



**Planning Committee
30th June 2026**

Application No	:	25/01780/OUT Outline Application
Location	:	Land North East Of Little Fields Danbury Chelmsford Essex
Proposal	:	Outline planning application for the erection of up to 26 residential dwellings with new access, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks. Access is being sought, all other matters are reserved.
Applicant	:	Miss Alice Lack Martin Grant Land Ltd
Agent	:	Mr Owen McLeod
Date Valid	:	12th January 2026

1. INTRODUCTION

1.1. This application was considered at the Planning Committee on 26 May 2026.

1.2. The Planning Committee resolved that the application be deferred to the next meeting as the Committee were minded not to approve the application and officers would report back on the potential reason(s) for refusal based on conflict with the Danbury Neighbourhood Plan and with Paragraph 14 of the National Planning Policy Framework.

1.3. Officers have since considered the potential wording of a reason for refusal and have determined that an additional refusal reason would be required to cover the lack of legal agreement to secure the infrastructure considered necessary to support the development, in case the applicant should appeal the decision.

1.4. The officer report from 26 May 2026 is appended to this report.

2. CONSIDERATION OF CONCERNS RAISED BY THE PLANNING COMMITTEE

Conflict with the Neighbourhood Plan and Paragraph 14 of the National Planning Policy Framework

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- 2.1. The application proposal lies outside of the Defined Settlement of Danbury within the Rural Area and outside of any sites allocated for housing by either the Chelmsford Local Plan (2020) or Danbury Neighbourhood Plan (2024). This means the proposal conflicts with the Danbury Neighbourhood Plan Policy DNP1 and Chelmsford Local Plan Strategic Growth Site Policy 13 which states that the allocation of around 100 new homes will be identified “through the emerging Danbury Neighbourhood Plan”.
- 2.2. Danbury Neighbourhood Plan was made on 20th December 2024 in compliance with Paragraphs 69 and 70 of the National Planning Policy Framework (NPPF). The Danbury Neighbourhood Plan forms part of the Development Plan for Chelmsford.
- 2.3. Paragraph 11 of the NPPF explains how and when the presumption in favour of sustainable development should be applied. In this case, Paragraph 11(d)(ii) sets out that where development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Paragraph 12 of the NPPF states however that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 2.4. Paragraph 14 of the NPPF requires the adverse impact of allowing development that conflicts with a neighbourhood plan containing housing allocations be taken into account when considering whether planning permission should be approved or refused. This case is a situation where the presumption in favour of sustainable development is to be applied in accordance with Paragraph 11, although the adverse impacts of allowing development that conflicts with a neighbourhood plan are nonetheless likely to significantly and demonstrably outweigh the benefits of allowing it unless there are material considerations that indicate that the plan should not be followed (reflecting the principle laid out in Paragraphs 12 and 14).
- 2.5. The development is considered able to demonstrate some positive attributes, including the benefit of new market and affordable housing in the context of the Council’s 5-year housing land supply shortfall. These considerations add positive weight to the planning balance. However, and although there is considered to be a positive balance of material planning considerations in general, the positive merits or benefits of the development are not considered sufficient to outweigh the adverse impact of allowing development contrary to a made and valid neighbourhood plan, including where the presumption in favour of sustainable development is engaged. In this case, the proposal would undermine the plan led approach to growth and the integrity of the Danbury Neighbourhood Plan.
- 2.6. With consideration to the officer report from 26 May 2026 as appended and the Planning Committee debate at that meeting, there are no wider considerations which would indicate that a decision should be taken other than in accordance with the Development Plan.
- 2.7. As a consequence, the Danbury Neighbourhood Plan significantly and demonstrably outweighs the benefits of the development in accordance with Paragraph 14 of the NPPF.
- 2.8. The following reason for refusal is suggested in relation to this matter:

Draft Reason for Refusal 1

The Danbury Neighbourhood Plan was made in December 2024, it contains policies and allocations to meet its identified housing requirement and as such, provisions of paragraph 14 of the National Planning Policy Framework are engaged.

The proposed development would result in residential development on a site outside of the Defined Settlement of Danbury that is not allocated for development within the made Danbury Neighbourhood Plan, thereby conflicting with Strategic Growth Site Policy 13 – Danbury, contained within the Chelmsford Local Plan (2020) and Policy DNP1: Housing Site Allocations, contained within the Danbury Neighbourhood Plan (2024).

Whilst the positive elements of the proposed development including the provision of market and affordable housing are recognised, the proposed development fails to demonstrate material considerations or benefits sufficient to outweigh the conflict with the neighbourhood plan. The proposal would undermine the plan led approach to growth and the integrity of the recently adopted Danbury Neighbourhood Plan and demonstrates no reasons sufficient to indicate that a decision should be taken other than in accordance with the Development Plan. Accordingly, the policies of the Danbury Neighbourhood Plan taken as a whole, significantly and demonstrably outweighs the benefits of the development in accordance with paragraph 14 of the National Planning Policy Framework.

The absence of a signed S106 Agreement

2.9. At the 26th May 2026 Committee meeting Members did not raise the absence of a S.106 Agreement as a reason for refusal. There are however various site specific obligations which the Council would need to secure via S.106 Agreement in order to make the development acceptable in those regards and accord with national and local planning policies. Therefore, a second reason for refusal has been drafted for consideration of the Committee.

2.10. The draft content (heads of terms) of a legal agreement securing planning obligations under S.106 of the Planning Act 1990 was set out at paragraphs 6.129 – 6.135 of the report of the 26th May 2026 Committee, as copied below:

<u>Obligation heading</u>	<u>Nature of contribution</u>
35% Affordable Housing	On-site delivery
On-site open space provision	On-site delivery, to include play equipment
Highways contribution – bus service improvements	£95,000 index linked
Education contribution – early years	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated</i> £36,810 index linked)
Education contribution – secondary education	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated</i> £112,508 index linked)
Education contribution – secondary school transport	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated</i> £23,788 index linked)

RAMS contribution	to be based on final unit mix and prevailing tariff
Tree Planting	On-site delivery with contribution towards off-site planting as required – to be based on final unit mix and prevailing tariff
BNG	On-site delivery

2.11. In the absence of a completed S.106 Agreement to secure the above requirements and contributions the development would be contrary to policies of the Chelmsford Local Plan (2020) and supplementary planning documents. To ensure these matters are duly taken into account should the applicant seek to appeal the decision to refuse the application, the following refusal reason is suggested:

Draft Reason for Refusal 2

Paragraph 56 of the National Planning Policy Framework states that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Strategic Policy S9 of the Chelmsford Local Plan states that new development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs.

There are site specific payments towards works and obligations in order to make the development acceptable and accord with national and local planning policies.

Policy DM2 of the Chelmsford Local Plan (2020) requires the provision of 35% of the total number of residential units within this scheme for up to 26 units to be provided and maintained on-site as affordable housing. Regard must be had to the mix, size, type and cost of affordable homes to meet the identified needs of the Council's area. Affordable housing must be integrated into residential layout so as to avoid over-concentration of affordable housing in any particular location and must be appropriately weighted to ensure that provision makes at least a proportionate contribution to the categories of greatest housing need as established by the housing needs assessment and reported in the current Strategic Housing Market Assessment. Affordable housing must remain at an affordable price for future eligible households with subsidy recycled for alternative affordable housing provision. The provision of affordable housing must comply with the Planning Obligations Supplementary Planning Document (2021).

Policy DM26 of the Chelmsford Local Plan (2020) requires all new dwellings to comply with design specifications for dwellings including the provision of open space. The proposal would need to include a minimum of 19sqm per dwelling as on-site public local open space with children's play facility to be appropriately integrated with the final design and layout of the development. The provision of public open space must comply with Appendix B of the Chelmsford Local Plan (2020) and the Planning Obligations Supplementary Planning Document (2021). The delivery of this land use and facility must include adequate safeguards in relation to future maintenance and management.

Policy S9 requires development to be supported by sustainable means of transport to serve its needs including public transport. Essex County Council as the Local Highway and Transportation Authority has identified the need for this development to provide contribution towards improvements to public

transport, namely a contribution to secure service timetable and frequency enhancements based on the existing First Essex bus service operating along Maldon Road within accessible walking distance of the site.

Policy S9 requires development to provide early years, primary and secondary education provision. Essex County Council as the Education Authority has identified a need for this development to provide contributions towards early years education, secondary education and secondary school transport to ensure the pupil demand arising from this application is adequately met and to facilitate the delivery of proportionate pupil capacity in response to that demand.

The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitat Regulations) require all new residential developments that have the potential to cause disturbance to European designated sites to provide appropriate mitigation. To deal with this, an Essex County wide strategic approach to considering and mitigating potential harm has been produced - the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). An Appropriate Assessment has been carried out which concludes that planning contributions towards off-site mitigation (RAMS contribution) are necessary to mitigate the potential disturbance to European designated sites arising from this development growth.

Strategic Policy S2 of the Chelmsford Local Plan recognises that new development will seek to mitigate and adapt to climate change. Paragraph 9.13 of the Planning Obligations Supplementary Planning Document (2021) states that where practicable, all new housing development should seek to plant three trees per net new dwelling. Paragraph 5.18 of the Making Places Supplementary Planning Document (2021) states that green spaces provided in connection with new housing development should, where practicable, include the planting of three trees per net new dwelling. The Tree Planting Planning Advice Note (2022) clarifies that where on-site provision is not possible a financial contribution must be secured to be used by the Council to provide and maintain the equivalent tree planting on sites identified by the Council under the Council Planting Scheme.

Strategic Policy S4 and Policy DM16 seek to ensure the conservation and enhancement of the natural environment through biodiversity net gain. The development proposes to deliver biodiversity net gain off-site which would be maintained and managed by the Council for at least 30 years. Planning contributions are necessary to secure the responsibility of this land by the Council.

In order to meet Local Plan policy standards in these regards, and/or should the development be determined to be acceptable through any appeal submitted by the applicant, the above planning obligations need to be secured.

The application is not accompanied by a S.106 agreement to secure the necessary planning obligations that would address the unacceptable impacts of the proposal without those works or contributions being secured. The development is therefore contrary to the National Planning Policy Framework and Policy S9 of the Chelmsford Local Plan (and other policies as listed above).

3. LEGAL AND CONSTITUTIONAL IMPLICATIONS ARISING FROM DEFERRAL OF DECISION

3.1. Only committee members who previously attended the Planning Committee (26th May 2026) and heard all the arguments for and against the planning application will be able to participate and vote on the final decision.

Background Papers

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APPENDIX A

Officer report as presented to 26 May 2026 Planning Committee



Planning Committee
26th May 2026

Application No	:	25/01780/OUT Outline Application
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Appendices:

Appendix 1 Drawings
Appendix 2 Consultations

1. Executive summary

- 1.1. This application has been called in for Committee decision by Councillor Armstrong (Ward Member) in the main due to conflict with the Neighbourhood Plan. Councillors Jeapes and Scott (Ward Members) also endorse this application being considered by the Planning Committee.
- 1.2. The application site is previously developed land, albeit physical development presence on site is very minimal and the site remains predominantly open with a low-key horse grazing use. The site directly adjoins the eastern edge of Danbury, a Key Service Settlement, with access via Little Fields. The application is for 26 new homes and is seeking outline planning permission with all matters except access reserved for later consideration.
- 1.3. In principle, this development is finely balanced despite it being located in the Rural Area. As a prospective housing scheme, it complies with Spatial Principles and is very well related to the village envelope, yet is not a housing site allocated through the Danbury Neighbourhood Plan, a valid and up-to-date part of the local development plan.
- 1.4. The current local plan age and housing need position (5-year housing supply shortfall) would usually require the Council to engage 'tilted balance' to consider planning applications for net new housing. However, Danbury has a valid and up-to-date Neighbourhood Plan which allocates housing sites, which means the application must be considered based on 'standard balance'. On standard balance, factoring in the development being in the Rural Area and contrary to the Danbury Neighbourhood Plan, there is nonetheless a clear weight in favour of granting planning permission overall against all material considerations – the explanation for which is set out in Sections 6 and 7 of this report. The positive weight of delivering housing at a time of evidenced need and with an identified shortfall of supply, and the delivery of policy-compliant Affordable Housing, must still be weighed in the planning balance also, although these considerations do not carry as much weight as they usually would due to the status of the Danbury Neighbourhood Plan.
- 1.5. Individual considerations and impacts including landscape, heritage, highways, design and amenity, trees and ecology, drainage and contamination do not give rise to any overriding planning concerns and in many cases the outcome is considered to be positive – these matters are set out in Sections 6 and 7 of this report.
- 1.6. Officers recognise the status of the Neighbourhood Plan throughout the consideration of this application, with it forming part of the development plan and the strong objection to this application from Parish Council and local residents. Whilst the principle of development does not accord with the development plan, namely the Danbury Neighbourhood Plan site allocations, the proposal does not give rise to any clear planning harms that would justify refusal. The development is considered to demonstrate an acceptable outcome of relatively minimal impact, and with mitigation various positive impacts, matched with an overall positive and sustainable pattern of housing delivery at a time of need.

2. Description of site

- Site approximately 1.15 hectares; generally open, with marginal landscaping, and a small stable building in the north-east corner with track leading to it from gated field access connected to Little Fields turning head adjacent Nos. 8 and 10
- Rural Area: outside of Danbury Defined Settlement – immediately adjacent to boundary
- Little Fields is a 1980’s housing extension to the village served by an adopted carriageway and footways
- A land parcel directly to the south of the site has been allocated for housing development (10 alms houses – single storey) through the Danbury Neighbourhood Plan (2024) – this is known as Site A in the Danbury Neighbourhood Plan (NHP)
- There are no designated or non-designated assets within the site. Garland Farmhouse (circa 275m to the east) is Grade II listed
- Existing field drainage to site edges
- The Landscape Character Assessment (2006) characterizes land in Danbury and Little Baddow (including the proposal site) as wooded farmland
- The site is not subject to any statutory or known non-statutory wildlife designations.
- A Site of Special Scientific Interest (SSSI) is located circa 370 metres to the north
- The site has a minor overlap with a Mineral Safeguarding Area – but is mostly excluded and in any event below a consultation threshold by reference to Policy S8 of the Essex Minerals Local Plan 2014.

3. Details of the proposal

- 3.1. This is an application for outline planning permission with all matters except access reserved for later consideration.
- 3.2. The proposal is for the development of the site for up to 26 new homes with access, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks.
- 3.3. A Parameter Plan (Revision D) confirms a development parcel within which development up to 2 storeys would be sought under a future Reserved Matters application. The Parameter Plan also confirms the singular access point from Little Fields, land to be dedicated to No. 10 Little Fields and the land for green infrastructure (non-development area) which will support public open space, children’s play provision, landscaping, footpaths, drainage, pedestrian connections and associated infrastructure.
- 3.4. An illustrative masterplan provides demonstration of an example layout containing 26 units. This plan holds no determinative status as it is illustrative only.
- 3.5. A Site Access Arrangement Plan (Revision C) confirms the design of vehicular access to the site from Little Fields. This plan also shows pedestrian access along the southern side of the access road. The access would continue one arm of the Y shaped turning head in Little Fields providing road and footway access into the proposal site. The access would include a narrowing to 3.7m where it passes Nos. 8, 10 and 12 Little Fields, but would then widen to a 6m carriageway with a 1.5m wide footway. A Stage 1 Road Safety Audit of the access arrangement has been carried out, and this document and designer’s response have been submitted as supporting documents to this application.
- 3.6. The Planning Statement provides an indicative housing mix – as reflected below. A final housing mix would be confirmed at Reserved Matters stage once the final scheme layout is known so this is illustrative only and holds no determinative status.

	Total	Market	Affordable
Total	26	17	9
1 bedroom (flat)	6	2	4
2 bedroom	9	5	4
3 bedroom	9	8	1
4 bedroom	2	2	0

- 3.7. The developer has committed to providing 35% of new homes as affordable housing – the actual breakdown of housing number, tenure and mix will be a matter to be agreed at Reserved Matters stage but mechanism for how Affordable Housing is to be delivered would be secured by S.106 Agreement (legal agreement).
- 3.8. A package of other infrastructure is also to be agreed via the S.106 Agreement – see ‘Planning Obligations’ section of this report.

4. Other relevant applications

- 4.1. In 2022 (22/00971/FUL) retrospective planning permission was granted for hard surfacing of the access track between Little Fields and the stable building in the northern corner of the site. A stable building has been in that position since the mid-1980’s and before that was in the south-western corner of the field.
- 4.2. In 2016 an outline application for 140 dwellings on land to the east of the application site was refused and dismissed at appeal. An application for 90 dwellings on the same parcel of land to the east of this application site was also refused in 2017 without appeal, but the proposal was referenced as part of the 2016 scheme appeal. Whilst a lot has changed in policy terms since this appeal was considered, the grounds for dismissing the appeal were due to the Council’s ability to demonstrate (at that time) a 5.9 year supply of housing, loss of the immediate agricultural setting to the front of Garlands Farmhouse (Grade II listed), likely impact to SSSI through weight of recreational pressure, and landscape impact. There were no site specific ecological grounds found to dismiss the appeal, no highways impacts could be sustained and the site was deemed to not constitute a valued landscape.

5. Summary of consultations

- 5.1 A more comprehensive summary of consultation replies and representations is provided at Appendix 2, below are brief summary positions of respondents.

Public Health & Protection Services – Add contamination and EV charging conditions

Parks & Open Spaces – No reply

Leisure & Heritage Services – No reply

Anglia Water – No reply

Essex County Council (SUDS) – No objection subject to control of SUDS through conditions

Essex and Suffolk Water – Sufficient capacity in network, water efficiency should be considered

Housing Standards Team – No reply

Recycling & Waste Collection Services – No reply

ECC Community Infrastructure Planning (Education) – contributions required

ECC Historic Environment Branch – Investigation needed to be controlled through condition
Essex County Council Highways – Acceptable in highway and transport terms, with conditions
Danbury Parish Council – Object for reasons covering as follows:

- Conflict with the NPPF December 2024
- Highways and Access Constraints
- Historic Environment
- Design, Character and Landscape
- Flood Risk
- Recreational Pressure and Ecological Impact
- Community Facilities

Local residents – 47 representations summarised as follows:

- Policy conflict
- Lack of housing need
- Character and landscape
- Design and scale
- Highways
- Amenity impacts
- Ecology
- Drainage
- Infrastructure

6. Planning considerations

Context: housing land supply

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken based on the development plan for that area unless material considerations indicate otherwise. The development plan for this area includes the Chelmsford Local Plan (2020), Danbury Neighbourhood Plan (2024), Essex Minerals Local Plan (2014) and the Essex and Southend on Sea Waste Local Plan (2017).
- 6.2 The Council is in the process of reviewing the Chelmsford Local Plan (May 2020) which will culminate in an updated version of the Chelmsford Local Plan being adopted early 2027 based on current timetable.
- 6.3 The current Chelmsford Local Plan was adopted on 27 May 2020 and is now more than 5 years old. Using the standard methodology for calculating housing need, which must now be applied, the Council cannot demonstrate a five-year housing land supply which is a position confirmed via recently published 'Five-Year Housing Land Supply Position Statement – April 2026' which confirms the Council has a 4.79 year supply at this time. A housing land supply shortfall was first reported August 2025. As such, the strategic policies within the Local Plan relating to the quantum of local housing need are to be considered out of date based on National Planning Policy Framework (NPPF) since the evidence base for housing need used for the production of current Local Plan policies would now be considered too old. In these circumstances the tilted balance as set out at paragraph 11(d) of the NPPF would typically apply. Tilted balance is a measure introduced by central government via the NPPF which is designed to ensure, where the

Local Plan is technically out of date due to housing supply shortfall, more housing is granted planning permission as a means to redress that identified shortfall.

6.4 However, unlike Neighbourhood Plans covering other areas of Chelmsford, Danbury Neighbourhood Plan (adopted on 20th December 2024) (NHP) contains its own housing allocations. These housing allocations were based on the evidence produced to support the Chelmsford Local Plan (2020). Although that evidence is now considered out of date and has been revisited as part of the Chelmsford Local Plan Review (the emerging Local Plan), the NHP allocations need to be considered relevant and 'in-date' given that they themselves were made less than 5 years ago.

6.5 National Planning Policy Framework paragraph 14 states:

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).*

6.6 On this basis, the tilted balance would not be engaged. This is not because of a wider policy conflict with the NHP; the NHP does not contain policies that restrict the principle of development outside of its allocations. The application therefore is to be considered on merit based on a standard balance of planning assessment.

6.7 The reason for tilted balance being disengaged is because the NHP has made its own housing allocations and is still in date (less than 5 years old). The likely conflicts which may be expected to arise between a proposal for development and contrary development plan position are not present in this case since the Danbury Neighbourhood Plan does not itself restrict development by stated policy terms. This report reviews therefore whether there is any wider policy conflict with the Danbury Neighbourhood Plan with a conclusion reached that there is not a substantive conflict with its policies (as set out in the following sections of this report) and that on balance, housing on this site would not give rise to demonstrable harm that should give rise to a total outweighing of benefits of the proposal.

6.8 The Local Planning Authority (LPA) must consider the housing supply shortfall as a material planning consideration. The LPA must also consider whether any adopted policies of the current Chelmsford Local Plan (2020) must now be considered out of date and therefore not applicable in full or in part.

Principle of development

Strategic Policies: S1, S6, S7.

Danbury Neighbourhood Plan Policy: DNP1

6.9 Chelmsford Local Plan (2020) Strategic Policy S1 sets out the spatial principles which are to be considered for all new development where relevant. Policy S1 is an 'in date' policy since these principles remain sound and will be reflected in the emerging Local Plan. The spatial principles are listed below:

- a) Optimise the use of suitable previously developed land for development
- b) Continue the renewal of Chelmsford City Centre and its Urban Area
- c) Locate development at well connected and sustainable locations
- d) Locate development to avoid or manage flood risk
- e) Protect the Green Belt
- f) Respect the character and appearance of landscapes and the built environment, and preserve or enhance the historic environment and biodiversity
- g) Focus development at the higher order settlements outside the Green Belt and respect the existing development pattern and hierarchy of other settlements
- h) Ensure development is deliverable
- i) Ensure development is served by necessary infrastructure
- j) Utilise existing and planned infrastructure effectively.

- 6.10 With reference to criterion (a), the site has been previously developed by reference to the stable and track. Clearly the amount of development now sought exceeds what is present on the site as existing, which is to be considered against Policy DM8 of the Chelmsford Local Plan, but the proposal complies at a strategic level with this spatial principle as it is a previously developed site.
- 6.11 Criterion (b) is not relevant given the location of this site.
- 6.12 With reference to criterion (c), Danbury is a Key Service Settlement. The site is directly adjacent the Defined Settlement boundary with connection to public roads and footways. As a form of growth pattern, this strategic principle is met. This is also confirmation that criterion (g) is met.
- 6.13 The site is within Flood Zone 1 and does not fall within a critical drainage area, meaning spatial principle (d) is met.
- 6.14 The site is not within the Green Belt, meaning spatial principle (e) is met.
- 6.15 With reference to criterion (f), the site is not within a valued landscape, has a low level of ecological importance factoring in size, relationship and distance to the SSSI other statutory natural land designations, and does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed) owing to its remoteness and separation through landscaping and its long-term use as a non-agricultural site. Whilst all of these considerations are reviewed under Policies DM8, DM16 and DM13 of the Chelmsford Local Plan, at a strategic level there is no conflict with this spatial principle.
- 6.16 The application is made by a housing developer with a record of delivering housing sites rather than a land promoter without developer involvement. This serves to demonstrate, so far as possible to do so, that the development proposal is deliverable in accordance with spatial principle (h).
- 6.17 In relation to criteria (i) and (j) the application proposes to connect into the existing, adopted roadway and pavement and is providing on-site local open space contribution and a policy-compliant quantum of affordable housing. Through planning obligations the site is able to make all necessary contributions towards other forms of infrastructure which are referenced later in the report under 'S.106 Planning Obligations'. The development is also Community Infrastructure Levy liable. These spatial principles are met.
- 6.18 The application is able to demonstrate compliance with all relevant spatial principles in accordance with Policy S1.

- 6.19 Chelmsford Local Plan Strategic Policy S6 sets out the housing and employment requirements to be delivered through the Local Plan period. However, these requirements are now out of date so will carry limited to no weight in the planning assessment. On this basis, no further assessment of this policy is undertaken.
- 6.20 The Government's standard method of calculation sets the basis for housing requirement (how many new homes must be built) with the Strategic Housing Needs Assessment that is undertaken as part of the Local Plan (current and emerging) confirming that number. This identifies a requirement for an additional (around) 7,645 net new homes (allocated and windfall) at this time in addition to the new homes identified by the current Local Plan, on which the Danbury Neighbourhood Plan was based, factoring in sites already benefitting from planning permission. There is as a consequence an unmet need at this time relating to all areas of Chelmsford including Danbury, and that is a material consideration of this application for housing, even without tilted balance engaged.
- 6.21 This application for 26 new homes during a period of evidenced need would usually carry a significant positive weight. In juxtaposition, paragraph 14 of the NPPF gives substantial weight to the Neighbourhood Plan based on the housing site allocations it makes in accordance with NPPF paragraphs 69 and 70. In this case, the local housing need has increased significantly since the evidence produced to support the Local Plan (2020) which was used to support adoption of the NHP. At the time of this application, there is a recognised shortfall in housing provision which means the allocations contained within the Danbury NHP are out of step with current housing need - and as stated, the Local Plan is now considered out of date for this reason. Given the status of housing need despite the position of the development plan, it remains a material planning consideration that this application would supply new homes and affordable housing. This application is considered to be for a proportionate number of new homes and affordable housing relative to the number of new homes allocated through the NHP and in the context of net new housing that must be delivered to meet the evidenced need, which means the application would provide a strong positive benefit, but not a *significant* benefit to appropriately reflect the thrust of NPPF paragraph 14.
- 6.22 Chelmsford Local Plan Strategic Policy S7 sets out the spatial strategy to focus new housing in accordance with the Settlement Hierarchy. Danbury is a Key Service Settlement outside of the Green Belt in this hierarchy and is due to provide around 100 new homes, which it is doing so via allocations made within the Danbury Neighbour Plan. Whilst the Spatial Strategy is based on spatial principles which are fundamentally unchanged in the emerging Local Plan, the strategy itself as expressed in Policy S7 of the current Local Plan must be considered out of date. This is because it is based on now out-of-date housing and employment requirements and as a consequence it is known the spatial strategy must make further allowance for development outside of settlement boundaries beyond those as defined by the current Local Plan (2020).
- 6.23 The Danbury Neighbourhood Plan (NHP) Policy DNP1 confirms how the NHP will deliver around 100 new homes through allocations it makes. Policy DNP1 of the NHP identifies 5 sites across which 93 new homes are allocated. Danbury NHP does not contain any restrictive policies of its own with regard to housing not allocated by it, instead the NHP relies on the policies of the Chelmsford Local Plan and National Planning Policy.
- 6.24 A review of the NHP allocated sites in the context of current applications and known sites coming through the planning system has been carried out. Site B of the NHP has a Council resolution to grant planning permission for up to 72 units; this is the main allocation of the NHP. Other sites are for smaller schemes and are at varying planning or pre-planning stages. Overall,

93 homes are allocated through the NHP and a similar number is expected to be realised based on current standing of those proposals. In this context, 26 additional homes (this application) would amount to around 119 new homes for Danbury. The 26 proposed units will comprise a mix of house sizes as shown in the indicative housing mix. This is a proportionate increase in housing which is, in general, a reflection of the increased housing need that has materialised since the adoption of the current Local Plan (2020) which informed the allocations made through the NHP (2024) and would be a proportionate response to that current need position.

6.25 Notwithstanding this relatively minor uplift in housing provision, the NHP does not allocate the application site for housing.

6.26 The Danbury NHP sets out an assessment criteria which has been used to select the sites it has allocated.

6.27 The application site has been considered in the context of this assessment criteria. The application site demonstrates a general compliance, as follows:

- The site is sustainable based on its adjacency to Defined Settlement boundary and Danbury being a Key Service Settlement and there are local amenities for new residents,
- it is available for development and would meet Chelmsford City Council's evidenced housing need,
- it would utilise previously developed land (*technical compliance – development intensification*),
- it would occupy a space between existing housing and the newly allocated site for 10 alms houses which gives this development parcel an infill character meaning it would maintain separation between settlements/parishes,
- it would benefit from acceptable highway access and would have minimal impact on local highway network as confirmed by the Local Highway Authority,
- it would not have a direct or harmful impact on SSSI to the north,
- it would maintain a suitable remoteness and agricultural setting to Garlands Farmhouse (Grade II listed) to the east,
- it would maintain landscaped edges as existing with more structural landscaping introduced and would not diminish open views or designated open green spaces,
- residential amenity can be safeguarded through the development process,
- the site is Flood Zone 1 and not within an area of critical drainage risk,
- it is over 500 metres from Butts Lane where air quality was being monitored as part of the NHP,
- minerals assessment is not required.

6.28 On this basis, there is not a specific conflict with the Danbury NHP other than the site is not a site allocated by that process. Based on planning merit, the site demonstrates a soundness as a site for new housing.

6.29 The status of development plan for the area in the context of NPPF paragraph 14, current housing need and the Council's demonstrated inability, at this time, to meet that need, and the attributes of this site for housing considered in the round, the application amounts to a moderate weight of positive impact based on proportionate net increase in housing delivery.

Rural Area

Strategic Policy: S11

Development Management Policy: DM8

6.30 The site is within the Rural Area, adjacent to Danbury Defined Settlement boundary.

6.31 The application is submitted with a Landscape and Visual Appraisal dated 2025.

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- 6.32 Policy S11 states that when determining planning applications, the Council will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with the Spatial Strategy, and to support thriving rural communities whilst ensuring that development does not have an adverse impact on the different roles and character of the countryside. Part C of this policy specifically relates to the Rural Area:

“The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt, is designated as the Rural Area. The intrinsic character and beauty of the Rural Area outside of the Green Belt, and not designated as the Green Wedge, will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.”

- 6.33 Chelmsford Local Plan Policy DM8 allows new development, including redevelopment of previously developed land, in the Rural Area where it will not adversely impact on the identified intrinsic character and beauty of the countryside. Part B of the policy states planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area. The Council will assess the development based on the following:

- i. the size, scale, massing and spread of the new development compared to the existing; and
- ii. the visual impact of the development compared to the existing; and
- iii. the impact of the activities/use of the new development compared to the existing; and
- iv. the location of the site is appropriate to the type of development proposed.

i. the size, scale, massing and spread of the new development compared to the existing

- 6.34 The existing development on the site comprises a small stable building and a track. The proposed housing development, in comparison to the existing development quantum and spread, would be a significant addition to the site. The scale would be greater and ultimately this would amount to a significant increase in development massing compared to the previous development. In terms of Rural Area impact this would be a significant harm to be weighed in the planning balance.

ii. the visual impact of the development compared to the existing

- 6.35 The development covers an area of 1.15ha in total. The Parameter Plan (revision D) shows development would be restricted to a smaller 0.8ha area which includes the access land. Development within this land would be limited to 2 storeys. The areas within the application site but outside of the development parcel would support green infrastructure, bolstering the existing vegetation to site edges.

- 6.36 To the north of the site, stretching three quarters along the site boundary, is Runsell View a street comprised of 1-1.5 storey houses backing onto the proposal site. To the west is Little Fields, a street comprised of 2 storey houses with mixed relationship to the application site. To the south is currently an agricultural field, but part of this field is allocated for housing development (10 alms houses – single storey) as Site A in the Danbury NHP and this stretches approximately two thirds along the application boundary. To the east are agricultural fields providing circa. 275m remoteness to Garlands Farmhouse.

- 6.37 The development, by comparison to the existing stable and track that is present on the site, is a substantial increase as identified under criterion i, but assessing visual impact means taking into

account the attributes of the site and its surroundings and reaching a judgement on whether that development would be harmful to the purpose of preserving the character and beauty of the countryside.

- 6.38 Given the developed context of the site, the harmful effects of the development are reduced. The proposed development would remove what is in essence an open and green site, so would introduce a harm, but the shape of the Defined Settlement (together with Site A as allocated) means this site is within an inset area which is surrounded on three sides by development. The existing and allocated development would filter, blend and ultimately mitigate views to the proposed development from all public vantages. This site would as a consequence appear as a logical continuation of developed edge of settlement rather than an irregular outcropping of development from the village envelope.
- 6.39 The site already has a strong vegetated edge to the east visible across fields. The openness of the site is not readily apparent from public vantage points to the north or east; the open setting is provided primarily by the agricultural fields (portion of which has been allocated as Site A by the NHP). Viewed from the east, the existing housing forming the edge of the village is openly visible even with trees in leaf. Therefore, whilst the countryside landscape in this area is more generally recognised for its wooded farmland character, the existing characteristics of this site are a more open agricultural landscape with visible edge of village development. The proposal would not fundamentally change this landscape character and the proposals consist of additional land reserved for landscaping which can further reduce the visibility of proposed development and in turn provide a more positive, landscaped edge to the village envelope. Landscape is considered further under sub-heading 'Landscape'.
- 6.40 Against that context, the development would only give rise to a limited (low-moderate) level of adverse visual impact without mitigation and with mitigation has potential for positive landscape approach to be confirmed via Reserved Matters stage. The limited visual impact (unmitigated harm) as a consideration of Rural Area impact in principle will nonetheless be weighed in the planning balance.

iii. the impact of the activities/use of the new development compared to the existing

- 6.41 The existing stable and track amount to a very low key use. Giving consideration to activity in the context of its Rural Area setting, the development would give rise to a predicted overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a day (0700 – 2100) with 14 of those in AM and PM peaks. Although this would represent an increase based on existing site (vehicular) activity, the level of vehicular movement activity is very low in terms of highway impact and would be fed directly into an adopted roadway which already serves 16 homes, so this proposal would not introduce a new typology of vehicular activity to the Rural Area. In terms of the activity this would generate within Little Fields itself, there would likely be a perceivable increase in vehicle movements along the road, but there is not an absence of vehicle movement at present and the limited amount of vehicle movement increase associated with a 26 unit housing development would be of limited impact on local residential amenity in qualitative terms. This low impact would be weighed in the planning balance.
- 6.42 Other activity associated with residential use of the site would be de minimis in the context of ambient activity associated with existing housing. This is a neutral impact in the planning balance.

iv. the location of the site is appropriate to the type of development proposed.

- 6.43 The development is located directly adjacent to the Defined Settlement boundary of a Key Service Settlement. This is an appropriate and sustainable site for new housing and relationship to neighbouring properties can be managed (through Reserved Matters stage) based on the parameters set by this outline application. This results in a net positive impact since this site would represent a legible and suitable pattern of growth and is a proportionate addition in the context of current housing land supply. This positive consideration will be weighed in the planning balance.

Landscape

Strategic Policy: S11. Development Management Policies: DM8, DM23 and DM24

Neighbourhood Plan Policies: DNP1, DNP4, DNP8, DNP11, DNP12

- 6.44 Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, amongst other matters *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.”*
- 6.45 Policies S11 and DM8 of the Chelmsford Local Plan seek to ensure that the identified character and beauty of the countryside is not adversely impacted. Design Policies DM23 and DM24 reinforce the need for design of new development to respect and integrate with local landscape character.
- 6.46 The site also falls within the Danbury NHP. Policies of the NHP relevant to this application include Policy DNP1 which allocates new sites including land to the south of the application site for housing, DNP4 which sets guidance for built form, DNP8 which sets guidance including layout and content parameters for new open space, DNP11 which sets expectations for preservation of trees and hedges as part of the landscape setting, DNP12 which seeks to protect key views into and out of the village.
- 6.47 The site is adjacent to the eastern edge of Danbury Defined Settlement. The site already has a strong vegetated edge to the east, which is visible at distance across agricultural fields. The openness of the interior of the site is not readily apparent from limited public vantage points to the north or east; the open setting is provided primarily by the agricultural fields surrounding the site to the east and south. The field directly to the south however is allocated for housing development by the Danbury NHP.
- 6.48 The application is supported by a Landscape and Visual Appraisal dated December 2025 providing analysis of landscape character, value, susceptibility and sensitivity to change and conclusions on development impact.
- 6.49 The vegetation pattern of the areas beyond the Defined Settlement boundary are mixed with large swathes of agricultural land interrupted by vegetated field boundaries, roads and more sporadic housing (and other development) to the east in general, but with the village envelope stretching considerably further eastwards south of Maldon Road. Beyond the agricultural land there are extensive areas of woodland including ancient woodland.
- 6.50 In general, the landscape value of the area is moderate. It is of ordinary character and aesthetic appeal and it is not highly visible due to absence of PROWs and distance to nearest vantage points primarily along Runsell Lane, beyond which there are no longer range views. The site makes a limited contribution to an overall open and natural landscape setting by way of its

mature vegetation along site boundaries shared with the open, agricultural landscape beyond which currently helps to filter views to housing within the village envelope.

- 6.51 The proposal is suitably informed by landscape and visual constraints such that it would reasonably mitigate landscape harms. The Parameters Plan (revision D) confirms the introduction of housing would retain and enhance the mature trees and other boundary vegetation providing a filter between edge of settlement housing and open land beyond, integrate new built form with existing edge of settlement housing, limit housing to 2 storeys consistent with adjacent and prevailing scale to this edge of the settlement, provide opportunities for open space to the north and east of the site incorporating SUDS, recreation and ecology. These parameters would serve to successfully mitigate views towards the application site.
- 6.52 The allocation of Site A in the Danbury Neighbourhood Plan to the south is a material consideration. That site relates to part of an agricultural field with higher visibility to Maldon Road and Runsell Lane and at present benefits from no separation from the open landscape meaning it is more highly exposed to landscape change. Site A is required by site policy within the NHP to build up a landscaped edge and preserve views to Garlands Farmhouse so as to preserve both the landscape and heritage setting of the local area. The development of Site A would introduce a presence of housing development, albeit as single-storey scale development only, into the immediate setting of the application site and into what is at present an agricultural field with open aspect to the east and clear line of sight to Garlands Farmhouse, which must be factored into the landscape impact assessment of this application.
- 6.53 Overall, whilst the introduction or intensification of development relating to a predominantly open site would stand to introduce a harm to natural landscape setting in principle, the urban fringe attributes and limited views to the site (consisting of views met by taller vegetation along its boundaries with filtered views to housing within the village envelope) would mean this development would have only a minor to moderate impact on landscape character in the short to medium term, albeit these impacts would be very localised to glimpse views and would not harm the wider landscape setting. In the long term the enhancement to natural site edges would provide some opportunity for positive impact on village and countryside setting primarily through high quality landscaping to northern and eastern edges. Further, in the context of Site A coming forward to the south and needing to introduce new physical (natural) edge (to the east) to segregate it from the open landform that currently exists in that area, the proposed development (application) would not result in an irregular or encroaching shape of development parcel and would offer a better defined edge of settlement in the context of the housing to the south (Site A) and existing housing to the north, which can be viewed as a positive outcome. This limited positive consideration (moderated from a higher value of positive weight due to the short term negative impacts) will be weighed in the planning balance.
- 6.54 In summary taking Rural Area and landscape impacts together, the development would mean an intensification of development by comparison to the existing site, but would not adversely impact on the identified intrinsic character and beauty of the countryside given the attributes of the existing environment, including the limited nature of views into the site, and based on the scope of development which is sought by this outline planning application which includes enhanced landscaping to site boundaries. The overall planning balance is addressed later in the report.

Transport

National Planning Policy

Strategic Policies: S9, S10. Development Management Policies: DM24 and DM27

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- 6.55 The NPPF paragraph 116 states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.
- 6.56 A Transport Statement has been provided setting out the scope of transport activity arising from the proposed development. In addition, a Stage 1 Road Safety Audit (RSA) dated February 2026 has been carried out in relation to the proposed access and a designer’s response has been provided to the matters arising – this is a standard approach. The RSA is commissioned by the applicant’s transport consultant, but is subject to impartial assessment by the Local Highway Authority.

Access

- 6.57 As shown on the submitted Site Access Arrangement Plan (Revision C) a vehicular access connection to the adopted highway would be made via a connection into the existing turning head within Little Fields. This plan also shows pedestrian access along the southern side of the access road.
- 6.58 The RSA identifies issues relating to priority, visibility, on-street parking and kerb design. The designer’s response issued by i-Transport on 27th February acknowledges the issues raised and in most instances the resolution is either already the responsibility of the Local Highway Authority, such as vegetation management adjacent to the public highway, and/or the final highway scheme which is subject to separate approval process under the Highways Act, is able to pick those relatively minor adjustments or additional detailing up as part of the highways approval process in due course. The applicant’s transport consultant has confirmed via additional tracking that a refuse freighter is able to traverse both the existing turning head and the proposed access road alignment with space remaining to accommodate on-street parking which may occur in relation to the existing housing. Vehicles are not permitted to park in turning heads. Parking controls are not a planning control, they are a matter controlled under highway legislation.
- 6.59 The proposal incorporates an area as shown on the Parameters Plan (revision D) to be dedicated to No. 10 Little Fields as an alternative area for parking allowing them to use the current driveway area as a landscaped front garden rather than parking area should they wish. However, it has been confirmed with the Local Highway Authority that continued use of the existing driveway to No. 10 does not give rise to any safety concerns in relation to use of the new site access.

Sustainable travel infrastructure

- 6.60 Bus stops are located along Maldon Road within a 300m radius of the site access in either direction (travelling towards Chelmsford / travelling towards Maldon and onwards towards Burnham on Crouch).
- 6.61 First Essex operates an hourly service through Danbury connecting with Chelmsford City Centre. A school bus service to secondary schools operates in addition. The Local Highway Authority has identified that improved First Bus service frequency could be achieved via developer contribution, and is set to secure a contribution via planning obligation on the nearby allocated Site B of the NHP. A contribution is also sought from this development site (£95,000 index

linked) which will be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report. This would enable a phased subsidy facilitating a more frequent level of bus service over a longer period or related service improvements.

- 6.62 Segregated cycleways are not available within Danbury village. Therefore, cycling associated with new development would take place within the carriageway, the same as the current situation.
- 6.63 Table 3.1 of the submitted Transport Assessment confirms actual walking/cycling distances from the centre of the site, but in general terms (expressed as an ‘as the crow flies’ radius from the site entrance which is more common to planning assessment) there are a shop and takeaway within 200m, medical centre within 400m, village hall, sports fields, early years and primary school sites within 800m of the site. There are various other facilities located within Danbury village. Footpath connections would be available to all of these facilities and all are considered a reasonable walking distance from the site.

Transport Modelling

- 6.64 The Local Highway Authority has confirmed the prospective impact of the proposal is acceptable from a highways and transportation perspective. The Transport Statement identifies trip rates using TRICS data, which is recognised as appropriate methodology. The development would give rise to a predicted overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a 14 hour period (0700 – 2100) with 14 of those in AM and PM peaks. The level of vehicular movement activity is very low in terms of highway impact and would be fed directly into an adopted roadway. This would have a low impact on how the junction of Little Fields and Maldon Road would operate, and the local transport network in general. The Transport Statement concludes this level of trip generation is de minimis in transport terms. The Local Highway Authority has accepted the findings of the report.
- 6.65 Measures such as travel information packs to new residents and travel vouchers will encourage the use of public transport which will be imposed via condition in the interests of achieving more sustainable travel patterns from new development.

Parking

- 6.66 Chelmsford Local Plan Policy DM27 states that the Council will have regard to vehicle parking standards set out in the Essex Parking Standards – Design and Good Practice (2009) as or subsequently amended. The parking standards have been amended in 2024. Parking provision in accordance with the Parking Essex Standards (2024) would be secured via the Reserved Matters stage because at that stage the housing mix and detailed layout would be known. Whilst it is possible to condition parking at the outline planning stage, it is not necessary in this case since the parking standards have been acknowledged within the Transport Statement and are a material consideration in any event for the next stage of this process (Reserved Matters).

Heritage

National Planning Policy

Strategic Policy: S3. Development Management Policies DM13 and DM15

Neighbourhood Plan Policy: DNP16

- 6.67 Strategic Policy S3 states “When assessing applications for development, the Council will place great weight on the preservation or enhancement of designated heritage assets and their setting.”

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- 6.68 Policy DM13 states, “the impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development.” Part A of this policy states the Council will permit proposals where (ii) “development within the setting of a listed building would not adversely affect the significance of the listed building, including views to and from the building, landscape or townscape character, land use and historic associations.”

Garlands Farmhouse

- 6.69 The site does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed). The edge of the site is circa. 275m from Garlands Farmhouse separated by agricultural fields which are to remain. These fields in front of Garlands Farmhouse provide a suitable and relevant setting to the historic building, preserving its core cultural significance to the landscape. Since these agricultural fields would remain, the proposal would have no substantive impact on listed building setting.
- 6.70 The wider rural setting, in vastly more general terms, enhances the rural setting of the farmhouse which contributes to its significance. Whilst the modern edge of Danbury would come marginally closer to Garlands Farm as a consequence of the development proposal, it would still be distant from the listed building, partly filtered by the existing mature trees and hedges. The development would not have a notable impact on the experience of the listed building.
- 6.71 The Parameter Plan (revision D) confirms the development would not exceed 2 storeys, this has been revised from an initial proposal for 2.5 storeys maximum building height.
- 6.72 Additional landscaping to the eastern edge of the site will need to be introduced via the Reserved Matters stage, which can be controlled by planning condition. The retained and suitable additional landscaping (structural, native species) would help to filter views from the listed building towards the site. There would on that basis be no harm to the wider rural character of setting to this listed building. In relation to this outline stage of planning, the proposal therefore introduces nil harm to the significance of the listed building, which will not affect the planning balance.

Archaeology

- 6.73 Maldon Road has Roman significance as a likely route between Chelmsford and Heybridge, and post-medieval or earlier remains have been discovered within the Danbury area. Applying a precautionary principle, the County Archaeologist has recommended trial trenching prior to commencement of development, which can be secured by planning condition.

Trees and Ecology

Strategic Policy: S4. Development Management Policies: DM16 and DM17

Neighbourhood Plan Policies: DNP6, DN7, DNP9, DNP10, DNP11

Trees

- 6.74 An Arboricultural Impact Assessment dated December 2025 has been submitted with the application. Using the illustrative layout the report assesses the likely impact of development on existing vegetation. The report concludes that 1 tree, 1 hedge and 4 shrubs would be removed with partial removal of another shrub area. There are however 4 trees that are ungradeable

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due to poor health which will result in natural loss over time, not as a consequence of development (T5, T8, T14 and T18). The report identifies 7 B category trees which have a higher (moderate) value. The report also identifies an ancient/veteran tree on the north-eastern boundary (T10) which is an A category tree and has been afforded an extra large Root Protection Area to ensure it remains unimpacted by the development. The majority of trees on site are C category, which means they have a lower value, but are still a positive site attribute to be considered in conjunction with development.

- 6.75 Both T34 and H35 have been identified for removal and these are situated at the entrance to the site within the front garden of No.10 Little Fields. These features are a small Ash tree and leylandii hedge. The removal of these features would not be objectionable.
- 6.76 The remainder of the vegetation removal relates to ruderal vegetation which is not objectionable
- 6.77 There are no preserved trees or tree groups.
- 6.78 Policy DM17 (Part B) states that permission will be granted for development that does not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area. Harm or loss of natural landscape features will not be permitted unless a landscape strategy to compensate for the loss or harm is secured, or where there are overriding public benefits arising.
- 6.79 Based on the limited loss to trees and other vegetation and their limited value to the character and appearance of the area and the recognition afforded to trees which are of higher value and must be retained as part of the development proposals, there would be minimal impact on natural landscape features. The development is therefore in compliance with the policy.
- 6.80 In any event, a landscape strategy will be secured by planning condition to ensure green edges of the site are suitably landscaped for benefit to wider rural landscape setting.
- 6.81 In accordance with paragraph 9.13 of the Planning Obligations Supplementary Planning Document (2021) all new housing shall seek to plant three new (net) trees per dwelling – this is in response to the Council’s declared Climate and Ecological Emergency. This may be as part of the enhancement which would come in response to general needs of the development or on-site enhancement achieved through Biodiversity Net Gain. Given that this is an outline application the provision for this quantum of tree planting either on-site or via a contribution in lieu to facilitate delivery of trees on council land will be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.82 Based on the limited proposed or necessitated tree (and other vegetation) removal, and based on enhancement that can be achieved via new planting within the green zones identified on the Parameters Plan (revision D) and with new tree planting secured via s.106, the development is considered to result in moderate positive weight in the planning balance.

Ecology – designated sites

- 6.83 Scrubs Wood, and ancient woodland habitat, is a Site of Special Scientific Interest (SSSI) located approximately 370 metres to the north. This is a nationally designated site. The proposal does not generate any direct impact on this SSSI, through physical, light, pollution, or loss of connected habitat. Whilst this SSSI is within an accessible distance ‘as the crow flies’ and is therefore subject to potential recreational disturbance, the proposal site benefits from a clear

separation by site boundary, agricultural land and existing residential areas and no direct PROW connections between the site and SSSI exist. The development

- 6.84 DEFRA mapping (MAGIC) confirms the site is within a zone of influence of the SSSI. However, the application is for less than 100 net new residential units. In accordance with Natural England standing advice, the impact can be managed through strategic solutions to be agreed under Appropriate Assessment.
- 6.85 Similarly, the site is within a zone of influence of Blackwater Estuary SPA and Ramsar Site and Essex Estuaries SAC. Impact arising from recreational disturbance on these European designated sites is also managed through strategic solutions to be agreed under Appropriate Assessment.
- 6.86 The Appropriate Assessment concludes that a contribution in line with the Essex Coast RAMS strategic solution is adequate mitigation for the likely recreational impacts arising from this scale of development. In addition, the development is identifying on-site local open space which will further mitigate demand for recreational access to natural sites and as identified earlier, the site is within 800m of recreational and sports fields. A RAMS contribution is to be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.87 On this basis there would be no residual adverse effect on national or European designated sites to be factored into this decision in accordance with Policy DM16 and NPPF paragraph 193 and therefore, with mitigation, the proposal introduces nil harm which will not affect the planning balance.

Ecology - on-site

- 6.88 The application is submitted with a Preliminary Ecology Assessment and Bat Activity Surveys.
- 6.89 The following findings of the reports are accepted:
- 6.90 Bats – there is evidence of bats using the boundary vegetation for foraging and commuting. Whilst the level of activity is low and common species have been identified, the arboreal connections provided by this site to wider landscape are important features to support biodiversity, and potential nesting. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D), introduction of bat sensitive external lighting/dark zones adjacent to site boundaries and introduction of new roosting opportunities (bat boxes) would provide suitable mitigation of development on this species.
- 6.91 Nesting birds – the site contains tree and hedgerow lined boundaries which is suitable for bird nesting. There is no suitable habitat for ground nesting birds and no evidence of ground nesting birds. The site has recorded red list bird species within the last 10 years. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D) would maintain suitable depth of arboreal and mid-height vegetation to support nesting birds and provide suitable mitigation of development on this species.
- 6.92 Hedgehogs – the site is generally open with vegetated edges and there are nearby residential properties which are likely to attract this species based on foraging habits. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D) would maintain suitable routes for commuting and foraging and provide suitable mitigation of development on this species.

- 6.93 There is no evidence of badgers, reptiles, great crested newts or dormice and the site holds only limited suitability for these species. The retention of green zone to site edges would still allow for those vegetated corridors to facilitate foraging and commuting in connection with the wider natural landscape setting which would adequately support these species in the event they do interact with the site on a more ephemeral basis.
- 6.94 The mature and veteran trees are being retained which is of benefit to local ecology.
- 6.95 Based on these findings, the development is considered to satisfactorily conserve habit, network and connected spaces in support of protected species and the development would avoid unnecessary impact on biodiversity as a consequence of development. The outline proposals provide a suitable opportunity for enhancement of ecological corridors which is to be considered further at Reserved Matters stage which would be supported by further ecological assessment based on a detailed housing layout. The development is in accordance with Policy DM16 and paragraph 193 of the NPPF and on this basis the proposals would amount to nil adverse impact which will not affect the planning balance.

Biodiversity Net Gain (BNG)

- 6.96 The baseline value of the site is 3.93 area units, 3.19 hedgerow units and 0.55 watercourse units.
- 6.97 Post development, the proposed value would be 2.64 area units, 3.92 hedgerow units and 0.64 watercourse units.
- 6.98 This would amount to a net change of -33.55% area units, +22.93% hedgerow units and +15.96% watercourse units.
- 6.99 The loss of area units is to be expected due to the development proposal, and this results in a need for 2.32 habitat units to be secured to off-set that loss (including net gain). Based on this, the combined uplift satisfies trading rules and would achieve the required minimum 10% biodiversity net gain in compliance with Policy DM16 and the framework established by Environment Act 2021.
- 6.100 The Reserved Matters application is required to provide a final BNG Plan based on the definitive scheme layout. In addition, a Habitats Management and Monitoring Plan will need to be secured to ensure the gains are protected for a minimum 30 year term. These documents are to be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.101 The development is in accordance with Policy DM16 and on this basis the proposals would provide an enhancement which will result in moderate positive weight in the planning balance.

Drainage

Development Management Policy: DM18

- 6.102 The site is in Flood Zone 1 and is not subject to critical drainage area designation. To site edges are field drainage ditches.
- 6.103 Policy DM18 requires surface water run off be managed to a rate no greater than the run off prior to development. Part C of Policy DM18 relates to major development and requires SUDS be incorporated into development schemes.

- 6.104 A Flood Risk Assessment and Drainage Report (March 2026) has been submitted in support of the application and this has been subject to assessment by the Lead Local Flood Authority. Since this is an outline application, the final scheme layout has yet to be established. However, a feasibility-based proposal to deliver SUDS on site and manage surface water run off has been provided to demonstrate that the development site is able to comply with Policy DM18. The SUDS approach would consist of permeable sub-bases within gardens linked to attenuation basin built into the green outer zone of the development site and sub-ground level attenuation tank which will limit outfall to an existing ditch at a greenfield equivalent runoff rate for this site. The scheme would manage rainfall events upto and including 1 in 100 year events plus climate change allowance (45% for 1 in 100 year events), plus a 10% 'urban creep' allowance to factor in future hard landscaping, extensions, etc. by occupiers of the proposed housing. The Lead Local Flood Authority confirms the approach is acceptable subject to condition to secure the final scheme prior to commencement of development. Such approach is standard practice and a condition forms part of the recommendation.
- 6.105 The SUDS scheme will be delivered in accordance with CIRIA which will manage water quality.
- 6.106 In addition, a scheme to minimise the risk of surface water flooding during construction will also be conditioned as identified by the Lead Local Flood Authority.
- 6.107 Based on the ability to demonstrate that the development can achieve a greenfield equivalent run off rate, the development would have no impact on water environment and would not worsen flooding elsewhere and therefore this matter will not affect the planning balance.

Design

Development Management Policies: DM1, DM23, DM24, DM25 and DM26

Neighbourhood Plan Policies: DNP2, DNP3, DNP4, DNP5, DNP8, DNP10, DNP11, DNP13

- 6.108 Policy DM1, under Part A (i), seeks the provision of an appropriate mix of dwelling types and sizes that contribute to current and future housing needs and create mixed communities. Danbury NHP Policy DNP2 seeks a mix of housing consistent with Policy DM1 of the Chelmsford Local Plan. The housing mix of the proposal is indicative but is generally acceptable. As the application is submitted in outline the future mix will be a matter to be secured through the Reserved Matters application.
- 6.109 Policy DM1 Part A (ii) requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). Danbury NHP Policy DNP2 states all developments must contribute to a balanced mix of housing, including those with disabilities. Whilst it is not feasible to secure tenure (market sale or market rent) of private units, Accessible and Adaptable homes can be secured through planning condition based on 50% of total number as secured by the Reserved Matters scheme.
- 6.110 Policies DM23 and DM24 set structuring design requirements. The outline application does not prejudice successful design outcomes being achieved under these policies. Detailed design, such as site arrangement and architectural design of individual houses, is a matter for Reserved Matters stage of the application process.
- 6.111 Policy DM25 states that all new dwellings should incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions, and the use of natural resources. All new dwellings should be water efficient (in line with optional building regulations standards) and shall provide electric vehicle charging facility (on a 1:1 ratio for houses with dedicated parking).

These matters are likely to be demonstrated through Reserved Matters submission, but in any event can be controlled through planning conditions.

- 6.112 Policy DM26 sets out design specifications for new dwellings, including that suitable privacy and living environment be provided for residents of the development, that sufficient private amenity space be provided for new homes, that development must benefit from provision of open space, units comply with Nationally Described Space Standards, and provision of appropriate and well designed recycling and waste storage. These requirements are to be delivered in accordance with standards set out in Appendix B of the Chelmsford Local Plan. These matters are likely to be demonstrated through Reserved Matters submission, but in any event can be controlled through planning conditions.
- 6.113 There are various Danbury Neighbourhood Plan policies relating to design and layout of new development. Based on this being an outline scheme with all matters reserved, there are no fundamental issues of design arising with regard to those policies.
- 6.114 These design considerations have no bearing on planning balance.

Amenity

Development Management Policy: DM29

- 6.115 Policy DM29 requires development to safeguard the amenity of nearby occupiers.
- 6.116 The Parameters Plan (revision D) shows the area of development. This plan does not prejudice the requirements of Policy DM29 which need to be applied in conjunction with Local Plan Appendix B, which establishes remoteness standards to neighbouring properties. A detailed scheme layout would be agreed at Reserved Matters stage and this will need to demonstrate acceptable relationships in accordance with Policy DM29. As such, this is a matter to be considered at that stage of the process.
- 6.117 The relationship between existing dwellings and the vehicular access to the proposal site has been taken into consideration. There is no minimum remoteness that housing must be situated away from roads set down by policy or standard. The new access would serve up to 26 units with anticipated overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a 14 hour period (0700 – 2100). This would be a perceivable number of movements compared to existing movements along Little Fields, but in terms of noise, light or air pollution, the amount of additional vehicle movements is minimal and would not result in quantifiable amenity harm to residents. The general level of activity associated with the proposal in terms of vehicle movements would again be perceivable, and thus material, based on the road currently being a no-through-road, but the level of activity is by transport standards minimal and there is no identifiable amenity harm arising. The 'cul-de-sac' nature of the road is not a protectable characteristic.
- 6.118 These considerations have no bearing on planning balance due to a lack of harm identified.

Contamination

Development Management Policy: DM30

- 6.119 Policy DM30 (Part A) requires development to attenuate any health and safety risk as a result of contamination past or present and avoid contamination of water. Policy DM30 (Part B) deals with development in or adjacent to Air Quality Management Areas.

- 6.120 A Phase 1 and 2 Site Investigation Report dated December 2025 is submitted in support of the application. This report identifies some specific areas of ground contamination arising due to past development. In accordance with Polic DM30 it is necessary for a more comprehensive approach to investigation now be carried out (picked up by the application report) and as necessary remediation and verification of results be presented to the Local Planning Authority. This can be controlled by planning condition.
- 6.121 The development site is not in or adjacent to a notified Air Quality Management Area. It is noted that the Danbury NHP makes reference to air quality management near to Butts Lane, but this is not a notified AQMA (rescinded in 2024) and in any event the area of air quality monitoring is in excess of 600m remoteness from the application site, beyond a distance notified in the AECOM site selection criteria. The development, in terms of air quality, would not be in conflict with Policy DM30.
- 6.122 These considerations have no bearing on planning balance.

Affordable Housing

Development Management Policy: DM2

Neighbourhood Plan Policy: DNP2

- 6.123 The application is for upto 26 dwellings. Policy DM2 Part A requires 35% of developments of 11 or more residential units to be provided as affordable housing. Danbury NHP Policy DNP2 requires affordable housing to be provided in accordance with Chelmsford Local Plan Policy DM2.
- 6.124 The outline application is based on a maximum housing figure and as such it is not appropriate to fix the total quantum of affordable housing at this stage of the planning process. The application confirms the development will provide 35% affordable housing in line with Policy DM2. If the Reserved Matters application seeks 26 housing units in total, this would amount to 10 units of affordable housing.
- 6.125 The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. The Council will expect the affordable housing to include 22% of the total number of dwellings within the development as either social or affordable rented accommodation. The remainder of the affordable housing provision can be made up of intermediate tenure (shared ownership) housing or additional social or affordable rented accommodation. This will be secured by S.106 Agreement – see 'Planning Obligations' section of this report.
- 6.126 Danbury NHP Policy DNP2 also states that the nationally prescribed 30% discount on First Homes applies to new developments which meet the threshold on affordable housing, and that developments which seek to apply at a discount of 30% or greater will be supported. The proposal meets the threshold for affordable housing but does not propose any First Homes. First Homes are no longer a requirement of national policy following the update to the National Planning Policy Framework in 2024, and Chelmsford's Strategic Housing Needs Assessment (2023), including the 2024 addendum, does not evidence a need for First Homes in the Chelmsford City Council area. First Homes are therefore not sought on the scheme.
- 6.127 The provision of affordable housing to meet identified local needs is a recognisable planning benefit and in the context of housing supply position would usually carry substantial weight in the planning balance. However, this has been downgraded to a moderate positive weight based on the considerations set out in sub-section 'Context: housing land supply'.

Minerals and waste

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

Planning Obligations

Strategic Policies S9 and S10

Planning Obligations Supplementary Planning Document

- 6.129 There is a requirement for development schemes to mitigate the specific impacts that they generate via s.106 agreements.
- 6.130 Policies S9 and S10 of the Chelmsford Local Plan require that new development be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. The Planning Obligations Supplementary Planning Document sets out further breakdown of how infrastructure needs to be delivered on site to meet more strategic needs.
- 6.131 In accordance with National Planning Policy Framework, a planning obligation may only be applied and constitute a reason for granting planning permission for the development if the obligation is:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development
- 6.132 The Planning Committee is made aware that a S.106 Agreement is being prepared but at the time of the committee meeting a completed agreement is not in place and therefore any resolution to grant planning permission would need to be subject to the applicant entering into an acceptable S.106 Agreement with the Local Planning Authority.
- 6.133 The basis of a S.106 Agreement would be as follows:

As this is an outline application, the S.106 will secure obligations based on final unit number and mix which shall be agreed at Reserved Matters stage.

<u>Obligation heading</u>	<u>Nature of contribution</u>
35% Affordable Housing	On-site delivery
On-site open space provision	On-site delivery, to include play equipment
Highways contribution – bus service improvements	£95,000 index linked
Education contribution – early years	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £36,810 index linked</i>)
Education contribution – secondary education	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £112,508 index linked</i>)

Education contribution – secondary school transport	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £23,788 index linked</i>)
RAMS contribution	to be based on final unit mix and prevailing tariff
Tree Planting	On-site delivery with contribution towards off-site planting as required – to be based on final unit mix and prevailing tariff
BNG	On-site delivery

6.134 Based on the above being secured by S.106 Agreement in accordance with the Planning Obligations Supplementary Planning Document where applicable, the development is considered to comply with Policies S9 and S10 of the Chelmsford Local Plan.

6.135 In addition, this application proposal is CIL liable. A precept from CIL would be payable to the local parish. Essex County Council is aware of the need to bid for library funding, where required, through CIL. Similarly, due to the limited size of site, the Mid and South Essex Integrated Care System (NHS) is aware they would need to bid for funding towards local medical services, where required, through CIL.

7. Planning balance

- 7.1 National policy tells us that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving development in a sustainable manner means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 7.2 It is accepted that the current Local Plan is now 5 years old, meaning the evidence upon which housing and employment needs are assessed has to be refreshed with new evidence produced using the latest methodologies. This work is well underway and has identified a need to secure a substantial amount of new homes.
- 7.3 It is also accepted that the Danbury Neighbourhood Plan remains ‘in date’ and has already made allocations for around 100 new homes in and around Danbury. This means that under paragraph 14 of the NPPF there is no requirement to engage tilted balance (paragraph 11 of the NPPF) and due regard must be had to the Danbury NHP as part of the development plan for the area. This application will therefore be considered based on planning balance in standard terms (i.e. without significant tilt in favour of granting new housing development as the default position).
- 7.4 This application for 26 new homes however still carries a moderate level of positive weight in the planning balance based on the status of evidenced housing need as it stands at this time.

Environmental

- 7.5 In terms of Rural Area impact as a principle, the consideration is multi-layered. The housing proposal is seeking to develop a previously developed site, but resulting in a clearly more intensified form of development in terms of both quantum and spread compared to the limited development that currently exists on the site. This would represent a harm to openness in principle and as such has to carry **significant negative** weight in the planning balance, but this harm would be moderated by other factors such as the limited visual harm arising and wider shape of urban settlement in landscape terms which must be weighed in the planning balance – see paragraphs 7.6 and 7.9.
- 7.6 The visual impact is largely mitigated by the limited nature of views into the site and the residential context to three sides (including the allocated Site A) and positive and robust natural boundary attributes of the site itself. Based on Rural Area principles a low level of **limited negative** weight is applied to the planning balance, but as per paragraph 7.11 the visual harms are fully mitigated and would result in positive impact in the longer term.
- 7.7 **Neutral or nil** weight is added as a consequence of activity associated with the housing given the immediate context.
- 7.8 The development is located directly adjacent to the Defined Settlement boundary of Danbury, a Key Service Settlement in the settlement hierarchy. This is an appropriate and sustainable site for new housing. This results in **moderate positive** weight in the planning balance.
- 7.9 In relation to impact on rural landscape, the development site does not occupy a valued or highly sensitive landscape. The introduction of development to an area containing urban fringe attributes with limited views means the development would have limited, very localised impacts which would not harm the wider landscape setting. In the long term and in the context of Site A coming forward to the south which needs to introduce new physical (natural) edge to the open landform that currently exists in that area, the development would not result in an irregular or encroaching shape of development parcel and would offer a better defined edge of settlement than currently exists. This results in **limited positive** weight in the planning balance.
- 7.10 The site does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed). The agricultural fields in front of Garlands Farmhouse, not forming part of the application site, provide a suitable and relevant setting to the historic building. Whilst the modern edge of Danbury would come marginally closer to Garlands Farmhouse as a consequence of the development proposal, it would still remain circa. 275m from the listed building separated by an agricultural character of setting. Additional landscaping to the eastern edge of the site is identified as part of the Parameters Plan (revision D) which would be detailed at the Reserved Matters stage. This results in **neutral or nil** weight in the planning balance.
- 7.11 There is very limited loss of trees and other vegetation due to development and the vegetation identified for removal is of limited value to the character and appearance of the area. Due recognition is afforded to trees which are of higher value and must be retained as part of the development proposals. Based on enhancement that can be achieved via new trees and other vegetation planted within the green zones identified on the Parameters Plan (revision D) and with new tree planting secured via s.106, the development would result in **moderate positive** weight in the planning balance.
- 7.12 In terms of formal ecology designations within a zone of influence to the site, through Appropriate Assessment, a strategic solution (mitigation) in the form of a contribution in line with the Essex Coast RAMS Supplementary Planning Document in combination with on-site open space provision and proximity to existing recreational and sports fields in Danbury ensures

recreational pressures arising from this scale of development result in no residual adverse effects on national or European designated natural sites. This means **neutral or nil** weight in the planning balance.

- 7.13 Development would satisfactorily conserve habit, network and connected spaces in support of protected species and the development would avoid unnecessary impact on biodiversity as a consequence of development. The outline proposals provide a suitable opportunity for enhancement of ecological corridors which is to be considered further at Reserved Matters stage. This results in **neutral or nil** weight in the planning balance.
- 7.14 However, Biodiversity Net Gain (BNG) will ensure a minimum of 10% betterment is achieved and the applicant has shown this is able to be delivered on site. This enhancement would result in **moderate positive** weight in the planning balance.
- 7.15 A SUDS scheme has been designed for the site to limit surface water run off to a greenfield equivalent run off rate to be secured through planning condition. The development would have no impact on water environment would result in **neutral or nil** weight in the planning balance.
- 7.16 As an outline scheme with all matters except access reserved there are no design or neighbour amenity considerations to weigh in the planning balance.

Economic

- 7.17 The proposal would make a temporary contribution towards construction related employment and aftersales opportunities (trades, etc.). This would result in **negligible positive** weight.
- 7.18 The proposal would make a small contribution towards local economy based on resident needs and local services available. This would result in **negligible positive** weight.

Social

- 7.19 The development is a response to identified housing need. The proposals have been considered in the context of Spatial Principles, Spatial Strategy and the Danbury NHP housing site assessment criteria with conclusion that the housing would not conflict with a sustainable pattern of settlement growth. The delivery of 26 new homes would make a significant value contribution towards meeting housing demand which is led by the needs of local people – this is however downgraded based on status of the development plan. This outcome results in a **moderate positive** weight.
- 7.20 The provision of affordable housing to meet identified local needs is a recognisable planning benefit and in the context of housing supply position amounts to **moderate positive** weight in the planning balance.
- 7.21 The proposal would provide social benefits through the creation of construction-related jobs and this provides opportunities for local skills training. This would result in **negligible positive** weight.
- 7.22 The proposals would provide new on-site green infrastructure in the form of a publicly accessible open space which would be of social benefit to the local population. This results in **moderate positive** weight.

- 7.23 Other forms of infrastructure as set out in the Planning Obligations section of the report, including contribution towards bus service improvements and contributions towards education are to meet the needs of this development, but they will have some wider community benefit. As such, these contributions would result in a **limited positive** weight.

Balance Conclusion

- 7.24 In weighing up all of the benefits and harms identified under each of the three strands, and having regard to the presumption in favour of sustainable development in so far as it would apply to this application, the public benefits of the development do weigh strongly in favour of allowing the development when set against the weight of remaining adverse impacts.
- 7.25 On balance (standard, not tilted), the housing proposal represents an acceptable and sustainable form of development and there is a clear overall benefit to granting planning permission for the development. Whilst the principle of development does not accord with the development plan, namely the Danbury Neighbourhood Plan site allocations, the proposal does not give rise to any clear planning harms that would justify refusal and results in no wider substantive conflict with the Danbury Neighbourhood Plan. The only conflict or 'harm' is that the proposal is not allocated by the Danbury Neighbourhood Plan which is not a sufficient grounds in itself to refuse planning permission as the proposals are shown to result in no physical planning harms.
- 7.26 The application is recommended for approval subject to planning conditions (set out below) and planning obligations and subject to further detailed assessment at Reserved Matters stage.

RECOMMENDATION

Subject to an agreement, as indicated in the report presented to the Committee, being entered into pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the following conditions:-

Condition 1

Application for approval of the reserved matters shall be made to the local planning authority no later than 3 years from the date of this permission.

Reason:

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

Condition 2

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

Reason:

These matters are reserved by the outline application and particulars submitted are insufficient for consideration of the details mentioned.

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Condition 3

The development hereby permitted shall be brought forward in accordance with the approved plans (001 A – Site Location Plan, 002 D – Parameters Plan, ITB18065-GA-016 C – Proposed Site Access Arrangement) and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site.

Condition 4

- a) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of archaeological work has been submitted to and approved in writing by the local planning authority.
- b) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation and a copy of the final report of findings has been submitted to and approved in writing by the local planning authority.

Reason:

This information is required prior to the commencement of the development because this is the only opportunity for archaeological investigation work to be undertaken. These works are required to ensure that adequate archaeological records can be made in respect of the site in accordance with Policy DM15 of the Chelmsford Local Plan.

Condition 5

The reserved matters shall assess ecological impact based on a final layout and housing design and to be based on up to date species and habitat surveys, and shall provide details of long term habitat enhancement to be delivered through the development scheme, to be approved in writing by the local planning authority.

Reason:

To ensure the final development complies with Policy DM16 of the Chelmsford Local Plan.

Condition 6

No demolition, development or preliminary ground works shall take place within the site until a framework ecological management strategy (FEMS) has been submitted to and approved in writing by the local planning authority to include the following:

- i. Scope of areas to which it relates
- ii. Strategy for monitoring, management and maintenance relating to the wellbeing of priority species and habitat, and other ecological and landscape features during construction – to include precautionary working methodologies and a framework frequency of inspection visits by a suitably qualified and competent ecologist during construction stage

The FEMS shall be implemented in accordance with the approved details.

Reason:

This information is needed prior to commencement of the development to ensure there is no harm caused to protected species and their habitats in accordance with Policy DM16 of the Chelmsford Local Plan and to ensure long term wellbeing of ecology is reflected in actions undertaken on site during construction in accordance with Policies DM16, DM17 and DM24 of the Chelmsford Local Plan.

Condition 7

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No trees or hedges within the site other than those shown to be removed within the Arboricultural Impact Assessment by Southern Ecological Solutions (SES) – December 2025 shall be felled, uprooted, damaged, or disturbed or removed as part of or prior to the commencement of the development or within a period of 5 years following commencement of the development.

If any such tree is removed, uprooted, destroyed or dies prior to commencement of development or within a period of 5 years following commencement another tree shall be planted within the next available planting season. The location, size and species of replacement planting shall be as agreed in writing by the local planning authority.

Reason:

To safeguard the existing trees which are of amenity value and add character to the development and locality in accordance with Policies DM17 and Policy DM23 of the Chelmsford Local Plan.

Condition 8

No drainage or service runs shall be laid within or beneath the root protection area of any retained tree as shown on drawing no. TPP/Little fields Danbury/15-12-25 forming part of the Arboricultural Impact Assessment by Southern Ecological Solutions (SES) – December 2025.

Reason:

To safeguard the existing trees in accordance with Policy DM17 of the Chelmsford Local Plan.

Condition 9

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

- i. construction vehicle routing,
- ii. any temporary traffic management/signage,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities,
- vi. hours of deliveries,
- vii. location and height of construction staff welfare facilities

As agreed, the Construction Management Plan shall be adhered to during the construction period.

Reason: In the interests of highway safety and local amenity.

Condition 10

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

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

Reason:

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

Condition 11

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until samples (accompanied by a schedule and annotated drawings) of all materials to be used to the external faces/roof and exterior ground surfaces of the buildings have been submitted to and approved in writing by the local planning authority.

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

Reason:

In order to achieve satisfactory development of the site in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 12

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until a final and comprehensive specification of all soft landscaping works and content has been submitted to and approved in writing by the local planning authority to include written specification and detailed planting layouts of the following:

- i. definitive planting specification containing species and sizes,
- ii. definitive number of (net) new trees to be planted,
- iii. soft landscaping maintenance plan.

All outside areas of the development as approved shall be implemented in accordance with the agreed specifications prior to first occupation of the development unless the local planning authority agrees in writing to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

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

Reason:

Further information is required to ensure the specification is expressed in sufficient detail to establish definitive content to ensure those spaces are designed to an appropriate standard in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 13

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until a final and comprehensive specification of all hard landscaping works and content has been submitted to and approved in writing by the local planning authority to include written specification and detailed layouts of the following:

- i. hard landscaping to all streets and public spaces,
- ii. hard landscaping to all private spaces,
- iii. hard landscaping maintenance plan.

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All outside areas of the development as approved shall be implemented in accordance with the agreed specifications prior to first occupation of the development unless the local planning authority agrees in writing to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

Reason:

Further information is required to ensure the specification is expressed in sufficient detail to establish definitive content to ensure the proposals would be in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 14

No external lighting shall be installed at the site until such time as a lighting strategy for biodiversity has been submitted to and approved in writing by the local planning authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No additional external lighting shall be installed without prior written consent from the local planning authority.

Reason:

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

Condition 15

- a) The reserved matters shall provide details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, to be approved in writing by the local planning authority.
- b) A dwelling shall not be occupied until the boundary treatments relating to that dwelling have been provided in accordance with the approved details.

Reason:

To ensure the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policy DM23 of the Chelmsford Local Plan and to safeguard the residential living environment of the occupiers of the proposed dwellings and the existing neighbouring dwellings in accordance with Policy DM29 and Policy DM23 of the Chelmsford Local Plan.

Condition 16

- a) The reserved matters shall provide details of the facilities for the storage of refuse and recyclable materials, to be approved in writing by the local planning authority.
- b) A dwelling shall not be occupied until the facilities for the storage of refuse and recyclable materials relating to that dwelling have been provided in accordance with the approved details.

Reason:

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

Condition 17

No development shall take place, including any ground works or demolition unless detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the surrounding area and neighbouring buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

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

Condition 18

Prior to first occupation of any dwelling within the development a vehicular and pedestrian access to the site shall be provided in accordance with drawing no. ITB18065-GA-016 Revision C, unless otherwise agreed with the Highway Authority, to include but not limited to:

- i. Provision of a 2-metre wide clear to ground visibility splay across the entire site frontage of No.10 Little Fields, to be available and retained free of obstruction at all times,
- ii. Provision of continuous carriageway connection with 1.5-metre-wide footway on the south side of Little Fields carriageway and 0.5-metre-wide highway margin on the north side (surface treatment to be agreed), connecting without ransom to the existing footway and carriageway, continuing into the new development,

Reason:

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

Condition 19

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

Reason:

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

Condition 20

- i. The reserved matters shall confirm adequate parking for motorised vehicles in accordance with Essex Planning Officers Association Parking Guidance Part 1 (otherwise referred to as Essex Parking Guidance Part 1) dated September 2024 (including re-provided parking for No. 10 Little Fields as shown on drawing no. 002 Revision D).
- ii. No dwelling shall be occupied until parking space(s) associated with that dwelling have been laid out in compliance with details approved in accordance with i. above.
- iii. Parking spaces shall thereafter be retained in accordance with approved details for use in association with the residential use of the site and for no other purpose

Reason:

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

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Condition 21

- i. The reserved matters shall confirm adequate cycle parking in accordance with Essex Planning Officers Association Parking Guidance Part 1 (otherwise referred to as Essex Parking Guidance Part 1) dated September 2024.
- ii. No dwelling shall be occupied until cycle parking associated with that dwelling has been provided in compliance with details approved in accordance with i. above.
- iii. Cycle parking shall thereafter be retained in accordance with approved details for use in association with the residential use of the site and for no other purpose.

Reason:

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

Condition 22

The reserved matters shall confirm access and tracking for refuse freighter and fire tender to all areas of the site as required in order to service the dwellings, to be approved in writing by the local planning authority.

Reason:

In the interests of highway safety and to ensure that the development is accessible in accordance with Policy DM23 and DM24 of the Chelmsford Local Plan.

Condition 23

The reserved matters shall confirm details of electric vehicle charging points to serve all residential properties of the development in accordance with Policy DM25 of the Chelmsford Local Plan (2020), to be approved in writing by the local planning authority. Electric vehicle charging points shall be installed as approved prior to first occupation of respective dwellings taking benefit from that infrastructure.

Reason:

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

Condition 24

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

Reason:

To ensure the development provides sufficiently adaptable homes to meet current and future needs of residents in accordance with Policy DM1 of the Chelmsford Local Plan.

Condition 25

The development shall not be occupied until confirmation of connection to public sewer or alternatively details of acceptable site-based foul sewage disposal system have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the development has suitable means of foul water disposal in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 26

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

Reason:

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

Condition 27

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

- Infiltration testing to be undertaken in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 1.4l/s/ha for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS 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 location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The surface water drainage scheme shall subsequently be implemented prior to occupation.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM18 of the Chelmsford Local Plan and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 28

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

Reason:

To ensure excess water is not discharged from the site during construction and to manage risk of pollution to local water courses in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 29

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

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 30

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings hereby permitted shall not be enlarged or extended (including roof alterations or additions), and no outbuildings erected, without the grant of an additional planning permission by the local planning authority.

Reason:

The erection of additional extensions which could be constructed under the provisions of Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) or outbuildings constructed would undermine the Rural Area assessment undertaken in relation to this application and would allow a more intensive presence of development in the Rural Area than that approved contrary to Policies S11 and DM8 of the Chelmsford Local Plan.

Condition 31

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no wall, gate or other means of enclosure other than hereby approved shall be constructed within or along the boundaries of the site without the written consent of the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policies DM23 and DM24 of the Chelmsford Local Plan.

Condition 32

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no hard surfacing of front or side gardens visible to the street shall be carried out by or at the instruction of individual occupiers subsequent to approval of reserved matters details for hard and soft landscaping works.

Reason:

In the interests of visual amenity to ensure that front and side gardens are retained as landscape features within the development to maintain an acceptable aesthetic and balance urban and natural landscape features in the interests of the local and wider environment in accordance with Policies DM8, DM23, and DM24 of the Chelmsford Local Plan. To prevent environmental and amenity problems arising due to surface water flooding in accordance with Policy DM18 of the Chelmsford Local Plan.

Notes to Applicant

- 1 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The developer to pay the costs of all necessary traffic regulation orders and legal processes associated with the highway works as well as paying the costs of all necessary traffic regulation orders and legal processes associated with the highway works. The Applicant is advised to contact the Development Management Team

-by email at development.management@essexhighways.org

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-by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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

APCs

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

Commuted Maintenance Payments

Any non-standard specification materials, signal equipment or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction.

Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.

- 2 Without prejudice to separate direction from the Local Highway Authority, all roads shall be constructed to a standard capable of carrying a 26 tonne vehicle to accommodate fully laden refuse and fire vehicles.
- 3 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 4 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.

- 5 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 6 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 7 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk
- 8 Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

Positive and Proactive Statement

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

Background Papers

Case File

Plans to be listed on any Decision Notice:

001 Site Location Plan
 002 (D) Parameters Plan
 ITB18065-GA-016 (C) Site Access Arrangement

Appendix 2 – Consultations

Danbury Parish Council

Comments
<p>The Parish Council very strongly objects to this application on the following grounds:</p> <p>1. In conflict with the NPPF December 2024, paragraphs 2 and 15.</p> <p>The Danbury Neighbourhood Plan (adopted on 20 December 2024) allocates land for around 100 homes in accordance with the Chelmsford City Council Local Plan (adopted 27 May 2020) Strategic Site Policy 13 – Danbury. This is not one of those allocated sites.</p> <p>The Local Development Plan is currently being reviewed and additional sites have been recently consulted on which, it is estimated, would enable a land supply of 5.75 years on submission for Independent Examination. There have been no additional sites included for Danbury and the housing allocation has been increased by just 1.</p> <p>2. Highways and Access Constraints</p> <p>The proposed access is via Little Fields - a small cul-de-sac with the access road serving 16 homes. Residents have reported that due to vehicles parked on the highway, access can be difficult, particularly for delivery vehicles.</p> <p>The Parish Council is concerned that the intensification of vehicular use of Little Fields will cause/exacerbate queuing when accessing the A414 (Maldon Road).</p> <p>The proposed access includes a narrowed 3.1m stretch and the Parish Council is concerned, that this would not be of a sufficient width to accommodate fire appliances, refuse lorries and large delivery vehicles/ skip vehicles. Fire appliances require 3.7m which can be reduced, however this should be in consultation with the Local Fire Safety Officer (Department for Transport, 2007, Manual for Streets, pg 6.7.3, p75.)</p> <p>3. Historic Environment</p> <p>The site will be visible from Grade II Listed Garlands Farmhouse – particularly from the garden - and will be harmful to its setting.</p> <p>4. Design, Character and Landscape</p>

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The site is located in the rural area, outside of the Defined Settlement Area and by way of the heights of two storey buildings, will have a detrimental visual impact on:

- The local landscape character and intrinsic beauty of the countryside.
- Key View 3 listed for protection in the Danbury Neighbourhood Plan (policy DNP 12), which is a wide view over arable land towards the Garlands Farmhouse and the Blackwater Estuary. The arable land provides a defined border signalling the rural edge of Danbury.

This conflicts with the Danbury Design Guide paragraph 2.2a and b and Chelmsford City Council Policy DM8.

5. Flood Risk

Evidence from the applicant confirms that there is a surface water flood risk along the Northern Boundary of the site. Chelmsford City Council Policy DM18 requires that it can be demonstrated the site is safe from flooding and that the most vulnerable development should be located in areas of the lowest flood risk unless there are overriding reasons for not doing so. There are no overriding reasons to do so in this case.

6. Recreational Pressure and Ecological Impact

The application has not provided a clear mitigation plan for recreational pressure on local SSSI's, registered parks and gardens, local nature reserves and ancient woodland, in conflict with Danbury Neighbourhood Plan Policy DNP9.

7. Community Facilities

The Parish Council is concerned about the impact on community facilities, particularly Medical Services, but also provision for early years, primary and secondary school places.

8. Please would planning officers check whether there are any covenants in place that may restrict the access to the site from Little Fields.

Public Health & Protection Services

Comments

The site investigation shows contamination to be present. Appropriate condition required.

This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (based on a dwelling with dedicated off-road parking).

Essex County Council Highways

Comments

The Highway Authority has considered the application, having previously provided pre-application advice to the applicant. The application is acceptable to the Highway Authority subject to the requirements set out below, principally, the implementation of the proposed access from the existing northeast Little Fields carriageway.

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

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1. A contribution of £95,000 (£47,500 per year for 2 years) towards bus service improvements in the vicinity of the site (index linked from February 2026). To provide sustainable travel options to/from the site.
2. Construction Management Plan
3. Prior to first occupation of any dwelling within the development, the construction of the Proposed Site Access Arrangement, drawing no. ITB18065-GA-016 Revision C, unless otherwise agreed with the Highway Authority. To ensure that vehicles, pedestrians and cyclists can enter and leave the highway in a controlled manner in the interest of highway safety. To include but not limited to:
 - i. Provision of a 2-metre wide clear to ground parallel visibility splay across the entire site frontage of no.10, to be available and retained free of obstruction at all times;
 - ii. Provision of continuous carriageway connection with 1.5-metre-wide footway on the south side of Little Fields carriageway and 0.5-metre-wide highway margin on the north side, connecting without ransom to the existing footway and carriageway, continuing into the new development;
4. ~~A Stage 1 Road Safety Audit shall be undertaken for the Proposed Site Access Arrangement, drawing no. ITB18065-GA-016 Revision C, and submitted with designer's response. Documents subsequently provided to the Local Highway Authority~~
5. The developer shall be responsible for all of the costs associated with tying into the existing Little Fields public highway to facilitate the development and its associated highway works.
6. Residential Travel Information Packs (to include six one day travel vouchers for use with the relevant local public transport operator). In the interests of reducing the need to travel by car and promoting sustainable development and transport.

NOTES

Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works. This will include the submission of detailed engineering drawings for approval and a safety audit.

The Highway Authority cannot accept any liability for costs associated with development works. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.

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

INFORMATIVES as listed.

Essex and Suffolk Water

Comments

Essex & Suffolk Water (ESW) confirms that, at present, there is sufficient capacity within the local water network to accommodate the proposed development, as previously confirmed through pre-application enquiries. ESW has planned strategic infrastructure upgrades in Chelmsford, although delivery timescales are uncertain due to future demand pressures. In line with statutory duties, ESW will facilitate a connection to the water network if permission is granted.

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ESW expects residential development to exceed the Building Regulations baseline of 110 litres per person per day, and to demonstrate achievement of 85 litres per person per day, in line with emerging shared water efficiency standards. Planning condition recommended.

ESW also recommends that the future landscaping schemes incorporate drought-resilient planting and efficient irrigation systems to support water conservation and climate resilience. Planning condition recommended.

Essex Place Services - Archaeology

Comments

The Essex Historic Environment Record (EHER) shows that the proposed development has the potential to impact archaeological remains with reference to the following:

- A postulated Roman road ran along nearby Maldon Road, with possible extramural Roman remains extending into the site.
- Evidence of post-medieval industrial activity, including 17th–18th century tile kilns recorded to the east.
- Proximity to the Iron Age Danbury Hill Fort Scheduled Monument, meaning the site lies within its hinterland and may contain associated Iron Age agricultural or extramural features.

A programme of archaeological trial trenching needs to be undertaken in advance of any groundworks commencing. A planning condition is recommended.

Essex County Council (Infrastructure)

Comments

Early Years and Childcare

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £36,810 index linked to Q1- 2025, is sought to mitigate its impact on local Early Years & Childcare provision.

Primary Education

As there are sufficient places available in the area, a developers' contribution towards new primary places will not be required for this application.

Secondary Education

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £112,508 index linked to Q1- 2025, is sought to mitigate its impact on local Secondary School provision.

Post 16 Education

A contribution toward Post 16 education is not required at this time. However, in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2024), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and

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skills opportunities.

Primary School Transport

Having reviewed the proximity of the site to the nearest Primary school, Essex County Council will not be seeking a School Transport contribution at this time.

Secondary School Transport

Having reviewed the proximity of the site to the nearest Secondary School, the distance is in excess of the statutory walking distance, therefore, Essex County Council will be seeking a School Transport contribution toward Secondary School Transport. The cost of providing this is £23,788 Index Linked to 2Q 2023.

Libraries

The suggested population increase brought about by the proposed development is expected to create additional usage of Danbury library. A developer contribution of £2,022.80 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

Essex County Council SUDS (Lead Local Flood Authority)

Comments

The Lead Local Flood Authority does not object to the grant of planning permission based on the following:

Condition - detailed surface water drainage scheme to be agreed prior to commencement to include:

- Infiltration testing to be undertaken in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 1.4l/s/ha for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS 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 location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Condition – a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and to prevent pollution

Condition - Maintenance Plan

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Condition - maintain yearly logs of maintenance

NOTES

Essex Green Infrastructure Strategy <https://www.essex.gov.uk/protecting-environment>

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

Where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.

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

<https://www.thameswater.co.uk/developers>

Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.

<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

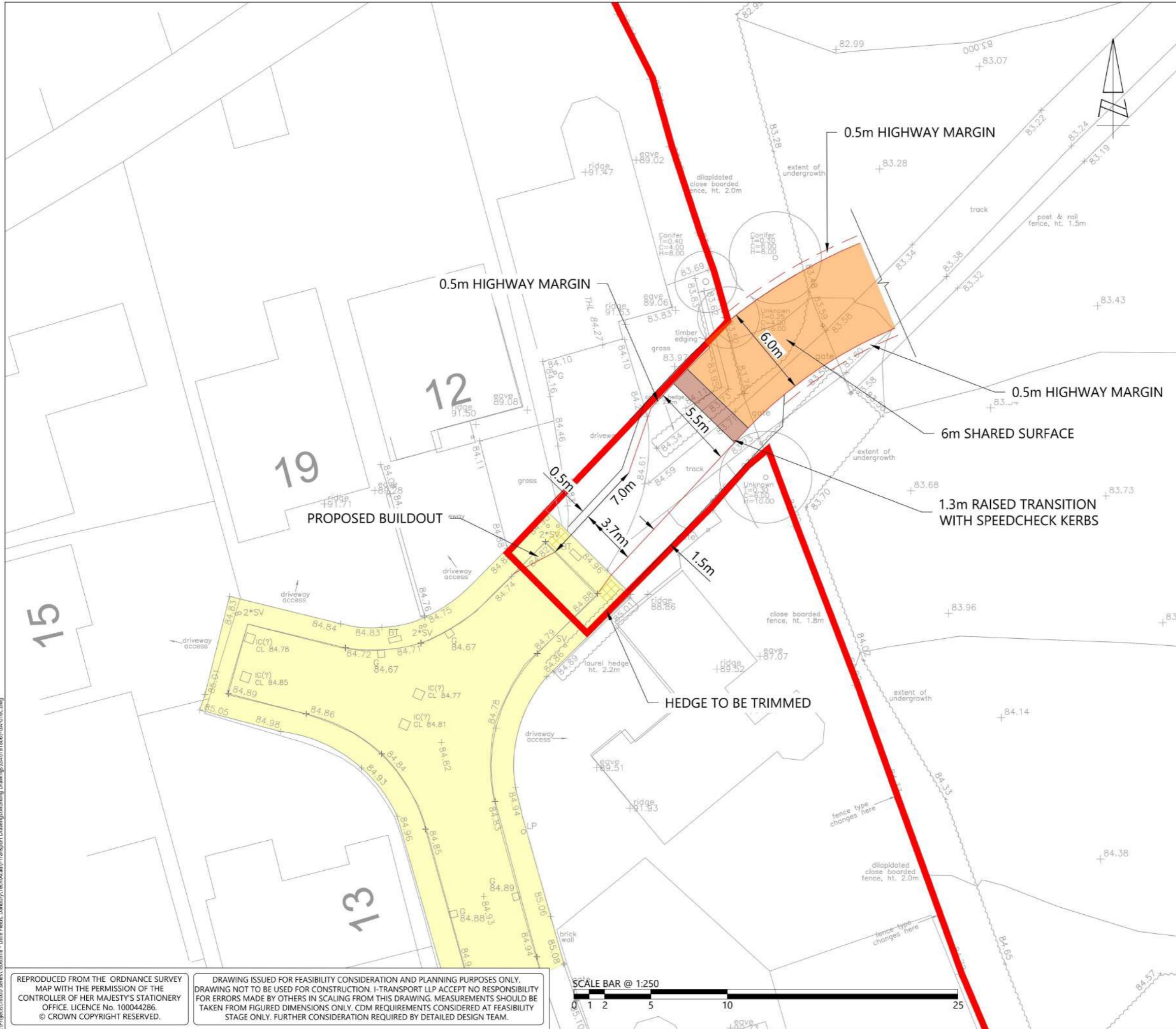
INFORMATIVES as listed.

Local Residents

Comments

47 representations received raising matters as follows:

- The proposal is not plan-led, conflicts with the Chelmsford Local Plan and the Danbury Neighbourhood Plan (2024), and lies outside the Defined Settlement Boundary.
- Neighbourhood Plan meets housing requirements; approval would undermine the plan-led system.
- Council is meeting housing targets.
- Development would extend built form into open countryside, harming village character.
- Harm to landscape character and the setting of Grade II listed Garlands Farmhouse.
- Scale, density and built form considered excessive and suburban in appearance.
- Access via Little Fields unsuitable; a narrow residential cul-de-sac.
- Concerns about road width, on-street parking, emergency/service vehicle access and junction capacity.
- Increased traffic, leading to congestion and safety risks.
- Site prone to surface water, groundwater and sewer flooding.
- Concerns that development would increase flood risk on-site and downstream.
- Loss of privacy and overbearing.
- Noise, disturbance and pollution impacts from construction and traffic.
- Over-development, density out of keeping with surrounding area.
- Presence of protected species (including bats, badgers and deer).
- Adequacy of ecological evidence and potential impacts from habitat loss and lighting.
- Lack of mitigation for recreational pressure.
- Local schools, medical services and dentists reported to be at or near capacity.
- Sets a precedent for future development.
- Cumulative impacts.



KEY:

- SITE BOUNDARY
- HIGHWAY BOUNDARY
- PROPOSED KERB
- PROPOSED FOOTWAY
- PROPOSED TACTILE PAVING
- PROPOSED SPEEDCHECK KERB
- PROPOSED SHARED SURFACE

C	18.12.25	TA	DESIGN HAS BEEN UPDATED	PA	PH
B	16.12.25	TA	SITE BOUNDARY ADDED	PA	PH
A	08.12.25	TA	DESIGN HAS BEEN UPDATED	PA	PH
REV	DATE	BY	DESCRIPTION	CHK	APD

STATUS: FOR INFORMATION

i-Transport

The Square, Basing View, Basingstoke, Hampshire, RG21 4EB
Tel: 01256 637940
www.i-transport.co.uk

TITLE: PROPOSED SITE ACCESS ARRANGEMENT

PROJECT: LITTLE FIELDS, DANBURY

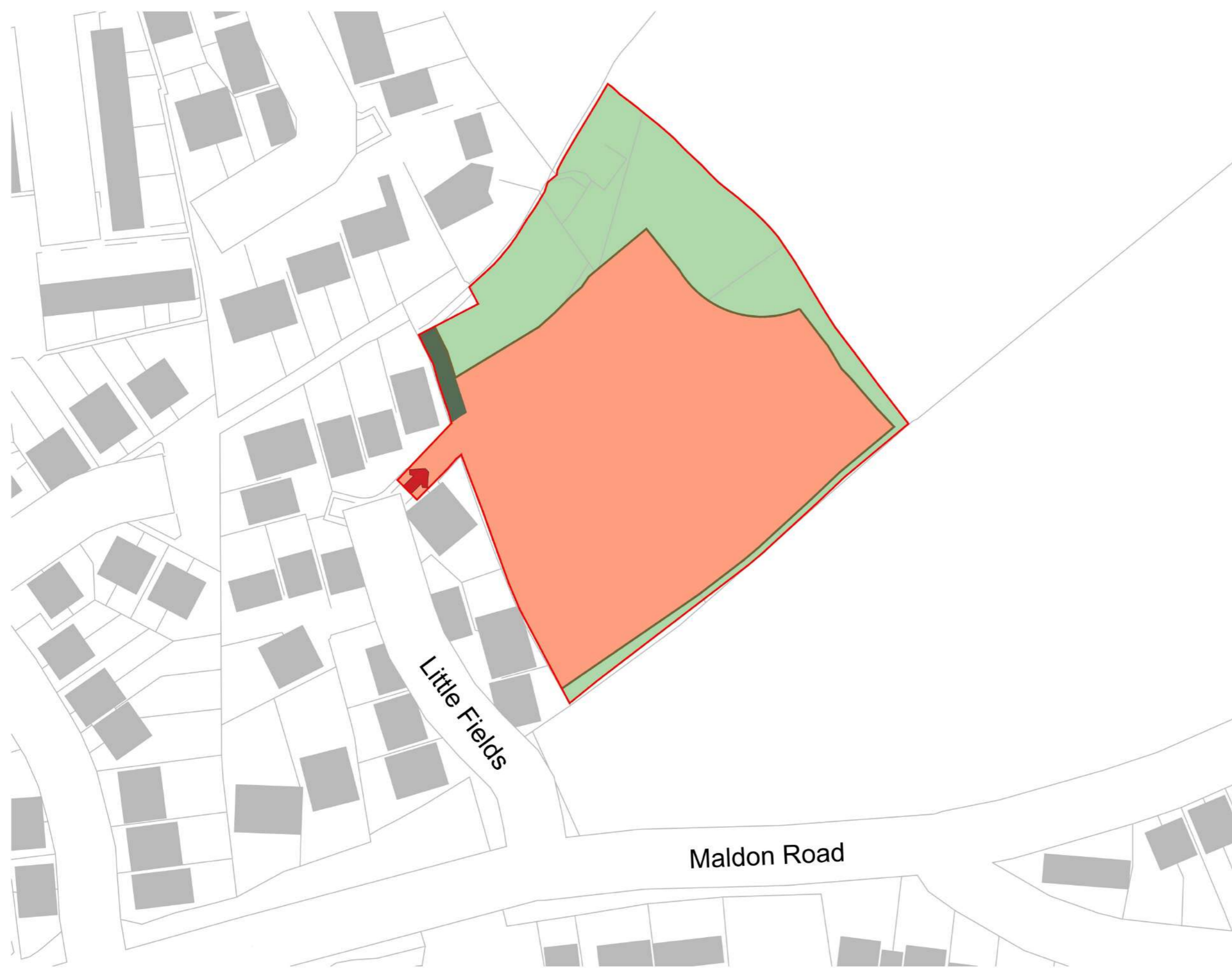
CLIENT: MARTIN GRANT HOMES

DRAWN: SH	CHECKED: PH	APPROVED: PH
PROJECT No: ITB18065	SCALE @ A3: 1:250	DATE: 21.10.25
DRAWING No: ITB18065-GA-016		REV: C

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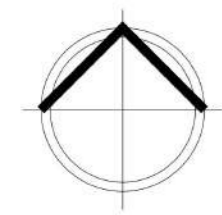
T:\Projects\18003_Series\18065\ITB - Little Fields, Danbury\Tech\Acad\Transport Drawings\Working Drawings\GA\ITB18065-GA-016.dwg



- Site Boundary

- LAND USE PARAMETERS**
- Proposed development area - up to 2 storeys
(including roads, footpaths, private drives, open space, drainage and other associated infrastructure)
- Proposed areas of green infrastructure
(including public open spaces, children's play provision, landscaping, footpaths, drainage, pedestrian connections and associated infrastructure)
- Land safeguarded for No 10 Little Fields

- ACCESS PARAMETERS**
- ↑ Proposed access/egress for all modes
(subject to detailed design)



Status **FINAL**

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Client: **Martin Grant Homes**

Project title: **Little Fields Danbury**

Drawing title: **Parameters Plan**

Scale: **1:1000@A3**

Date: **07.04.2025**

Drawn by: **LR**

Checked by: **MV**

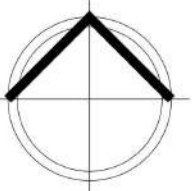
Drawing no.: **002**

Revision: **D**

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Birmingham
1 Colmore Square,
B4 6AA
t: 0121 214 0001
w: www.marrons.co.uk

Bristol
One Temple Quay,
Temple Back East, BS1 6DZ
t: 0117 906 9400
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Client: **Martin Grant Homes**

Project title: **Little Fields Danbury**

Drawing title: **Site Location Plan**

Scale: **1:2000@A3**

Date: **05.12.2025**

Drawn by: **LR**

Checked by: **MV**

Drawing no.: **001**

Revision: **A**



Birmingham: 1 Colmore Square, B4 6AA
 t: 0121 214 0001
 w: www.marrons.co.uk
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 t: 0117 906 9400
 e: info@marrons.co.uk