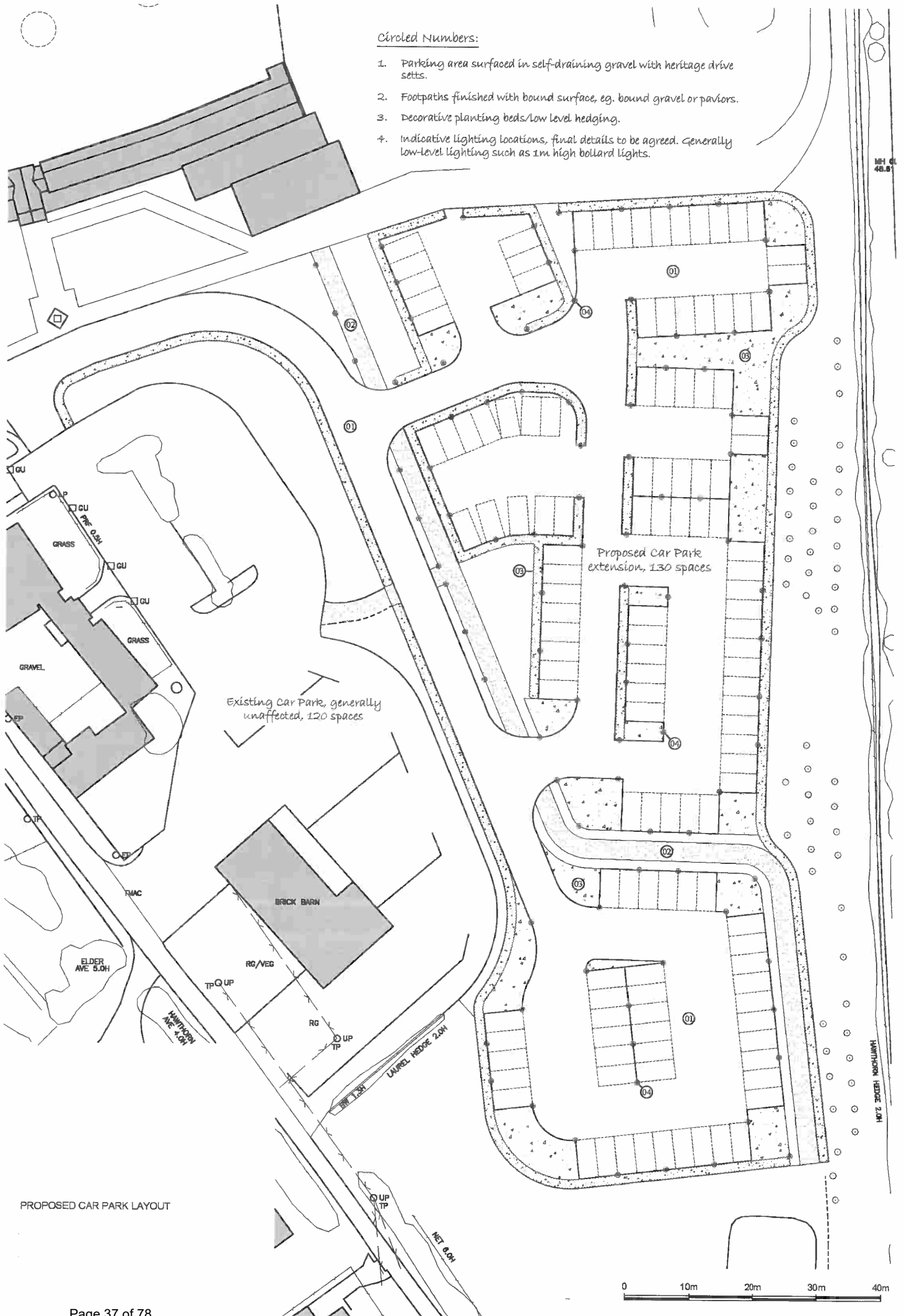
Circled Numbers:

1. Car parking area to be extended. Existing car park facility to be retained and unaffected, with new landscaped car parking area sited to the East providing additional 130 spaces. Hard surfaces finished in matching gravel.
2. Adventure golf area, incorporating themed 36-hole golf course, Starters Hub/ Party Room and Outdoor Seating area.
3. Existing driving range building extended to become Range Hub. Current bays to be reconfigured and upgraded to suit new interactive range technology.
4. Interactive driving range, outfield lighting unaffected.
5. Permanent netted fencing to Eastern side of driving range shown dotted.
6. Repositioned tee off areas and greens for existing holes 1 and 2.
7. Protected trees to be retained and no development to take place within root protection area in accordance with Arboricultural Report.
8. Alter existing house signage to include new facilities (details subject to separate express consent submission).

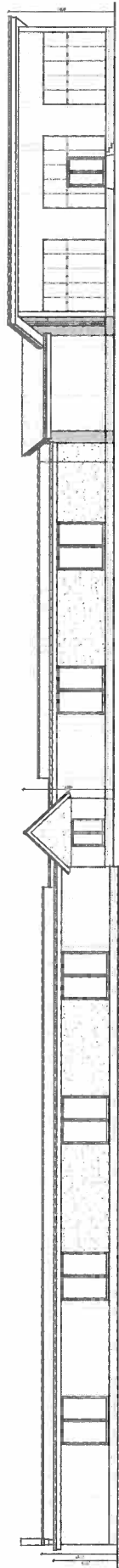
0 10m 20m 30m 40m 50m 60m 70m 80m

Circled Numbers:

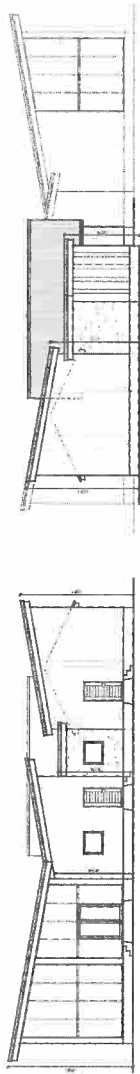
1. Parking area surfaced in self-draining gravel with heritage drive setts.
2. Footpaths finished with bound surface, eg. bound gravel or paviers.
3. Decorative planting beds/low level hedging.
4. Indicative lighting locations, final details to be agreed. Generally low-level lighting such as 1m high bollard lights.



PROPOSED CAR PARK LAYOUT

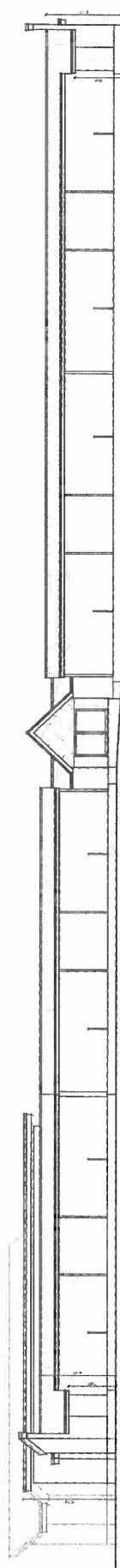


Proposed South Elevation

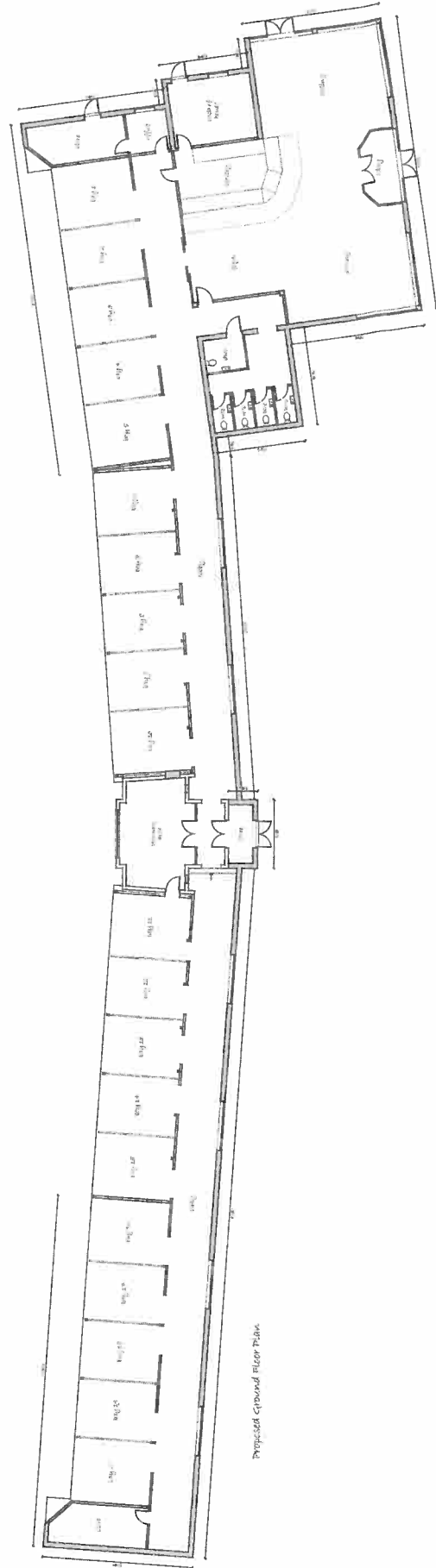


Proposed East Elevation

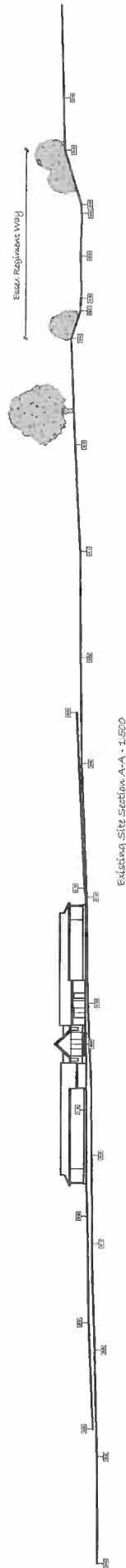
Proposed West Elevation



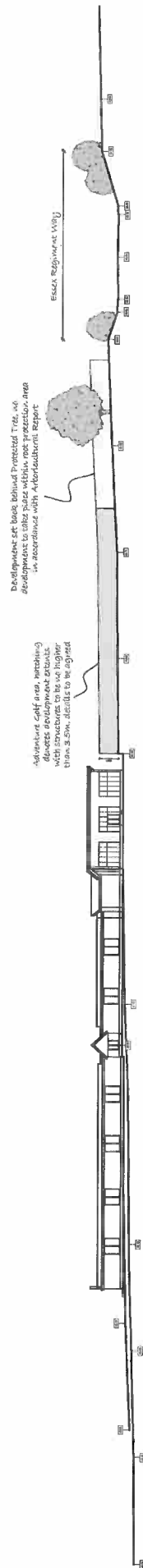
Proposed North Elevation



Proposed Ground Floor Plan



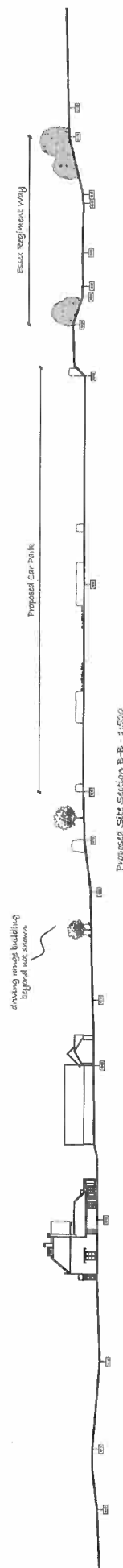
Existing Site Section A-A - 1:500



Proposed Site Section A-A - 1:500



Existing Site Section B-B - 1:500



Proposed Site Section B-B - 1:500

EXISTING & PROPOSED SITE SECTIONS



Planning Committee

5th November 2019

Application No	:	19/01354/FUL Full Application
Location	:	18 - 20 Mildmay Road Chelmsford Essex CM2 0DX
Proposal	:	Demolition of the existing commercial building. Construction of 4 residential flats at first and second floor and replacement commercial unit at ground floor, additional provision of cycle and bin stores.
Applicant	:	Mr J Eagle
Agent	:	Arcady Architects
Date Valid	:	12th August 2019

Contents

1. Executive summary	2
2. Description of site	2
3. Details of the proposal	3
4. Other relevant applications	3
5. Summary of consultations	3
6. Planning considerations	4
7. Community Infrastructure Levy (CIL)	10

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application is referred to planning committee at the request of a local ward member so that the degree of development, the adequacy of parking and access to the commercial element and the effect on nearby properties and the streetscene can be considered by the Planning Committee.
- 1.2. The site is located within the Chelmsford Urban Area where the principle of new development is acceptable.
- 1.3. The existing single storey commercial building would be demolished and would be replaced with a three storey, flat roofed building. The re-provision of commercial space would be provided at ground floor with 4 x one-bedroom flats on the two floors above.
- 1.4. The proposed building would have a contemporary design which would not be out of keeping with the mixed nature of the built form in the vicinity of the site. It would not have a harmful impact on the heritage assets in proximity of the application site.
- 1.5. The relationship between the proposed building and neighbouring properties is acceptable.
- 1.6. The parking provision of two spaces for the residential properties and none for the commercial use is acceptable in this City Centre location close to public car parks and public transport links.
- 1.7. The proposal would not result in displacement of flood water elsewhere when compared to the existing built form.
- 1.8. Approval is recommended.

2. Description of site

- 2.1. The site lies within the Chelmsford Urban Area, where the principle of development is acceptable.
- 2.2. There is an existing single storey building on the site with a pitched roof to the front and flat roof extensions to the rear. The site itself is triangular with a frontage to Mildmay Road of approximately 9m, narrowing to a point at the rear.
- 2.3. The existing building has a commercial use and largely fills the extent of the site with a small area of open space to the rear.
- 2.4. The site is located within the Moulsham Street Conservation Area where there is a mix of historic properties and more modern developments.
- 2.5. To the south is the Grade II listed former Marconi Works building which has been converted to residential properties. To the west are modern three-storey townhouses on the former water company site. To the north are 2 x three-storey blocks of flats dating from the late 1970s, with Parkway beyond these further to the north.
- 2.6. Opposite the site is a terrace of two-storey Victorian properties and the Woolpack Public House and a flat roofed two storey residential building are located to the southeast.

3. Details of the proposal

- 3.1. The proposed development would have a triangular form, reflecting the shape of the site, with accommodation over three storeys and a flat roof.
- 3.2. At ground floor level there would be commercial floorspace with two parking spaces within undercroft parking and an internal bin store area.
- 3.3. To the rear there would be cycle storage and it is indicated that this would be accessed via an existing right of way through the car park of the adjacent flats.
- 3.4. On the first and second floors, above the commercial floorspace, there would be 2 x one-bedroom flats on each floor. The two parking spaces would serve two of the proposed flats.

4. Other relevant applications

- 4.1. 18/01790/FUL - Application Withdrawn 4th February 2019
Full planning application for the demolition of the existing commercial building and erection of 4 residential flats at first and second floor and replacement commercial unit at ground floor, and provision of cycle and bin stores at 18-20 Mildmay Road, Chelmsford, Essex, CM2 0DX

5. Summary of consultations

- 5.1. The following were consulted as part of this application:
 - ECC Historic Environment Branch
 - Public Health & Protection Services
 - Essex County Council Highways
 - South Essex Parking Partnership
 - Environment Agency
 - Recycling and Waste Collection Services
 - Local residents
- 5.2. Full details of consultation responses are set out in appendix 1.
- 5.3. ECC Historic Environment Branch have highlighted that the site is located in an area of known, regionally-important archaeological remains. They have requested a condition is imposed on any approval requiring a programme of archaeological investigation work.
- 5.4. Public Health and Protection Service requested that the standard informative regarding construction times is added.
- 5.5. Essex County Council Highways raised no objections to the proposal as the parking standards allow reduced parking standards to be applied to developments located in the main urban areas with frequent and extensive public transport, cycling and walking links. Surrounding streets are protected by existing Traffic Regulation Order parking restrictions. The impact of the proposal is acceptable from a highway and transportation perspective subject to the imposition of appropriate conditions.

- 5.6. The South Essex Parking Partnership have highlighted that the occupants of this development would not be entitled to join the resident permit scheme.
- 5.7. The Environment Agency have no objection to the proposed development subject to the development meeting the requirements of the sequential test.
- 5.8. No response has been received from Recycling and Waste Collection Services.
- 5.9. A petition against the application has been received; this contains 15 signatures. 14 letters of objection have also been received. Concerns include:
- Revised scheme has not addressed previous concerns
 - Impact of development on character and appearance of heritage assets, i.e. the Conservation Area, listed and locally listed properties in the vicinity of the site
 - Impact of proposals on neighbour amenity in respect of loss of privacy, loss of light, overshadowing and overbearing impacts
 - Insufficient parking provision for the proposed development in an area where parking is already extremely restricted and oversubscribed
 - Highway safety concerns regarding the building creating blind spots at car park entrances to the Mildmay Road and Marconi building flats and vehicles manoeuvring in and out of the parking spaces
 - Proposed flats are cramped and contrived
 - No amenity space is proposed
 - Dispute that there is a right of access through the Mildmay Road flats car park to the rear of the application site
 - Bins will be left outside the building
 - Concerns about the proposed construction method statement details, such as proposed working hours, lack of information on site hoarding, position of existing street light restricting access, ability to store materials on the site and construct the building
 - The proposals are contrary to draft local plan policies
 - Overdevelopment of the site
 - Disruption from construction works
 - Loss of views from existing properties
 - Other "A" uses would not be appropriate in this location
 - How will the exterior of the building be maintained with no access except from third party land?
 - Negative impact of the construction works on tenanted, neighbouring properties and resultant loss of income for landlords

6. Planning considerations

Main Issues

- 6.1. The main issues are whether:
- the proposal would have an acceptable design and layout in the context of the character of the surrounding area.
 - there would be harm to designated and non-designated heritage assets as a result of the proposals.
 - harm would be caused to neighbouring properties through overlooking, overshadowing or overbearing impacts.
 - there would be adequate amenity space for the proposed occupants.

- adequate access and parking arrangements would be provided.
- development within Flood Zones 2 and 3 would be acceptable.

Design and Layout

- 6.2. Chapter 12 of the National Planning Policy Framework sets out the objectives towards achieving well-designed places. Points b) and c) of para 127 identify that developments should be visually attractive as a result of good architecture and layout as well as being sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 6.3. Adopted Local Plan Policy DC45 requires new buildings to be well designed in themselves and for the siting, scale, form, massing, materials and detail of the proposal to have an appropriate visual relationship with that of the character and appearance of development in the surrounding area.
- 6.4. Emerging Local Plan Policy MP1 also requires new development to respect the character and appearance of the area in which it is located as well as being well designed in itself.
- 6.5. The existing building on the site is single storey with a pitched roof over the front section and a flat roof extension to the rear. This building is of no architectural merit.
- 6.6. The design and appearance of the proposed building takes cues from the context of the site with curved corners, reflecting the curve of the Marconi Works building on the corner of Hall St, and a sympathetic but varied material palette. The immediate context of the site is that of two and three storey buildings whereas the current building is an anomaly at having a single storey height.
- 6.7. The height and scale of the proposed building would be well related to the surrounding scale of built form. Although the building would have a contemporary design and appearance, in addition to the historic form of buildings in the locality there are also buildings with a more modern range of designs and appearance, and as such the proposal would not be at odds with the surrounding built form.
- 6.8. The building would almost fill the extent of the site and in urban areas, such as this, higher density developments are not unusual. Due to the unusual shape and limited size of the site, in addition to the proposed design approach, the scale and proportions of the proposed built form would not appear as a large and alien feature within the streetscene.
- 6.9. The size, scale, proposed mix of materials and detailing of the building would result in a scheme which would have an appropriate visual relationship with the layout, scale, form, massing, materials, details and character and appearance of development in the surrounding area. The proposal complies with the objectives of Chapter 12 of the National Planning Policy Framework and the requirements of Adopted Local Plan Policy DC45 and Emerging Local Plan Policy MP1 which can be afforded limited weight in the decision-making process.

Heritage Assets

- 6.10. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where

a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

- 6.11. The site is located within the Moulsham Street Conservation Area and is adjacent to the Grade II Listed Marconi Works building to the south of the site. The Woolpack Public House to the southeast, on the opposite side of Mildmay Road is locally listed. The current building on the site is of poor quality and makes no positive contribution to the Conservation Area. There is no objection to the demolition of the existing structure.
- 6.12. The proposed building would result in views of the Marconi Works building from Parkway, between the two blocks of flats at 2 – 14 Mildmay Road, being obscured. However, views of the listed building from Mildmay Road and other sections of Parkway, to the northeast and northwest of the Mildmay Road flats, would not be adversely affected.
- 6.13. The Council's Conservation Officer has been consulted in respect of the proposed development and he has advised that, subject to the imposition of conditions regarding materials and large-scale details of the proposed building, there would be no adverse impact to the Conservation Area or to the setting of the adjacent listed building.
- 6.14. The proposal would comply with the objectives of Chapter 16 of the National Planning Policy Framework in respect of conserving the historic environment, in addition to Adopted Local Plan Policies DC17 and DC18 and Emerging Local Plan Policies HE1 and HE2, which can be afforded limited weight in the decision-making process.

Neighbour Amenity

- 6.15. Since the submission of the previous (withdrawn) application, the proposed scheme has been revised to address concerns regarding neighbour amenity. The south facing elevation of the building at first and second floors would have angled windows to prevent views out towards the existing properties at Alfred Mews. The submitted application drawings provide details of how the windows would allow views out of the flats to the south, over the adjacent car park, but would restrict views to the southwest.
- 6.16. There would be limited windows to the front elevation, facing properties on the opposite side of Mildmay Road. The windows would serve living rooms and bedrooms of the flats and they would be positioned approximately 11m from the front elevations of the properties opposite. This is comparable to the standard relationship between properties which are opposite each other with a road between. The addition of the solid balconies to the front of the building would provide an element of screening between the proposed and existing properties.
- 6.17. The front balconies would provide a limited area of amenity space. They would be modest in size which would not allow significant numbers of people to congregate on them. Their use would not result in an adversely prejudicial loss of privacy to the occupiers of properties opposite. The side of the balconies would face towards to the landing/entrance windows of the Mildmay Road flats to the north. The main southern elevation of this building has no windows facing the application site. As a result, there would not be any impact to the privacy of the occupiers of the flats from the front balconies.
- 6.18. The position of windows to the northern elevation has been designed to avoid a direct relationship with the adjacent blocks of flats. The stairwell windows would have vertical timbers in front of them which would restrict views however they would also face towards the blank side elevation of the flats.

- 6.19. The balconies located towards the centre of this elevation would face towards the gap between the two block of Mildmay Road flats. These balconies would be recessed and due to the 90-degree angle between the balconies and the western elevation of the closest block of flats, views between the balconies and windows to the flats would not be possible.
- 6.20. A distance of almost 13m would exist between the balconies and the second block of flats. This distance would prevent any adversely prejudicial loss of privacy occurring to the occupiers of the flats from residents using the recessed balconies.
- 6.21. The final windows in the north elevation of the proposed building would serve a small dining area to two of the flats. The position of these windows would look towards Parkway between the two blocks of flats. Due to the size of the respective dining areas, limited views out of the windows would be possible and combined with the distances which would exist to the two blocks of flats, there would no adversely prejudicial loss of privacy to the occupiers of the existing flats.
- 6.22. In respect of possible overshadowing and overbearing impacts arising from the proposal, the majority of any potential overshadowing impact would occur to the side elevation of the block of flats fronting Mildmay Road. This elevation has no windows except to the landing/stairwell areas and as such any overshadowing would not affect the amenity of the occupiers. Neither would there be any overbearing impact in respect of this side elevation. An element of overshadowing in the middle of the afternoon may occur to the west facing windows of this block however this would be limited and would end by late afternoon; it would not amount to a level which would warrant refusal of this application. The car park to the flats would be the area most affected by any overshadowing and this would not directly affect any of the occupants of the flats.
- 6.23. The position of the proposed building, and the distance between it, and the second block of flats would prevent both overbearing and adversely prejudicial overshadowing impacts occurring to the occupants of the existing flats.
- 6.24. In respect of the relationship with the existing dwellings on Mildmay Road, the narrow width of the front elevation, in addition to the curved corner detail and set back of the main three storey height, would reduce the visual impact of the building when viewed from the existing properties. The position of the building on the opposite side of Mildmay Road would be not dissimilar to other examples of relative the positions of buildings locally and would not give rise to overbearing impacts to the existing occupiers. An element of overshadowing of the existing properties may occur towards the end of the day, however the flat roof of the building and the triangular and narrow form would reduce this. The building would not result in adversely prejudicial overshadowing or overbearing impacts to the occupiers of the Mildmay road properties.
- 6.25. Due to the orientation of the proposed building to the north and northeast of the Marconi Works development and Alfred Mews, there would be no overshadowing impacts to these properties. In addition, as a result of the orientation and distance between them, the building would not appear as overbearing when viewed these properties.
- 6.26. The proposed building has an acceptable relationship with the neighbouring properties surrounding it and the proposal complies with the requirements of Adopted Local Plan Policy DC4 and Emerging Local Plan Policy PA1 which can be afforded significant weight in the decision-making process.

Amenity Space

- 6.27. Each flat would have the provision of a balcony. The units fronting Mildmay Road would have external balcony areas and the rear flats would have recessed balconies. These areas of amenity space would be limited in size however the flats would be located in a town centre location. In such locations where there is access to public open space nearby, a lower level of amenity space can be acceptable. In this instance “Sky Blue Pasture” is located within 320m of the site, approximately a 5-minute walk.
- 6.28. In light of the town centre location of the site, the proposed private amenity space which would be provided through the use of balconies is acceptable and complies with Adopted Local Plan Policy DC44 and the requirements Appendix A in the Emerging Local Plan regarding the provision of amenity space.

Access and Parking

- 6.29. The site currently has an area of hardstanding to the front of the building which has been used for parking. The proposals would remove access to this however two new parking spaces would be provided within the front of the ground floor of the building. These would be located behind garage doors, screening vehicles from view.
- 6.30. The site is located in a highly sustainable location, close to public car parks, shops, services and public transport. In such locations a lower parking provision can be acceptable. Parking in the surrounding streets is controlled through parking restrictions and a resident’s parking permit scheme operates in the area. The occupants of new dwellings within these areas are not eligible for parking permits. The provision of two parking spaces would provide a level of parking for the development which would be acceptable in light of the site’s sustainable credentials.
- 6.31. The proposed development would not provide a parking space for the proposed commercial use however in town centre locations, this is not uncommon. For example, on the northern side of Parkway, businesses located within Baddow Road often have no parking provision.
- 6.32. In light of the site’s close proximity to public car parks, the lack of provision for the proposed commercial unit would not justify refusal of this application. In the event that goods are required to be loaded or unloaded to or from the commercial unit, the logistics of this will need to be addressed by the occupant. Given the modest area of commercial floorspace proposed, it is likely that deliveries could be made by small vehicles which would be no different to other businesses further along Mildmay Road which also have to operate within the parking restrictions in this area.
- 6.33. In respect of highway safety, the Local Highway Authority (LHA) has been consulted on this application. They have no objections to the proposal subject to the imposition of appropriate conditions regarding parking and cycle storage provision. They have also requested conditions regarding the provision of residential travel information packs and a construction method statement. The Council does not require the provision of travel information packs and a construction method statement for developments of fewer than 10 dwellings. The applicant has submitted a construction method statement with the application documents and this demonstrates that it is possible to construct the proposed development while acknowledging the site’s physical constraints. In light of the LHA’s consultation response, the proposed development would not have a detrimental impact on highway safety.

Flooding

- 6.34. The site lies within flood zones 2 and 3a and the Environment Agency has been consulted on the proposed development and the submitted flood risk assessment. They have no objections to the proposals on the basis of the 'more vulnerable' residential uses being located above ground floor level on the first and second floors. The proposed re-provision of retail use at ground floor falls within the 'less vulnerable' classification and this is acceptable within the flood zones. The amount of building form at ground floor level would be similar to that which currently exists. As such the proposal would not result in displacement of flood water elsewhere when compared to the existing built form.
- 6.35. The proposed development is acceptable in respect of the safety of the proposed development from flood water in addition to having no greater impact on the potential for flooding of neighbouring properties and complies with the objectives of Chapter 14 of the NPPF and the requirements of Adopted Local Plan Policy DC22 and Emerging Local Plan Policy NE3, which can be afforded limited weight in the decision-making process.

Other Matters

- 6.36. Concerns have been raised regarding the impact of additional dwellings in generating authorised parking in neighbouring private car parks. The proposal would provide adequate parking provision for the number of units indicated. When determining planning applications, the Council cannot take into account something which may occur on third party land without the owners' consent. There is no evidence that this proposal would result in unlawful parking occurring outside the site.
- 6.37. The Local Highway Authority has considered the proposals and has no objections in relation to highway safety. The proposed building would be located at the back edge of the pavement and would not impede visibility for drivers or pedestrians. Both pedestrians and drivers of vehicles have a responsibility to assess the presence or absence of each other when crossing access points. In the absence of any highway safety concerns this is not a matter which would warrant refusal of this application.
- 6.38. The Council has not adopted space standards for new dwellings however if the proposal is compared with the national space standards, the floor areas exceed the figures stated for a one-bedroom, one-person unit and they are slightly lower than those for a one-bedroom, two-person unit. The proposed flats would not be unduly cramped.
- 6.39. The applicant has indicated that a right of access exists through the car park and has completed Certificate B with the application form indicating that notice of the application has been served on the owners of the car park. The Council does not hold details of land ownership and the planning system allows for planning applications to be submitted, and planning permission subsequently granted if appropriate, on land that the applicant does not own. This does not override the landowner's ability to prevent development taking place on their land and this would be a civil matter between the various parties. Planning applications cannot be refused on the basis of disputes about land ownership and rights of access subject to the correct landownership certificates having been submitted with the planning application.
- 6.40. The layout of the proposed ground floor would allow vehicles to enter and leave the parking spaces without affecting the access to the bin store.

- 6.41. Access for ongoing maintenance for the exterior of the building will be a matter for the landowner to address. In common with any requirement for scaffolding on adjacent land, these are civil matters which fall outside the remit of Planning legislation and are not material considerations when determining planning applications.
- 6.42. The grant of planning permission will inevitably result in construction activity on a site. By its nature, this is a temporary impact and as such it is not a matter which can be taken into account when determining planning applications. Recommended working hours are attached to planning decision notices and any disturbance or disruption which constitutes a statutory nuisance can be dealt with under Environmental Health legislation.
- 6.43. The impact of a development on the ability to let a nearby property is not a matter which can be considered when assessing planning applications.

7. Community Infrastructure Levy (CIL) and RAMS

- 7.1. This application may be CIL liable and there may be a CIL charge payable.
- 7.2. New residential development at this site has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the requirements of the Conservation of Habitats and Species Regulations 2017. The applicant has signed and completed a unilateral undertaking securing a financial contribution towards the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) project.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site.

Condition 3

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.

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 DC21 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 4

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

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the Conservation Area in accordance with Policy DC17 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 5

All new brickwork shall be constructed to give the appearance of Flemish bond, with either a flush or recessed mortar joint.

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the Conservation Area in which the development is situated in accordance with Policy DC17 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 6

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

- (a) Windows;
- (b) Eaves, verges, hips and ridges;
- (c) Doors;
- (d) Brick detailing;
- (e) Parapets;
- (f) Balconies;
- (g) Flues and vents;
- (h) Junctions between changes in materials;
- (i) Meter boxes;
- (j) Satellite dishes;
- (k) External lighting;
- (l) Screens.

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

Reason:

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the Conservation Area in which the development is situated in accordance with Policy DC17 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 7

All rainwater goods shall be metal.

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the Conservation Area in which the development is situated in accordance with Policy DC17 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 8

No flat shall be occupied until space has been laid out within the site for cars to be parked in the identified parking spaces shown on drawing no. 17/11/20 and that space shall thereafter be kept available at all times for the parking of vehicles.

Reason:

To ensure that sufficient parking is available to serve the development in accordance with Policy DC7 of the Core Strategy and Development Control Policies Development Plan Document.

Condition 9

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 DC7 of the Core Strategy and Development Control Policies Development Plan Document.

Condition 10

The ground floor premises shall be used for retail A1 use and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DC4 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 11

The A1 retail use hereby permitted shall only take place between the following hours:

08.00 – 18.00 Mondays - Fridays;

08.00 – 18.00 Saturdays; and

10.00 – 16.00 Sundays and Bank Holidays.

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DC4 of the adopted Core Strategy and Development Control Policies Development Plan Document.

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 may be liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended). If applicable, a Liability Notice will be sent as soon as possible to the applicant and any other person who has an interest in the land. This will contain details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.chelmsford.gov.uk/cil, and further information can be requested by emailing cilenquiries@chelmsford.gov.uk. If the scheme involves demolition, for the purposes of the Regulations the development will be considered to have begun on commencement of the demolition works.
- 3 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.
- 4 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.

- 5 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.
- 6 You are reminded that this application is subject to a Unilateral Undertaking, which requires that a payment should be made to the local authority upon commencement of the development (or at any other time as varied by the Undertaking).
- 7 The Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are:
Development Management Team,
Essex Highways,
Springfield Highways Depot,
Colchester Road,
Chelmsford
CM2 5PU.
Telephone: 0845 603 7631. Email: development.management@essexhighways.org.
- 8 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 streetnaming@chelmsford.gov.uk.
- 9 The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

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

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background Papers

Case File

ECC Historic Environment Branch

Comments
<p>11.09.2019</p> <p>RE: 19/01354/FUL - Site at 18-20 Mildmay Road, Chelmsford, Essex</p> <p>The above application has been identified on the weekly list and checked on the web site by the Historic Environment Advisor of Essex County Council.</p> <p>The proposed development is within an area of known, regionally-important archaeological remains. The Historic Environment Record shows that this area is within the defences of the Roman town of Chelmsford and adjacent to an area where excavation has shown the survival of Roman features. There is the possibility that archaeological features and deposits may survive in the proposed development area.</p> <p>In view of this, the following recommendation is made in line with the National Planning Policy Framework:</p> <p>RECOMMENDATION: Full condition</p> <p>(i) 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.</p> <p>(ii) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.</p> <p>The archaeological work will comprise excavation following the demolition of the existing building. Demolition must not be carried out below current ground level. 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.</p>

Public Health & Protection Services

Comments
<p>27.08.2019 - 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 parking space.</p> <p>Please add the construction times informative.</p>

Essex County Council Highways

Comments
<p>19.09.2019</p> <p>This recommendation is consistent with the earlier and similar application 18/01790/FUL submitted and subsequently withdrawn by the applicant late in 2018.</p> <p>The Parking Standards allow a reduced parking standard, which has been applied to this proposal. Reduced parking standards may be applied to residential developments proposals located in main urban areas with</p>

frequent and extensive public transport, cycling and walking links.

The proposal is located very close to regular frequent public transport services in Parkway/New London Road and public car parking facilities.

The surrounding streets are protected by existing TRO parking restrictions and

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

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

Notes for 1 above

a. 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.

b. The submission of the Construction Method Statement is welcomed however details for wheel and under vehicle cleaning must be included to meet condition 1 above.

2. Prior to first occupation of the development, the 2no. undercroft vehicle parking spaces shown in the Proposed Ground Floor Plan, drawing no 17/11/20 shall be constructed ready for use. The vehicle parking area shall be retained in this form at all times.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

3. Six cycle parking spaces shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

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 in accordance with policies DM9 and DM10.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informatives:

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

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

SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU

South Essex Parking Partnership

Comments

Please note that this development would not be entitled to join the resident permit scheme as per the Traffic Regulation Order . Andy Clay, TRO Manager South Essex Parking Partnership.

Environment Agency

Comments

23.09.2019

Thank you for your consultation dated 19 August 2019. We have inspected the application, as submitted, and have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below.

Flood Risk

Our maps show the site lies within fluvial Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for the demolition of the existing commercial building and construction of 4 residential flats at first and second floor and replacement commercial unit at ground floor, additional provision of cycle and bin stores, which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA).

To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, prepared by Ingent Consulting Engineers Ltd, referenced 1802-146 and dated October 2018 are:

The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.

The site does benefit from the presence of defences. The defences (have an effective crest level below the 1% (1 in 100) annual probability flood level including climate change and therefore the site is at actual risk of flooding in this

event.

Finished ground floor levels have been proposed at 24.275m AOD. This is below the 1% (1 in 100) annual probability flood level including climate change of 24.45 AOD and therefore at risk of flooding by 0.71 m depth in this event.

Flood resilience/resistance measures have been proposed.

Finished first floor levels have not been detailed, but based upon the confirmed ground floor level, would provide refuge above the 0.1% (1 in 1000) annual probability flood level of 24.721m AOD.

The site levels range from 24 - 24.2mAOD and therefore flood depths on site could reach 0.25-0.45 m in the 1% (1 in 100) annual probability flood event ,including climate change.

Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change.

Therefore this proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 1% (1 in 100) annual probability including climate change flood event). We have no objections to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been submitted by the applicant but you should determine its adequacy to ensure the safety of the occupants.

Compensatory storage is not required because the built footprint proposed is not greater than the existing.

A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access and with internal flooding in the event of a flood.

Guidance for Local Council

Safety of Building - Flood Resilient Construction

The FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding. You should determine whether the proposed measures will ensure the safety and

sustainability of the proposed development. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the document 'Improving the flood performance of new buildings' at:
http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf.

Additional guidance can be found in our publication 'Prepare your property for flooding', which can be found on our website at: <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>

Safety of Inhabitants - Safety of Building

The development has been designed to provide refuge above the predicted flood levels. Given that refuge is identified as a fall back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water. We advise that supporting information and calculations are submitted to you to provide certainty that the buildings will be constructed to withstand these water pressures.

Safety of Inhabitants - Emergency Flood Plan

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. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Planning Practice Guidance to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

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. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

We have considered the findings of the FRA in relation to the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. We agree that this indicates that there will be:

- A danger to most people (e.g. there will be danger of loss of life for the general public)

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services on the evacuation proposals.

Partnership funding for new/upgraded defences

Please note that government funding rules do not take into account any new properties (residential or non-residential), or existing buildings converted into housing, when determining the funding available for new/upgraded defences. Therefore as the proposed development may reduce the funding available for any future defence works we would like to take opportunities to bring in funding through the planning system, so please can you consider this when determining the planning application.

Sequential Test / and Exception Tests

The requirement to apply the Sequential Test is set out in Paragraph 158 of the National Planning Policy Framework. The Exception Test is set out in paragraph 160. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning Practice Guidance.

Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust that this advice is useful.

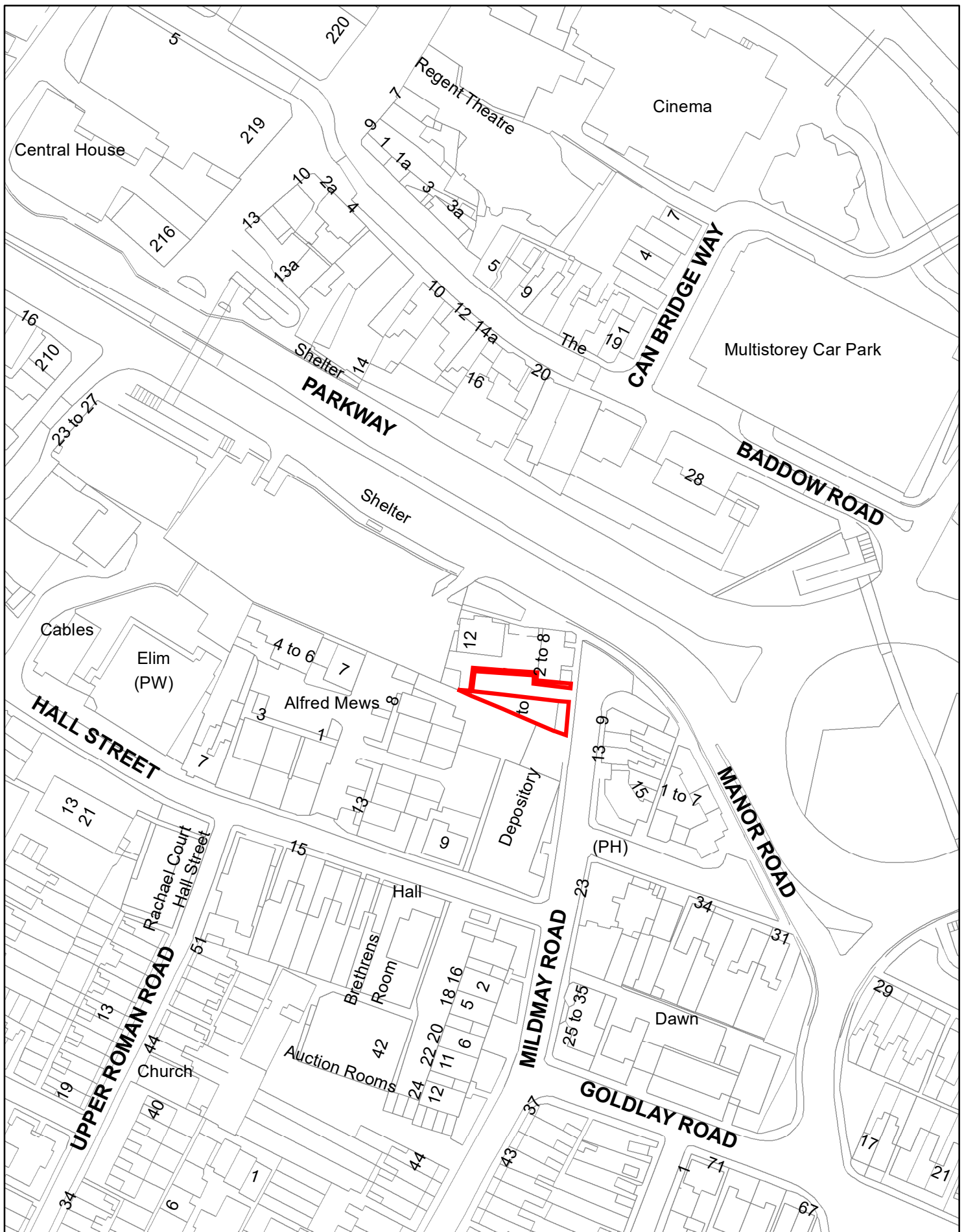
Recycling & Waste Collection Services

Comments
No response received

Local Residents

Comments
<p>One petition has been received with 15 signatures titled “Petition of local neighbourhood against planning application 19/01354/FUL”</p> <p>14 Representations received. Main points and objections raised:</p> <ul style="list-style-type: none">- The revised plans have not addressed previous concerns- Impact of more new development on the listed and locally listed properties in the vicinity of the site- Concerned about the effect the new building will have on the character and appearance of the Conservation Area- Loss of light and overshadowing of adjacent properties- Proposed building will overlook the gardens of properties at Alfred Mews- Insufficient parking provision for the proposed development – this is an area where parking is already extremely restricted and oversubscribed- Proposed position of the building adjacent to Mildmay Road would create blind spots at car park entrances to the Mildmay Road and Marconi building flats- Size and position of building will detract from the immediate setting- Existing parking space will be lost with only two spaces proposed- Concerns regarding highway safety in respect of vehicles manoeuvring to access/leave parking spaces- Disagree with the Conservation Officer’s comments- The proposed flats are cramped and contrived- No amenity space is proposed for the flats- Dispute that there is a right of access through the Mildmay Road flats car park to the rear of the application site- Concerns regarding bins being left outside the front of the property and not being taken back to bin store area- Concerns about the proposed construction method statement details, such as proposed working hours, lack of information on site hoarding, position of existing street light restricting access, ability to store materials on the site and construct the building- The proposals are contrary to a number of draft local plan policies- No parking is proposed- Loss of privacy between site and dwellings on Mildmay Road opposite- Overdevelopment of the site- Disruption from construction works- Loss of views from existing properties- Will generate unauthorised parking in neighbouring private car parks- There is no bin store for the commercial unit- Parked cars would obstruct access for the bins store- Query whether there is a demand for a proposed commercial space in this location- Other “A” uses would not be appropriate in this location- How will the exterior of the building be maintained with no access except from third party land?- Development of other adjacent sites has been disruptive to neighbouring properties and this would result in similar disturbance- Proposed scaffolding on the neighbouring land would affect the usability of car parking spaces- Impact of dirt and dust from construction works on neighbouring properties

- Negative impact of the construction works on tenanted, neighbouring properties and resultant loss of income for landlords



0 12.5 25 50 Metres

1:1,250

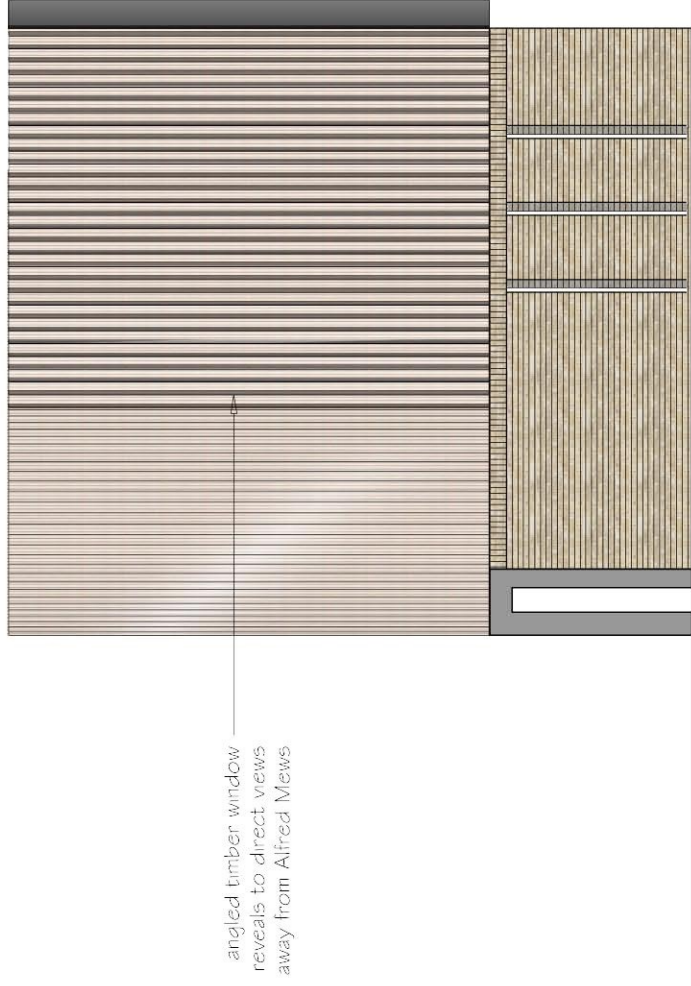
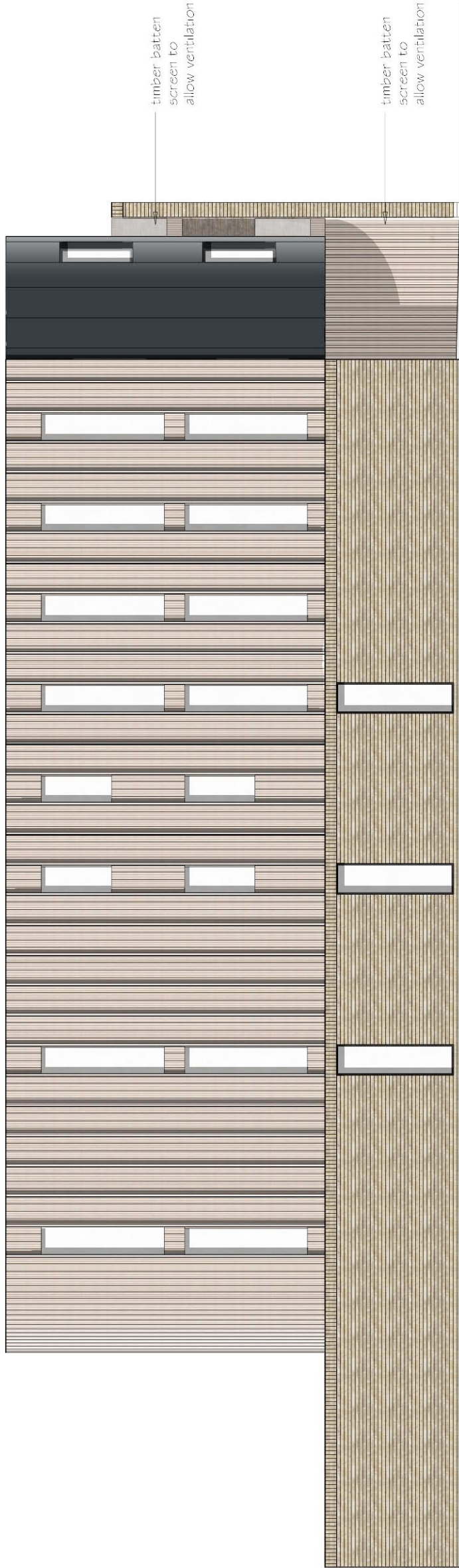
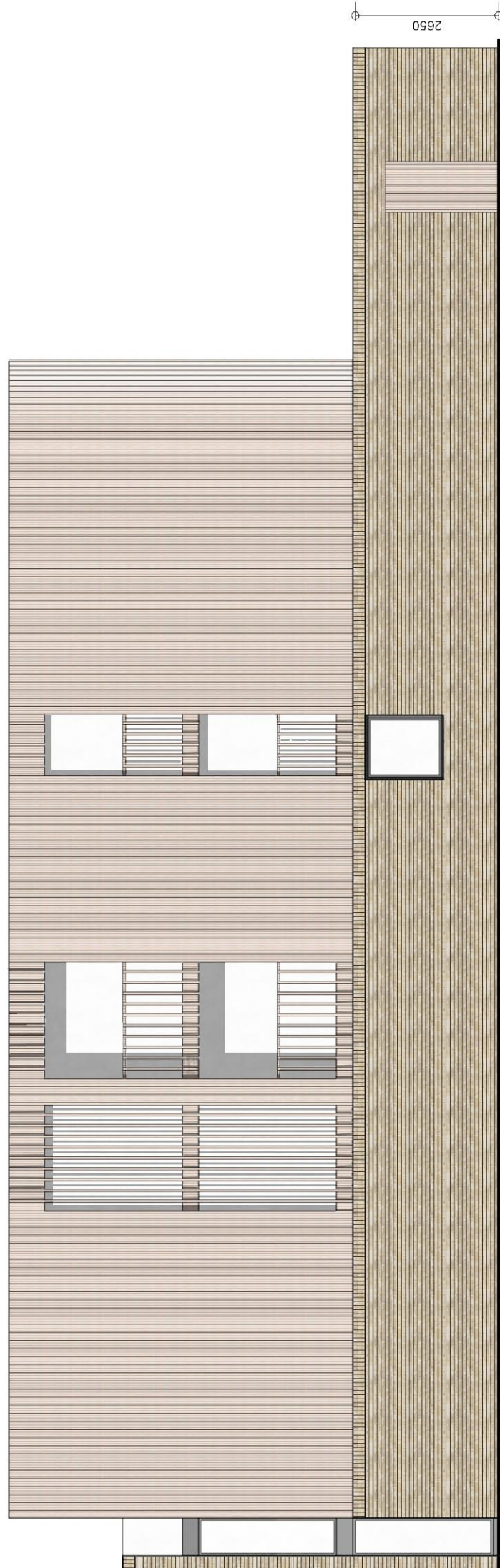


Planning Committee
19/01354/FUL

Planning & Development Management
Directorate for Sustainable Communities

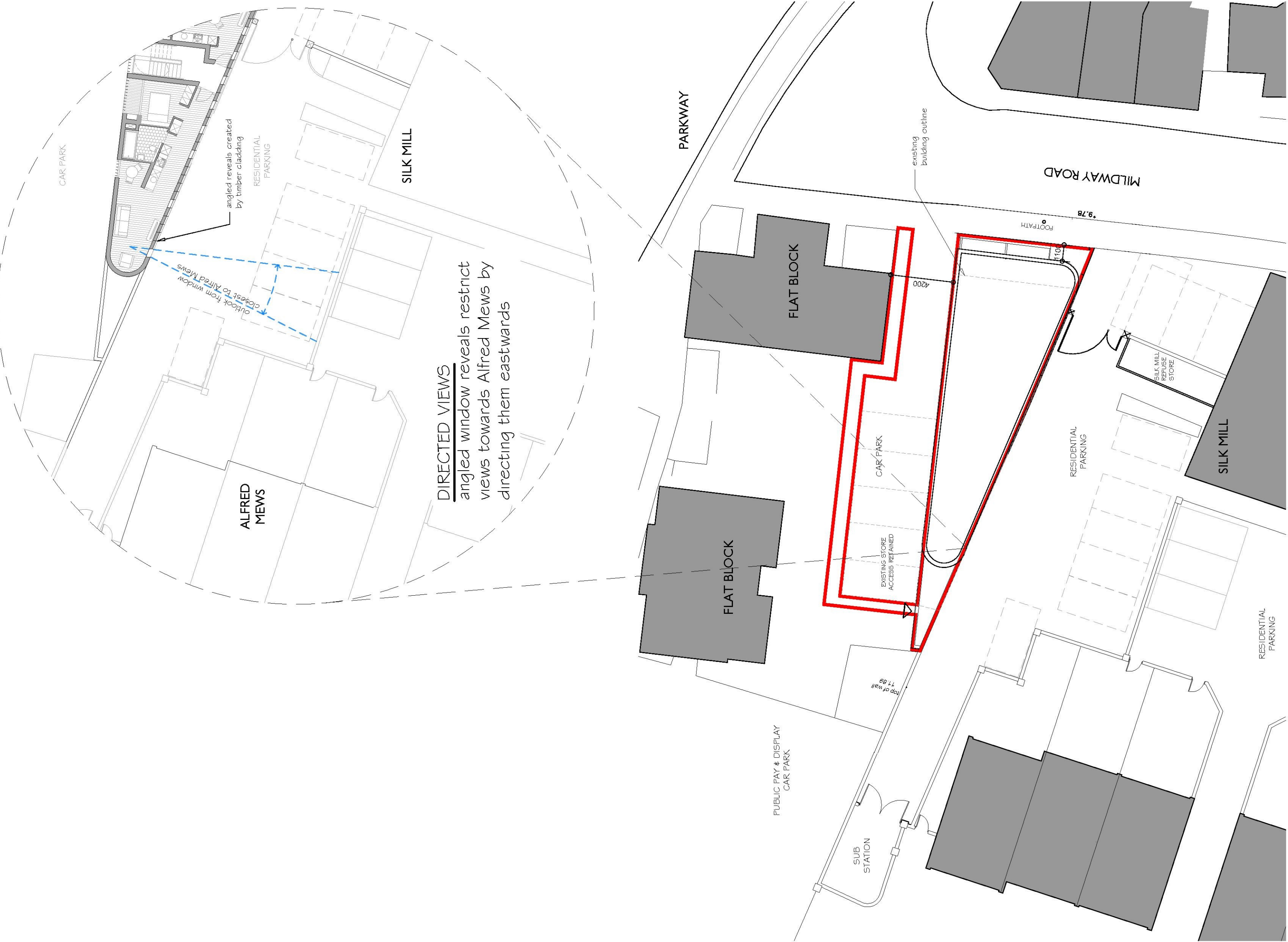
PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

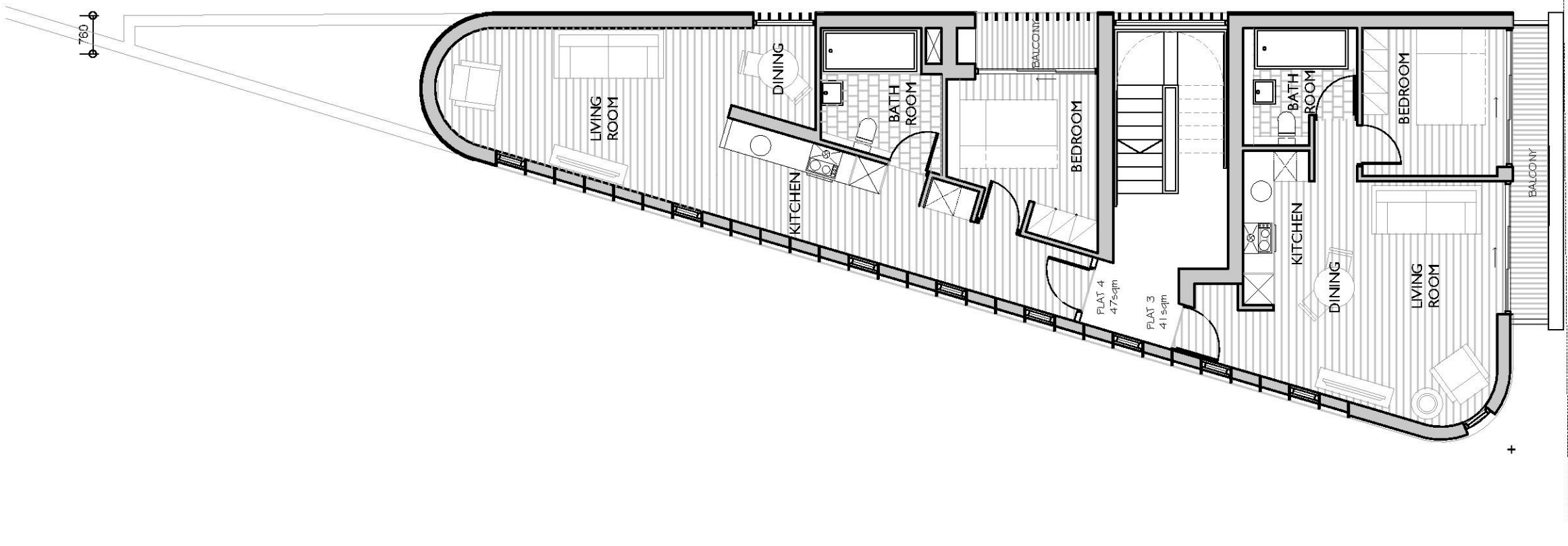


SIDE ELEVATION

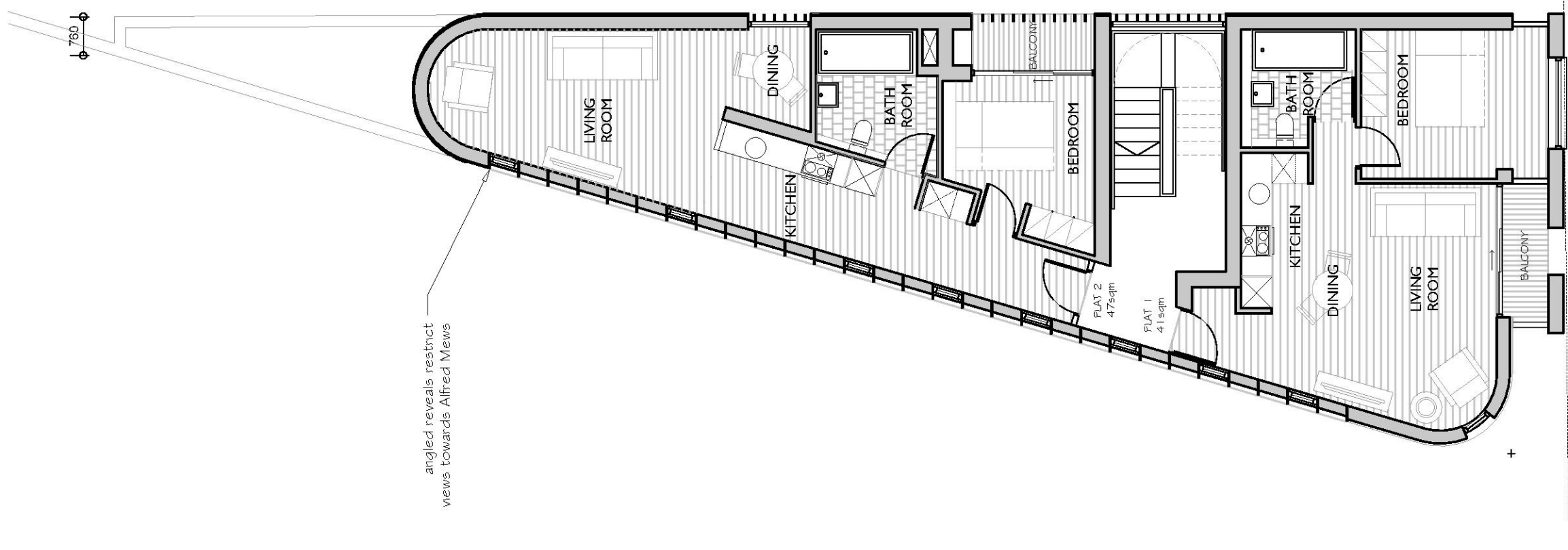
REAR ELEVATION



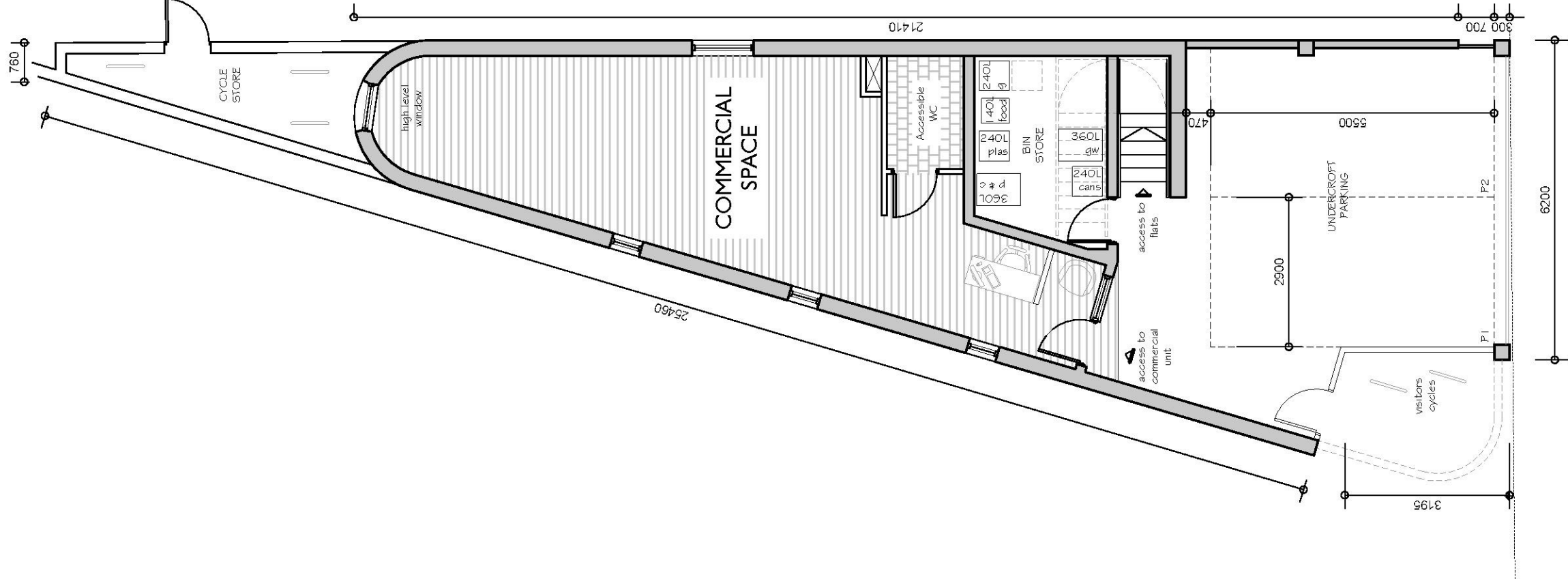
PROPOSED SITE PLAN



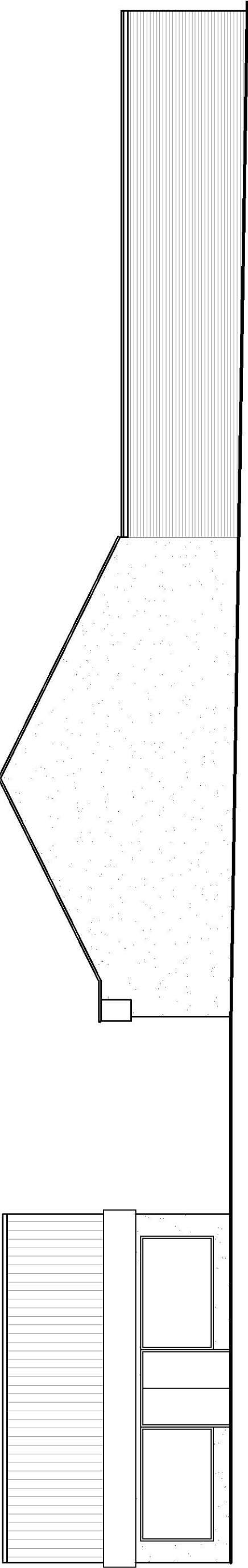
PROPOSED SECOND FLOOR



PROPOSED FIRST FLOOR

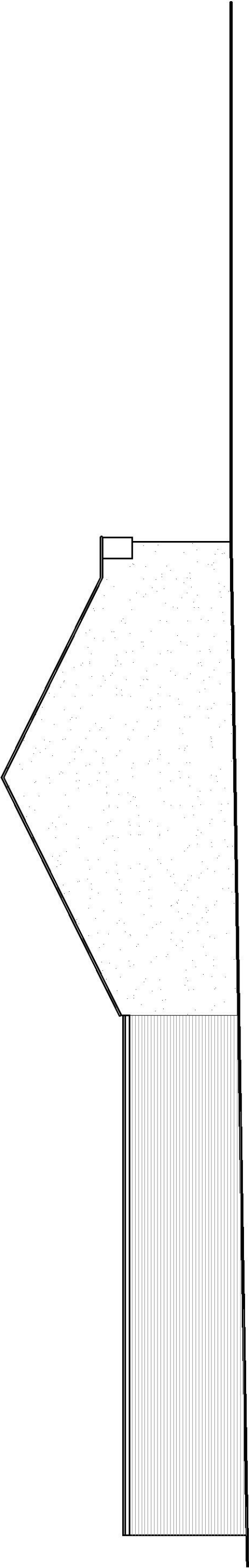


PROPOSED GROUND FLOOR

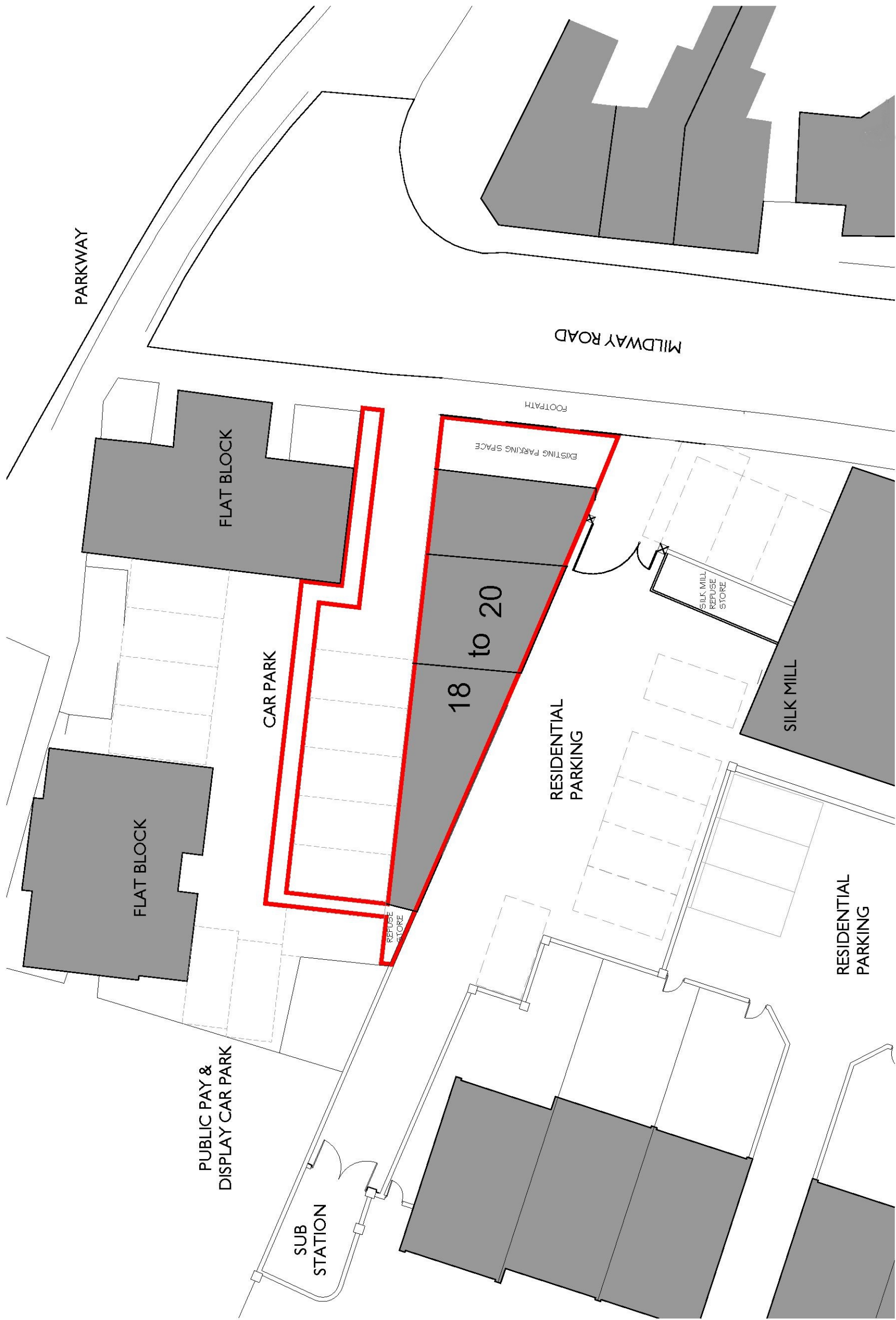


FRONT ELEVATION

SIDE ELEVATION



SIDE ELEVATION



EXISTING SITE PLAN



Planning Committee

5th November 2019

Application No	:	19/01619/FUL Full Application
Location	:	19 Leybourne Drive Springfield Chelmsford Essex CM1 6TX
Proposal	:	Part two storey, part single storey front extension with a garage conversion and an additional car parking space to be created in the front garden.
Applicant	:	Mr & Mrs Flewers
Agent	:	Frith Building Design Ltd
Date Valid	:	23rd September 2019

Contents

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

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application is referred to planning committee because the applicant is a Council employee and a representation has been received on the application.
- 1.2. The site lies within the urban area of Chelmsford where the principle of constructing extensions is acceptable.
- 1.3. The proposal is for front extensions to an end terraced house together with conversion of the integral garage.
- 1.4. The extensions have an acceptable design which will not impact on neighbour amenity or parking provision.
- 1.5. Approval is recommended

2. Description of the site

- 2.1. The site lies within the urban area of Chelmsford where the principle of constructing extensions is acceptable.
- 2.2. The property is the end property in a terrace of three similar properties. It has not been previously extended.
- 2.3. The street scene is characterised by a mix of houses of a similar age but of varying designs, including detached, semi-detached and terraced houses. Most properties have off-street parking to the front.
- 2.4. The integral garage projects forward from the front wall of the house by around 2.3m. Adjacent to the garage projection is a small porch and front door. There is one paved parking space and an area of front lawn.

3. Details of the proposal

- 3.1. The proposal includes the following elements:
 - i) Conversion of the garage to habitable accommodation.
 - ii) Widening the projecting area at the front, formerly part of the garage, to incorporate the porch, and adding a first floor over both these elements with a gabled front.
 - iii) Adding a ground floor extension at the front, with lean-to roof, to align with the projecting area, in effect squaring off the building's footprint.
 - iv) Creation of an additional paved parking space on part of the current lawned area.

4. Other relevant applications

- 4.1. There are no relevant applications in relation to this site.

5. Summary of consultations

- 5.1. The following were consulted as part of this application:
 - Springfield Parish Council
 - Public Health and Protection Services
 - Local residents
- 5.2. Springfield Parish Council has no objection to the application.
- 5.3. Public Health and Protection has no objection to the application.
- 5.4. One letter of objection was received from a neighbour. They raised concerns in relation to the potential for the first floor extension to block light into the ground floor living room and first floor bedroom; that gutters may overhang their property; and that adding an extra bedroom may cause parking issues in the future.
- 5.5. Full details of consultation responses are set out at Appendix 1.

6. Planning considerations

Main Issues

- 6.1. The main issues are whether:
 - The character and design are appropriate for the location
 - There would be a loss of light to the neighbouring property
 - Sufficient parking would remain to the extended property

Character and design

- 6.2. The street scene in Leybourne Drive has a mix of property types. The application site is the end property of a terrace of three, with detached properties to the east, detached and semi-detached properties opposite, and a similar row of three terraced houses to the west.
- 6.3. One of these terraced properties (No. 13) has a two storey extension to the front with a gabled front. Other properties nearby have converted garages into habitable accommodation (No. 5, No. 30).
- 6.4. There is a mix of roof forms in the street scene, including gables of different heights and dimensions, and ridgelines parallel or at right angles to the street.
- 6.5. Taking account of these examples, the design of the building is complementary to the character and appearance of the street. Materials including roof tiles, bricks and windows are indicated to match the existing property.

Neighbour relationship

- 6.6. The application proposes to add a first storey above the existing garage and widen this section to incorporate the front door. The garage is not being extended forwards of its existing front edge, which projects from the front of the house by about 2.3m. There would, therefore, be no material change in light levels to the ground floor of the neighbouring property to the west.

- 6.7. The first floor will extend forwards, above the garage, by about 2.3m from the front wall. It is not anticipated that this extension would materially impact on the neighbour's amenity and would not result in a harmful loss of light, due to its southerly aspect.
- 6.8. The drawings have been amended during the life of this application, to clarify that there is no roof or gutter overhang proposed on the boundary adjoining the neighbour at No. 17.
- 6.9. Overall, the proposal would have an acceptable relationship with all neighbouring properties.

Parking

- 6.10. Although the garage is proposed for conversion to living accommodation, an additional parking space is being created in its place. There would be enough space remaining for a further parking space to be created to meet future needs if necessary. In addition, Leybourne Drive is not an area of parking stress, so on-street parking would be available to visitors.

7. Community Infrastructure Levy (CIL)

- 7.1. The proposed works are not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Where the new materials differ from those of the existing building, details of the materials to be used shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with those details.

Reason:

To ensure that the development is visually acceptable in accordance with Policies DC45 and DC47 of the adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 4

Within 3 months of the first occupation of the garage conversion two parking spaces as shown on the Block Plan shall be laid out and available for use and thereafter be kept available at all times for the parking of vehicles. No unbound material shall be used in the surface treatment of the parking spaces.

Reason

To ensure sufficient parking is available to serve the development in accordance with policy Dc7 of the Core Strategy and Development Control Policies Development Plan document.

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>

Positive and Proactive Statement

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

Background Papers

Springfield Parish Council

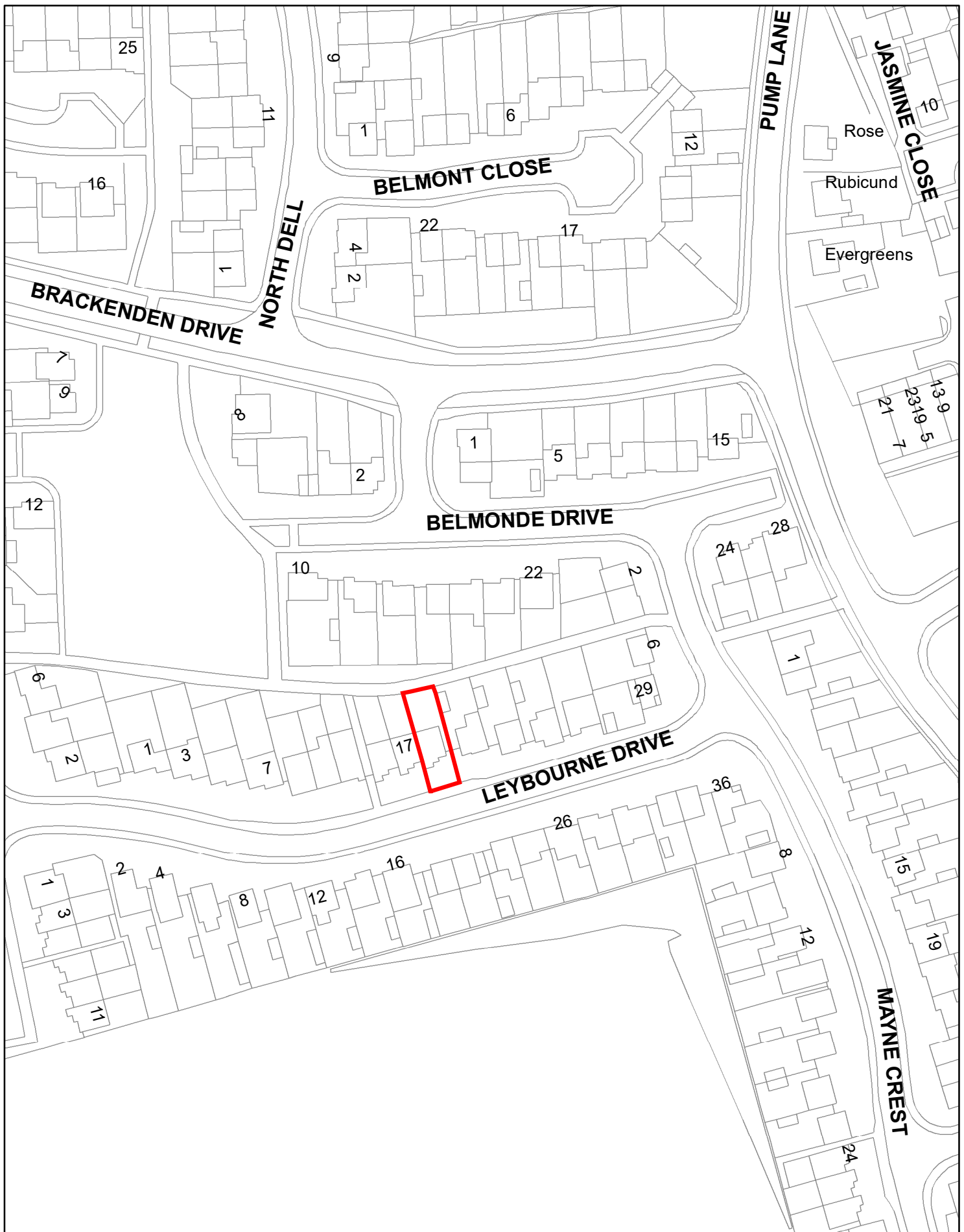
Comments
22.10.2019 - Springfield Parish Council has no objections to this application.

Public Health & Protection Services

Comments
07.10.2019 - No PH&PS comments with regard to this application.

Local Residents

Comments
Representations received – one comment. Concern that the front double height will severely block light into ground floor living room and first floor front bedroom; the rain water guttering not detailed on the proposed drawing will encroach and over hang over onto my property; the addition of a fourth bedroom could cause car parking issues in the future as plans show only allowance for two vehicles.



0 12.5 25 50 Metres

1:1,250



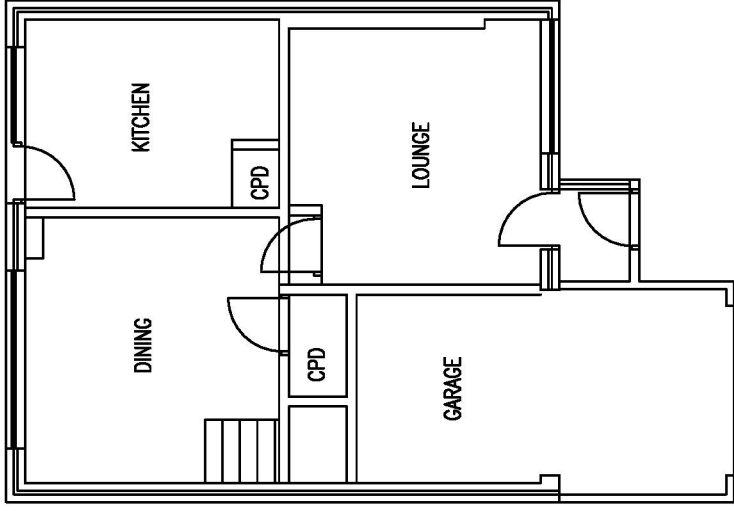
Planning Committee
19/01619/FUL

Planning & Development Management
Directorate for Sustainable Communities

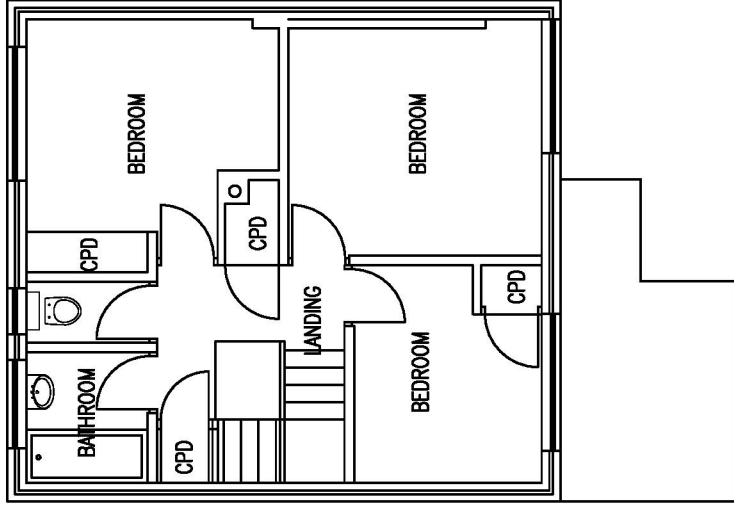
PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

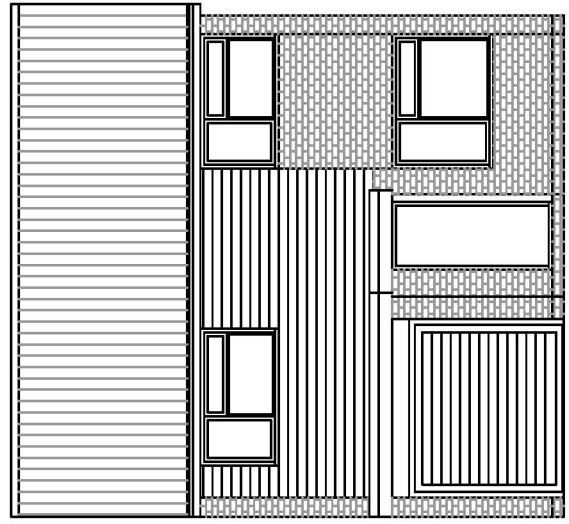
Existing



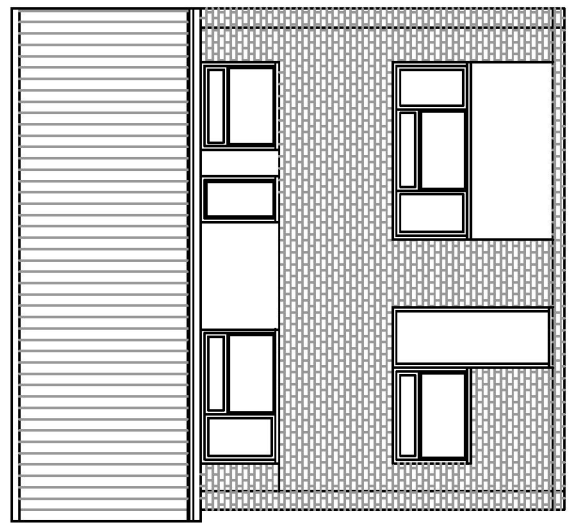
EXISTING GROUND FLOOR PLAN



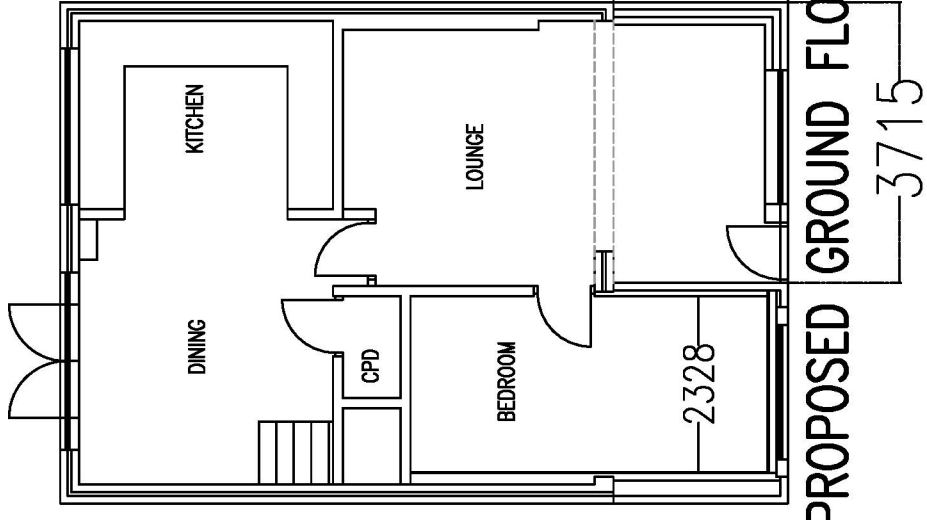
EXISTING FIRST FLOOR PLAN



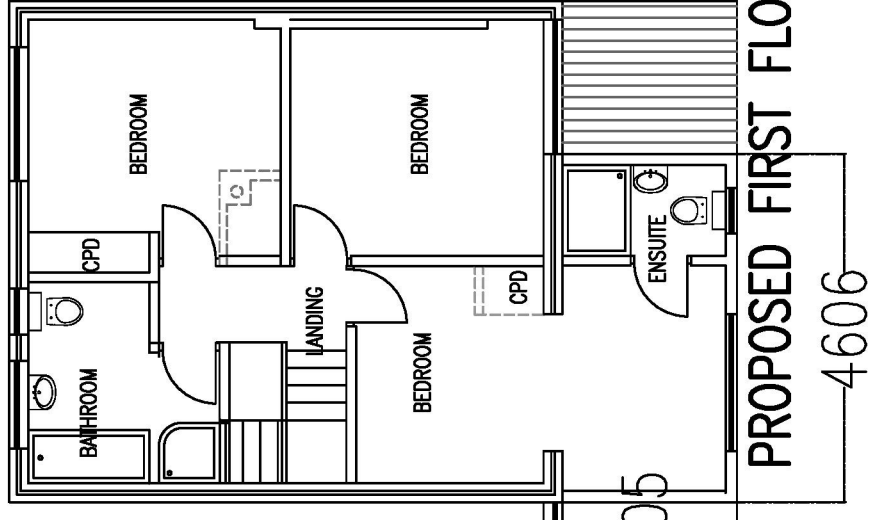
EXISTING FRONT ELEVATION



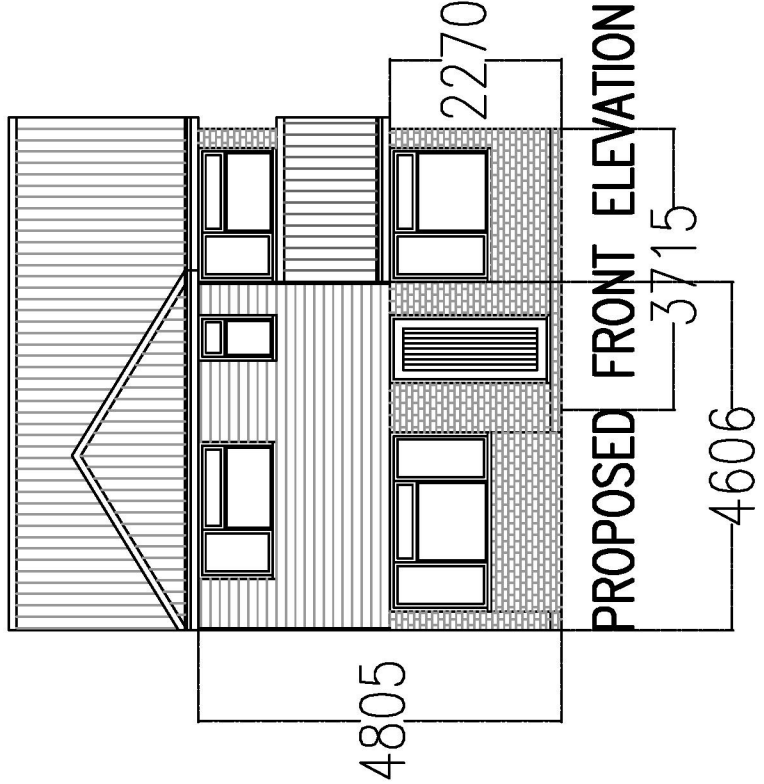
EXISTING REAR ELEVATION



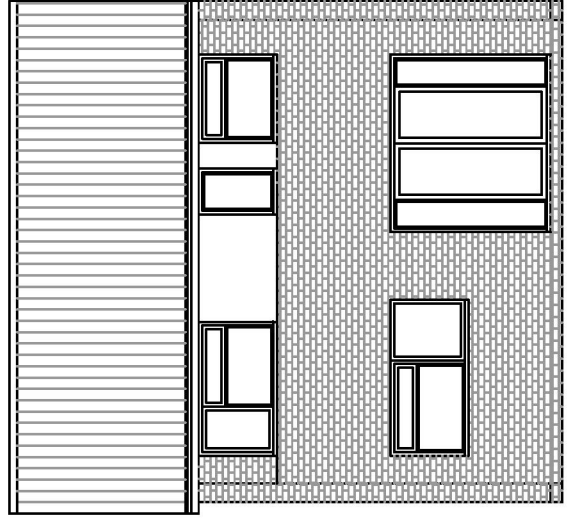
PROPOSED GROUND FLOOR PLAN



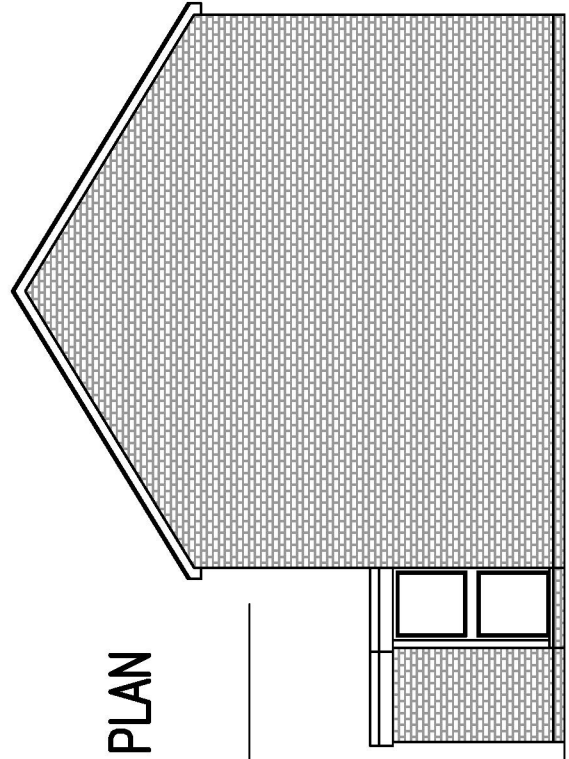
PROPOSED FIRST FLOOR PLAN



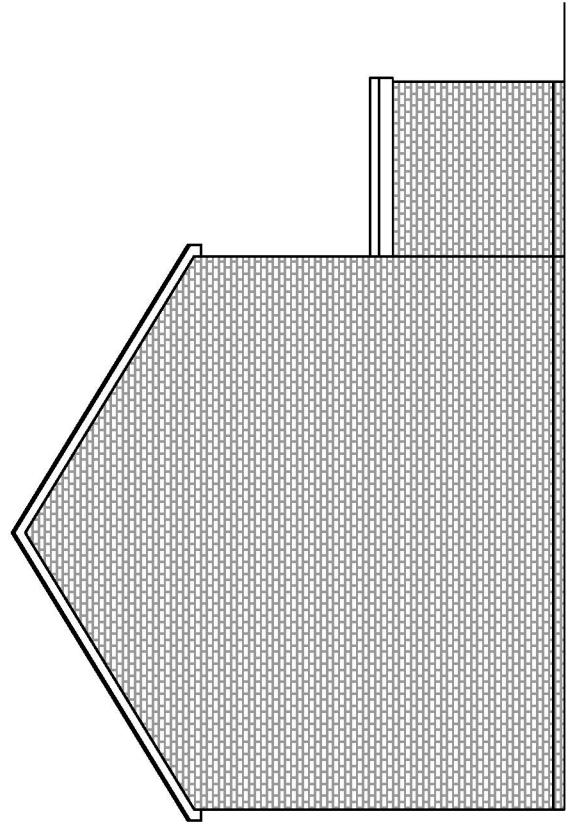
PROPOSED FRONT ELEVATION



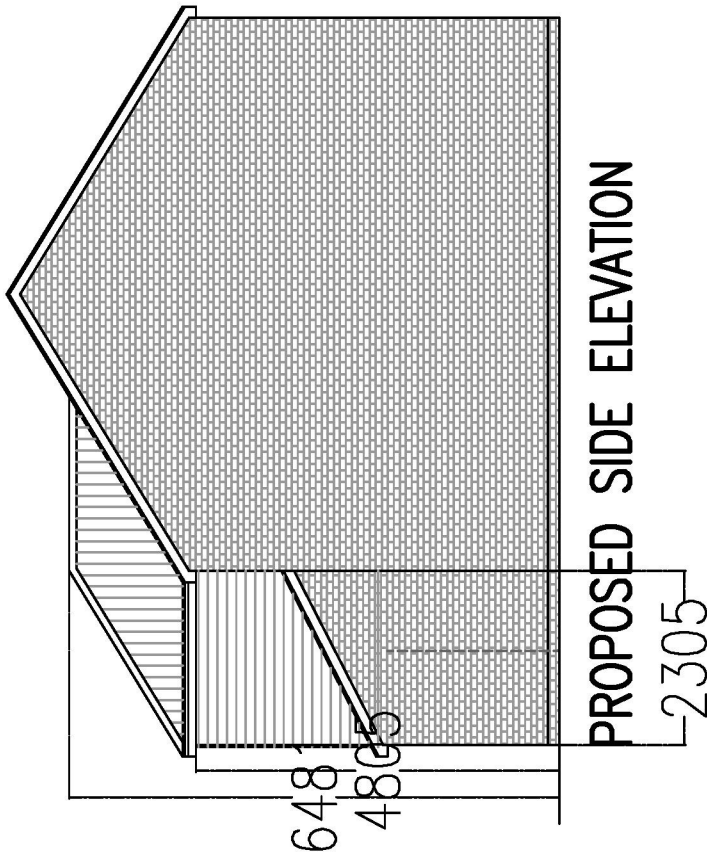
PROPOSED REAR ELEVATION



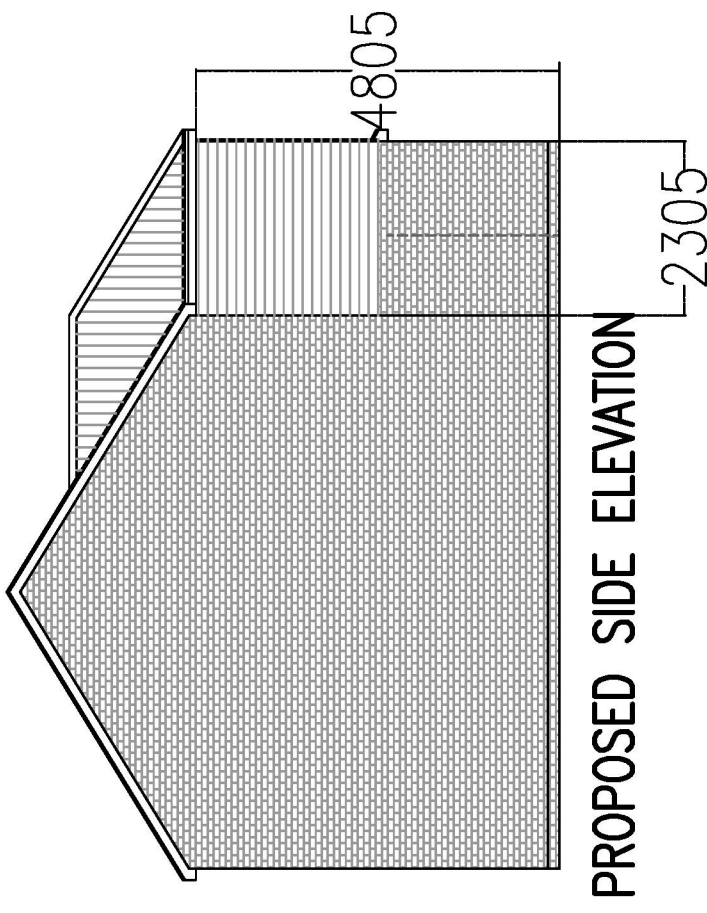
EXISTING SIDE ELEVATION



EXISTING SIDE ELEVATION

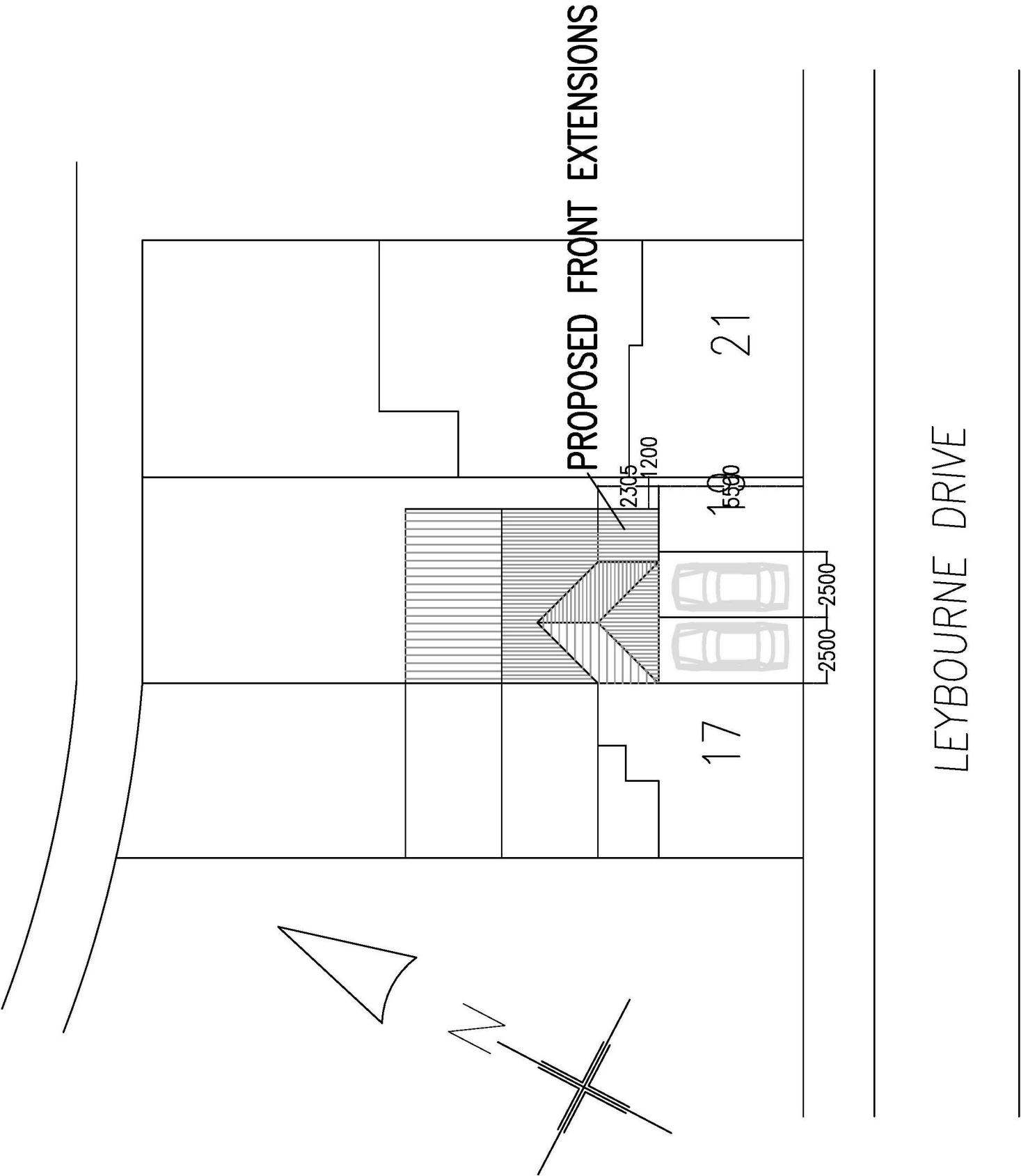


PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

Proposed





Appeals Report

Appeal Decisions received between 26/09/2019 and 28/12/2019

PLANNING APPEALS

Total Appeal Decisions Received	3	
Dismissed	2	67%
Allowed	1	33%
Split	0	0%

Written Reps

Field Opposite Barrow Farm Metsons Lane Highwood Chelmsford Essex

Reference	18/01990/FUL
Proposal	Retrospective application for the siting of mobile home within the Radical Bikes site, for occupation by employees.
Appeal Decision	Appeal Dismissed - 14/10/2019
Key Themes	Mobile home is Inappropriate development in the Green Belt and would harm openness No very special circumstances to overcome harm
Agreed with CCC on	Inspector agreed that mobile home was inappropriate development Did not accept the security argument from the appellant amounted to very special circumstances Harm would be caused to the openness of the Green Belt.
Disagreed with CCC on	
Costs Decision	None

Machinery Store Chalk End Farm Farmbridge End Road Roxwell Chelmsford Essex

Reference	19/00520/FUL
Proposal	Construction of domestic garages and stores.
Appeal Decision	Appeal Dismissed - 23/10/2019
Key Themes	Effect of the proposal on the character and appearance of the area
Agreed with CCC on	Intrusion of built form into the countryside, visible from Public Right of Way, dominant and unsympathetic additions to the site, would cause harm to the character and appearance of the appeal site and area.
Disagreed with CCC on	
Costs Decision	None

Householder

Oak Dean Littley Green Chelmsford Essex CM3 1BU

Reference	19/00285/FUL
Proposal	Retrospective application - Formation of an access.
Appeal Decision	Appeal Allowed - 14/10/2019
Key Themes	Impact of access on character and appearance of the area.
Agreed with CCC on	
Disagreed with CCC on	Access would not substantially alter the characteristics of the area and would not harm the character of the area.
Costs Decision	None