



**Planning Committee
20th June 2023**

Application No	:	21/00881/FUL Full Application
Location	:	Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET
Proposal	:	Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage.
Applicant	:	Mr Eburne Bloor Homes Limited
Agent	:	Robert White
Date Valid	:	28th April 2021

Appendices:

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

1. Executive summary

1.1. At the meeting of the Planning Committee in August 2022 it was resolved that planning application 21/00881/FUL in respect of Puddings Wood (to the north of Broomfield Hospital) and Woodhouse Lane be approved, subject to:

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

- 1.2. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the hospital link road. Sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).
- 1.3. In March 2023 The NHS Trust confirmed their position in a letter to Officers (Appendix 4). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the applicant's offer to pay a maintenance sum to The NHS Trust.
- 1.4. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' in lieu of the hospital link road.
- 1.5. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.
- 1.6. Officers and the Local Highway Authority have undertaken extensive investigation and analysis of the supporting documentation and the additional information submitted as part of the applications. This has concluded that the traffic impact that results from the residential development, and in lieu of the link road, could be suitably mitigated through a package of appropriate mitigation, sustainable transport measures and financial contributions towards additional mitigation, including the proposed contribution of £1,350,000.
- 1.7. The application has subsequently been amended to remove the previously proposed hospital link road and make consequential minor amendments to Woodhouse Lane. The closures to parts of Woodhouse Lane have not required amendment. The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development.
- 1.8. Overall it is Officers view that the proposal is acceptable, subject to conditions and the completion of the S106 agreement.

2. August 2022 Planning Committee

- 2.1. In August 2022 the Committee considered the application for the proposed hospital link road and closures to sections of Woodhouse Lane, associated with application 20/02064/OUT for the residential development of the land to the north (Strategic Growth Site 8 of the Chelmsford Local Plan). A Green Sheet of additions and alterations was distributed before the meeting. A copy of the Committee report and Green Sheet is appended at Appendix 2.
- 2.2. At the meeting, it was clear from the members' discussion of the application that the Committee was of the view that the residential development of Strategic Growth Site 8 should not proceed without the link road or, as an alternative, the provision of a Park and Ride service. Officers said that if the Committee were minded to approve the applications, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being

secured, discussion would continue between the Council, the applicant and the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the applications would be brought back to the Committee to consider the Park and Ride option.

2.3. Members accepted the assurance of officers that the applications would be brought back to the Committee if discussions over the link road were not successful. It was resolved that planning application 21/00881/FUL in respect of the proposed link road and closures to Woodhouse Lane, Broomfield, Chelmsford be approved, subject to:

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

2.4. A copy of the Minutes of the meeting is appended at Appendix 3.

3. Subsequent Discussions

3.1. Since the meeting of the Planning Committee, Officers have worked hard with both Bloor Homes and the Hospital Trust in an effort to secure the provision of the link road. Sustained and prolonged efforts have been made by Officers and the Applicant to secure the delivery of the link road through positive and constructive dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust).

3.2. Whilst a Memorandum of Understanding (MOU) was signed by The NHS Trust (January 2019) as part of the Local Plan adoption process, it became clear as part of discussions that as time went on, the NHS Trust were reluctant to support the proposed link road.

3.3. On 29th September 2022 officers were advised in an email from the Agent acting on behalf of the NHS Trust that The NHS Trust would prefer that the link road is not constructed (Appendix 4). They reluctantly accepted that the road through their estate could be provided, but only on the condition that The NHS Trust would not accept any cost or liability now or in the future for provision or maintenance of the link road.

3.4. In March 2023 the NHS Trust confirmed their position in a letter to Officers (Appendix 4). This confirms that agreement on the future maintenance arrangements, costs and liability for the proposed link road could not be reached. This is despite the Applicant's offer to pay a maintenance sum to The NHS Trust. In addition, The NHS Trust state that the link road and internal road network configuration which apparently would need related/consequent investment could not be accommodated within their capital programme.

3.5. In light of this, the Applicant and The NHS Trust jointly concluded that an alternative means of mitigation would be required to address the potential traffic impact of the proposed Bloor Homes development as the link road could not be delivered and secured. The parties agreed an 'Alternative Transport Strategy' based on a Park and Ride Shuttle Bus.

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

4. Proposal

- 4.1. The Applicant now proposes the 'Alternative Transport Strategy' in lieu of the link road and has amended the current planning application (and related application 20/02084/OUT) accordingly. The link road has been removed from the proposal and the description of proposed development amended.
- 4.2. The proposed 'Alternative Transport Strategy' is a shuttle bus service between the Chelmer Valley Park and Ride and Broomfield Hospital. Funding of £1,350,000 would be provided by the Applicant. The proposal is to secure this through the Section 106 legal agreement.

5. Summary of Consultations (Since August 2022)

- 5.1. Following the submission of the revised proposal, the following consultation responses were received:
- 5.2. Broomfield Parish Council – Very disappointed that the new access road to the Hospital site is likely to be scrapped. Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service. However, it is strongly opposed to spending the entire capital sum on this single initiative. The spine road must be built with the capacity for a link road onto the Hospital site to be added as originally planned, at a later date. However, should the Hospital Trust revert to its earlier desire for a second regular access, that would need to be funded through NHS capital funding streams and not by further development. The availability of up to £1.35M to mitigate traffic impacts on the B1008 is a great but unique opportunity. It must not be entirely spent on one single measure, but must be used carefully to support a wider strategy.
- 5.3. Essex County Council Highways - The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development. A vehicle prohibition order on Woodhouse Lane east of the new access road is required to remove the vehicle through route from the existing narrow lane and create a safe, sustainable travel corridor to/from the site.
- 5.4. Great Waltham Parish Council – No additional comments.
- 5.5. Little Waltham Parish Council –would not wish to see the bus travelling through the village centre which would cause more congestion but would wish it to be routed along Essex Regiment Way to the Sheepcotes Roundabout and then along the B1008.
- 5.6. Essex County Council Historic Environment - The submitted Written Scheme of Investigation, revised to encompass the updated proposals, accurately outlines the scope, methodology and archiving requirements of the archaeological work required. Condition requested.
- 5.7. Local Residents – One additional comment neither objecting to or supporting the application. Welcomes removal of proposed link road as no need to feel any trees or affect natural habitats. residents of Partridge Green Lane and Woodhouse Lane should be allowed to continue to access the

entire lengths and sections of both North Court Road and Woodhouse Lane, as they have always done so to date, but also have the choice of whether they wish to use the new spine road or Woodhouse Lane and North Court Road to access Main Road, Broomfield, and the hospital site, and whether their intentions are to travel north towards Braintree or south towards Chelmsford via Broomfield.

- 5.8. Full details of consultation responses received since the previous Planning Committee meeting are included at Appendix 1.
- 5.9. All consultation responses prior to the previous Planning Committee meeting are included in the original committee report which is attached at Appendix 2.

6. Planning Considerations

Transport

- 6.1. A link to Broomfield Hospital is a requirement of Local Plan Growth Site Policy 8 and Strategic Policy S9 of the Chelmsford Local Plan. The hospital link road formed part of the adopted masterplan for the application site and was allocated as a measure to mitigate an increase in vehicular traffic on Blasford Hill. At the time of the adoption of the Local Plan in May 2020 it was understood that the formation of the link road was an objective shared by the Hospital Trust.
- 6.2. As set out above, sustained and prolonged efforts have been made by Officers and the applicant to secure the delivery of the link road through dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust). Both the Applicant and the NHS Trust have however now concluded that an agreement cannot be reached and that an alternative transport strategy should be secured. This is considered in more detail as part of application 20/02064/OUT.
- 6.3. Whilst the hospital link road is no longer proposed, changes and closures to parts of Woodhouse Lane are still required. These amendments and closures are required to provide improved access for residents of Woodhouse Lane, to remove a potential vehicle through route from the development on the existing narrow lane to Hospital Approach and Blasford Hill and to provide safe and sustainable walking and cycling routes.
- 6.4. The part of Woodhouse Lane to the west would largely remain as existing, with the exception of a new alignment and junction where Woodhouse Lane would be connected to the spine road through the residential development of the land to the north (see 20/02064/OUT). Properties to the west would gain access from the north via the new spine road through the Bloor development.
- 6.5. The part of Woodhouse Lane immediately to the east of the proposed spine road and new Woodhouse Lane junction road would remain open to provide access to the existing service access of Farleigh Hospice. Beyond the Farleigh Hospice service access the road would be closed and a turning head with bollards would be installed.
- 6.6. Whilst theoretically it would be possible for vehicles to cut through Farleigh Hospice from their service entrance on Woodhouse Lane out onto North Court Road, the proposed closures are unlikely to make this a realistic prospect. This opportunity also already exists. A condition could secure the provision of signage at the service entrance to discourage use.

- 6.7. Further to the east, to the north of the junction of Woodhouse Lane and North Court Road, there would be a further closure. North Court Road would still provide access to the properties located on this junction. The northern end of North Court Road would serve as a turning head. Bollards would similarly be installed at this closure location.
- 6.8. Properties in Woodhouse Lane to the east of North Court Road would continue to have vehicular access from the junction of Woodhouse Lane and Blasford Hill. Although this junction has limited visibility, the number of vehicles using this access would be greatly reduced to just those east of North Court Road. A turning head and bollards would be installed close to The Coach House.
- 6.9. The proposed works to Woodhouse Lane and associated road closures are acceptable and necessary. The Local Highway Authority have no objection to the proposal. The road closures would be secured through a Traffic Regulation Order (TRO).

Preserved Trees, Ecology & Biodiversity

- 6.10. The woodland commonly referred to as Puddings Wood is protected by Preservation Order reference TPO/2001/107. It is an important landscape feature. It has a non-statutory designation as a Local Wildlife Site.
- 6.11. The removal of the link road from the proposal means that trees within Puddings Wood would not need to be felled and biodiversity within Puddings Wood would not be lost. This is a benefit of the removal of the proposed link road and the now proposed alternative transport strategy.

Heritage

- 6.12. The eastern turning head on Woodhouse Lane would, as outlined in the original report (Appendix 2), cause some harm to the setting of Wood House (a non-designated heritage asset). In accordance with Policy DM14 of the Chelmsford Local Plan and the National Planning Policy Framework this harm can be acceptable providing the harm is justified following a balanced judgement of harm and the significance of the asset; and harm is minimised through retention of features of significance and/or good design and/or mitigation measures. The turning head is unavoidable in order to prevent 'rat running' through Woodhouse Lane and also in order to make Woodhouse Lane a safer walking and cycling route. The closures would also reduce the number of vehicles using the Woodhouse Lane and Blasford Hill junction which has limited visibility. It would also be possible to minimise the harm through materials and landscaping details which would be required by condition.
- 6.13. On balance, it is considered that the harm to the setting of Wood House, its outbuildings and lodge can be minimised and is justified.
- 6.14. The proposed development is in an area of potential archaeological remains. The site of the proposed link road is adjacent to a site which had prehistoric flint and Late Bronze Age pottery. There is the possibility that archaeological features and finds may extend into the proposed development area. An updated written scheme of investigation has been submitted. This is acceptable. A condition is required to ensure that the programme of archaeological work is carried out in accordance with the Written Scheme of Investigation prior to the commencement of works.

7. Legal Obligations

7.1. The application will be linked to the S.106 Agreement for the residential development of the adjacent site (see 20/02064/OUT also on this agenda). The S.106 agreement will require (amongst other matters):

- Closure/downgrading/alterations to Woodhouse Lane.
- Developer to submit details of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane for technical approval prior to any development above slab level taking place at the site.
- No occupation of phase 2 of the development until technical approval has been given for the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction and associated works to Woodhouse Lane.
- Construction and delivery of the connection of the spine road to Woodhouse Lane, the Woodhouse Lane junction, and associated works to Woodhouse Lane, in accordance with details in application and design to be agreed by the highway authority prior to 200th occupation.
- Restriction on occupations until the new access roundabout, the spine road, works to Woodhouse Lane, cycle facilities and bus stop infrastructure have been carried out and a certificate of completion issued under s.278.

8. Community Infrastructure Levy (CIL)

8.1. The proposal is not CIL liable.

9. Planning Balance (Conclusion)

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

9.2. The development would improve opportunities for walking and cycling in the area. It would also provide safer vehicular access to a number of existing residential properties and Farleigh Hospice.

9.3. The removal of the link road from the proposal means that trees and habitats within Puddings Wood would not be affected. Whilst there would be some harm to the setting of non-designated heritage assets, this is outweighed by the need for the closures on Woodhouse Lane and the public benefits of the proposal.

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

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

RECOMMENDATION

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

Condition 1

The development hereby permitted shall begin no later than 5 years from the date of this decision.

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall provide for:

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,
- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials and
- vii. hours of deliveries.

The Plan shall be adhered to throughout the construction period.

Reason:

In the interests of highway safety.

Condition 4

Prior to the commencement of the development hereby permitted details of all surfacing works, including turning heads, bollards, and other means of enclosure, and all signage shall be submitted to and agreed in writing with the local planning authority. The work shall be carried out in accordance with the approved details.

Reason:

In the interests of the rural character of the lane and non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan and to prevent through traffic from using the Farleigh Hospice site in lieu of Hospital Link.

Condition 5

(i) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

(ii) The applicant shall within six months of the completion of the fieldwork submit to the local planning authority a post excavation assessment, unless otherwise agreed in advance with the Planning Authority.

Reason:

The proposed development is in an area of potential archaeological remains and in accordance with Policy DM15 of the Chelmsford Local Plan.

Condition 6

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

Reason:

In the interests biodiversity and species using the area in accordance with Policy DM16 of the Chelmsford Local Plan.

Notes to Applicant

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

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

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

Essex County Council Highways

Comments
<p>18.05.2023</p> <p>A link to Broomfield Hospital via Strategic Growth Site 8 was identified as a requirement within the CCC Local Plan. Broomfield Hospital (MEHT) have not been able to find an agreeable way forward to enable the link road and the developer has now revised the 2 connected applications (20/02064/OUT and 21/00881/FUL) to omit the link road and provide alternative mitigation.</p> <p>The residential development application (20/02064/OUT) results in the need to change the existing road arrangement to create an alternative connection to Woodhouse Lane through the development, which will provide improved access for residents on Woodhouse Lane west of the site by way of the spine road through the development, this application (21/00881/FUL) deals with the amendment to Woodhouse Lane.</p> <p>A vehicle prohibition order on Woodhouse Lane east of the new access road is required to remove the vehicle through route from the existing narrow lane and create a safe, sustainable travel corridor to/from the site. The closure of Woodhouse Lane as a vehicular through route to Partridge Green will enable a direct walking/cycling link to be provided from the development to Hospital Approach via Woodhouse Lane and North Court Road, and on to the Chelmsford to Gt Waltham cycle route, away from the B1008. As the Traffic Regulation Order process for vehicle prohibition is separate to the planning process it is essential that the TRO is confirmed as soon as possible post planning approval to ensure there is certainty that it can be delivered without abortive works and to provide sufficient level of good quality walking/cycling links southwards of the site. If the TRO is not successful, an alternative sustainable solution would be required which would need to be identified and agreed with the Highway Authority.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to:</p> <p>The developer to construct a new connection to Woodhouse Lane from the spine road. The detailed specification and design of the works to be agreed by the Highways Authority and delivered by the developer.</p> <p>The developer to provide measures to prevent through traffic from using the Farleigh Hospice site in lieu of Hospital Link.</p>

A Construction Management Plan to be prepared and adhered to throughout the construction period.

ECC Historic Environment Branch

Comments

28.3.2023

These proposals have the potential to impact archaeological deposits related to remains uncovered in close proximity. The submitted Written Scheme of Investigation, revised to encompass the updated proposals, accurately outlines the scope, methodology and archiving requirements of the archaeological work required.

Recommend updated condition:

1. No development or preliminary groundworks can commence until the satisfactory completion of archaeological fieldwork, as detailed in the approved Written Scheme of Investigation.
2. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Little Waltham Parish Council

Comments

05.04.2023

Little Waltham Parish Council notes that other ways of mitigating the traffic leading into the Hospital is to be agreed and one suggestion is a bus from the Chelmer Valley Park and Ride to the Hospital - the Parish Council would not wish to see that bus travelling through the village centre which would cause more congestion but would wish it to be routed along Essex Regiment Way to the Sheepcotes Roundabout and then along the B1008.

Broomfield Parish Council

Comments

14.04.2023

Supports the re-introduction of the shuttle bus service from the Chelmer Valley Park & Ride to Broomfield Hospital, with targeted funding to promote the service.

Strongly opposed to spending the entire capital sum on single initiative.

A comprehensive, carefully-considered strategy for mitigating the traffic impacts of the development should be agreed with the Broomfield and Little Waltham communities. The use of the available capital should then support this strategy, prioritizing aspects which will have the longest-lasting benefits on the B1008 corridor.

Since the time of the PFI expansion (around 2003 up to the Local Plan Examination in 2018), Hospital management has been keen to create a second, regular access road to the site and the Council has been supportive of this aspiration. For the local community, the sole positive aspect of Strategic Growth Site 8 North of Broomfield (SGS8) was the inclusion of a new link road from the east, in the expectation that it would alleviate traffic problems on the B1008, particularly the Hospital Approach/Main Road junction.

The variation now proposed of substituting a subsidized bus service for a significant piece of infrastructure is a significant departure from the Local Plan and the understanding upon which it was consulted upon and examined.

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

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

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

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

Great Waltham Parish Council

Comments

22.05.2023 - No additional comments

Local Residents

Comments

One comment received since August 2022 Planning Committee. Summarised as follows:

Welcome the proposed amendments from the perspective that there would no longer be a need to fell any of the trees or for the potential destruction of any other natural habitats within the wooded area.

Residents of the western section of Woodhouse Lane and Partridge Green Lane would be forced to access their properties via the new spine road. This is not a viable option for those wishing to travel south.

Residents of Partridge Green Lane and Woodhouse Lane should be allowed to continue to access the entire lengths and sections of both North Court Road and Woodhouse Lane, but also have the choice of whether they wish to use the new spine road or Woodhouse Lane and North Court Road to access Main Road, Broomfield, and the hospital site.

All Large Goods Vehicles wishing to access Partridge Green Farm and Bedford Sports Playing Field, should be required to use the new spine to access the western section of Woodhouse Lane in order for them to access their intended destinations, as the eastern sections of Woodhouse Lane between Blasford Hill and the service yard entrance at the rear of Farleigh Hospice, and the entire length of North Court Road, are unsuitable sections of road for such large vehicles.

Pleased that the proposal to remove a number of trees and destroy a significant area of woodland habitat that make up Pudding Wood to make way for a new link road onto the hospital site has been dropped, and that people will be able to continue to enjoy the beauty of Pudding Wood and the wildlife which resides within it for foreseeable future generations to come.



**Planning Committee
9th August 2022**

Application No	:	21/00881/FUL Full Application
Location	:	Broomfield Hospital Hospital Approach Broomfield Chelmsford CM1 7ET
Proposal	:	Formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, closure of sections of Woodhouse Lane, and ancillary infrastructure.
Applicant	:	Mr Eburne Bloor Homes Limited
Agent	:	Robert White
Date Valid	:	28th April 2021

Contents

1. Executive summary.....	15
2. Description of site.....	15
3. Details of the proposal	16
4. Other relevant applications.....	16
5. Summary of consultations.....	17
6. Planning considerations	18
7. Planning Balance - Conclusion.....	24
8. Community Infrastructure Levy (CIL).....	25

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application proposes a new link road through Puddings Wood. The application site consists of the land known as Puddings Wood which is situated to the north of Broomfield Hospital and to the south of Woodhouse Lane. Puddings Wood is owned by the Mid and South Essex NHS Foundation Trust. The site also includes parts of Woodhouse Lane.
- 1.2. Strategic Growth Site Policy 8 of the Chelmsford Local Plan requires residential development of the land north of Broomfield to provide a new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice. A new access road to Broomfield Hospital is an infrastructure requirement listed in Policy S9 of the Chelmsford Local Plan. This is to help reduce congestion, link new development and provide connections in the strategic road network. Special Policy Area, Policy SPA1 –Broomfield Hospital refers to the new access road into the Hospital and at paragraph 7.367 and states that The Mid-Essex hospital Trust and the developers of Site 8 to facilitate the proposed new access road to the Hospital.
- 1.3. The new link road would connect the new spine road through the Bloor residential development with the internal estate road of Broomfield Hospital to the south. The road would not be adopted and would be used for staff and deliveries associated with Broomfield Hospital with public transport to be investigated. The proposed link road is essential infrastructure required to make the Land North of Broomfield site allocation and planning application acceptable in traffic and sustainability terms.
- 1.4. The application also proposes closures to parts of Woodhouse Lane so that it could no longer be used for through traffic.
- 1.5. The principle of the link road has been established through the Chelmsford Local Plan and adopted masterplan for the allocated site. The route for the road is the most appropriate option with impact minimised as far as possible.
- 1.6. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland habitat and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 1.7. The woodland is protected by Tree Preservation Order reference TPO/2001/107. It is an important landscape feature.
- 1.8. The allocation of the adjacent site for residential development is based on the principle that a route to the hospital would be provided. The adopted masterplan shows this to be through the woodland. Whilst there would be adverse effects from the proposal under the environmental objective of sustainable development, these can be mitigated, compensated for and ultimately justified on the basis that the road is an infrastructure requirement providing public benefit.
- 1.9. The proposal is therefore recommended for approval subject to conditions and the completion of the Section 106 agreement. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.

2. Description of site

- 2.1. The application site consists of the land known as Puddings Wood which is situated to the north of Broomfield Hospital and to the south of Woodhouse Lane. Puddings Wood is owned by the Mid and South Essex NHS Foundation Trust. The site also includes parts of Woodhouse Lane.
- 2.2. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland habitat and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 2.3. The woodland is protected by Tree Preservation Order reference TPO/2001/107. It is an important landscape feature.
- 2.4. Woodhouse Lane is a narrow rural lane with a junction at its eastern end with Blasford Hill. This junction lacks adequate visibility. North Court Road joins Woodhouse Lane to the east of Puddings Wood. The junction with North Court Road has a sharp bend.
- 2.5. Farleigh Hospice is accessed from both North Court Road and Woodhouse Lane. A number of residential properties are also accessed from North Court Road and Woodhouse Lane, as well as KEGS playing fields.
- 2.6. The site lies within the wider setting of a number of designated and non-designated heritage assets.
- 2.7. The site lies to the south of land allocated within the Chelmsford Local Plan for residential development. The residential development is promoted by Bloor, the applicant for this proposal.

3. Details of the proposal

- 3.1. The application proposes a new link road through Puddings Wood. This would connect the new spine road through the Bloor residential development with the internal estate road of Broomfield Hospital to the south. The road would not be adopted and would be used for staff and deliveries associated with Broomfield Hospital with public transport to be investigated.
- 3.2. The application also proposes closures to parts of Woodhouse Lane. The closures include a section of the lane to the east of Farleigh Hospice (to the west of the junction with North Court Road), a section further east, north of the junction with North Court Road, and a section to the west of Puddings Wood. Turning heads are proposed as well as bollards to the road closure.
- 3.3. During the life of the application the scheme has been amended following consultation with the land owner of Puddings Wood, the Mid and South Essex NHS Foundation Trust. The changes largely relate to the provision of barrier controls to prevent public access over the road, rather than the previously proposed camera system.

4. Other relevant applications

20/00001/MAS - Approved 14th September 2020

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

20/02064/OUT - Pending Consideration

Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access.

5. Summary of consultations

- Little Waltham Parish Council – Objection due to destruction and felling of trees, concerns about congestion, and that the road should be open to the public.
- Great Waltham Parish Council – No comment but note concerns about the loss of woodland.
- Broomfield Parish Council – Support the principle of the application but raise concerns in relation to proposed restrictions of use, compensation for the impact on Puddings Wood, and parking on Woodhouse Lane.

- Essex County Council Highways – Acceptable subject to legal obligations and conditions.
- Essex County Council (SUDS) – No objection subject to conditions.
- Essex County Fire & Rescue Service - Access for Fire Service is considered satisfactory subject to fire brigade access and water supplies for firefighting purposes to the proposed development being fully compliant with Building Regulations
- Recycling & Waste Collection Services – No response.
- ECC Historic Environment Branch – The written scheme of investigation is acceptable. The archaeological work is still to be done.
- Ramblers Association – No response.
- Mid & South Essex NHS Foundation Trust – No objection.
- Public Health & Protection Services – No comments.
- Police - Designing Out Crime – Comments raised in relation to access for emergency vehicles, sustainable travel, access and maintenance and lighting.

- Local residents – Responses from 15 local residents; 1 in support, 1 comment and 13 objections.

Concerns raised include:

- Increased parking on Woodhouse Lane
- Effect on trees and wildlife
- Vehicles will get stuck in the lane and cause damage
- Impact on tranquillity and peace to Farleigh Hospice
- Overgrown roadside vegetation
- Road should be for public use
- Increased disturbance

6. Planning considerations

Main Issues

6.1. The main issues are as follows:

- Background
- Transport
- Preserved Trees
- Ecology and Biodiversity
- Heritage
- Drainage
- Legal Obligations (Section 106 agreement)

Background

- 6.2. The land to the north of Broomfield Hospital is allocated for residential development in the Chelmsford Local Plan (allocated for around 450 homes). Bloor Homes are promoting the site. An outline Planning Application for up to 512 homes is pending consideration and is recommended for approval, subject to conditions and a Section 106 agreement.
- 6.3. Strategic Growth Site Policy 8 requires residential development of the land north of Broomfield to provide a new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice. A new access road to Broomfield Hospital is an infrastructure requirement listed in Policy S9 of the Chelmsford Local Plan. This is to help reduce congestion, link new development and provide connections in the strategic road network.
- 6.4. Whilst the Transport Assessment accompanying the outline application (20/02064/OUT) for Strategic Growth Site 8 seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the recent Northeast Chelmsford Bypass demonstrated that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019, will be in 2024 (excluding Bloor development) and will be even more congested in 2036 (including Bloor development). The access to Broomfield Hospital and Farleigh Hospice is therefore required and must be provided by the developer in line with the Masterplan and Policy for Strategic Growth Site 8.
- 6.5. The residential development requires the provision of the Hospital Link Road and the associated closures on Woodhouse Lane to create a sustainable travel corridor. The closure of parts of Woodhouse Lane would enable a direct walking/cycling link to be provided from the development to Hospital Approach and on to the Chelmsford to Great Waltham cycle route, away from Blasford Hill.
- 6.6. Policy SPA1 (Broomfield Hospital Special Policy Area) of the Chelmsford Local Plan supports proposals which support the role, function and operation of Broomfield Hospital. This includes the provision of a loop road to allow bus, service and emergency vehicles easy access into the full body of the estate; optimising access by public transport; strengthening the network of pedestrian routes and spaces to aid safety, comfort and convenience. The supporting text to Policy SPA1 says that the Mid-Essex Hospital Trust should work in partnership with the developers of Strategic Growth Site 8 - North of Broomfield Hospital to facilitate the proposed new access road to the Hospital.

- 6.7. The road would be constructed on private land within the ownership of the Mid and South Essex NHS Foundation Trust. The road is not intended to be an adopted highway and would therefore not be open to public traffic. A barrier control system would be used to permit access for staff and deliveries from the link road into the Broomfield Hospital estate. The road would provide unrestricted access to the existing service access to the rear of Farleigh Hospice.

Transport

- 6.8. As set out above, the proposed link road is essential infrastructure required to make the Land North of Broomfield site allocation and planning application acceptable in traffic and sustainability terms.
- 6.9. The link road would connect the spine road within the Bloor residential development to the internal Broomfield Hospital estate road. The link road would have one lane in either direction with barrier access controls towards the Woodhouse Lane end of the link road (north).
- 6.10. The part of Woodhouse Lane to the west of the new link road would largely remain as existing, with the exception of a new alignment and junction where it would connect to the new road. This would be in the form of a 'T' junction. The existing alignment of Woodhouse Lane to the west of the new link road, which would be replaced by the new junction, would be closed. Properties to the west of the new link road would gain access from the north via the new spine road through the Bloor development.
- 6.11. The part of Woodhouse Lane immediately to the east of the new link road would remain open to provide access to the existing service access of Farleigh Hospice. Beyond the Farleigh Hospice service access the road would be closed and a turning head with bollards would be installed.
- 6.12. Further to the east, to the north of the junction of Woodhouse Lane and North Court Road, there would be a further closure. North Court Road would still provide access to the properties located on this junction. The northern end of North Court Road would serve as a turning head. Bollards would similarly be installed at this closure location.
- 6.13. Properties in Woodhouse Lane to the east of North Court Road would continue to have vehicular access from the junction of Woodhouse Lane and Blasford Hill. Although this junction has limited visibility, the number of vehicles using this access would be greatly reduced to just those east of North Court Road. A turning head and bollards would be installed close to The Coach House.
- 6.14. The proposed access road and associated road closures are acceptable and necessary. The Local Highway Authority have no objection to the proposal. The road closures would be secured through a Traffic Regulation Order (TRO).
- 6.15. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.

Preserved Trees

- 6.16. The woodland commonly referred to as Puddings Wood is protected by Preservation Order reference TPO/2001/107. It is an important landscape feature. It has a non-statutory designation as Local Wildlife Site Ch166, recorded as containing a varied canopy and shrub layer structure with coppice and ground flora species. The selection criteria for the site states that it is a fine example of lowland mixed deciduous woodland on non-ancient sites. There is however trampling pressure,

invasion of alien species and problems with lapsed management of the coppice stools; at the time of selection the site condition was recorded as neglected.

- 6.17. The woodland has been recorded as far back as 1771 where it is marked on the Memorial Map for Broomfield Hall. It has been present for at least 250 years and therefore will likely have a well-developed structure, soil structure and species assemblage. It is important to note that the woodland is not defined as ancient woodland.
- 6.18. The National Planning Policy Framework states at paragraph 180(c) that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Exceptional reasons are stated in footnote 58 for example, infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat.
- 6.19. The provision for a new vehicular access road is set out in Strategic Growth Site Policy 8 of the adopted Chelmsford Local Plan; the delivery of a new road access into Broomfield Hospital is a strategic objective of the Local Plan. The supporting justification to the policy states that where a new link road affects the Puddings Wood, compensatory measures must be provided and include an additional net habitat. A Masterplan Framework has been adopted for the strategic site allocation.
- 6.20. The application is supported by an arboricultural impact assessment (AIA) dated May 2022. This has recorded 191 individual trees, 12 groups and one area in the woodland. The trees have been categorised A to U according to BS 5837:2012 Trees in relation to design, demolition and construction - recommendations, based on their quality and sub categorised 1 to 3 according to their arboricultural, landscape or cultural qualities.
- 6.21. The survey recorded most trees in the western part of the woodland to be A and B quality specimens. The eastern boundary adjacent to Farleigh Hospice mainly comprised of B category trees. The proposed development site predominately contains C category trees; BS 5837:2012 recognises these as trees of low quality and it is apparent this area of the woodland has a natural clearing.
- 6.22. To implement the proposed development 58 individual trees would require removal; 3 B category, 48 C category and 4 U category; the latter reflecting trees unsuitable for retention regardless of development proposals. The loss of the trees would have a moderate impact in terms of the visual amenity, the prominence of the woodland and its functioning as a landscape feature and habitat to the local area. The selected route has been through significant evaluation and consultation and has been found to be the most appropriate route through Puddings Wood with the least impact on trees.
- 6.23. The planning statement sets out compensation of 2.3ha of new woodland planting and 0.94ha of scrub and woodland edge planting is to occur on the strategic development site. The housing development site provides sufficient opportunities to plant replacement trees, and it is noted that the western boundary of the housing site would be a woodland buffer with significant tree planting.

- 6.24. On balance it is considered that the proposal for the link road infrastructure is essential for the development of the allocated site to the north and in order to make Woodhouse Lane a safe walking and cycling option. The principle of this has been established through the Chelmsford Local Plan and adopted masterplan for the allocated site. The route for the road is the most appropriate option with impact minimised as far as possible. It is considered that there is sufficient public benefit resulting from the proposal to justify the loss of the existing trees, subject to compensatory planting.
- 6.25. The tree site plan shows that there is a sufficient construction exclusion zone and no development is to occur within the root protection areas of retained trees. There will be some minor level changes and this has been addressed in the amended Arboricultural Impact Assessment with appropriate mitigation detailed.

Ecology & Biodiversity

- 6.26. Puddings Wood is designated a local wildlife site for its lowland mixed deciduous woodland and is of county importance. This is a priority habitat listed under s.41 of the Natural Environment and Rural Communities Act.
- 6.27. An ecological impact assessment has been carried out for the proposed development. Detailed surveys were carried out for bats, birds, badger and Great Crested Newt.
- 6.28. Surveys recorded various species of bats roosting, commuting and foraging on site. The assemblages of the various bat species have been assigned local importance only.
- 6.29. Three notable bird species were recorded as nesting in the woodland: cuckoo, song thrush and tawny owl.
- 6.30. Badgers are known to be present on the strategic development site to the north. A single sett was recorded. This sett is likely an outlier one due to its size and location.
- 6.31. Ponds closest to the proposed development recorded an absence of the Great Crested Newt.
- 6.32. The proposed development would result in direct habitat loss 0.21ha of woodland (trees, understorey vegetation, soil). The construction phase would generate dust, noise, vibration and light disturbance and potential contamination from machinery/materials. During the operation phase, traffic, noise, light and vibrations will occur together with run-off of pollutants and physical barriers.
- 6.33. These impacts will affect the identified habitats and species.
- 6.34. The badger sett would require updated pre-construction surveys to assess whether it is still active. If it is inactive it should be closed without the need for a licence however, if it is active it would require a licence from Natural England. Nonetheless, provision could be made for underpasses along the road to allow unimpeded movement across the remaining woodland habitat.

- 6.35. A single bat roost would be removed and five potential roosting trees, though not confirmed to contain roosts at this time. A licence would be required to fell the confirmed roost tree and an inspection should occur of the others prior to their removal. Any tree removal should occur outside of the bird nesting season.
- 6.36. Lighting is not proposed during construction. Lighting should be avoided to evade impacting the retained woodland and illuminating biodiversity features. As the road is not to be adopted an unlit road should not be a constraint to its operational use. A condition is recommended to require details of any necessary lighting so that it can be ensured it will not illuminate important biodiversity features.
- 6.37. The proposals show a loss of 0.21ha of woodland. Through the evolution of both planning applications, it has become apparent the housing development site is unable to deliver the required net gains to compensate for the biodiversity impact on Puddings Wood. The biodiversity net gain report submitted with the application shows an 11.46% loss in habitat units.
- 6.38. The reasoned justification of the Growth Site Policy 8 says that "...compensatory measures which replace and provide additional net habitat must be provided as part of the development". This required the developer to provide additional net habitat.
- 6.39. The compensation scheme to deliver the lowland deciduous woodland will require the assistance of a habitat bank; 1.797 biodiversity units are required to ensure there is a net gain. The applicant proposes to provide these units on a site to be identified locally. The developer is currently working on identifying a site. This site will need to be identified prior to the decision on the application being issued. The S106 agreement associated with the outline planning application for the housing development to the north would secure this.
- 6.40. In addition, other compensation measures are required such as compensatory planting and bat and bird box provision, both to compensate for lost habitats and to enhance new planting.
- 6.41. On balance, the impact of the proposed development which is unavoidable and justified by exceptional circumstance, could be suitably compensated for subject to conditions and S106 agreement obligations.

Heritage

- 6.42. The site lies within the wider setting of a number of designated heritage assets. Woodhouse Lane originates from the eighteenth century or earlier. It has the character of a narrow rural lane. The lane provides access to Wood House and its former lodge. Wood House has origins in the eighteenth century and was substantially remodelled in the nineteenth century. It has outbuildings adjacent to Woodhouse Lane, including a former coach house. On the north side of the lane is the former lodge cottage, dating from the late nineteenth century. The field to the north was part of a parkland setting to Wood House in the early twentieth century. This group of buildings have architectural and historic interest; they should be considered as non-designated heritage assets. The adjacent lane and the field to the north forms part of their setting and contributes to their significance.

- 6.43. The Puddings Wood access and the western turning head would have minimal impact on their setting, due to the distance between them, screening and the modern hospital context. The western turning head (close to Farleigh Hospice) would not adversely affect the setting of the non-designated heritage assets.
- 6.44. The eastern turning head would appear as an engineered feature within the lane and detract from the setting of the heritage assets at Wood House, its outbuildings and lodge. In accordance with Policy DM14 of the Chelmsford Local Plan and the National Planning Policy Framework this harm can be acceptable providing the harm is justified following a balanced judgement of harm and the significance of the asset; and harm is minimised through retention of features of significance and/or good design and/or mitigation measures.
- 6.45. As set out earlier in this report, the link road is essential infrastructure required by Strategic Policy S9 of the Local Plan. The turning head is unavoidable in order to prevent 'rat running' through Woodhouse Lane and also in order to make Woodhouse Lane a safer walking and cycling route. The closures would also reduce the number of vehicles using the Woodhouse Lane and Blasford Hill junction which has limited visibility. It would also be possible to minimise the harm through materials and landscaping details which would be required by condition.
- 6.46. On balance, it is considered that the harm to the setting of Wood House, its outbuildings and lodge can be minimised and is justified.
- 6.47. There are a group of listed buildings on Main Road. The land to the east forms part of a rural setting. Due to the distance from the heritage assets, the screening, the lack of historic associations and the minor nature of the proposals there would be no impact on their settings.
- 6.48. There is a former country house dating from c.1904 within the hospital grounds. The densely built-up nature of the hospital complex now means that the application site makes no contribution to its setting.
- 6.49. The proposed development is in an area of potential archaeological remains. The site of the proposed link road is adjacent to a site which had prehistoric flint and Late Bronze Age pottery. There is the possibility that archaeological features and finds may extend into the proposed development area. A written scheme of investigation has been submitted with the application. This is acceptable. A condition is required to ensure that the programme of archaeological work is carried out in accordance with the Written Scheme of Investigation prior to the commencement of works.

Drainage

- 6.50. The application is supported by a drainage strategy. This includes the diversion of a ditch, culverts, a surface water sewer and the creation of a surface water attenuation basin.
- 6.51. The drainage strategy has been reviewed by the Lead Local Flood Authority, Essex County Council, who have no objection to the proposed development, subject to conditions.

Legal Obligations (S106)

- 6.52. Paragraph 57 of the NPPF advises that obligations must only be sought where they are:
- (a) Necessary to make the development acceptable in planning terms

- (b) Directly related to the development, and
- (c) Fairly and reasonably related in scale and kind to the development

- 6.53. Further advice on the use of planning obligations is provided is given within national planning guidance: Planning Obligations – Use of planning obligations and process for changing applications.
- 6.54. The application will be linked to the S.106 Agreement for the residential development of the adjacent site (see 20/02064/OUT also on this agenda). The S.106 agreement will require:
- Developer to submit details of the link road for technical approval prior to any development above slab level taking place at the site.
 - No occupation of phase 2 of the development until technical approval has been given for the link road.
 - Construction and delivery of link road in accordance with details in application 21/00881/FUL and design to be agreed by the highway authority to connect site with hospital road network and associated works to Woodhouse Lane to be provided prior to 200th occupation.
 - Payment of a commuted maintenance sum for hospital link road.
 - Closure/downgrading/alterations to Woodhouse Lane.
- 6.55. The Council intends to enter into a separate agreement with the Hospital Trust to secure retention of the access road. It is intended to finalise details of this agreement prior to application determination.

7. Planning Balance - Conclusion

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

Economic

- 7.2. The proposed development would have a modest economic impact through the creation of jobs during construction. In addition, the link road is necessary to provide a site allocated for housing growth to the north of the site which would have its own economic benefits.

Social

- 7.3. The proposed link road is essential infrastructure needed to meet the Council's identified growth needs through the allocation of Strategic Growth Site 8.
- 7.4. The development would improve opportunities for walking and cycling in the area. It would also provide safer vehicular access to a number of existing residential properties and Farleigh Hospice.
- 7.5. These benefits carry weight in favour of the proposed development. The need for the link road, an infrastructure requirement specified in the adopted Local Plan, carries substantial weight in favour of the development.

Environmental

- 7.6. The development would result in the loss of trees within a woodland and the loss of biodiversity and habitats, although these would be offset off site. It would also result in some harm to the setting of non-designated heritage assets. These impacts weigh against the proposed development.

Conclusion

- 7.7. The adopted Local Plan specifically lists the hospital link road as an infrastructure requirement. The road is necessary in transport and sustainability terms in order to make the residential development of Strategic Growth Site 8 acceptable. The road would also provide safer access to a number of properties.
- 7.8. Whilst there would be disbenefits of the proposal under the environmental objective of sustainable development, these disbenefits can be mitigated, compensated for and ultimately justified on the basis that the road is an infrastructure requirement providing public benefit.
- 7.9. The proposal is therefore recommended for approval subject to conditions and the completion of a Unilateral Undertaking submitted by The Trust.

8. Community Infrastructure Levy (CIL)

- 8.1. The proposal is not CIL liable.

RECOMMENDATION

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

Condition 1

The development hereby permitted shall begin no later than 5 years from the date of this decision.

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall provide for:

- i. construction vehicle access and routing,
- ii. any temporary traffic management/signage,

- iii. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- iv. contractor and visitor parking clear of the highway,
- v. highway safety considerations,
- vi. turning, loading and unloading of plant and materials and
- vii. hours of deliveries.

The Plan shall be adhered to throughout the construction period.

Reason:

In the interests of highway safety.

Condition 4

Prior to the commencement of the development a biodiversity and woodland mitigation and compensation plan shall be submitted to and agreed in writing with the local planning authority. The Plan shall include:

- Details of compensatory tree planting
- Details of on-site and off-site biodiversity enhancements
- A timetable for mitigation and compensation measures to be implemented
- A maintenance and management plan

The plan shall be implemented as agreed in accordance with the agreed timetable.

Reason:

To suitably compensate for the impact the development will have on the woodland and its biodiversity in accordance with Policies DM16 and DM17 of the Chelmsford Local Plan.

Condition 5

Prior to the commencement of the development hereby permitted, an arboricultural method statement shall be submitted to and approved in writing by the local planning authority. The arboricultural method statement shall include:

- (a) Details of trees and hedges to be retained, removed and planted,
- (b) Details of tree surgery work to retained trees,
- (c) Specification for tree protection including layout and type of tree protection for construction including change that may occur during development,
- (d) Location and installation of services, utilities and drainage,
- (e) Details of construction within the root protection area of retained trees,
- (f) A full specification for the construction of the new access and parking areas, including details of the bespoke cross-over and cellular confinement specification, and the extent of the areas. Details must include the relevant sections through them,
- (g) Details of site access, temporary parking, welfare facilities, loading and unloading, storage of equipment, materials, fuels and waste,
- (h) Revised tree protection plan,
- (i) Boundary treatments within the root protection areas,
- (j) Arboricultural supervision and inspection, including timings, reporting of inspections and supervision.

Reason:

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

Condition 6

Prior to the commencement of the development hereby permitted details of all surfacing works, including turning heads, barriers, bollards and other means of enclosure shall be submitted to and agreed in writing with the local planning authority. The work shall be carried out in accordance with the approved details.

Reason:

In the interests of the rural character of the lane and non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan.

Condition 7

(ii) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

Reason:

The proposed development is in an area of potential archaeological remains and in accordance with Policy DM15 of the Chelmsford Local Plan.

Condition 8

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

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 1l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development.

Condition 9

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

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development.

Condition 10

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

Reason:

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

Condition 11

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

Reason:

In the interests biodiversity and species using the area in accordance with Policy DM16 of the Chelmsford Local Plan.

Notes to Applicant

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

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

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

- 2 The applicant is reminded that this application is subject to a Section 106 agreement and a separate agreement between Chelmsford City Council and the Mid and South Essex NHS Foundation Trust.

Essex County Council (SUDS)

Comments
<p>03.01.2021</p> <p>Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions requiring:</p> <ul style="list-style-type: none"> • a detailed surface water drainage scheme; • a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater; • a maintenance plan detailing the maintenance arrangements; and • yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

Essex County Fire & Rescue Service

Comments
<p>18.06.2021</p> <p>Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable subject to satisfactory compliance with Building Regulations B5.</p> <p>More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p> <p>The architect or applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.</p>

Recycling & Waste Collection Services

Comments
No response received

ECC Historic Environment Branch

Comments
04.01.2022

The Written Scheme of Investigation attached to the application is acceptable. The archaeological work is still to be done.

Ramblers Association

Comments
No response received

Mid and South Essex NHS Foundation Trust

Comments
<p>The Trust has decided not to raise an objection to the planning application and proposals for the Link Road. They have reconsidered alternative routes for the Link Road to avoid the environmental damage that will be caused to Pudding Wood through its construction and operation and sadly concedes that other options are not viable or acceptable to the other parties affected (Farleigh Hospice and Swan Housing).</p> <p>The Trust, the Applicants, Essex County Council Highways Department and Chelmsford City Council officers met on 18th November 2021 to discuss the application proposals. The Trust is pleased to see that many of their suggestions made in that meeting have featured in the amendments to the planning application scheme.</p> <p>However, there are some observations that the Trust would like to make:</p> <p>The proposals now show a single-lane, barrier-controlled operation. This is acceptable.</p> <p>Swept path analysis should be reviewed; gradients should be clarified; the road should be built to adoptable standards; signage is required.</p>

Little Waltham Parish Council

Comments	CCC Response
<p>28.05.2021 - Little Waltham Parish Council does not object to the principle of a link road they do object to the proposed location of the road.</p> <p>Adverse impact upon the woodland habitat.</p> <p>There are other routes that could be utilized.</p> <p>In the event that Bloor do not construct the road but make a section 106 payment there is a danger that the road will never be built. This would result in the construction of additional homes without the traffic relief sought and which has</p>	<p>Impact on woodland addressed in the report. The route has been selected as the one with the least impact.</p> <p>Section 106 Heads of Terms agreed to secure the construction of the road.</p>

<p>underpinned the proposals to develop land in this area.</p> <p>In order to deliver relief from the congestion resulting from such development the spine road and link road should be constructed within the first year of the development phase.</p> <p>The road should not be restricted in use but should be available for use by all in order to avoid substantial congestion in the area.</p> <p>07.01.2022 - Little Waltham Parish Council maintains its objection on the basis that the proposed route is directly through Pudding Wood which will mean the destruction and felling of a substantial number of trees.</p> <p>The Parish Council has concerns as to how barriers would effectively operate and whether it would lead to congestion in the area particularly by those who travel to the barriers only to find that they are not able to pass through.</p>	<p>Section 106 Heads of Terms have been agreed to prevent the residential site being occupied beyond 200 dwellings until the road has been constructed.</p> <p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on their internal estate roads.</p> <p>The route has been selected as the once which would cause the lease impact to the woodland.</p> <p>The Local Highway Authority are content with the barrier scheme and turning opportunities are available for those who cannot pass through the barriers.</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Great Waltham Parish Council

Comments	CCC comments
<p>17.01.2022 - The Parish Council has no comment on the application but notes its concerns with the loss of any ancient woodland for the link road.</p>	<p>Impact on the woodland is addressed in the report. The route has been selected as the once which would cause the lease impact to the woodland.</p>

Essex County Council Highways

Comments
<p>26.05.2022</p> <p>A link to Broomfield Hospital via Strategic Growth Site 8 was identified as a requirement within the CCC Local Plan. Whilst the submitted Transport Assessment accompanying the outline application for Strategic Growth Site 8 (20/02064/OUT) seeks to demonstrate the link road is not required in traffic terms, modelling work undertaken for the recent North East Bypass Planning application (CC/CHL/85/21) demonstrates that the Main Road/Hospital Approach/Blasford Hill Roundabout was operating over capacity in peak hours in 2019 Base and will be in 2024 (excluding Bloor development) and even more congested in 2036 (including</p>

Bloor development) and therefore an access to Broomfield Hospital and Farleigh Hospice is required and must be provided by the developer in line with the Masterplan and Policy for Strategic Growth Site 8.

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

It is therefore essential that technical approval relating to this application (including securing TRO's relating to Woodhouse Lane) is achieved as soon as early as possible prior to commencement of development under 20/02064/OUT.

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

Developer to construct the link road. Detailed works are to be agreed with the highway authority under s.278 of the Highways Act.

Prior to construction of the Link road a commuted sum for the maintenance of the link road to be paid to the local planning authority – to be passed on to the Hospital Trust.

A Construction Management Plan to be prepared and adhered to throughout the construction period.

Broomfield Parish Council

Comments	CCC Comments
<p>02.06.2021</p> <p>Both applications must be considered together, effectively as one application.</p> <p>The Council therefore supports the main principle of the application.</p> <p>The Council has the following concerns:</p> <p>Restrictions on the use of the New Link Road - The new link road offers the opportunity to remove all Hospital traffic that comes from Braintree and other areas to the north, taking it on site at the earliest opportunity rather than leaving it on the</p>	<p>Both applications are to be considered by the Planning Committee at the same meeting.</p>

<p>general highway network. Extending the use of the link road to all Hospital traffic, including patients and visitors, would help to ease wider congestion on the Main Road, Broomfield corridor.</p> <p>Compensatory Measures for Impact of Puddings Wood - the creation of a substantial tree belt connecting (as far as possible) Sparrowhawk Wood with the remainder of Puddings Wood would create a significant wildlife corridor.</p> <p>Proposed Closure Points on Woodhouse Lane - support the ECC/CCC vision for the closed sections of Woodhouse Lane to evolve into an attractive walking and cycling route. design and (if necessary) parking restrictions should be used to prevent unauthorised parking.</p> <p>26.01.2022 – previous comments still applicable</p> <p>The revisions to the application do not add any evidence to show that restricting the use of the link road will be as effective as a multi-use arrangement, where all Hospital-related traffic can benefit from the new link.</p> <p>The revised application stipulates the use of barriers, instead of an ANPR system as in the original application. This is a backward step to which the Council strongly objects. There will inevitably be queuing.</p> <p>Barriers should be farm-gate style, rather than concrete bollards.</p>	<p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on their internal estate roads.</p> <p>Tree planting is proposed on the housing development site (20/02064/OUT). This would include a buffer of around 50m on the western boundary to create a link to Sparrowhawk Wood.</p> <p>Support for the proposed closures is noted. Bollards are proposed to prevent vehicle access to closed sections.</p> <p>The Hospital Trust, as the landowner, do not consent for the use of the road to be unrestricted as they have concerns about how this would impact movements on their internal estate roads.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>The Local Highway Authority are content with the barrier scheme and turning opportunities are available for those who cannot pass through the barriers.</p> <p>Noted. Condition 7 would require details of bollards or barriers to ensure that they are appropriate.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Public Health & Protection Services

<p>Comments</p>
<p>04.01.2022 - No PH&PS comments with regard to this amended application. 01.06.2021 - No PH&PS comments with regard to this application.</p>

Police - Designing Out Crime

<p>Comments</p>
<p>16.06.2021</p> <p>Observations relating to:</p> <p>Road layout- reduce risk to pedestrians; reduce car reliance; ensure safe access; access should be for blue light services.</p> <p>Access and management - responsibility for the enforcement of Road should remain with the Highways Authority. Police Officers (and other agencies) should not be overburdened to overcome inadequacies in safety management, access control or enforcement.</p> <p>CCTV - It is requested that the CCTV will be monitored 24/7, supported by management plans and procedures, alongside data sharing protocols clearly detailing the expectation of all parties.</p> <p>Lighting - lighting can reduce the potential for crime.</p>

Construction - recommend that the developers consider the foreseeability of crime during the construction phase and maximise on the opportunity to design those issues out.

Essex Police would recommend liaison with all Emergency Services to minimise potential disruption and impact on the broader community and emergency service provision. This will look to create a Joint Emergency Services Assessment.

Local Residents

Comments	CCC Response
Responses from 15 local residents; 1 in support, 1 comment and 13 objections.	
<p><i>Support & Comment – 2</i></p> <ul style="list-style-type: none"> - Road is needed - It would make Woodhouse Lane safer - Deliver housing - Support closures 	Need for the road, implications for housing delivery and safety considerations are set out in the report.
<p><i>Objections – 13</i></p> <ul style="list-style-type: none"> - Increased parking on Woodhouse Lane - Destruction to trees and wildlife - Vehicles will get stuck in the lane and cause damage to property and verges - Impact on tranquillity and peace to Farleigh Hospice - Road should be for public use - Increased disturbance 	<ul style="list-style-type: none"> - Bollards are proposed to prevent parking. - Loss of habitat and trees are to be compensated for. - Closures to Woodhouse Lane will make access to properties easier; avoiding the tight North Court Road junction. - The road is set as far away from Farleigh Hospice as possible whilst minimising the impact on the woodland. - The road is not intended for adoption. Public use of the road could result in congestion around the internal estate roads of the Hospital.

	<p>- Disturbance during construction is not a material planning consideration. The use of the road would be restricted which would minimise noise and disturbance. Public Health and Protection Services have not raised concerns about noise disturbance.</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE
9 AUGUST 2022

Green Sheet

Items 6 and 7

Since the publication of the reports, Members have received a letter from the Mid & South Essex NHS Foundation Trust setting out that they cannot accept any maintenance liability of the proposed Hospital Link Road.

The position of Bloor Homes is that the future maintenance of the Link Road can be addressed through the build licence and that the discussions on this would continue with the NHS Trust to ensure an acceptable position for both parties will be agreed.

There are now two options. Firstly, and preferably, that the Link Road is maintained. In the event that maintenance of the road cannot be agreed, and the road is not deliverable, there is a second option that would make the residential development acceptable in Highways terms. This second option is to secure a scheme of subsidised shuttle bus services between the Hospital and Chelmer Valley Park and Ride.

Report Amendments:

Item 6
20/02064/OUT

The Legal Obligations set out in the main report are therefore amended to remove "Payment of a commuted maintenance sum for hospital link road" from the Highways and transportation section.

The following shall be added under the same Highways and transportation section:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

Additional Informative:

19 The developer is encouraged to contact the South Essex Parking Partnership to investigate parking controls that could be used within the development.

Item 7
21/00881/FUL

Paragraph 6.54 be amended to remove the fourth bullet point “Payment of a commuted maintenance sum for hospital link road”.

Add the following to the list of bullet points in paragraph 6.54:

- Maintenance arrangements to be set out in the Build Licence between Bloor Homes and the Trust.
- If the Link Road is not deliverable, a scheme to secure subsidised shuttle bus services between the Hospital and the Chelmer Valley Park and Ride.

MINUTES
of the
PLANNING COMMITTEE
held on 9 August 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, S Dobson, J Frasca, P Hughes, J Lardge, R Lee,
G H J Pooley, R J Poulter, T E Roper and I Wright

Also present: Councillors W Daden and M Steel

1. Chair's Announcements

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

2. Apologies for Absence

Apologies for absence were received from Councillors E Sampson and C Shaw, who had appointed Councillors J Frasca and H Ayres as their substitutes. Councillor R Hyland also submitted belated apologies.

3. Declarations of Interest

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

4. Minutes

The minutes of the meeting on 5 July 2022 were confirmed as a correct record.

5. Public Question Time

Several questions were asked and statements made on the applications at Item 6 and 7. Details are given under the relevant minute numbers below.

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

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

A representative of the applicant attended the meeting to speak in support of the application. A statement and question had been submitted by a member of the public, who expressed concern about the effect of the development on already over-stretched health services in the area. A representative of Broomfield Parish Council attended to emphasise the view of the Parish Council that the development should not proceed without the provision of the link road, which should preferably be open to all hospital-related traffic, including the public. In the light of the NHS Trust's recent statement that it would not maintain the link road, the Parish Council was of the view that the application should be deferred until the arrangements for the construction and maintenance of the road were clear. A local ward councillor spoke to endorse the Parish Council's view and another, whilst also supporting the need for a link road and welcoming the proposed cycle and pedestrian routes, asked whether the dwellings to be constructed to the east of the reservoir would add to existing flooding problems. She also asked to how many of the new homes the Council would have nomination rights.

In response to those questions, officers informed the Committee that

- as part of the Section 106 agreement land would be secured for the development of a health care facility as well as a financial contribution towards it;
- the drainage strategy submitted with the application had been examined by the flood authority, which had found it to be acceptable and concluded that the development would not add to flooding in the area;
- thirty-five per cent of the up to 512 dwellings to be constructed would be affordable and if 180 were provided 113 would be for affordable rent with nomination rights to the Council and would include three and four bed properties, which were in high demand at present;
- the Highway Authority would prefer the provision of the link road as the best means of reducing traffic congestion on roads around the hospital and it was understood that the applicant would be working with the NHS over the question of its maintenance. However, if the road could not be provided the next favoured option was to provide a long-term, subsidised Park and Ride service to the hospital for staff, patients and visitors.

It was clear from the members' discussion of the application that the Committee was of the view that the development could not proceed without the link road or, as an alternative, the provision of a Park and Ride service. The Committee asked whether the application should be deferred until it was known whether or not the link road would definitely be built. Officers said that if the Committee were minded to approve the application, subject to the completion of the S106 agreement and compliance with conditions, as well as the construction of the link road being secured, discussion would continue between the Council, the applicant and

the NHS Trust with a view to reaching agreement on its provision and maintenance. If the delivery of the link road could not be secured, the application would be brought back to the Committee to consider the Park and Ride option. If that option was not acceptable to the Committee, the Committee would be entitled to reach a different conclusion about whether the development were acceptable.

In response to further questions from members, officers said that:

- the provision of both the link road and Park and Ride service, which some members felt would be the ideal solution to traffic congestion, may be possible in the future but was unlikely at this stage;
- the NHS Trust wanted the link road to be barrier-controlled and for the use of staff only. As it would be on land owned by the Trust, it could not be adopted by the Highway Authority and used by the public without the Trust's agreement;
- there would be a legally enforceable condition in the Section 106 agreement that the link road would be completed before occupation of the 200th dwelling;
- the closure of Woodhouse Road would still be required even if the link road was not provided as it was integral to the plan to reduce rat-running and secure walking and cycling facilities;
- strategic traffic modelling carried out as part of the production of the Local Plan had indicated at that time that the provision of a link road could reduce traffic on Hospital Approach by between 10-20% and that it would be needed if the development proceeded. The modelling had taken into consideration the use of the link road by hospital staff only. No further traffic modelling was planned but a detailed transport assessment had been submitted with the outline application. It was confirmed that a cycle route would be provided as part of the link road;
- the biodiversity net gain from the residential development of just over 10% did not include the proposed tree planting;
- the First Homes element of the affordable housing that would be provided as part of the Section 106 agreement would not be limited to one-bed properties but would be a mix of sizes determined by the developer and the national price cap in accordance with market demand;
- regarding the properties that would be suitable for use by those with disabilities, the Council would seek to achieve adapted properties that were accessible at the time of completion, rather than properties that could be adapted later. A range of property sizes was also being sought which reflected the needs of those on the housing register who were wheelchair users.

Members accepted the assurance of officers that the application would be brought back to the Committee if discussions over the link road were not successful.

RESOLVED that planning application 20/02064/OUT in respect of the strategic growth site to the north of Woodhouse Lane, Broomfield, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting,
- the conditions set out on pages 23 to 38 and
- securing delivery of the link road.

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

An application had been received for the formation of a new link road between Woodhouse Lane and Broomfield Hospital, including associated drainage, the closure of sections of Woodhouse Lane, and ancillary infrastructure. A Green Sheet of additions and alterations had been distributed before the meeting.

RESOLVED that planning application 21/00881/FUL in respect of Broomfield Hospital, Hospital Approach, Chelmsford be approved, subject to

- the completion of the Section 106 agreement referred to in the report to the meeting.
- the conditions set out on pages 12 to 15 and
- securing delivery of the link road.

8. Planning Appeals

RESOLVED that the information on appeal decisions between 17 June and 27 July 2022 be noted.

The meeting closed at 8.55pm

Chair

Chris Howlett
Senior Director of Estates and Facilities
Mid and South Essex NHS Foundation Trust
8th August 2022

Councillor J A Sosin
Chair of the Chelmsford City Council Planning Committee
(by Email only)

Dear Councillor Sosin,

Planning Applications by Bloor Homes Limited - references 20/02064/OUT and 21/00881/FUL Strategic Growth Site North of Woodhouse Lane and formation of a new link road between Woodhouse Lane and Broomfield Hospital, Broomfield, Chelmsford, Essex

I write in connection with the above planning applications which are due to be considered at the 9th August 2022 Chelmsford City Council Planning Committee.

The Mid and South Essex NHS Foundation Trust ("the Trust") has been in discussions with Chelmsford City Council officers and the Applicant (Bloor Homes Limited) regarding the proposals for development on land north of Woodhouse Lane for some years now. The Trust's particular interest relates to the proposals for a new Link Road between Woodhouse Lane and Broomfield Hospital. This Link Road will be mostly built on land owned by the Trust within the demise of Broomfield Hospital.

The Trust does not wish to raise any in principal objection to the proposals for development put forward by either application, nor does it wish to raise any objection to entering into legal agreements to secure the construction and retention of the access road. This has been made clear in representations that have been submitted to planning officers pursuant to the planning applications.

The Trust has made it clear throughout negotiations with the relevant parties that it cannot accept any liability for the ongoing maintenance of the new Link Road and therefore an acceptable way of ensuring the road's maintenance will need to be found which ensures its maintenance in perpetuity without imposing any obligation or cost liability on the Trust. To date, there has been no agreement with the relevant parties as to how this will be achieved.

The officer reports to the Planning Committee state that a Section 106 agreement will be entered into to secure a financial contribution (from Bloor Homes Limited) towards maintenance of the Link Road which will be paid to the Local Planning Authority to be passed on to the Hospital Trust. It is understood that the sum being discussed is £78,460 (April 2022 index linked) and the suggestion is that it covers 15 years. This arrangement is simply not sufficient or acceptable to the Trust. Notwithstanding the fact that the proposed arrangement is in any event unacceptable, there are significant concerns that the sum being discussed is not sufficient to cover proper maintenance of the link road (including access control/barrier equipment and drainage maintenance) for a period of 15 years.

I have today had a conversation with Nick Eveleigh, Chief Executive of Chelmsford City Council to make the Trust's position clear.

Prior to resolving to grant planning permission for the applications, an agreement in principle needs to be achieved regarding how the new Link Road will be maintained to adoptable standards; how much it will cost to maintain the road in perpetuity and who will pay for this and finally who will take full responsibility for all matters relating to

Chairman: Nigel Beverley

Chief Executive: Clare Panniker

maintenance of the new Link Road. As landowners, the Trust needs to be in full agreement with the measures proposed.

Until an agreeable solution is presented to secure maintenance of the new Link Road, the Trust cannot support any recommendation to grant planning permission for the above applications.

However, the Trust understands that if a maintenance solution cannot be agreed for the Link Road, that there might be an option available through discussion and agreement with relevant parties, whereby a shuttle bus is provided for staff to the hospital from the Park and Ride. The service could be subsidised for staff (and possibly other visitors to the hospital) by Bloor using the money that would have been spent on the Link Road and maintenance. Although this may not have the same impact as the road, the Trust does agree that it could reduce vehicle movements to the hospital. The Trust could promote this subsidised option to staff through the Hospital Travel Plan. This is an option that could potentially be supported by the Trust subject to further details being discussed with the relevant parties.

Yours faithfully,



Chris Howlett MSc I.Eng MIET

Senior Director of Estates and Facilities

Mid and South Essex NHS Foundation Trust

Chris.howlett3@nhs.net

cc: Nick Eveleigh, Chief Executive, Chelmsford City Council
Councillor L Ashley
Councillor S Dobson
Councillor P Hughes
Councillor R J Hyland
Councillor J Lardge
Councillor R Lee
Councillor G H J Pooley
Councillor R J Poulter
Councillor T E Roper
Councillor E Sampson
Councillor C Shaw
Councillor I Wright
Robin Hosegood, Strategic Lead Development Management, Chelmsford City Council
Kirsty Dougall, Senior Planning Officer, Chelmsford City Council

From: Angela Schembri
Sent: 29 September 2022 11:47
To:
Subject: Broomfield Hospital Link Road : The Trust's Position

Dear Kirsty, Robin and Jeremy,

For the avoidance of any doubt, I wanted to set out the Trust's position in relation to the Link Road.

The Trust would prefer that the Link Road is not constructed as they have seen no evidence that this will provide the required mitigation for traffic congestion that will be created by the proposed housing development. They believe that the proposed Link Road will be ineffective in mitigating congestion given the restrictions attached to its use.

However, the Trust acknowledges that they signed a MOU accepting the principle of a Link Road and therefore if this is the preferred traffic congestion solution of Chelmsford City Council, Essex County Council and Bloor Homes to mitigate the impacts of the proposed housing development, then the Trust reluctantly accepts that the Link Road can be provided but only on the condition that the Trust will not accept any cost or liability now or in the future, for provision or maintenance of the Link Road.

The Trust will look to finalise the Unilateral Undertaking to secure retention of the Link Road once outstanding matters relating to it are agreed (including the T&Cs for the Maintenance Agreement).

The Trust would be happy to discuss matters with Chelmsford CC, Essex CC and Bloor Homes once there is a proposal tabled for discussion. Unfortunately, and since the Committee meeting, they have had no further dialogue with Bloor Homes to progress matters including in relation to a Maintenance Agreement for the Link Road. We have been trying to set up a meeting with Bloor but this has not happened.

Kind regards,

Angela

Angela Schembri (She/Her)

Planning Director
RPS | Consulting UK & Ireland

**T
E**

[Digital Business Card](#)



Follow us on: [rpsgroup.com](https://www.rpsgroup.com) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [YouTube](#)

BUILD A CAREER
that means something to you



This e-mail message and any attached file is the property of the sender and is sent in confidence to the addressee only.

Internet communications are not secure and RPS is not responsible for their abuse by third parties, any alteration or corruption in transmission or for any loss or damage caused by a virus or by any other means.

RPS Group Plc, company number: 208 7786 (England). Registered office: 20 Western Avenue Milton Park Abingdon Oxfordshire OX14 4SH.

RPS Group Plc web link: <http://www.rpsgroup.com>

BIRMINGHAM
BRISTOL
CAMBRIDGE
CARDIFF
EDINBURGH
GLASGOW
KINGS HILL
LEEDS
LONDON
MANCHESTER
NEWCASTLE
READING
SOUTHAMPTON

**BARTON
WILLMORE** now  **Stantec**

bartonwillmore.co.uk
St Andrews House
St Andrews Road
Cambridge
CB4 1WB
T/ 01223 345 555

Kirsty Dougal
Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
CM1 1JE

By Email

25746/A3/JD/SO
16 March 2023

Dear Kirsty

STRATEGIC GROWTH SITE 8: NORTH OF BROOMFIELD APP. REF. 20/02064/OUT – LAND WEST OF BLASFORD HILL, BROOMFIELD APPLICATION SUBMISSION UPDATE

Introduction

On behalf of Bloor Homes Limited please find the enclosed application update submission further to the outline submission (ref: 20/02064/OUT) made by Barton Willmore now Stantec (BWNs) for:

"Outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F.1 and F.2), formal and informal open space, and associated infrastructure. All matters reserved except for primary access. | Strategic Growth Site North of Woodhouse Lane Broomfield Chelmsford Essex".

The above application was brought to the Chelmsford Planning Committee held, 09 August 2022 where the application was **approved**, subject to:

- the completion of the Section 106 agreement referred to in the report to the meeting;
- agreed conditions; and
- securing delivery of the hospital link road.

At the above committee, committee members, Chelmsford County Council (CCC) Officers and Essex County Council (ECC) Highways Officers agreed that should delivery of the link road not be possible for any reason, then an alternative transport strategy would be acceptable in principle predicated on the provision of a Shuttle Bus between the Hospital and the Park and Ride Site. Were this to be the case then the application should be brought back to committee.

Following the positive decision of the committee, all reasonable efforts have been made by the applicant to accommodate delivery of the Hospital Link Road through an ongoing and positive dialogue with the Mid and South Essex NHS Foundation Trust (The NHS Trust). However, despite this, as detailed in the additional supporting information provided with this submission, the applicant and the NHS Trust are unable to come to an agreement on the required maintenance arrangement. Moreover, the NHS Trust have now confirmed in writing that they do not support a Hospital Link Road and that their preferred solution would be an Alternative Transport Strategy based on a Park and Ride Shuttle Bus.

In the light of this, the applicant has agreed an Alternative Transport Strategy with the NHS Trust, CCC and ECC and this is submitted with this application addendum alongside analysis of this solution. The applicant has agreed to make appropriate contributions towards provision of a subsidised park and ride bus service as detailed in the Alternative Transport Strategy produced by Mayer Brown.

This application update follows meetings and agreement with Chelmsford City Council and Essex County Council and provides the enclosed submission materials to address the updated position in relation to delivery of the Hospital Link Road and minor amendments to the spine road only, there are no other changes to the application.

This application update submission therefore comprises the following documents, plans and additional supporting information:

Additional Supporting Information

As a result of the discussions with the NHS Trust and as agreed with officers at CCC and ECC the following additional information has been prepared in support of the application to reflect the amended transport position.

- Hospital Trust letter – a letter from the Hospital Trust establishing the hospital position in relation to the Hospital Link Road produced by the Hospital Trust;
- Evidence of communications – a record of the communications between Bloor Homes and the Trust in seeking to agree a position for the delivery of the Hospital Link Road; and
- Alternative Transport Strategy including transport impacts (2023) produced by Mayer Brown.

Technical Documents

The following technical documents have been prepared to reflect the updated position on the Hospital Link Road.

- Updated Design and Access Statement (March 2023) produced by BWnS;
- Planning Statement Addendum (March 2023) produced by BWnS;
- Transport Technical Note (March 2023) produced by Ardent Consulting Engineers;
- Statement of Community Involvement Addendum (March 2023) produced by Meeting Place Communications and
- Environmental Statement Letter of Conformity produced by BWnS (March 2023).

Drawings

The following application drawings have been updated:

- Access and Movement Parameter Plan (ref: RG-M-84), produced by BWnS;
- Illustrative masterplan (ref: RG-M-16), produced by BWnS and
- Outline Landscape Strategy Plan (LN-LP-01), produced by BWnS.

The following drawings new drawings have been submitted:

- Spine road general arrangement (ref: 184281-027 sheet 1 of 2) produced by Ardent and
- Spine road general arrangement (ref: 184281-028 sheet 2 of 2) produced by Ardent.

The following drawings have been withdrawn (replaced by Spine road general arrangement 184281-027 and 184281-028):

- Spine Road Phase 1 Plan (ref: 184281-004A), produced by Ardent;

Conclusion

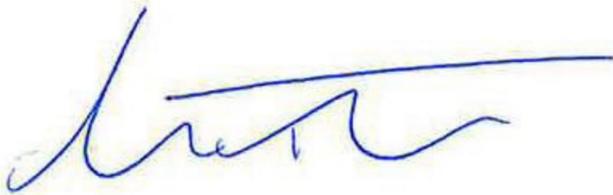
Since the positive decision by the Planning Committee in August 2022, Bloor homes have made all reasonable efforts to secure a solution to the delivery of the Hospital Link Road. However, despite positive dialogue with the NHS Trust this has not been possible. Therefore, in line with the recommendations of the Planning Committee, Bloor has worked with the Trust, ECC and CCC to secure an Alternative Transport Strategy that is acceptable to all parties.

The supporting documents and technical assessments have been updated to reflect the fact that a Hospital Link Road will no longer be delivered. The application and all other supporting information otherwise remains unchanged. For further detail please refer to the planning statement addendum (2023) enclosed.

We trust that the application update is satisfactory and fully addresses the policy requirements and issues raised during post-submission consultations. Following receipt of this re-submission and the subsequent re-consultation period, we look forward to the application being determined at Planning Committee in May 2023.

We look forward to confirmation of receipt in due course.

Kind regards,



ANDREW FISHER

Director

Direct: [01223 345559](tel:01223345559)

Email: andrew.fisher@bartonwillmore.co.uk

Chris Howlett
Senior Director of Estates and Facilities
Mid and South Essex NHS Foundation Trust
20th March 2023

Robin Hosegood
Strategic Team Lead
Development Management
Chelmsford City Council

Dear Robin,

Planning Applications by Bloor Homes Limited - references 20/02064/OUT and 21/00881/FUL Strategic Growth Site North of Woodhouse Lane and formation of a new link road between Woodhouse Lane and Broomfield Hospital, Broomfield, Chelmsford, Essex

I am writing to confirm the Trust's position following recent discussions with Terry Tedder from Bloor Homes. This follows my letter dated 8th August 2022 to Councillor J A Sosin, Chair of the Chelmsford City Council Planning Committee.

Terry and I have had a constructive dialogue regarding the above matter but have been unable to reach an agreement on the future maintenance arrangements, costs and liability for the proposed link road. It is clear that the provision of the link road would have a material impact on the traffic flow within the Hospital site which in turn would require NHS capital investment to ensure that our internal road network was suitable for the new configuration. Our capital programme does not allow for such investment and given the lack of agreement on maintenance arrangements, we have jointly concluded with Bloor Homes that an alternative means of mitigation will be required to address the potential traffic impact of the proposed Bloor Homes development.

Our preference in terms of mitigation would be for Bloor Homes to commit to a substantial contribution (at least to the equivalent value of the costs of construction and maintenance of the link road) towards a subsidised park and ride bus service serving the Broomfield Hospital site and as such we are generally in support of the draft proposal issued by Gowlings for the alternative transport arrangements.

Should you wish to discuss this matter further, I would be willing to attend a joint meeting with you, Bloor Homes and council colleagues

In the meantime, should you require any further information or clarification regarding this matter, please do not hesitate to contact me.

Yours sincerely,



Chris Howlett
Senior Director of Estates and Facilities

CC Terry Tedder – Bloor Homes
Angela Schembri - RPS



0 20 40 80 Metres

1:1,995



Planning Committee
21/00881/FUL

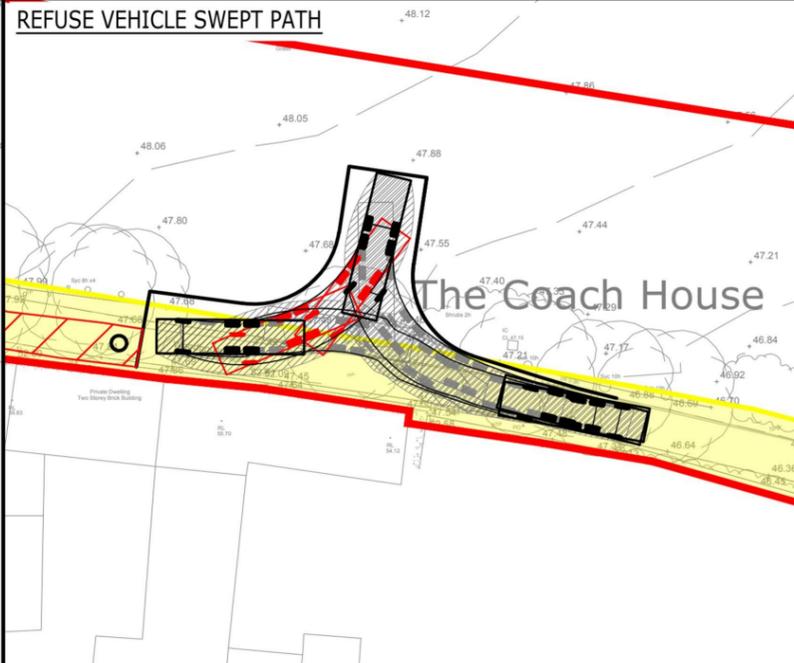
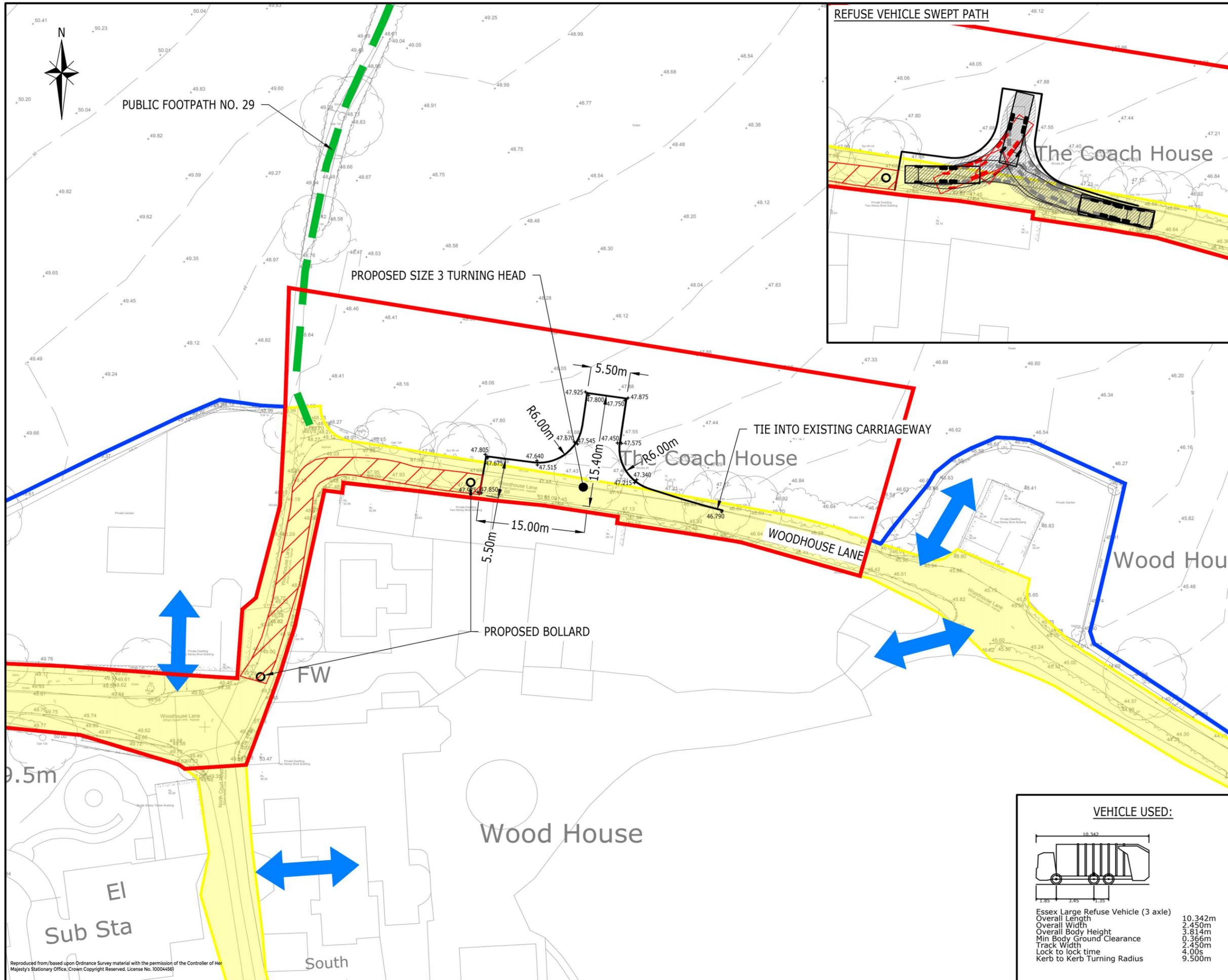
Planning & Development Management
Directorate for Sustainable Communities

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

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office. Crown copyright.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings

Chelmsford City Council Licence Number 100023562 2023.

Telephone: 01245 606826



- KEY:**
- PLANNING APPLICATION BOUNDARY
 - LAND UNDER APPLICANTS CONTROL BOUNDARY
 - HIGHWAY BOUNDARY TRANSCRIBED FROM ECC RECORDS
 - ↔ EXISTING ACCESS POINT TO BE RETAINED
 - PROPOSED EXTENTS OF CLOSURE TO VEHICULAR TRAFFIC

B	PROJECT TITLE UPDATED	BT	DV	IW	07.03.23
A	NOTES AMENDED	DV	DV	IW	14.04.21
Rev	Description	Drn	Chk	App	Date

ARDENT CONSULTING ENGINEERS

Third Floor
The Hallmark Building
52-56 Leadenhall Street
London
EC3M 5JE

Tel: 020 7680 4088
Web: www.ardent-ce.co.uk
E-mail: enquiries@ardent-ce.co.uk

SSIP SAFETY SIGNED IN PROCESS

worksafe consultant
www.smesitd.com

Client: **BLOOR HOMES EASTERN**

Project Title: **WOODHOUSE LANE APPLICATION**

Drawing Title: **WOODHOUSE LANE (EAST) TURNING HEAD**

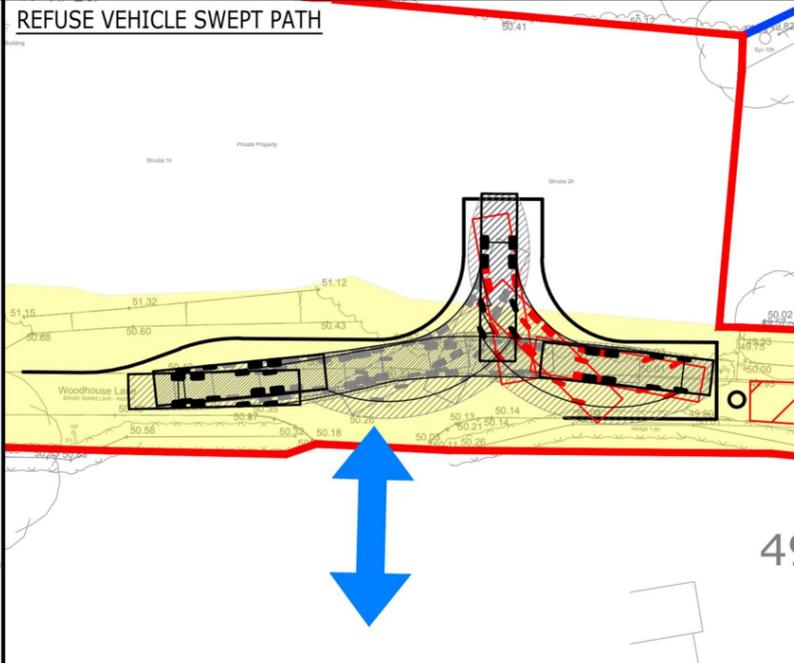
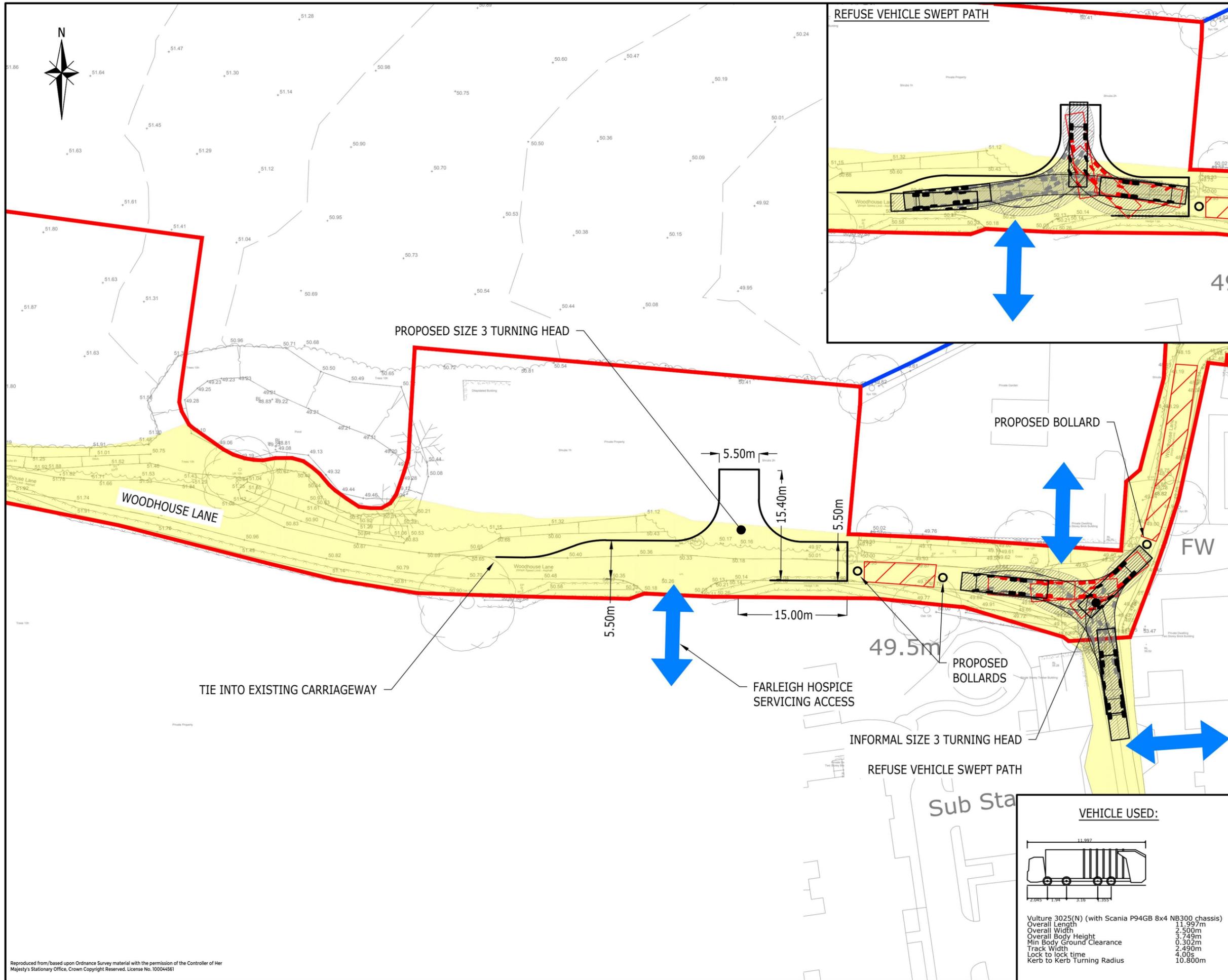
A3 Scale	Date	Designed by
1:500	01.04.2021	AA
Drawn by	Checked by	Approved by
AA	DV	IW
Drawing Number	184281-020	
	Rev	B

VEHICLE USED:

Essex Large Refuse Vehicle (3 axle)

- Overall Length 10.342m
- Overall Width 3.814m
- Overall Body Height 3.066m
- Min Body Ground Clearance 0.366m
- Track Width 2.450m
- Lock to lock time 4.00s
- Kerb to Kerb Turning Radius 9.500m

Reproduced from/based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationary Office. Crown Copyright Reserved. License No. 10004560



- KEY:**
- PLANNING APPLICATION BOUNDARY
 - LAND UNDER APPLICANTS CONTROL BOUNDARY
 - HIGHWAY BOUNDARY TRANSCRIBED FROM ECC RECORDS
 - ↕ EXISTING ACCESS POINT TO BE RETAINED
 - PROPOSED EXTENTS OF CLOSURE TO VEHICULAR TRAFFIC

D	PROJECT TITLE UPDATED	BT	DV	IW	07.03.23
C	REFUSE VEHICLE UPDATED	DV	DV	IW	09.02.22
B	SIZE 3 TURNING HEAD EXTENTS UPDATED	DV	DV	IW	13.12.21
A	SIZE 3 TURNING HEAD EXTENTS UPDATED	DV	DV	IW	02.12.21
Rev	Description	Drn	Chk	App	Date

ARDENT CONSULTING ENGINEERS

Third Floor
The Hallmark Building
52-56 Leadenhall Street
London
EC3M 5JE

Tel: 020 7680 4088
Web: www.ardent-ce.co.uk
E-mail: enquiries@ardent-ce.co.uk

worksafe consultant
www.smesltd.com

SSIP
SAFETY PROCESSES BY DESIGN

Client	BLOOR HOMES EASTERN		
Project Title:	WOODHOUSE LANE APPLICATION		
Drawing Title:	WOODHOUSE LANE (WEST) TURNING HEAD OPTION		
A3 Scale	Date	Designed by	
1:500	26.11.21	DV	
Drawn by	Checked by	Approved by	
DV	DV	IW	
Drawing Number	184281-030		Rev D

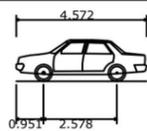
VEHICLE USED:

Vulture 3025(N) (with Scania P94GB 8x4 NB300 chassis)
Overall Length 11.997m
Overall Width 2.500m
Overall Body Height 3.749m
Min Body Ground Clearance 0.302m
Track Width 2.490m
Lock to lock time 4.00s
Kerb to Kerb Turning Radius 10.800m

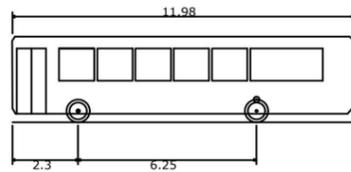
Reproduced from/based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationary Office. Crown Copyright Reserved. License No. 100044561



VEHICLE SPECIFICATIONS

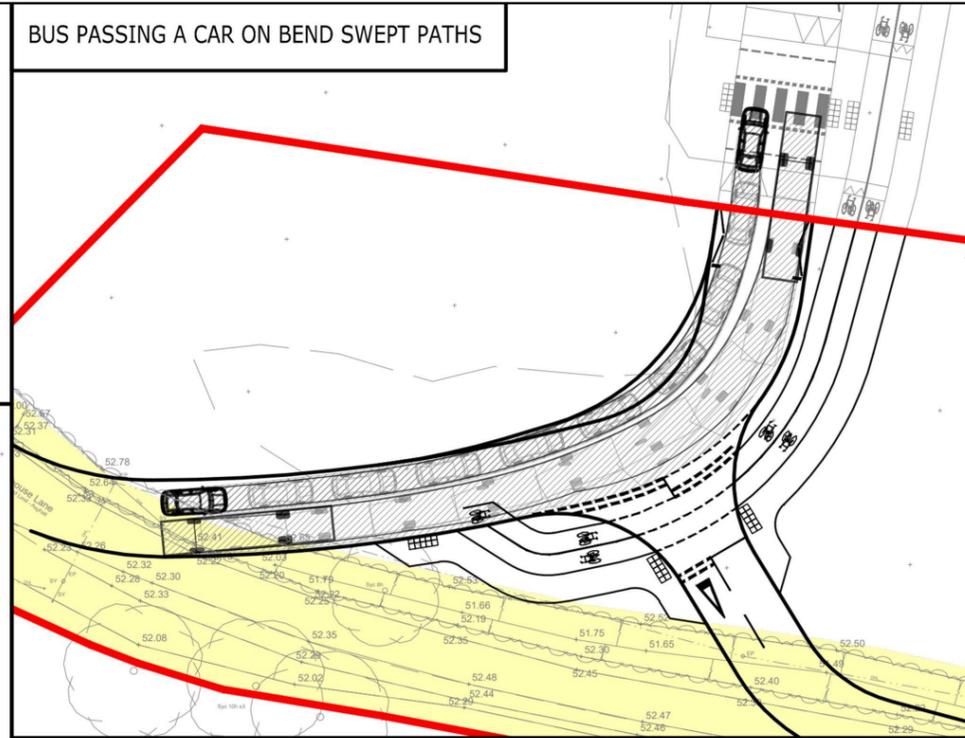


Car
 Overall Length 4.572m
 Overall Width 1.769m
 Overall Body Height 1.488m
 Min Body Ground Clearance 0.249m
 Max Track Width 1.713m
 Lock to lock time 4.00s
 Kerb to Kerb Turning Radius 5.100m



Single Deck Bus
 Overall Length 11.980m
 Overall Width 2.440m
 Overall Body Height 3.070m
 Min Body Ground Clearance 0.306m
 Track Width 2.322m
 Lock to lock time 6.00s
 Kerb to Kerb Turning Radius 10.368m

BUS PASSING A CAR ON BEND SWEEP PATHS



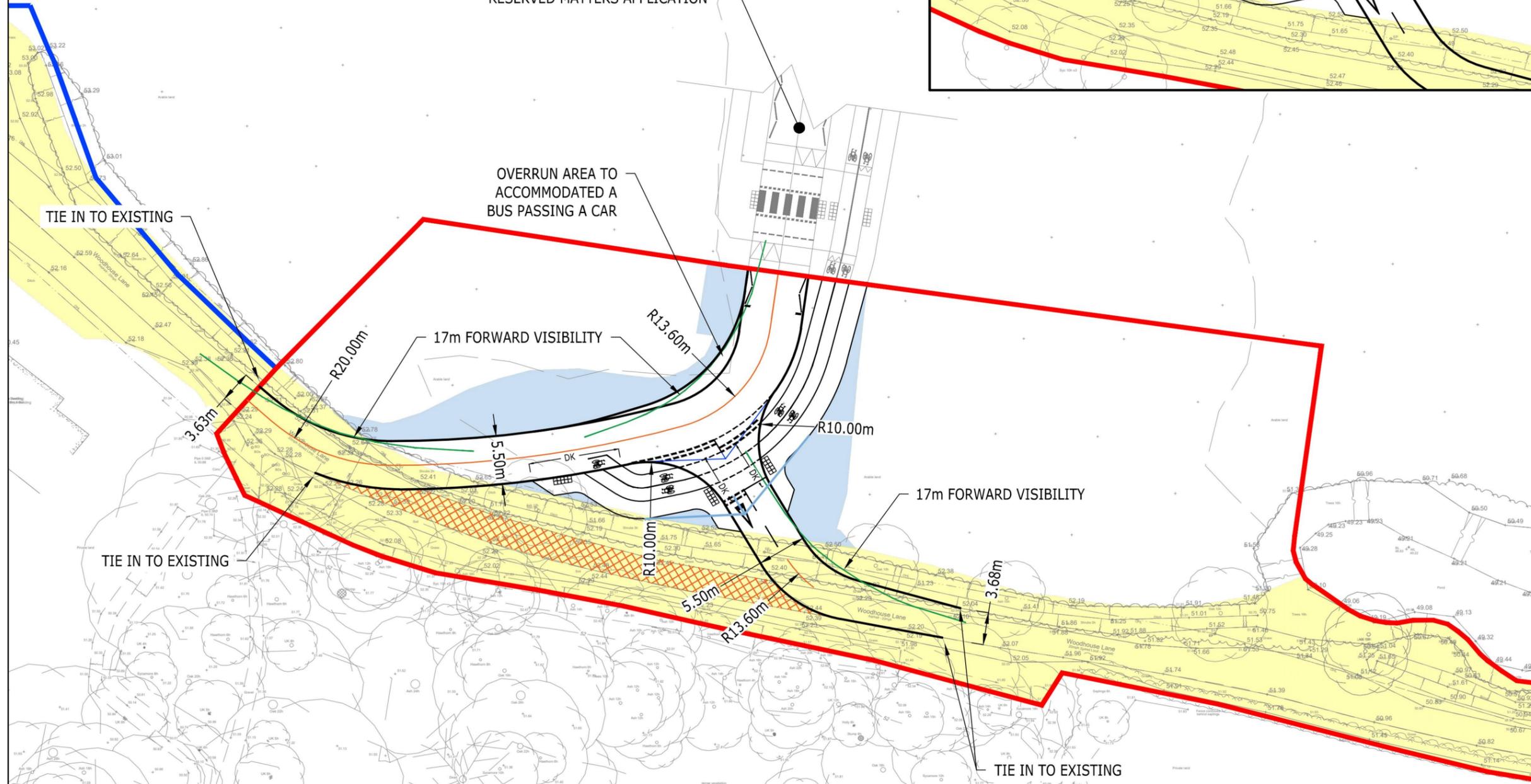
DRAWING BASED ON TOPOGRAPHICAL SURVEY AND SUBJECT TO LEVELS DESIGN, DETAIL DESIGN AND HIGHWAYS APPROVAL.

KEY:

- PLANNING APPLICATION BOUNDARY
- LAND UNDER APPLICANTS CONTROL BOUNDARY
- HIGHWAY BOUNDARY TRANSCRIBED FROM ECC RECORDS
- EXTENTS OF LAND REQUIRED FOR ENGINEERING WORK TO BE OFFERED FOR ADOPTION TO ALLOW FOR FUTURE PROOFING OF THE SCHEME
- EXISTING SECTION OF WOODHOUSE LANE TO BE CLOSED TO VEHICULAR TRAFFIC - POTENTIAL TO BE RETAINED FOR PEDESTRIANS / CYCLISTS

RESIDENTIAL SPINE ROAD DESIGN TO BE CONFIRMED THROUGH APPROPRIATE RESERVED MATTERS APPLICATION

OVERRUN AREA TO ACCOMMODATE A BUS PASSING A CAR



A	LIMIT OF S278 WORKS AMENDED	DV	DV	IW	10.05.23
Rev	Description	Drm	Chk	App	Date

ARDENT CONSULTING ENGINEERS

Third Floor
 The Hallmark Building
 52-56 Leadenhall Street
 London
 EC3M 5JE

Tel: 020 7680 4088
 Web: www.ardent-ce.co.uk
 E-mail: enquiries@ardent-ce.co.uk

worksafe consultant
 www.smesitd.com

SSIP
 SAFETY SIGNED INSTITUTE

Client:
BLOOR HOMES EASTERN

Project Title:
LAND NORTH OF BROOMFIELD HOSPITAL, CHELMSFORD

Drawing Title:
WOODHOUSE LANE JUNCTION

A3 Scale	Date	Designed by
1:500	06.03.23	DV
Drawn by	Checked by	Approved by
DV	DV	IW
Drawing Number	184281-034	
		Rev A

Reproduced from/based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright Reserved. License No. 100044561