

**24 February 2026 at 7pm**

**Council Chamber, Civic Centre, Chelmsford**

## **Membership**

Councillor R. Lee (Chair)

## **and Councillors**

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

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please email [committees@chelmsford.gov.uk](mailto:committees@chelmsford.gov.uk) or phone 01245 606480

# PLANNING COMMITTEE

24 February 2026

## AGENDA

### 1. Chair's Announcements

### 2. Apologies for Absence

### 3. Declarations of Interest

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

### 4. Minutes

To consider the minutes of the meetings held on 9 and 15 December 2025.

### 5. Public Question Time

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

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

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

### 6. 25/01025/FUL – Land North of Highwood Road Roundabout, Writtle, Chelmsford, Essex

### 7. 25/01195/FUL - Field At Greenacre Lane Stock Ingatestone Essex

### 8. 25/01194/FUL - Field At Greenacre Lane Stock Ingatestone Essex

### 9. Planning Appeals

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 9 December 2025 at 7pm

Present:

Councillor R. Lee (Chair)  
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, H. Clark, J. Frasca, S. Hall, R. Hyland, J. Lardge, J. Raven, E. Sampson, A. Thorpe-Apps, C. Tron and P. Wilson

### 1. Chair's Announcements

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

### 2. Apologies for Absence

Apologies for absence were received from Cllr Pappa, Cllr Raven substituted for them.

### 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 4 November 2025 were confirmed as a correct record and signed by the Chair.

### 5. Public Question Time

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

### 6. 21/01961/OUT and 21/01961/FUL - Land North West Of Hamberts Farm, Burnham Road, South Woodham Ferrers, Chelmsford

The Committee were reminded that the above application had been granted planning permission in February 2023, it was noted that since then the scheme had been independently assessed and deemed to be unviable due to specific site costs, significant highway

infrastructure costs and lower house values. The Committee heard that as a result the City Council's Cabinet had agreed to use Community Infrastructure Levy (CIL), to make the scheme viable in March 2025. The proposal before the Planning Committee was to amend the heads of terms of the S106 agreement, because CIL would now fund elements of the proposal instead. The Committee's Legal Advisor confirmed that the decision to use CIL in this instance, was one the Cabinet had been entitled to make and that there were not any issues with that decision. The Committee also noted that addition of a public art condition to the list of previously agreed conditions. The Committee noted that it was frustrating to see viability issues, but were pleased that a solution had been found to maintain the important 35% affordable housing target. Members requested a review mechanism in the S106 in case the viability of the scheme improved. Officers confirmed that this could be included.

**RESOLVED** to amend the heads of terms of the legal agreement as detailed in the report, with an additional condition requiring Public Art Provision.

(7.04pm to 7.08pm)

### [7. 25/01046/FUL - The Old Nursery, Butts Green Road, Sandon, Chelmsford, CM2 7RN](#)

*Cllr Armstrong declared a non registrable interest for this item and left the meeting for this item.*

The Committee considered an application for a material change of use of land, for the stationing of caravans for residential purposes, the laying of hard standing and erection of a dayroom ancillary to that use. The Committee were informed that the application had been called in by a Local Ward Member on the grounds of the site being agricultural, concern about the impact on the local area, the need for traveller sites to be adequately addressed in the Local Plan, highway safety concerns and to allow the public to voice their opinions. The Committee were informed that the application was for one Gypsy/Traveller pitch consisting of one tourer caravan, one static caravan and a dayroom building and that existing road access would be used. It was noted that the proposal included native hedgerow and tree planting and that subject to conditions, there would be no adverse impact on the character of the area or the intrinsic character and beauty of the countryside. It was noted that the application was acceptable to the Local Highway Authority, there would be no harm to protected species and it would deliver at least a 10% biodiversity net gain. The Committee heard the proposal was acceptable from a flood risk perspective and that it complied with Policy DM3 of the adopted Local Plan, which allowed for unallocated developments for Gypsy/Traveller Pitches. The Committee noted that the plan-led outcome was for the approval of planning permission, subject to conditions and there were also material considerations, such as meeting an unmet need for Gypsy/Traveller pitches which weighed in favour of granting planning permission. In summary, there were no adverse impacts in granting planning permission, the scheme complied with the adopted Local Plan and further material considerations, including Paragraph 11d of the NPPF being engaged, indicated that planning permission should be granted, therefore the application had been recommended for approval.

The Committee heard from a member of the public who spoke in support of the application, highlighting the fundamental need in the County for Gypsy/Traveller pitches, the lack of a demonstrable five year land supply of deliverable Gypsy/Traveller sites for the Council, the minimal effect on local amenity, no objections from the Highways Authority and conditions that would be complied with.

The Committee also heard from members of the public who spoke against the application. They stated that there was no proven local need for the site, that the site was not in a sustainable location and highlighted drainage, fire safety and highway safety concerns. They also raised concerns about existing planning permission on the site, the fact that 112 local residents had objected to the application, a view that it would have a significant detrimental impact on the local countryside, the setting of a precedent for future similar sites if approved and that the Council should protect residents from random unallocated developments.

In response to the points raised, officers stated that;

- The Council did not need to know the specific occupier, just that they met the Gypsy/Traveller requirement, as detailed by condition.
- The test in Policy DM3 did not say that adequate services had to be within walking distance, the use of private cars was acceptable.
- Previous planning permissions did not restrict new permissions being applied for and approved.
- Dayrooms were a common feature on similar sites and Essex Fire and Rescue had not raised concerns about the addition of a dayroom, including a kitchen and bathroom.
- The drainage solution detailed by the applicant was acceptable; subject to a condition.
- Concerns about the precedent of approving the application, were not valid as all applications were considered on their own merit, against planning policies at the time.
- It was perfectly acceptable to grant planning permission with conditions, guidance supported this and they often enhanced the quality of developments and helped enable them.
- Some of the conditions were common procedural ones, to require implementation within three years, in addition to conditions restricting the number of caravans and the occupation of the pitch by those meeting the gypsy/traveller definition.
- The number of objections did not need to alter an officer's conclusion, the consultation period gathered views of the public, but officers had to also look at planning policies and material considerations.
- Essex Fire and Rescue Service had not raised any concerns with the application, so it could be not viewed as unacceptable in terms of fire safety.
- The use of the site if approved, would change from agricultural to residential.
- Potential noise or disturbance from the site was viewed as minimal, due to it consisting of one pitch and would not be significantly different from the land being in active agricultural use, this was also the case for headlight glare.

The Committee also heard from the Local Parish Council, who asked the Committee to listen carefully to the concerns raised by residents, stated that the application did not follow NPPF guidelines and suggested that a site visit would be beneficial. The Committee also heard from a Local Ward Councillor who echoed the concerns that had been raised by the public. They also stated that it felt that the application was being made to fit as it was a gypsy/traveller site, it was out of keeping with the local area and that another application for something else may well have been recommended for refusal. They also suggested that a site visit would be beneficial, raised concerns about the impact on natural habitats, the sustainability of residents reaching services from the site and concerns about access into and out of the site onto the 60mph road. They also stated that the Council's Local Plan should be providing sufficient sites in allocated locations, to prevent unallocated applications coming forward and that approving the application would set a precedent and potentially lead to similar sites being applied for, also out of keeping with the local area.

In response to the further points raised, officers stated that;

- The titled balance in the NPPF was engaged due to the lack of a five year land supply, this led to positive views of development being required to be taken unless there were strong reasons for refusal.
- The land was not previously developed land, so was essentially being considered as coming from a greenfield perspective.
- National planning policy includes policies about assessing the cumulative impact of gypsy/traveller sites on an area and that all applications were considered on their own merit, therefore just because one site might be granted, it did not mean all similar applications would also be granted, as the cumulative impact would then be assessed.
- Officers sought views from Essex Highways, who had no concerns in terms of highway safety.
- A preliminary ecological appraisal had been submitted as part of the application and officers had agreed with the recommendations within it.
- The site had sufficient space to easily exceed the 10% biodiversity net gain requirement, including native hedge planting and new trees.
- Despite just being one pitch, if granted it would be 10% of the unallocated gypsy/traveller sites required, therefore it would be beneficial to meeting requirements.
- A recent court case had led to the expansion of the definition of a gypsy/traveller, which had led to many local authorities suddenly having a significantly increased need for sites.
- The Local Plan Review had put forward as many gypsy/traveller sites as possible, with 30 being allocated, and also carried out a 'call for sites' as part of the preparation of the Local Plan Review.

In response to comments and questions from the Committee, officers stated that;

- They had visited the site and knew the area well.
- A proposed condition had been included for a site development scheme to be submitted, requiring details of planting, fencing and gates etc. It was noted that the maintenance of a hedge to a specific height could not be conditioned though.
- Any additional caravans on the site would require additional planning permission and could be investigated by the planning enforcement team if necessary.
- The site had existing agricultural use and therefore, it would be expected to see slow moving large vehicles entering and exiting via the existing site access, also that the static caravan would not be expected to enter and leave the site regularly. There was no injury record or recorded incidents along the stretch of highway in vicinity of the existing access, but due to it not being in regular use, the highway verge had become overgrown. It was noted that a strong suggestion had been included as part of the consideration, that it should be cleared to maintain viewpoints when entering and leaving the site.
- There were other multiple access points from other properties onto the road, that had been there for many years.
- Conditions could be included to require vegetation to be removed or phased back, to provide a visibility splay, but not on third party land. Instead, an informative could be added to encourage the applicant to phase back any vegetation when carrying out works to the site.
- The area around the site consisted of other residential properties.
- It was common public knowledge that the Council could not demonstrate a five year land supply and this had to be taken into consideration. It was also noted that appeals to the planning inspectorate could go both ways, but it was expected that for appeals to be dismissed where there was not a demonstrable five year land supply, that there would have been quite significant harms from the applications.

- They were confident on the required number of gypsy/traveller pitches being accurate and regularly looked at public, private and unauthorised sites to assist with this.

Members of the Committee also expressed views, regarding sustainability concerns of the site location and other recent appeals where the planning inspectorate had refused permission. Members also noted the need for gypsy/traveller sites and the tilted balance in favour of development where there were not significant impacts and that there was a city wide need for sites and that decisions should be made against planning policies, not just local feedback.

**RESOLVED** that the application be approved subject to the conditions detailed in the report and the addition of an informative relating to the cutting back of foliage around the access.

(7.09pm to 8.51pm)

## 8. 24/00775/S73 Section 73 - 10 Moulsham Chase Chelmsford Essex CM2 0TB

*Cllr Armstrong returned to the meeting for this item.*

*Cllrs Clark, Frasca, Hall, Lardge, Lee, Sampson and Tron declared non registrable interests for this item and left the meeting at this point. Cllr Dobson took the Chair for the remainder of the meeting.*

The Committee were asked to consider a proposal that sought retrospective planning permission to vary condition 2 of 24/00775/FUL, which related to an outbuilding that had been built taller than originally approved. The Committee were informed that the application had been referred to them, because the applicant was a City Councillor and representations had been received on the application. The Committee heard that the enlarged outbuilding would retain a design, form and appearance that would remain in character with the local area and other similar buildings in the locality. It was noted that the proposal now sought a height of 3.1m and the addition of solar panels to the roof, the outbuilding had already been built to those details. The Committee were also informed that the outbuilding would not by virtue of its size or siting, adversely affect the residential amenity of any neighbouring properties and was therefore recommended for approval.

Members of the Committee expressed their dissatisfaction with the application being made retrospectively, despite having permission granted two times previously and also queried whether the additional height would impact on the neighbouring property. In response to questions and points raised, officers confirmed that the outbuilding had natural timber cladding, the solar panels added some further height, but that the final building was not uncommon with other instances within the urban setting. It was also noted that the neighbouring garden was of a significant size and that the outbuilding was not overbearing as a result.

**RESOLVED** that the application be approved.

(8.52pm to 9.08pm)

## 9. Planning Appeals

**RESOLVED** that the information submitted to the meeting on appeal decisions between 23<sup>rd</sup> October and 24<sup>th</sup> November 2025 be noted.

(9.07pm to 9.08pm)

The meeting closed at 9.08pm.

Chair

**MINUTES**  
of the  
**PLANNING COMMITTEE**  
held on 15 December 2025 at 7pm

Present:

Councillor R. Lee (Chair)  
Councillor S. Dobson (Vice Chair)

Councillors, H. Clark, J. Frasca, S. Hall, R. Hyland, J. Lardge, E. Sampson, A. Thorpe-Apps, N. Walsh and P. Wilson

### 1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting. The Chair noted that extra officers were in attendance at the meeting from Essex County Council including, the Head of Network Development, Head of Housing and Garden Communities, Garden Communities Manager, Head of Planning, Principal Transportation and Infrastructure Planner City Council officers were also supported by an external legal advisor.

### 2. Apologies for Absence

Apologies for absence were received from Cllrs Armstrong, Pappa and Tron. Cllr Walsh substituted for Cllr Tron.

### 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. Public Question Time

Public questions had been submitted in advance for Items 5-9, which are summarised under the relevant item. [The questions and statements submitted in advance can be viewed via this link.](#)

### 5. 23-00114-FUL - Radial Distributor Route 2, South of Wheelers Hill Little Waltham, Chelmsford, Essex

The Committee considered a detailed planning application to provide the Northern Radial Distributor Road from Wheelers Hill to the North East Chelmsford Bypass, respectively East to West as part of the Chelmsford Garden Community. The Committee heard that the development would include carriageways, footways, cycleways, crossings and the diversion of Wheelers Hill, in addition to landscaping and drainage for the NRDR with all associated engineering works including strategic ground re-profiling. The Committee were informed that the NRDR formed an essential component of the CGC and that it was integral to the future provision of large scale investment within the North-East Chelmsford area, unlocking the future use of Section 1a of the Chelmsford North-East bypass and providing a strategic transport link to it from Wheelers Hill. The Committee also heard that delivery of the NRDR would improve existing connections on the strategic road network and provide traffic relief. The Committee heard that the scheme before them was well designed, with considerable care and attention given to landscaping and connections to a comprehensive network of active travel routes. It was noted that the development complied with the vision set out in the Development Framework Document, delivering on key guiding principles and ensuring infrastructure ahead of any further residential development. [The Committee noted the green sheet of amendments which related to this item, detailing additional conditions and consultation responses.](#) It was noted that the additional conditions suggested by Essex Highways, were already covered by Condition 4 and that consultation comments about the A12 were not relevant as the NRDR was specifically for this corridor of land. The Committee were informed that the application complied with the Chelmsford Local Plan and the National Planning Policy Framework and was recommended for approval subject to conditions.

The Committee heard from a member of the public who spoke in support of the application, detailing the importance of the road to unlock the potential to deliver homes across the Chelmsford Garden Community, and the potential for the road to serve residents of the wider Essex region by offering vital relief to Junction 19 of the A12 and Essex Regiment Way. The Committee also heard from a member of the public who queried why a specific obligation had not been placed on the developer to give a specific timeline as to when Domsey Lane would be closed as previously stated and that they held concerns that the closure would not go ahead at the right time or at all, they asked for a binding obligation to be placed on the developer by the Committee. The Committee also heard from a Local Ward Member who echoed the concern of residents regarding the closure of Domsey Lane and the route being pursued by officers to ensure the closure of the lane at the appropriate time.

In response to the points raised, officers confirmed that through consultations it had been clear that residents supported the closure of the lane to through traffic to avoid rat running and that solutions had been explored by officers. It was noted that the Planning Framework Agreement detailed that a mitigation scheme had to be in place by completion of the NRDR and the closure of the lane to through traffic was the mitigation that would be used. It was noted that officers were currently looking to use a Section 249 order to achieve this, but that if this was rejected by the Department for Transport then a Traffic Regulation Order would be pursued instead.

In response to questions and comments from the Committee, Chelmsford City Council and Essex County Council officers noted that;

- Various trigger points had been looked at concerning the delivery of the NRDR and housing on site and that the road was set to be completed by Summer 2027 and that the build out of homes would coincide with the relief from the new road, otherwise asking for the road to be completed prior to any housing would in effect delay the housing.

- A comprehensive improvement package had been planned and included to mitigate traffic from the development, which was detailed in the specific applications for Zones 1 and 3, including junction capacity improvements on Essex Regiment Way and on Wheelers Hill.
- National Highways had requested that only buses use section 1a of the North-East Chelmsford bypass to allow the Junction 19 A12 works to be completed.
- A full pedestrian/cycle segregation had not been required for the North of the route as the demand for that element of the route would not be as high as elsewhere.
- It was hoped that the road would be adopted by the Highways Authority and landscaping elements such as verges could be looked after by a stewardship body, an upfront sum would be required from the developer for the maintenance of the road, which could go to the stewardship body.
- Only moderate levels of less than substantial harm were expected to heritage assets near to the NRDR and most of the mitigations were detailed in the application for Zone 3, rather than the NRDR application.
- Various monitoring methods would be used by the Highways Authority, to monitor the target of 60% of trips originating within the development being by sustainable transport methods.

**RESOLVED** that the application be approved subject to the conditions detailed in the report and on the green sheet and an additional condition that the Director of Sustainable Communities use their existing delegated powers to liaise with and confirm final requirements of National Highways relating to the final form of planning conditions.

(7.03pm to 8.17pm)

[Items 6-9 - 22-01950-OUT&FUL - Zone 1 Chelmsford Garden Community, Pratts Farm Lane, Little Waltham, Chelmsford, Essex and 23-00124-OUT&FUL - Zone 3 Chelmsford Garden Community, Beaulieu Parkway, Chelmsford](#)

*The Committee received a joint presentation for the outline and full applications for Zones 1 and 3 of the Chelmsford Garden Community, before voting separately on each of the four applications.*

The Committee heard that the applications formed part of Strategic Growth Site 6 in the Council's Local Plan and that the CGC had been awarded Garden Community status in 2019, where it had been merged with the Channels and Beaulieu developments. It was noted that the site had been through the Council's Masterplanning process, where it had been endorsed by the Chelmsford Policy Board and Cabinet. It was noted that the local plan policy states that the site would deliver 5500 new homes, with 3000 by 2036 and would be delivered over a 20 year period. The Committee noted that Zones 1 and 3 were being considered and that a future planning application for Zone 2 would follow in the future. The Committee were reminded of the importance of the key documents that had allowed the Garden Community to be planned, with multiple landowners, including the Development Framework Document, Infrastructure Delivery Plan and the Planning Framework Agreement.

The Committee heard that viability concerns had arisen during the planning of the site, but that these had been resolved meaning that a policy compliant level of affordable housing could be achieved for Zones 1 and 3. The Committee were informed that over a decade of work had led to the detailed plans before them and that the Garden Community would deliver 40% of the Council's housing needs up to 2041, with significant numbers of affordable rent homes and over 60% of the area's employment needs up to 2041. It was noted that the scheme was

full of innovative ideas and was a leading example of a net-zero scheme with large areas of green and blue open space and a significant bio-diversity net gain. The Committee also heard that since the Government's removal of funding for the widening of the A12, alternative solutions had been looked at leading to a positive funding resolution following work with Essex County Council and Government agencies, that would provide works needed at the station roundabout and Junction 19.

[The Committee noted the green sheet of amendments to the items, which detailed additional conditions and consultation responses.](#) The Committee were provided with significant details of the applications covering, stewardship arrangements, affordable housing, design and character elements, sustainable transport solutions including the use of mobility hubs, off site infrastructure, mitigation schemes, heritage and ecological matters, employment areas and healthcare provisions. The Committee heard that all four schemes were well considered, the result of extensive and detailed negotiation and would deliver significant infrastructure and public benefit, including notable economic, social and environmental benefits. The Committee were informed that all four applications had been recommended for approval, subject to detailed conditions within the reports, and the finalising of other agreements, such as the Planning Framework agreement and Section 106 agreements.

The Committee heard from members of the public who spoke in support of the applications, detailing the strong partnership working that had taken place and that approving the applications, would enable the delivery of significant housing, employment space, community facilities and infrastructure as detailed in the masterplan for the site. The Committee also heard concerns from a member of the public about building heights adjacent to Domsey Lane and a view that communications continue with residents about conditions raised by National Highways regarding the A12 widening.

In response to the points raised officers stated that there were height limits to buildings near Domsey Lane and that the design coding for these would come at a later reserved matters stage where final approvals to designs would be sought in line with the Council's Local Plan policies. It was also noted that officers would continue to engage with Domsey Lane residents going forward.

In response to questions and comments from the Committee, Chelmsford City Council and Essex County Council officers noted that;

- School place numbers had been adequately calculated via the Essex Education model and officers were content with them. It was noted that Beaulieu School had proved to be very popular, with students traveling some distance to attend it.
- The Garden Community was a sustainable development, built on walkable neighbourhood principles so it would be easy for students to attend without the use of a private car and that the Garden Community would include a strong network of local schools near neighbourhood centres. It was also noted that it was important for the timing of school delivery to coincide with housing delivery as otherwise schools would look to fill spaces with students from elsewhere.
- The proposed footbridge to Broomfield had been tested in terms of land provision and a future application would provide specific details of the bridge, but officers were content there would not be land ownership issues regarding it.
- There was a proposal to extend the Chelmer Valley Park and Ride Site, with some land already safeguarded for it by ECC as part of the Army and Navy sustainable transport package as detailed by planning conditions.
- Income generating assets on the site for a stewardship body, included mobility hubs, sports concessions and transfers of buildings amongst other options.

- All applications were accompanied by environmental statements and conditions such as those used at Beaulieu would ensure that parts of the site that were historic landfills would be treated correctly with mitigation measures.
- The detail of layouts to the school sites would be considered at reserved matters stages, but admission policies were not within the City Council's control. It was noted that a suggested solution to school parking issues, via a drop off or pick up zone was not preferred as it would encourage driving to the schools and that this would not be supported by the County Council.
- Water efficiency levels across the Garden Community would be secured by conditions, which would also be future proofed if requirements were higher at reserved matters stages.
- Both schemes in Zones 1 and 3 were affordable housing policy compliant, but zone 3 had a lower than the expected 35% level, instead at 29% due to the build to rent element but overall both schemes met the requirements set out in the masterplan concerning affordable housing provision.
- The response from the Integrated Care Board had not requested a specific contribution for acute hospital care, instead just for local healthcare provisions. It was noted that it was not easy to directly gauge the impact of a development upon hospitals and funding for acute hospital care went through different routes.
- A stewardship statement had been agreed with four different options which would be decided upon at a later stage.
- The CGC Progress Delivery Group was an ongoing group including Local Councils and developers and would be able to report back to the Council both informally and formally.
- If any land parcels were sold to other housing builders by developers, all of the planning conditions and agreements before the Committee would remain in place.
- Officers would be able to influence the delivery of affordable housing on the development, via the Section 106 agreement and it would be tracked and monitored via triggers within the Section 106 agreement and officers were acutely aware of the urgent need for affordable housing.
- The Development Framework Document detailed the different densities of housings closer and further away from village centres and there would be 18 wheelchair accessible properties within zone 3 and 27 in zone 1.
- A landscape buffer was included within designs for properties that would be built near to Domsey Lane along with other mitigations, including distances set within the Local Plan for distances between properties that would be utilised at later planning stages.
- Conditions were included to gather noise reports for properties that would be built near to the main roads and mitigations would be used where required.

*The Head of Planning at ECC left the meeting at 22:00.*

Members expressed their strong concerns about the dropping off and picking up of students at the proposed schools and highlighted issues with this at the recent Beaulieu development, that they did not want to see repeated at the Garden Community. Members noted that parents often had to drop off children on their way to jobs, which may well be further afield and that it was not always realistic to expect sustainable transport methods to be used in the way that the schemes envisioned. Members also commented on parking provisions within the schemes and highlighted that families often relied on other family members such as grandparents, who may live elsewhere to look after young children and that it was important that they would be able to park within the development.

Members thanked officers for their hard work in preparing the applications and for the detailed presentations.

**RESOLVED** that applications 22-01950-OUT, 22-01950-FUL, 23-00124-OUT and 23-00124 FUL be approved in accordance with the terms and conditions set out in the reports and on the green sheet.

(8.17pm to 11.06pm)

The meeting closed at 11.06pm.

Chair

## **PLANNING POLICY BACKGROUND INFORMATION**

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

### **Local Plan review**

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

<b>Policy</b>	<b>Policy Description</b>
SPS1	Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
SPS2	Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.
SPS3	Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.
SPS4	Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
SPS6	Strategic Policy S6 Housing & Employment Requirements - In order to meet the full objectively assessed housing need in the period 2013-2036 provision is made for a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per year. A minimum of 55,000sqm of business employment floorspace (Use Classes B1-B8) will also be allocated in the Local Plan for the period up to 2036.

Policy	Policy Description
SPS7	Strategic Policy S7 The Spatial Strategy - New housing and employment growth will be focussed to the most sustainable locations by making the best use of previously developed land in Chelmsford Urban Area; sustainable urban extensions around Chelmsford and South Woodham Ferrers and development around Key Service Settlements outside of the Green Belt in accordance with the Settlement Hierarchy. New development allocations will be focused on the three Growth Areas of Central and Urban Chelmsford, North Chelmsford, and South and East Chelmsford. Where there are large and established mainly institutional uses within the countryside, Special Policy Area will be used to support their necessary functional and operational requirements.
SPS9	Strategic Policy S9 Infrastructure Requirements - New development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. New development must be supported by sustainable means of transport, safe from all types of flooding, provide a range of community infrastructure, provide green infrastructure and utilities. Necessary infrastructure must seek to preserve or enhance the historic environment.
SPS11	Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.
DM3	Policy DM3 - Gypsy, Traveller & Travelling Showpeople Sites - The Council will make provision for the accommodation needs of Gypsy, Traveller or Travelling Showpeople, who meet the national Planning Policy for Traveller Sites definition, through allocated sites within the Local Plan. Planning permission will be granted for new sites or subdivision of existing plots or pitches subject to compliance with prescribed criteria. Planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs.
DM6	Policy DM6 - New Buildings in the Green Belt - Where new buildings are proposed within the Green Belt, inappropriate development will not be approved except in very special circumstances. Planning permission will be granted for the redevelopment of previously developed land and replacement buildings subject to meeting prescribed criteria.
DM10	Policy DM10 - Change of use (Land & Buildings) & Engineering operations - Planning permission will be granted for the change of use of buildings in the Green Belt, Green Wedges and Rural Area subject to the building being of permanent and substantial construction and where the building is in keeping with its surroundings. Engineering operations will be permitted within the Green Belt where they preserve openness, do not conflict with the purposes of including land in the Green Belt, and do not harm the character and appearance of the area. Changes of use of land will be permitted in the Green Wedges and Rural Area where the development would not adversely impact on the role, function and intrinsic character of the area.

Policy	Policy Description
DM13	Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.
DM16	Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
DM17	Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
DM18	Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.
DM23	Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.
DM27	Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications. The relevant standards are contained in the 2024 Essex Parking Guidance which were adopted by Chelmsford City Council in 2025.
DM29	Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.
NHP	The Neighbourhood Plan sets out the local community's aspirations for the area and establishes policies for development and land use in the area. A 'made' Neighbourhood Plan forms part of the adopted Development Plan. Where a plan has been drafted and consulted on, but not yet 'made', it is a material planning consideration.

Policy	Policy Description
BNG	The Environment Act 2021 makes biodiversity net gain mandatory. The Act makes provision for grants of planning permission to be subject to a condition to secure that the biodiversity gain objective is met. The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least 10%.

**VILLAGE DESIGN STATEMENTS**

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

**NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) was updated in December 2024. It sets out the Government's planning policies for England and how these should be applied.

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

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

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



**Planning Committee**  
**24/02/2026**

<b>Application No</b>	:	25/01025/FUL Full Application
<b>Location</b>	:	Land North Of Highwood Road Roundabout Writtle Chelmsford Essex
<b>Proposal</b>	:	<b>Change of use of land to 1 no. Gypsy/Traveller pitch comprising 1 no. mobile home and 1 no. touring caravan with associated works. Formation of new access.</b>
<b>Applicant</b>	:	Mr T Collins
<b>Agent</b>	:	Mr Peter Brownjohn
<b>Date Valid</b>	:	18th July 2025

Appendices:

Appendix 1      Drawings  
Appendix 2      Consultations

## 1. Executive summary

- 1.1. The application is referred to Planning Committee at the request of a local councillor due to the level of local interest and opposition, which warrants public scrutiny.
- 1.2. The proposal is for change of use of the land from nominal agricultural use to 1no. Gypsy/Traveller pitch (accommodating 1no. mobile home and 1no. touring caravan), along with associated works comprising the formation of a permeable surface and the erection of fencing and a gate. The proposal also includes a revised access from Bulimers Way, an area of soft-landscaped amenity space and an area of enhanced grassland beyond the enclosed residential area.
- 1.3. This proposal follows application ref 24/01134/FUL, which was refused on 27 May 2025 for six reasons. These reasons related to Green Belt impact, harm to the character and appearance of the area, unmitigated likely significant adverse impacts on Habitats sites, lack of mitigation regarding Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS), adverse impact on highway safety, and flood risk concerns.
- 1.4. Since the previous application was determined, the Council's position in terms of supply and delivery of Gypsy/Traveller pitches has not improved – there remains an unmet need. Government policy is clear where this scenario exists. Where a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework (NPPF) apply, commonly referred to as the 'tilted balance'. In other words, the planning balance 'tilts' in favour of approving an application. A consideration of the site under Green Belt national policy has concluded that the site is considered as 'grey belt' land and the proposal therefore is not inappropriate development. The proposal does include some adverse impacts (character of site, for example) but those impacts would not significantly and demonstrably outweigh the benefits of providing a further pitch within a sustainable location.
- 1.5. The required ecological surveys have been undertaken. Revisions have been made to the access to improve the visibility splays. A financial contribution has been made to mitigate the likely significant adverse effects on Habitats sites. A Flood Risk Assessment has been undertaken and submitted as part of the application. The previous reasons for refusal are suitably addressed.
- 1.6. The application is recommended for approval, subject to conditions.

## 2. Description of site

- 2.1. The application site ('the site') comprises a parcel of undeveloped grassland located within the Green Belt, immediately to the north of Highwood Road Roundabout, at the junctions of Ongar Road West (an A Road) and Bulimers Way (a Class III road).
- 2.2. The site forms part of a larger paddock ('the wider site') within the applicant's ownership (and blue lined), enclosed by native hedgerow, with a small, preserved woodland in its northeast corner and two preserved trees along its northern boundary (ref: TPO/2019/005).

- 2.3. Vehicular access is provided off Bulimers Way to the east via an existing field gate. There is a footway along Highwood Road to the east of the site providing pedestrian access to Writtle. Footpath Writtle 84 (a Public Right of Way) extends across the field to the northwest of the site.
- 2.4. Agricultural land bounds the wider site to the north, with existing dwellings a short distance farther north, a garden centre nearby to the west, and the Defined Settlement of Writtle a short distance to the east across Bulimers Way.
- 2.5. There are no listed buildings within proximity of the site, though Grade II-listed Bulimers Farmhouse lies some 250m to the north.

### 3. Details of the proposal

- 3.1. The application proposes a material change of use of the land from a nominal agricultural use to 1no. Gypsy/Traveller pitch (accommodating 1no. mobile home and 1no. touring caravan), along with associated works comprising the formation of an area of permeable hard surface and the erection of fencing and a gate.
- 3.2. The submitted drawings show that a mobile home would be set back from Bulimers Way by about 22m. Two parking spaces are indicated between the mobile home and Bulimers Way and space for a touring caravan is indicated in front of the mobile home and next to the parking spaces.
- 3.3. Access would be provided via a new access created just north of the existing field gate off Bulimers Way. The existing access would be closed.
- 3.4. Seven fruit trees are also proposed just outside the red line application site within the land outlined in blue (within same ownership). The land outlined in blue is proposed as an area of soft-landscaped amenity space to the north side of the application site and an area of enhanced grassland to the west of the site.

### 4. Other relevant applications

- 4.1. 23/00252/FUL - Refused 25th April 2023  
Change of use of land to 1 no. Gypsy / Traveller pitch comprising 1 no. mobile home and 1 no. touring caravan with associated works.
- 4.2. 24/01134/FUL - Refused 27th May 2025  
Material change of use of land to 1 no. Gypsy/Traveller pitch comprising 1 no. mobile home and 1 no. touring caravan along with associated works.

### 5. Summary of consultations

- Public Health & Protection Services – no comments to make
- Essex County Council Highways – acceptable, subject to conditions

- Writtle Parish Council – Strongly objects - The land lies outside of the defined settlement boundary and within the Green Belt. The proposals impact on the openness and character and appearance of the Green Belt, the latter through the domesticity and spread of the development that would cause harm on this rural part of Writtle. The development is likely to impact on a European designated site. The proposal contravenes the Writtle Neighbourhood Plan. The revised access is considered to be inappropriate.
- Police - Designing Out Crime – no response received
- Essex County Fire & Rescue Service - Access for fire appliances is not acceptable as shown. The following matters need to be addressed before access for fire service purposes can be considered satisfactory: The surface should be capable of sustaining a load of 18 tonnes (26 tonnes in the case of aerial appliances). Further information is required. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.
- ECC Gypsy Traveller Services Manager – no response received
- Recycling & Waste Collection Services – no response received
- Local residents – 13 representations made in objection, summarised as follows:
  - Identical to previously refused applications.
  - Green Belt impacts: inappropriate development, harm openness and visually intrusive. No evidence of alternative sites not within the Green Belt. No very special circumstances exist.
  - Character and appearance: Conflicts with the rural character of the area, the intrinsic character and beauty of the countryside and would be an eyesore.
  - Flood risk: Fails to fully assess flood risk.
  - Highway impacts: Safety concerns over both vehicle and pedestrian access, additional traffic, insufficient information submitted.
  - Public health concerns regarding water collection facilities.
  - Underutilisation of the site.
  - Contrary to Policy DM3.
  - Adverse impacts substantially outweigh the benefits.
  - The Council is sufficiently meeting its need in the district for Gypsy/Traveller sites.
  - Local GP services are already 'Full' and cannot support the development.
  - Proposal would harm wildlife; fails to demonstrate that no protected or priority species would be adversely impacted; the submitted BNG assessment is insufficient; excessive hardstanding and unnecessary loss of green space; would necessitate the felling of protected trees.
  - Inadequate publicity of the application.
  - There are other, more suitable sites for the development nearby.
  - Would result in the loss of agricultural land.
  - The site has a history of unlawful occupation.
  - Development may affect the social countenance of the area.

## 6. Planning considerations

### Policy context

### *The Development Plan*

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that a decision must be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.2. The Council's Local Plan (The Chelmsford Local Plan 'The CLP') was adopted in May 2020 and plans for the period 2013-2036. The Council are reviewing the adopted Local Plan. Consultation on the second Chelmsford Local Plan: Pre-Submission (Regulation 19) Document ('The CLP Reg. 19') closed on 8 January 2026.
- 6.3. As this application seeks permission for a windfall (unallocated) Gypsy/Traveller pitch, the most relevant and applicable policy of the development plan is Policy DM3, which expressly provides for such developments. Policy DM3 (Gypsy, Traveller, and Travelling Showpeople Sites) is a criteria-based policy with considerations ranging from environmental to design matters.
- 6.4. In this case, the development plan comprises both the Chelmsford Local Plan (adopted May 2020) ('CLP') and the Writtle Neighbourhood Plan (made December 2021) ('WNP').
- 6.5. The National Planning Policy Framework (December 2024) ('NPPF'), states at paragraph 30 that the policies of a neighbourhood plan, where they are in conflict and unless superseded, take precedence over existing non-strategic policies in a local plan covering the neighbourhood area.
- 6.6. Case law has established that the development plan should be read as a whole in decision-making.

### *National Policy*

- 6.7. The NPPF, which forms a material consideration in the determination of this application, includes sections relevant to this proposal.
- 6.8. The 'Planning Policy for Traveller Sites' (PPTS) of December 2024 is also a material consideration and should be read in conjunction with the NPPF. The document sets out the Government's planning policy for traveller sites. Similar to Policy DM3 of the CLP, the PPTS also includes site relevant considerations for traveller sites.

### *Need*

- 6.9. At paragraph 9, the PPTS says that local planning authorities should set pitch targets for Travellers, as defined in Annex 1, which address the likely permanent and transit site accommodation needs of travellers in their area.
- 6.10. At the time of the preparation of the adopted CLP (2013-2036), the Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Need Summary Report (GTAA 2017) identified (by extrapolation) a need of nine pitches by 2036.
- 6.11. This need was incorporated into the CLP in Strategic Policy S6 which sets out the housing requirements for the district. Accordingly, Strategic Policy S7 allocated land for nine pitches to be delivered at Drakes Lane. Since the adoption of the CLP, and specifically within the monitoring period 2022 to 2023, nine Gypsy/Traveller pitches have been delivered on the Drakes Lane site, meeting the needs identified in the GTAA 2017 in full.

- 6.12. In September 2024, a new Gypsy and Traveller accommodation assessment ('GTAA 2024') was published, forming part of the evidence base for the review of the Local Plan. This GTAA (2024) identifies an unmet need for households who meet the definition of a Gypsy/Traveller (as per Annex 1 of the Planning Policy for Traveller Sites ('PPTS')). In December 2024, the PPTS Annex 1 definition was amended. As a consequence, the need reported in the September 2024 GTAA is adjusted to reflect the revised definition in Annex 1. For the overall plan period of 2023-2042, the need for those that meet the revised definition, is 44 pitches. For the initial five year period this need is 24 pitches.
- 6.13. The Council are currently reviewing the adopted Local Plan. Consultation on the Chelmsford Local Plan: Pre-Submission (Regulation 19) Document ('The CLP Reg. 19') closed on Tuesday 18 March 2025. A second Regulation 19 consultation has just taken place and closed on 8 January 2026. This second 'Reg 19 Focused Additional Sites' consultation focussed solely on additional housing and employment allocations, and did not include any further allocations for additional Gypsy, Traveller or Travelling Showpeople.
- 6.14. Strategic Policy S6 of the CLP Reg. 19 allocates sites for 30 pitches within major development schemes. Policy S7 (The Spatial Strategy) again states that windfall sites are further expected to be a reliable source of housing supply during the plan period. Planning permission for windfall developments will likely provide a supply of 5 pitches. This likely supply of 5 pitches includes one pitch granted planning permission in December 2025 by the Planning Committee for Butts Green Road in Sandon. As such, a further 9 pitches across the plan period are required to meet the identified need of 44 pitches.
- 6.15. Notwithstanding the pitch provision within the Reg 19 CLP, it remains the case at present that the Council is unable to demonstrate an adequate supply of sites to meet identified needs for Gypsy/Traveller pitches. Paragraph 28 of the PPTS advises that where a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the NPPF apply, commonly referred to as the 'tilted balance'. In other words, the planning balance 'tilts' in favour of approving an application.

### **Main Issues**

The main issues relate to *i)* whether the proposed use of the land is inappropriate development in the Green Belt, *ii)* the effect of the development upon the character and appearance of the area, *iii)* highway safety, *iv)* flood risk, *v)* ecology, *vi)* amenity, *vii)* trees, *viii)* heritage, *ix)* consideration of criteria based policies – Policy DM3 of the CLP and the PPTS.

### **Green Belt**

Issue (i) - Whether inappropriate development in the Green Belt

#### *Paragraph 155 of the NPPF*

- 6.16. Paragraph 155 of the NPPF states that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:-
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
  - b. There is a demonstrable unmet need for the type of development proposed
  - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework

- 6.17. The 'Golden Rules' requirement in paragraph 155(d) do not apply to traveller sites.
- 6.18. In order to not be considered as inappropriate development in the Green Belt the proposal will therefore need to satisfy criteria a, b & c of paragraph 155.
- 6.19. With regard to 155(a), this criteria has two elements. Firstly, whether the development would utilise grey belt land, and secondly whether it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- 6.20. Grey belt land is defined in the NPPF as "...land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143". The definition requires an analysis of paragraph 143 of the NPPF.
- 6.21. Purpose (a) of paragraph 143 is to check the unrestricted sprawl of large built-up areas. Writtle is not a large built up area, so has no contribution to the sprawl of large built up areas. Purpose (a) is not applicable.
- 6.22. Purpose (b) is to prevent neighbouring towns merging into one another. National Planning Policy Guidance (PPG) advises that this relates to towns, not villages. Writtle is a village, not a town. Therefore, purpose (b) is not applicable.
- 6.23. Purpose (d) is to preserve the setting and special character of historic towns. The PPG is clear that this purpose relates to historic towns, not villages. Writtle is not an historic town and therefore the site does not make a contribution to purpose (d).
- 6.24. In view of the above, the application site meets the definition of 'grey belt' land in the NPPF. The first element of paragraph 155 (a) is therefore satisfied.
- 6.25. The second element of paragraph 155 (a) requires a consideration of the wider purposes of the Green Belt in the plan area. The development would have a visual impact on the Green Belt, as discussed within the report below, through its very presence. Green Belt land within Chelmsford covers roughly a third of its administrative area. This application site would represent a minor incidence across the Green Belt with Chelmsford. The degree of harm would not be such as to fundamentally undermine the purposes, taken together, of the remaining Green Belt land across the area of the CLP. The second element of paragraph 155 (a) is therefore satisfied. The proposal therefore complies with criterion (a) of paragraph 155.
- 6.26. With regard to criterion (b) of paragraph 155, in view of the Council's published Gypsy and Traveller accommodation needs assessment, the Council is unable at present to demonstrate an up-to-date five-year supply of deliverable Gypsy/Traveller sites. The proposal therefore complies with criterion (b) of paragraph 155 of the NPPF (a demonstrable unmet need).
- 6.27. With regard to criterion (c) of paragraph 155, specific reference is made to paragraphs 110 and 115 of the NPPF, as well as paragraph 13 of the PPTS. Paragraph 110 directs development to locations which limit the need to travel and offer a genuine choice of travel modes, while acknowledging the variance of such opportunities between urban and rural areas. Part (b) of paragraph 115 requires new developments to ensure safe and suitable access for all users; part (d) requires significant impacts on the transport network (as regard capacity, congestion, and safety) to be capable of being cost-effectively mitigated to an acceptable degree through a vision-led approach. Paragraph 13 of the PPTS requires Gypsy/Traveller sites to be economically,

socially, and environmentally sustainable, and directs local planning authorities to take account of community integration, access to and availability of services and amenities, the provision of a settled base close to work, the health and wellbeing of occupiers, and the risks of development in areas at a high risk of flooding.

6.28. Within this assessment, the following considerations emerge:

- The site is in a rural location but with accessibility on foot/by cycle to the services and amenities of Writtle (including shops, education providers, green spaces, public houses, and bus routes to Chelmsford).
- Access to Writtle on foot/by cycle would necessitate the crossing of Bulimers Way - an approach to Highwood Road Roundabout with a national speed limit and restricted visibility splay. There would be no other way to exit the site on foot/by cycle.
- The access position has been revised from the previous refusal. Traffic speed data in both directions has been provided. The Highway Authority are now satisfied from a safety perspective.
- Vehicular traffic generated from a single pitch would have a limited impact on highway capacity and congestion.
- Economically, the proposal represents a minor benefit in the form of increased spending capacity in the locality.
- Socially, despite there being local opposition to the scheme, it is not the case that the development would inherently impede community integration or result in socially harmful impacts. Weighing in favour of the proposal, the development would provide a settled base for occupants and support the Gypsy/Traveller way of life. On balance, the proposal demonstrates some social benefits.
- Environmentally, the proposal would also result in visual harm to the character and appearance of the area. Tree loss would be mitigated. Nevertheless, on balance, the environmental impacts of the proposal would be moderately adverse.

6.29. Overall, the proposal carries some sustainability credentials in the form of accessibility to services/amenities on foot/by cycle, as well as economic and social benefits. Highway safety has been addressed in this application. The impact on Habitats Sites has been mitigated through a RAMS payment (discussed later in report). Previous concerns related to ecology have been addressed. Accordingly, the proposal complies with criterion (c) of paragraph 155 of the NPPF.

#### *Inappropriate development - summary*

6.30. Since the development of the site would utilise grey belt land, and it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, it meets the requirements of paragraph 155 of the NPPF and thereby is not inappropriate development in the Green Belt.

6.31. Given that the development is not 'inappropriate' there is no need to make any assessment as to its effects on the openness of the Green Belt. This approach is established by case law.

Issue (ii) - effect on the character and appearance of the area

#### *Policy context*

6.32. Strategic Policy S1 (Strategic Principles) of the CLP requires all new development to respect the character and appearance of landscapes and the built environment.

- 6.33. Policy DM10 (Change of Use and Engineering Operations), Part A) (Green Belt) of the CLP states that engineering operations will be permitted within the Green Belt where they preserve openness, do not conflict with the purposes of including land within the Green Belt, and do not harm the character and appearance of the area.
- 6.34. Policy DM23 (High Quality and Inclusive Design) of the CLP requires development to respect the character and appearance of the area in which it is located and be compatible with its surroundings.
- 6.35. Policy WNP D1 (High Quality Design) of the WNP lends support for developments which relate well to the existing settlement and surrounding landscape features, and which minimise visual intrusion, retain and incorporate important existing landscaping, and make use of complementary boundary treatments including plantings native to Writtle.

*Impact on character and appearance of the area*

- 6.36. The application site is considered to be rural in character. The site comprises an undeveloped grass paddock, with hedgerow around its perimeter. The site is bound by an agricultural field to the north and the Highwood Road Roundabout to the south. Two hard surfaced access points exist at present. The character of the area is therefore a mix of rural and urban elements.
- 6.37. The proposed change of use would introduce permanent residential occupation to the site, as well as two caravans and associated domestic chattels and paraphernalia (such as domestic vehicles, washing lines, play equipment, benches, etc). Associated works would introduce a permeable hard surface of 1042sqm and a pitch enclosure formed of fencing and a gate. The character of the site, as experienced within the site would therefore clearly be altered. Domestic activity associated with the use within the site and traffic movements from vehicles would be more prevalent than its current sporadic use.
- 6.38. Views from public vantage points would be attainable during winter months by users of the highway through the deciduous hedgerow, as well as pedestrians along the Bulimers Way and Highwood Road footways.
- 6.39. Mitigation in the form of further soft landscaping would provide further screening of the development in the long-term, but this would take time to become established. It would require management and would not eliminate visibility in winter months.
- 6.40. The application site is essentially undeveloped, as is its wider field setting to the north, until reaching the residential properties along Ongar Road. The Defined Settlement Boundary of Writtle sits further beyond to the east / north east. The absence of development within the site and its open green setting to the north create a sense of rurality, albeit this is interrupted by the road features of the A414 to the south west, Bulimers Way to the east and the Highwood Road roundabout to the south. The scheme would be some harm to the existing character and appearance of the area. Planning conditions could control / reduce such harm but there would remain some moderate residual visual harm, in conflict with Policy S1, DM10, DM23 of the CLP and Policy WNP D1 of the WNP.

Issue (iii) - Highway Safety and Access

- 6.41. Strategic Policy S1 (Spatial Principles) of the CLP requires all new development to be located at well-connected and sustainable locations.
- 6.42. Strategic Policy S9 (Infrastructure Requirements) of the CLP requires new development to be supported by the provision of infrastructure necessary to serve its needs.
- 6.43. Policy WNP MA2 (Traffic Management Proposals) of the WNP lends support for development which appropriately mitigates impacts on highway safety.
- 6.44. Paragraph 115, part b) of the NPPF requires development proposals to provide safe and suitable access to the site for all users. As per paragraph 116, development should only be refused on highway grounds where the impact on highway safety would be unacceptable or the residual cumulative impacts on the road network would be severe.
- 6.45. The application site lies immediately to the north of the Highwood Road Roundabout (an A Road), at the junctions of Ongar Road West (the A414) and Bulimers Way. Access is provided off Bulimers Way - an approach to the roundabout with a national speed limit and restricted visibility splay.
- 6.46. The access position was revised following the previously refused application. In addition, traffic speed surveys were submitted with the application in order to demonstrate that the proposal is acceptable in highway terms.
- 6.47. The proposal includes the requisite number of parking spaces within the site to serve the development.
- 6.48. The Essex Highway Authority raise no objection. Accordingly, the proposal complies with Strategic Policies S1 and S9 of the Local Plan as well as the aims and objectives of the NPPF. Granting planning permission would not result in an adverse impact in respect of highway safety or capacity.

Issue (iv) - Flood Risk

- 6.49. Paragraph 181 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 6.50. Paragraph 182 of the NPPF states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of run off, and which are proportionate to the nature and scale of the proposal.
- 6.51. The site lies within Flood Zone 1 (lowest risk) and a site specific Flood Risk Assessment (FRA) was submitted with the application. The previous application did not include a FRA.
- 6.52. The FRA confirms the site being within Flood Zone 1, with a very low probability of flooding from rivers. The proposed development area also lies outside of the surface water flood extents identified by the Environment Agency. Areas of potential risk of surface water flooding are confined to lower-lying wooded land within the wider site boundary (blue lined land). To provide for a sustainable surface water strategy, a full infiltration-based SuDS strategy is proposed which is the use of a permeable paving for all new hardstanding area designed to capture, store and infiltrate surface water run off from the development. The drainage design accommodates rainfall events up to the 1 in 100-year storm plus 40% allowance for climate

change. The FRA concludes that with the use of permeable paving across all new hardstanding areas (as proposed), the proposal would be acceptable in flood risk terms.

#### Issue (v) - Ecology

- 6.53. Strategic Policy S1 (Spatial Principles) of the CLP requires all new development to preserve or enhance biodiversity.
- 6.54. Strategic Policy S4 (Conserving and Enhancing the Natural Environment) of the CLP commits the Council to the protection of designated sites and species, requires new development to demonstrate the advancement of biodiversity, and establishes a precautionary approach where insufficient information is provided about avoidance, management, mitigation, and compensation measures.
- 6.55. Policy WNP LE2 of the WNP offers support to development proposals which are expected to retain and enhance the natural environment, and which result in net environmental and biodiversity gains.
- 6.56. Policy DM16 (Ecology and Biodiversity), Part D (Biodiversity and Geodiversity in Development) of the CLP states that all development proposals should (commensurately) conserve and enhance networks of habitats, species, and sites, avoid negative impacts on biodiversity (or otherwise mitigate unavoidable impacts/compensate for residual impacts), and deliver a net gain in biodiversity where possible.
- 6.57. The applicant has provided a reptile survey and a ground level tree assessment as well as relevant ecological impact assessment. No reptiles, nor potential roost features were found. Accordingly, the Council is satisfied that the proposal would not adversely impact on protected/priority species or habitats. The proposal therefore complies with Policies S4 and DM16 of the CLP. Granting planning permission would not result in an adverse impact in respect of ecology.

#### Issue (vi) - Residential amenity

- 6.58. The site is bounded by agricultural land and two major roads. It is located sufficient distance from the nearest dwellings to offset any potential harm to neighbouring residential amenity.
- 6.59. Occupants would be subject to some air quality and noise impacts from the nearby roundabout and road network. These impacts may amount to a degree of harm but Public Health and Protection Services (PHPS) have not raised an objection to the proposal and it is therefore acceptable in amenity terms.

#### Issue (vii) - Trees

- 6.60. One field maple would be removed to allow for the new access. A small area of the adjacent preserved woodland (approx. 40sqm) would also be removed. Replacement trees are proposed on the west side of the woodland area to replace those removed and replacement hedge is proposed across the closed access. Minor management of roadside hedges in the northeast corner of the site is required to maintain visibility splays and these are maintenance works that have been carried out historically. The proposed development, including replacement planting, would not adversely impact upon the nearby preserved trees/woodland to the north and northeast of the site. Whilst there is some loss of trees, these can be mitigated. The impact can be viewed as neutral.

Issue (viii) - Heritage

- 6.61. The site is located some 250m south of Grade II-listed Bulimers Farmhouse. Views are attainable across the landscape; however, intervening hedgerow would negate any harmful impacts on the setting of the listed building. Its setting would be preserved.

*Issue (ix) - Compliance with Policy DM3 (Gypsy, traveller and travelling showpeople sites) and the Planning Policy for traveller sites (PPTS)*

*Policy DM3 of the Chelmsford Local Plan*

- 6.62. Policy DM3 (Gypsy, Traveller, and Travelling Showpeople Sites) is a criteria-based policy expressly providing for the development of 'windfall' (i.e. unallocated) Gypsy/Traveller pitches. Policy DM3 requires all criteria to be met. An assessment against each is made as follows:

*i)The site is not in the Green Belt, unless there are very special circumstances;*

- 6.63. The application site is located within the Green Belt, however, the proposal is not inappropriate development by virtue of compliance with paragraph 155 of the NPPF (which provides an exception to inappropriate development). Very special circumstances are not required to be demonstrated. The introduction of the exception under paragraph 155 of the NPPF (in December 2024) post-dated the publication of the Local Plan. As a result this criteria cannot strictly be complied with as written in the Local Plan policy, however the new wording in the NPPF allows for its Green Belt location to be acceptable in principle. Because of the misalignment in policy wording Policy DM3 would be given reduced weight.

*ii)Adequate community services and facilities are within reasonable travelling distance;*

- 6.64. The site is within reasonable proximity to the services and facilities of Writtle, these being accessible via a footpath along Highwood Road, opposite the proposed access to the site. The village school is approx. 900m to the east; the village community association centre approx. 600m. This criteria is satisfied.

*iii)The site is of sufficient size to accommodate the proposed number of caravans, vehicles and ancillary areas;*

- 6.65. The site is large enough to accommodate the proposed number of caravans, vehicles, and ancillary areas (as demonstrated on the submitted plans). This criteria is satisfied.

*iiii)There is no significant adverse impact on the intrinsic character and beauty of the countryside;*

- 6.66. Although the proposal would see the introduction of domestic chattels and paraphernalia, and associated operational development, the impact of the proposal is not considered to be significantly adverse or of a level to justify refusal of the application. This criteria is satisfied.

*v)The site would not lead to the loss of, or adverse impact on, important historic and natural environment assets;*

- 6.67. The submitted ecological surveys and assessments conclude there would not likely be a significant adverse effects on Habitats sites. The setting of historic assets would be preserved. This criteria is satisfied.

*vi) There is no significant risk of land contamination or unacceptable risk of flooding;*

- 6.68. The site and its surroundings are subject to a present and future risk of surface water flooding but this has been satisfactorily addressed by the proposal.
- 6.69. There is no significant risk of land contamination. Limited information has been submitted in relation to recycling, waste storage and collection, but these provisions can satisfactorily be secured via planning condition. This criteria is satisfied.

*vii) The site provides a suitable living environment for the proposed residents and there is no significant adverse impact on the amenity of nearby residents;*

- 6.70. The site would provide an acceptable living environment for the proposed residents (those being the applicant and their immediate dependants) and the proposal would not result in a significant adverse impact on the amenity of other nearby residents. This criteria is satisfied.

*viii) Safe and convenient vehicular access to the local highway network can be provided;*

- 6.71. The proposal provides suitable vehicular access to the site. This criteria is satisfied.

*ix) Essential services (water, electricity and foul drainage) are available on-site or can be made available on-site;*

- 6.72. Limited information has been provided regarding the provision of essential services. Nevertheless, the submitted planning statement asserts that the site is capable of being provided with essential services, including water, electricity, and foul drainage, on-site. These can be secured by condition. This criteria is satisfied.

*x) Plots for Travelling Showpeople should also be of a sufficient size to enable the storage, repair and maintenance of equipment.*

- 6.73. The proposal does not relate to plots for Travelling Showpeople, therefore this criterion is not applicable.

*Planning Policy for traveller sites (PPTS)*

- 6.74. This Government guidance sets out the planning policy for traveller sites, to be read in conjunction with the NPPF. There is specific reference for traveller sites in the Green Belt, but this relates to 'plan-making'. It also includes a specific policy for the determination of planning applications (Policy H).
- 6.75. The proposed site is considered to be well planned within the already apportioned field parcel. It will include improved landscaping and an amenity (play) area. The proposed physical enclosures are not too harsh. Specific reference is made to the tilted balance being applicable where a 5 year cannot be demonstrated. As such there is no conflict with aspirations of the PPTS

*Conclusion on criteria based policies*

- 6.76. With consideration to the above criteria-based assessment, and in light of the revised NPPF, the proposal complies with Policy DM3 of the Local Plan and the PPTS .

## **Other Matters**

### *Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)*

- 6.77. Section 15 of the National Planning Policy Framework (NPPF) requires that when determining planning applications, local planning authorities should apply the principle that if significant harm to biodiversity resulting from development cannot be avoided adequate mitigation, or, as a last resort, compensation for, then planning permission should be refused.
- 6.78. Chelmsford Local Plan Policy DM16 states that developments that are likely to have an adverse impact (either individually or in combination with other developments) on European Designated Sites must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.
- 6.79. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which will be completed by the time the Local Plan is adopted. Prior to RAMS completion, the authority will seek contributions, where appropriate, from proposed residential development to deliver all measures identified (including strategic measures) through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.
- 6.80. The proposal site falls within 'zones of influence' identified by Natural England for likely significant effects to occur to European designated sites, in this case specifically the Blackwater Estuary Special Protection Area and RAMSAR site. Those likely significant effects will occur through increased recreational pressure when considered either alone or in combination with other residential development. The RAM's payment has been made by the Applicant to address the need for mitigation for the dwelling which would be created by the proposal.
- 6.81. The proposal development complies with the objectives of Chapter 15 of the NPPF and Chelmsford Local Plan Policy DM16.

### *Biodiversity Net Gain (BNG)*

- 6.82. In this case, the BNG regulations require the delivery of a 10% net gain in habitat and hedgerow units. It is clear from the submitted drawings that there exists sufficient space within the wider site to further increase the provision of habitat and hedgerow units prior to the commencement of the development. Planning conditions requiring the submission of a final BNG plan and habitat management plan will be secured to ensure compliance with the general BNG planning condition (as per Schedule 7A, Part 2, Subsection 13 of the Town and Country Planning Act 1990).

### *Further matters*

- 6.83. The following comments are intended to address final, other matters that have not otherwise been addressed, and with specific reference to consultee comments and public representations:
- The proposed development would not materially increase demand on local services and amenities.
  - Whilst the agricultural land classification for the application site is 'very good', the parcel of land is already sub-divided from the wider field parcel. The change of use of the land would also represent a minor loss.

- Previous breaches of planning control do not form material planning considerations.
- Three site notices were displayed to advertise the application in accordance with the relevant legislation.

## **Planning Balance**

- 6.84. As set out at paragraph 28 of Planning Policy for Traveller Sites (2024) (PPTS) the lack of a 5 year supply of deliverable sites directs that the provisions in paragraph 11(d) of the NPPF apply (the tilted balance).
- 6.85. Paragraph 11(d) indicates that permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.
- 6.86. Footnote 7 evident within 11(d)(i) includes policies in the NPPF related to a number of planning constraints. Not all are applicable to this site. For example the application site is not a habitats site. The site falls within the zone of influence for Essex Coast RAMS. However, the Council is satisfied there are appropriate measures available to mitigate any potential unacceptable impacts. It is not designated as a Site of Special Scientific Interest; not Local Green Space; not a National Landscape, a National Park or defined as Heritage Coast; not irreplaceable habitat; not designated heritage asset and not in an area at risk of flooding or coastal change. The site is within the Green Belt, however the definition of grey belt (in the NPPF glossary) excludes such land (grey belt) from providing a strong reason for refusal through application of footnote 7.
- 6.87. With regard to the Green Belt, the site is considered to be grey belt land and fulfils the criteria of paragraph 155 of the NPPF. The proposal is not inappropriate development. There is therefore not a need to consider openness or whether very special circumstances exist.
- 6.88. There is no strong reason for refusing permission with regard to NPPF paragraph 11(d)(i).
- 6.89. The officer report identifies conflict with CLP Policies S1, DM10 and DM23. Policies S1 and DM10 are afforded reduced weight as they do not fully align with the revised NPPF (2024). Policy DM23 of the CLP and Policy WNP D1 of the WNP are afforded full weight and there is also some conflict with those design based policies in that the moderate visual harm would be caused as a result of the development.
- 6.90. With regard to NPPF paragraph 11(d)(ii), the site is in a sustainable location in terms of providing reasonable access to services and facilities. The provision of one pitch in circumstances where the Council is unable to demonstrate a 5 year supply of pitches to meet current need is a benefit that attracts substantial weight.
- 6.91. On balance the adverse impacts do not significantly and demonstrably outweigh the benefits.

## **Conclusion**

- 6.92. The proposal needs to be determined in the context of the Council not being able to demonstrate a 5 year supply of pitches. The tilted balance identified in the NPPF is therefore engaged. Following consideration of Green Belt national policy the site has been considered to be 'grey belt' and with specific regard to paragraph 155 of the NPPF, the report establishes that the proposal is not inappropriate development in the Green Belt. None of the exclusions to applying the tilted balance disengage 'tilting' the application towards an approval. Furthermore, none of the adverse impacts would significantly and demonstrably outweigh the benefits of providing an additional pitch in a sustainable location.
- 6.93. All other matters which formed the basis of the previous refusal have been addressed and overcome.
- 6.94. For the reasons given above and having regard to all other matters raised, it is concluded that the proposed development is acceptable and in accordance with the Development Plan as a whole and other material considerations.

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

- 6.95. The application may be CIL liable and there may be a CIL charge payable.

### **RECOMMENDATION**

**The Application be APPROVED subject to the following conditions:-**

#### **Condition 1**

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

Reason:

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

#### **Condition 2**

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

Reason:

In order to achieve satisfactory development of the site

#### **Condition 3**

The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).

Reason:

Planning permission has only been granted on the basis that it will meet an identified need for Gypsy and Traveller accommodation in accordance with Policy DM3 of the Chelmsford Local Plan.

**Condition 4**

There shall be no more than one pitch within the site. On the pitch hereby approved there shall be no more than two caravans sited at any one time, of which no more than one shall be a mobile home or a static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, both as amended).

Reason:

To ensure the satisfactory development of the site and in the interests of safeguarding the Green Belt, in accordance with the policies of the Writtle Neighbourhood Plan as well as Policies S1, S11, DM3 and DM23 of the Chelmsford Local Plan.

**Condition 5**

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

Reason:

To ensure that the development would not result in unacceptable light pollution within the Green Belt in accordance with Policy DM6 of the Chelmsford Local Plan.

**Condition 6**

No vehicles over 3.5 tonnes shall be stored or parked on the site, and no commercial activities shall take place on the land, including the storage of materials, plant, and/or waste.

Reason:

To ensure the satisfactory development of the site and in the interests of safeguarding the Green Belt, in accordance with the policies of the Writtle Neighbourhood Plan as well as Policies S1 and S11 of the Chelmsford Local Plan.

**Condition 7**

There shall be no residential occupation of the development hereby permitted until such time as an essential services strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the following:

- i. means of supplying potable water to the permitted caravans;
- ii. means of disposing of foul water from the permitted caravans.

In the event that the strategy does not include on-site solutions (e.g. a package treatment plant), detailed justification shall be provided as to why, and a sustainable point of connection to the public foul network shall be identified.

Thereafter, there shall be no occupation of the development hereby permitted until such time as the approved strategy has been implemented in full in accordance with the approved details.

Reason:

To prevent pollution and ensure that the site is supplied by adequate and sustainable services in accordance with Policies S1, S4, S9, S10, DM3, and DM16.

**Condition 8**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no wall, gate or other

means of enclosure other than hereby approved shall be constructed within or along the boundaries of the site without the written consent of the local planning authority.

Reason:

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

#### **Condition 9**

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Preliminary Ecological Appraisal undertaken by Ecology Partnership dated June 2024.

Reason:

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

#### **Condition 10**

There shall be no occupation of the development hereby permitted until such time as the SUD'S strategy has been implemented and the development hereby permitted shall only be carried out in accordance with the details contained in the approved 'Flood Risk and Surface Water Drainage Assessment 1556' undertaken by Flume Consulting Engineers.

Reason:

To ensure that surface water run-off is adequately addressed in accordance with Policies S1, S2, and DM18 of the Chelmsford Local Plan.

#### **Condition 11**

No development shall take place until a final written Biodiversity Net Gain Plan (The BNG Plan) in the form of the national BNG Plan template, for the provision of a minimum 10% biodiversity net gain, has been submitted to and approved in writing by the local planning authority. The BNG Plan shall relate to the development for which planning permission is granted, and include:

- (i) completed metric calculation tool;
- (ii) pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale);
- (iii) biodiversity net gain register reference numbers (if purchasing off-site units); and
- (iv) proof of purchase if purchasing statutory biodiversity credits.

The development shall not be begun until such time that The Biodiversity Net Gain Plan (BNG Plan) has been approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with The BNG Plan.

Reason:

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

#### **Condition 12**

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

- (i) details setting out how the onsite or off-site gains will be managed;

Details of the persons responsible for the implementation, management and monitoring;

- (ii) details of how habitats will be monitored (including specific details for each type of habitat);

- (iii) details, including a schedule, of monitoring reports to be submitted to the local planning authority over at least a 30 year period;
- (iv) details of how management will be reviewed;
- (v) details of adaptive management to account for habitat restoration if the management plan is not working.

Reason:

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

### **Condition 13**

There shall be no residential occupation of the development hereby permitted until such time as a site development scheme relating to land edged both red and blue on Dwg. J004889-DD-01 has been submitted to and approved in writing by the Local Planning Authority. The site development scheme shall include details of the following:

- i. details of the proposed treatment of all boundaries, including gates, fences, walls, railings or piers;
- ii. hard surfacing and vehicle parking and turning areas;
- iii. planting plans for proposed and replacement hedgerows, trees, and other vegetation including specifications of species, sizes, planting centres, number, and percentage mix;
- iv. details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife, including all recommended enhancements set out in the approved Preliminary Ecological Appraisal;
- v. management details and a five-year maintenance plan.

Planting plans shall include native species only and shall propose a replacement hedgerow along the frontage of the site.

Thereafter, there shall be no residential occupation of the development hereby permitted until such time as parts i), and ii) of the approved site development scheme has been implemented in full in accordance with the details approved. The remainder of the approved site development scheme shall have been implemented in full in accordance with the details approved by the end of the first available planting season following their approval.

Reason:

To ensure that hardsurfacing is permeable to prevent discharge of surface water onto the highway, to allow vehicles to turn within the site, to allow access for fire tender, to prevent loose material being displaced on to the highway, to add character to the development, to integrate the development into the area, to promote biodiversity, and to provide a satisfactory living environment for occupants in accordance with Policies S1, S4, S11, DM3, DM16, and DM23 of the Chelmsford Local Plan.

### **Condition 14**

Within the first planting season following the commencement of the development, three trees shall be planted within the site outlined in red on the approved drawing no. J004889-DD-01. Details of approximate location and tree species shall be submitted to and approved in writing by the Local Planning Authority prior to their planting.

If any tree is removed, uprooted, destroyed or dies within a period of 5 years following its planting, a new tree or shrub of the species listed above shall be planted in its place within the next available planting season.

Reason:

To appropriately mitigate the impact of the development on the Green Belt and the character and appearance of the area, and to promote biodiversity in accordance with the policies of Policies S1, S2, S11, DM3, DM16, and DM23 of the Chelmsford Local Plan.

**Condition 15**

Prior to occupation of the development, the proposed new vehicular access in Bulimers Way, shown in the "As Proposed Site Plan" drawing no. J004889-DD-04 Revision B and "Proposed Visibility Splays" drawing no.2304063-01 Revision B, at its centre line shall be provided with:

- i. A clear to ground visibility splay with dimensions of 2.4 metres by 120 metres to the northeast. Such vehicular visibility splays shall be retained free of any obstruction at all times.
- ii. A clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the southwest, to the Highwood Road roundabout, as measured from and along the nearside edge of the carriageway. This will require clearance of foliage from the highway verge. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason:

To provide adequate inter-visibility between vehicles using the vehicular access and those in the existing public highway in the interest of highway safety.

**Condition 16**

The existing access shown on the "As Proposed Site Plan" drawing no. J004889-DD04 Revision B, shall be permanently closed, immediately after the site is brought into first beneficial use. The closed access shall incorporate the reinstatement to full height of the highway verge and kerbing within three months of the first occupation of the development hereby permitted.

Reason:

To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

**Condition 17**

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

Reason:

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

**Condition 18**

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

Reason:

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

**Notes to Applicant**

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

#### Noisy work

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

#### Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 The applicant is requested to contact Water Section at Essex Fire Services HQ with regard to any additional water supplies that may be required for the development.
- 3 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are: Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

#### **Positive and Proactive Statement**

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

#### **Background Papers**

Case File

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

J004889-DD-04/B  
 J004889-DD-01  
 Flood Risk and Surface Water Drainage Assessment 1556  
 2304063-01 Visibility Splays/B  
 Preliminary Ecological Appraisal

**Public Health & Protection Services**

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

**Essex County Council Highways**

Comments
<p>28.08.2025 - Proposal</p> <p>Change of use of land to 1 no. Gypsy/Traveller pitch comprising 1 no. mobile home and 1 no. touring caravan with associated works. Formation of new access.</p> <p>Highway Considerations:</p> <p>The applicant has provided a 7-day speed survey for the proposed vehicular access to the site duration; Monday 9th December to Sunday 19th December 2024:</p> <p>For south-bound vehicles (approaching the roundabout on the non-approach side, the measured 85th percentile vehicle speeds were 40.9mph. The appropriate visibility X or minor distance 2.4 metres by 120 metres, as measured from the nearside carriageway edge can be achieved to the north-east over land in the applicant's control and highway land.</p> <p>o For vehicles north-east bound vehicles (approaching from the Highwood Road roundabout junction) the measured 85th percentile vehicle speeds were 28.2mph.</p> <p>The appropriate visibility X or minor distance 2.4 metres by 43 metres, as measured from the nearside carriageway edge can be achieved to the south-west over land in the applicant's control and highway land.</p> <p>From a highway and transportation perspective the impact of the proposal is</p>

acceptable to the Highway Authority subject to conditions:

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

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

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

2.

Prior to occupation of the development, the proposed new vehicular access in Bulimers Way, shown in the "As Proposed Site Plan" drawing no. J004889-DD-04 Revision B and "Proposed Visibility Splays" drawing no.2304063-01 Revision B, at its centre line shall be provided with:

i.

A clear to ground visibility splay with dimensions of 2.4 metres by 120 metres to the northeast. This will require clearance of foliage from the highway verge and clearance of the some of the planted wooded area to 1 metre distance back from the visibility splay. To ensure that the future outward growth of the remaining planting does not encroach upon or obstruct the visibility splay. Such vehicular visibility splays shall be retained free of any obstruction at all times.

ii.

A clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the southwest, to the Highwood Road roundabout, as measured from and along the nearside edge of the carriageway. This will require clearance of foliage from the highway verge. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the vehicular access and those in the existing public highway in the interest of highway safety.

3.

The existing access shown on the "As Proposed Site Plan" drawing no. J004889-DD-04 Revision B, shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge and kerbing immediately the proposed new access is brought into first beneficial use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

4.

There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

5.

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

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

6.

Prior to first occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

7.

There is plenty of space within the site to provide off-street parking in accordance with the Parking Standards, for the mobile home and for the touring caravan. Therefore, prior to first occupation not less than 2no. vehicle parking spaces shall be provided in accordance with the Parking Standards and an appropriate hardstand for the touring caravan shall be constructed ready for use. Details previously agreed in writing with the Local Planning Authority. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

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

8.

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

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

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and NPPF 2024.

Informatives:

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

The applicants should be advised to contact the Development Management Team by email at

development.management@essexhighways.org

### Writtle Parish Council

#### Comments

The committee considered the application and in line with the previous two applications for the site, the parish council strongly objects to the proposal. The land lies outside of the defined settlement boundary and within the green belt where its openness should be maintained. The development is likely to impact on a European designated site. The proposals impact on the openness and character and appearance of the green belt, the latter through the domesticity and spread of the development that would cause harm on this rural part of Writtle. The proposals contravene the Writtle Neighbourhood Plan. Additionally the revised access is considered to be inappropriate.

### Police - Designing Out Crime

#### Comments

No response received

### Essex County Fire & Rescue Service

#### Comments

Planning Application No.: 25/01025/FUL

Description: Change of use of land to 1 Gypsy/Traveller pitch comprising 1 no. mobile home and 1 touring caravan with associated works. Formation of new access.

Location: Land North of Highwood Road Roundabout Writtle Chelmsford Essex

#### Access

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13.

Access for fire appliances is not acceptable as shown.

The following matters need to be addressed before access for fire service purposes can be considered satisfactory:

The surface should be capable of sustaining a load of 18 tonnes (26 tonnes in the case of aerial appliances).

Further information is required.

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

#### Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with The Building (Registered Building Control Approvers etc.) (England) Regs 2024.

#### Water Supplies

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

#### Sprinkler Systems

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

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

### **ECC Gypsy Traveller Services Manager**

Comments
No response received

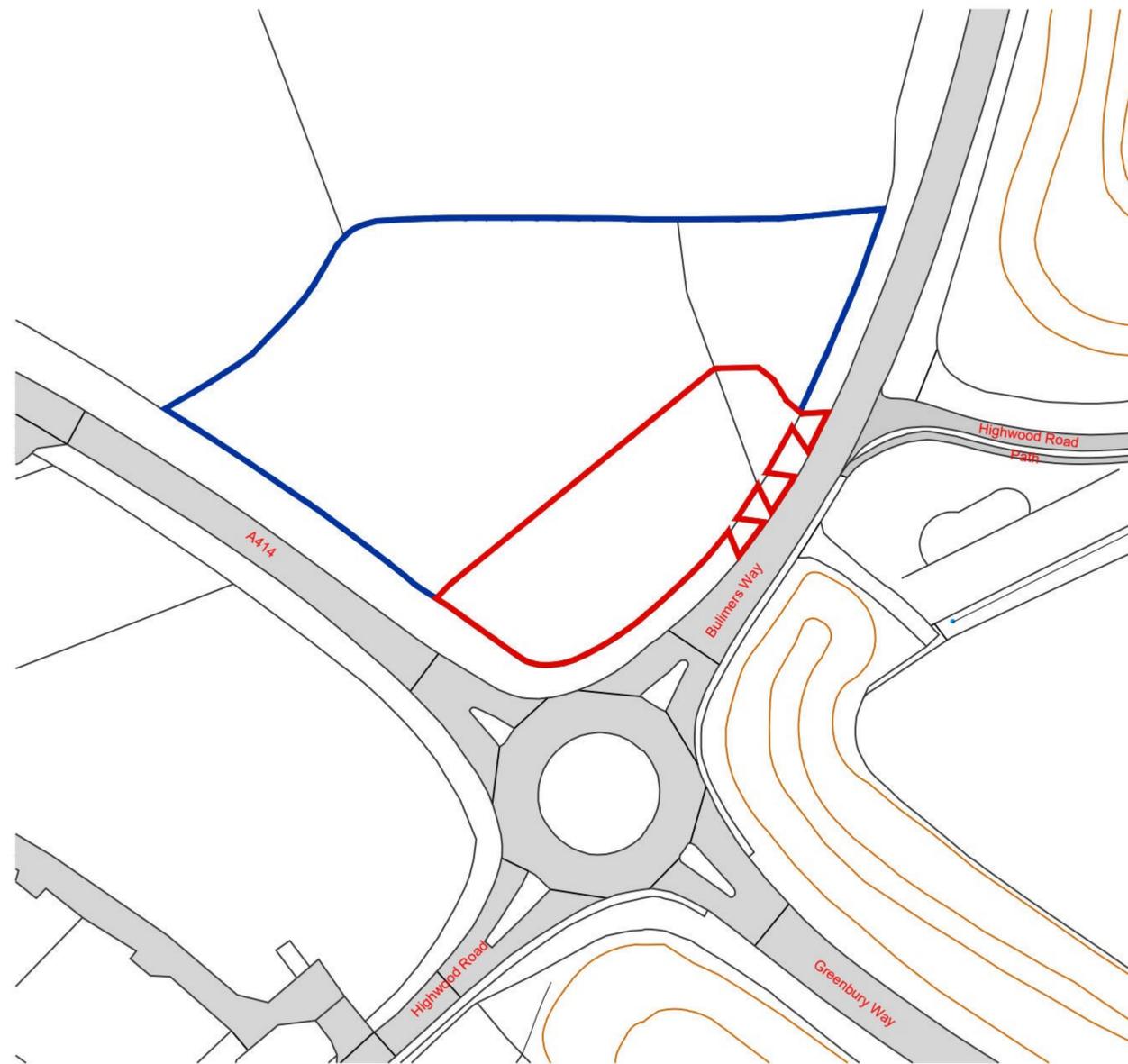
### Recycling & Waste Collection Services

Comments
No response received

### Local Residents

Comments
<p>Representations received – summarised below:</p> <ul style="list-style-type: none"> <li>o Is identical to previously refused applications and their reasons for refusal are still relevant to this application.</li> <li>o Green Belt impacts: the proposal represents inappropriate development, would harm openness, and would be visually intrusive. No evidence has been provided to show there are no alternative sites not within the Green Belt. There exist no very special circumstances to justify the development.</li> <li>o Character and appearance: the proposed development would conflict with the rural character of the area, the intrinsic character and beauty of the countryside and would be an eyesore.</li> <li>o Flood risk: the application fails to fully assess flood risk with no on site infiltration testing having been carried out.</li> <li>o Highway impacts: the access to the village is already congested. Safety concerns over access to the site. Additional traffic would conflict with other users of the highways; access and egress safety has not been demonstrated and vehicle tracking drawings should be provided; the submitted speed survey is insufficiently detailed; pedestrian access is not safe.</li> <li>o Reference to water collecting facilities on the site contradict the applicants statement that the site is capable of providing essential services, this gives rise to public health concerns.</li> <li>o Underutilisation of the site.</li> <li>o Fails to pass the tests of Policy DM3.</li> <li>o The adverse impacts of the proposal substantially outweigh the benefits.</li> </ul>

- Need and supply of Gypsy/Traveller sites: there is a sufficient local supply of Gypsy/Traveller sites; the Council is sufficiently meeting its need in the district for Gypsy/Traveller sites.
- Impact on services: Local GP services are already 'Full' and cannot support the development.
- Biodiversity, ecology, and trees: the proposed development would harm wildlife; the application fails to demonstrate that no protected or priority species would be adversely impacted; the submitted BNG assessment insufficiently addresses how it will be secured; excessive hardstanding and unnecessary loss of green space, the development would necessitate the felling of protected trees.
- Other: publicity of the application has been inadequate; there are other, more suitable sites for the development nearby; the development would result in the loss of agricultural land; the site has a history of unlawful occupation; development may affect the social countenance of the area.



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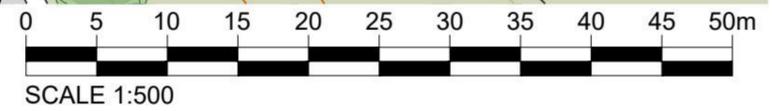
Site Location Plan



Rev	Date	Description
Surrey Office 5 Pool House Bancroft Rd Reigate RH2 7RP		London Office No.1 Croydon 12-16 Addiscombe Rd Croydon CR0 0XT
Date June 2025		Drawn By KA
Scale 1:1250@A3		Checked PB
Client Mr. T Collins		
Project Land at Junction of Ongar Road and highwood Road Writtle, Essex, CM1 3NT		
Title Site Location Plan		
Drawing No. J004889-DD-01		Rev.



As Proposed Site Plan



Rev	Date	Description
<b>WS PLANNING &amp; ARCHITECTURE</b> Surrey Office: 5 Pool House, Bancroft Rd, Reigate, RH2 7RP London Office: No.1 Croydon, 12-16 Addiscombe Rd, Croydon, CR0 0XT T: 01737 225711, T: 02039 281180, www.wsipa.co.uk, admin@wsipa.co.uk		
Date	June 2025	Drawn By: KA
Scale	1:500@A3	Checked: PB
Client	Mr. T Collins	
Project	Land at Junction of Ongar Road and highwood Road Writtle, Essex, CM1 3NT	
Title	As Proposed Site Plan	
Drawing No.	J004889-DD-04	Rev. B



**Planning Committee**  
**24/02/2026**

<b>Application No</b>	:	25/01195/FUL Full Application
<b>Location</b>	:	Field At Greenacre Lane Stock Ingatestone Essex
<b>Proposal</b>	:	<b>Erect Agricultural Storage Barn</b>
<b>Applicant</b>	:	Mr and Mrs Sharp
<b>Agent</b>	:	Mrs Nicole Elkins
<b>Date Valid</b>	:	13th August 2025

Appendices:

Appendix 1      Drawings

## 1. Executive summary

- 1.1. These applications are referred to planning committee at the request of a local ward member. This is because of the high number of local objections to both applications.
- 1.2. This single report covers two planning applications for barns near each other at Greenacre Lane in Stock.
- 1.3. The applications are:
  - Application A - 25/01194/FUL – Hay/Feed Barn and,
  - Application B – 25/01195/FUL – Agricultural storage barn.
- 1.4. Neither barn is proposed to accommodate livestock.
- 1.5. The application sites are in the southeast corner of a field close to four recently constructed barns which are used to accommodate cattle. These comprise one of the hubs of the applicant's cattle breeding enterprise. Access is from a farm track which connects the site with Smallgains Lane.
- 1.6. The site lies within the Green Belt. The proposed buildings are for agricultural purposes. Consequently, they would not constitute inappropriate development in the Green Belt and their effects on the openness of the Green Belt do not need to be considered.
- 1.7. The effect of the two buildings and their use for agricultural storage would not unacceptably harm the character and appearance of the area.
- 1.8. Given the reasonable distance between the proposed barns and the nearest dwellings and the nature of the use of the barns for storage it is unlikely that the use of the barns would result in unacceptably harmful effects on nearby living conditions.
- 1.9. Traffic levels associated with the use of the barns and agricultural operations are likely to be reduced because hay, forage and other related storage at the site would mean fewer vehicle trips to the site to deliver hay and suchlike.
- 1.10. The proposed buildings would be constructed on an existing concrete hardstanding and with an existing access. As such the proposal would be unlikely to impact on any habitat as no groundworks are proposed.
- 1.11. Likewise, the proposal to construct two buildings on an existing hard surface would not increase the likelihood of surface water flooding.
- 1.12. The proposed buildings comply with the development plan taken as a whole and approval is recommended subject to conditions.

## 2. Description of site

2.1. The application sites are located within the Green Belt approximately 1 km south of Stock Village. The area is characterised by small scale irregular hedged fields interspersed by farms and dwellings connected by quite narrow country lanes.

2.2. The site is located towards the southeast corner of a field largely enclosed by hedgerow. This part of the field contains a concrete hardstanding and four recently constructed barns. These comprise one of the hubs of the applicant's wider cattle breeding enterprise. Access is from Smallgains Lane via a farm track that runs parallel to Greenacre Lane, which forms the southern boundary of the land parcel. Greenacre Lane is a public bridleway and is separated from the farm track by a high hedgerow.

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

3.1. The applications seek permission for the construction of a hay/feed barn and an agricultural storage barn on an open area of the existing concrete base occupied by the four existing barns and to their south. The proposed barns would be 30m wide and 15.4m deep. They would be constructed of the same materials as the existing, concrete block and timber walls and an Eternit Profile roof. The applications indicate that the barns are not intended for livestock use or for slurry or sewage sludge and would be used solely for hay and forage storage.

3.2. Application A was amended from a cow barn to a hay/feed barn shortly after submission.

### **4. Other relevant applications**

4.1. 14/01003/FUL - Construction of cow barn (no.1)

14/01006/FUL - Construction of cow barn (no. 2)

14/01011/FUL - Construction of cow barn (no. 3)

14/01008/FUL - Construction of hay barn

All the above applications were approved on 18 November 2014.

15/00694/FUL - Access track – Approved 26 June 2015

25/01774/AG – Cereal store – Prior approval not required 22 December 2025

25/01775/AG – Crimp maize store – Prior approval not required 22 December 2025

4.2. The above 2025 applications were for two barns to be erected as permitted development under Part 6 of the Town and Country Planning Permitted Development Order. This allows for agricultural buildings for example in this case for storing cereals and maize to be erected without the need for formal planning permission. This is subject to the building meeting permitted development conditions and limits and first seeking the local planning authority's agreement that prior approval for siting and external appearance were not required.

4.3. Inspection of the site and the existing barns in connection with the current applications has shown that the four existing barns at the site (the 2014 permissions) have not been constructed in accordance with the planning permission. The current applicant's agent has been asked for comment and advised to submit a regularising application. They have indicated that the applicant's legal adviser will respond but at the date of publication of the agenda neither a response nor planning application(s) has been received. The matter of unauthorised barns is currently being investigated to determine whether, in the absence of a planning application or applications it would be expedient for the Council to take further action.

### **5. Summary of consultations**

- Public Health & Protection Services – no comments
- Stock Parish Council
- 25/01194/FUL (Application A) – no comment
- 25/01195/FUL (Application B) – object – reasons summarised below:
- Overdevelopment
- not needed
- within 400m of a residential property
- Essex County Council Highways – the proposal is acceptable subject to conditions
- Local residents – 47 objections to the two applications combined including a petition with 50 signatures – summarised below:
- environmental issues should be considered
- the building would be within 400m of a residential building
- highway safety
- they are not needed
- too many cattle being housed in the existing buildings
- lack of ecological assessment
- overdevelopment of the site
- Green Belt harm
- harm to residential amenity
- environmental impact assessment required
- the application states the barn will house additional livestock
- misleading description
- water run off of existing development causing flooding
- previous breaches by applicant

5.1. Local residents strongly object to the two planning applications for the barns, raising matters such as concern over intensification of livestock use, highways impact, residential amenity harm and ecological issues. 30 objections for 25/01194/FUL, 17 objections for 25/01195/FUL and a petition of more than 50 signatures have been submitted.

5.2. Residents are concerned that the barns would facilitate a significant increase in cattle numbers, contrary to a previous planning condition limiting livestock to 125 and cite concerns that the development extends beyond seasonal overwintering to intensive-scale livestock housing. They state the barns are within 400m of 15 homes and a nearby garden centre, contrary to GPDO livestock separation rules, and claim the proposal conflicts with Green Belt and local plan policies on countryside protection and amenity (S11, DM8, DM29).

5.3. Key concerns include:

- Heavy farm traffic on narrow rural lanes causing road damage, safety risks and loss of verges.
- Noise, odour, effluent storage, vermin and loss of residential amenity.
- Flooding and environmental harm from drainage into a bridleway.
- Visual harm to the Green Belt countryside from large agricultural buildings.
- Lack of ecological assessment despite reported badger setts and owl activity.
- Claims that cumulative barn floorspace triggers the need for an Environmental Impact Assessment.

5.4. Residents request the Council refuse the applications. If granted, they seek strict conditions preventing livestock housing, restricting use to storage only, and prohibiting external lighting or slurry/manure storage without permission. They note concerns that approving open-ended

“agricultural barn” descriptions risks unlawful livestock use and future enforcement difficulties, and assert the current applications are deficient in information and contrary to planning policy.

## 6. Planning considerations

### *Main Issues*

6.1. The main relevant policies for consideration are S1 – Spatial Principles which amongst other things seeks to protect the Green Belt and respect the character and appearance of landscapes. Policy S11 – The Role of the Countryside seeks to carefully balance the requirement for new development within the countryside to meet identified development needs and to support rural communities. It also seeks to protect the Green Belt from inappropriate development. New buildings in the Green Belt (Policy DM6) lists exceptions to inappropriate development and includes at (i) buildings for agriculture and forestry. Policy DM23 - High Quality and Inclusive Design is relevant in relation to the appearance of the proposed buildings. DM29 seeks to protect living and working environments.

### *Applicant’s agent supporting information*

6.2. Supporting information from the applicant’s agent has been submitted with the applications and is summarised below.

6.3. *These applications are for a hay/feed barn and an agricultural storage barn to serve the wider Fristling Hall Estate and Little Tressels Farm. The aim is to provide adequate covered facilities for feed and forage storage, supporting livestock welfare and efficient farm operations.*

6.4. *The applicants own and operate Fristling Hall Farm (approx. 265 acres) and Little Tressells Farm (approx. 100 acres) near Stock, Essex. Significant improvement works have been undertaken: re-fencing, pond restoration, hedge and tree planting (200+ native trees), and re-surfacing of tracks and public footpaths.*

6.5. *The farms manage a herd of approx. 3,000 suckler beef cows, including Beef Shorthorn cattle. Land is used primarily for grazing, hay, and maize cultivation for animal feed. Semi-natural woodland areas are managed as part of the estate. Growing cattle numbers have outstripped existing barn capacity, necessitating new agricultural buildings.*

6.6. *The proposed site is roughly rectangular and covers 9.5 hectares of agricultural land at the junction of Smallgains Lane and Greenacre Lane. It bordered by mature hedgerows and trees and includes existing barns and hardstanding. The area has long been in agricultural use and is visually contained by vegetation, minimising external views.*

6.7. *The proposed storage barn would have dimensions of 30m × 15.42m (450m<sup>2</sup>). Construction: “hit and miss” timber boarding for natural ventilation and a design sympathetic to surrounding barns. Located close to existing barns and access points. The new buildings are intended to reduce vehicle movements between sites, ensure animal feed is stored dry and safe and improve operational efficiency and stability.*

6.8. *The barns’ form and materials match recently approved barns at Margaretting Hall Farm (LPA Ref: 23/00453/FUL & 23/00456/FUL). The siting takes advantage of existing vegetation and banking for visual screening. Further landscaping and tree planting will be provided if required by the LPA. The design ensures a low visual impact within the Green Belt landscape.*

6.9. *The proposal aligns with: National Planning Policy Framework (NPPF): Para 88: Supports agricultural diversification and para 154a: indicates that agricultural buildings are not inappropriate in the Green Belt.*

6.10. *In terms of the Chelmsford Local Plan Policy S11 protects countryside character while allowing rural economic growth; Policy DM6 permits new agricultural buildings if openness is preserved and, Policy DM23 requires high quality design appropriate to the rural setting.*

6.11. *The proposal qualifies for a Biodiversity Net Gain (BNG) exemption (in accordance with the Environment Act 2021). No habitats would be lost or adversely affected, and plans include maintaining existing hedgerows and planting new native species as necessary.*

6.12. *In conclusion:*

*The proposal is functionally essential for modern agricultural practice.*

*It does not harm the openness or character of the Green Belt.*

*The development is agriculturally justified, visually contained, and in keeping with local and national policy.*

*The supporting case concludes that the barn will not cause material harm to the landscape and planning permission should be granted.*

6.13. On the basis of available information the need and functional requirements for the two proposed barns are accepted.

#### *Green Belt (Policies S1, DM6)*

6.14. The site is located within the Green Belt where the aim is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt. Paragraph 154 of the National Planning Policy Framework advises that development in the Green Belt is inappropriate unless it is one of a list of exemptions. The relevant exemption is: -

a) buildings for agriculture and forestry

6.15. Similarly, Policy DM6 of the Chelmsford Local Plan (Local Plan) states that inappropriate buildings within the Green Belt will not be approved except in very special circumstances. The policy lists exceptions to inappropriate development and includes under (A) (i) buildings for agriculture and forestry.

6.16. Therefore, the erection of the barn does not constitute inappropriate development in the Green Belt. Case law states that if a development is not inappropriate in the Green Belt it follows that its effects upon the openness of the Green Belt need not be considered.

6.17. This is backed by a recent High Court case, Mole Valley DC vs SSHCLG (2025), which determined that the current NPPF operates in the same way as the previous NPPF in that appropriate development does not give rise to harm to the Green Belt.

6.18. The main considerations in regard to the development are:

- the effects of the proposed development upon the character and appearance of the area

- The effect of the proposed development on neighbouring properties
- The effect of the proposal upon the safety of highway users

*Character and appearance (Policies S1, S11, DM6, DM23)*

- 6.19. The proposed buildings are for agricultural purposes. Consequently, they would not constitute inappropriate development in the Green Belt and their effects upon the Green Belt do not need to be considered. It is still necessary to consider the effect of the buildings on the character and appearance of the area.
- 6.20. The site is bounded on all four sides by mature hedgerows and trees. The proposed barns would be constructed in the southeastern corner of the wider land parcel in line with four existing barns and on an existing concrete base. The layout avoids buildings being more extensively spread across the otherwise undeveloped field. The existing barns are not easily visible within the public realm, the views being filtered by the mature landscape features. The proposed materials of the buildings are typical of those to be seen cladding agricultural buildings. The use of timber on the barns' elevations would be sympathetic to the rural surroundings and the buildings would not be out of place or intrusive within the area.
- 6.21. Concern has been raised about overdevelopment of the land, however most of the land parcel site remains undeveloped with the barns being constructed within the existing area of development in the southeastern corner of the agricultural parcel.
- 6.22. Representations received on the applications raise concerns about larger vehicles associated with the existing agricultural use causing damage to verges and vegetation either side of Smallgains Lane. The overall effect of such damage would seem to be limited and the provision of hay and other storage at this site should result in a reduction in vehicle movements in relation to cattle at this site.
- 6.23. In relation to traffic movements and their effect on the character and appearance of the area it is considered that the level of traffic movements associated with a hay barn and agricultural storage barn as proposed would not be so significant to unacceptably effect the rural character of the area. As indicated in the previous paragraph relating to damage to the lane, the provision of these two barns would be likely to reduce vehicle movement.
- 6.24. Taking the above into account the effect of the proposed storage barns and their use on the character and appearance of the area would be acceptable and the proposal complies with Policies S11 DM23 and S1 of the Local Plan.

*Neighbouring Amenity (Policy DM29)*

- 6.25. Policy DM29, Protecting living and working environments, seeks to safeguard the living environment of the occupiers of nearby residential property and other uses from vehicle activity, noise, light, smell, fumes, vibration, or other such effects.
- 6.26. The barns are proposed to be used for the storage of hay and forage. They are not proposed for the accommodation of livestock which would require a new planning application. The nearest dwelling is within the commercial nursery to the southwest and is around 100m from the location of the nearest barn. Given the storage use nature of the barns this seems a reasonable separation distance to prevent unacceptable harm from noise, odours, dust, health impacts or general associated activity arising from their use. The Council's Public Health and Protection

Service have been consulted in respect of the application and have not raised concerns arising from the proposed development.

- 6.27. Local residents have raised the question of a 400m isolation distance required between agricultural buildings and residential development. This applies to permitted development rights under Class 6 of the General Permitted Development Order i.e. the need for planning permission for livestock buildings within less than 400m of residential property. It has no bearing on the determination of the current case.
- 6.28. Representations received suggest there may have been some confusion regarding the use of the barn (Application A) and its potential use to house livestock (see also paragraph 3.2 of this report). This may have arisen from the agent's initial covering letter which states that "additional livestock will be transported to the site". The applicant has subsequently confirmed that the storage will be solely for hay and forage.
- 6.29. The storage of hay and forage would not unacceptably harm neighbouring amenities in terms of noise, odour, dust general disturbance or suchlike. Likewise, the use of the barns to store hay and for more general agricultural storage would be most unlikely to result in pollution of the nearby environment.
- 6.30. As the applications have been considered based on the respective descriptions as a hay barn and an agricultural storage barn a condition is proposed on each application to restrict the purposes of the building to prevent use for accommodation of livestock. Lighting is also proposed to be restricted by condition.
- 6.31. Therefore, the proposal would comply with Policy DM29 of the Local Plan.

#### *The safety of highway users*

- 6.32. Paragraph 116 of the NPPF seeks to ensure that developments should only be prevented on highway grounds if there would be unacceptable effects on highway safety or the residual cumulative impacts on the road network.
- 6.33. As stated previously, the access to the site is off of Smallgains Lane at its junction with Greenacre Lane which is also a bridleway. Smallgains Lane is a narrow road with passing places to facilitate passing vehicles. There are no pavements in the vicinity.
- 6.34. The current use of the site is for the keeping of cattle. It has four existing barns on the site. The access is existing and used regularly by agricultural vehicles. There is a need to improve the surface of the existing track at the entrance to the field to prevent loose material being driven onto the highway. A condition has been imposed in regard to this matter.
- 6.35. The lane is already used by agricultural vehicles and with a nursery and stables nearby is likely to be used for larger delivery trucks and horse boxes periodically.
- 6.36. The proposed use, for storage of hay and forage to serve the existing livestock on site, is unlikely to create a regular significant increase in agricultural vehicles along Smallgains Lane.
- 6.37. The construction of the barns may include some large vehicles delivering materials, however, the movements associated with the construction phase of the development would be short-lived. Particularly as the base is already in situ and the construction would be all above ground.

- 6.38. There is no information to conclude that the level of traffic arising from the proposals would result in undue wear on road surfaces and verges. There is nothing to suggest that the local road would not be acceptably maintained.
- 6.39. Concern has been raised in relation to the effects of the proposal on pedestrian safety and the safety of horse riders. There does not appear to be a firm basis for these concerns and the local Highway Authority have not raised objections to the proposal on the basis of any impact on highway safety or any effect on the local highway network.

#### *Environmental Impact and ecology (Policy DM16)*

- 6.40. The development is for the construction of a barn on an existing concrete slab with an existing access. There would not be an impact on any habitat and it is unlikely that species would be impacted during the construction phase as the proposals do not require any groundworks. Therefore, there are no foreseen impacts on any protected species and further surveys are not necessary
- 6.41. Residents have suggested that the proposal should be EIA Development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Screening of agricultural development to see if the proposal is EIA development is advised for the use of land for intensive agricultural purposes where the area of the development exceeds 0.5 ha or the new floorspace created exceeds 500sqm. These proposals are not for intensive agricultural purposes, neither is the wider site used for intensive agricultural purposes. EIA Screening has therefore not been considered necessary in this case.

#### **Other Matters**

- 6.42. Concern has been raised regarding the existing management of the site. This is not a material planning consideration and is regulated through other relevant regulatory requirements. In any event the barns the subject to these applications are not proposed to house livestock.
- 6.43. Additionally, concern has been raised about an increase in flooding due to water runoff. However, the barn would be constructed on an existing concrete slab therefore would not increase the likelihood of surface water flooding.

#### **Planning balance**

- 6.44. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposal must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration.
- 6.45. The proposal seeks the erection of two barns on agricultural land within an established holding. One barn would be to store hay and forage and the other is described more generally as an agricultural storage barn. Neither barn would be used to accommodate livestock. The development would support a well-established ongoing agricultural operation. This is a form of development that is generally supported by both local and NPPF policy which recognises the need to enable the sustainable growth and expansion of all types of rural businesses including agriculture (NPPF para. 88).

- 6.46. The barns would facilitate the efficient functioning of the agricultural unit and support the established agricultural business, therefore contributing to the local and wider economy. It would provide structures of an appropriate scale and siting in relation to the wider agricultural landscape, with no unacceptable visual harm. The proposals would not constitute inappropriate development in the Green Belt and their effects on the openness of the Green Belt do not need to be considered.
- 6.47. Traffic levels relating to the agricultural operations at the holding are likely to be reduced because hay and other related storage at the site would mean fewer vehicle trips to the site to deliver hay and other animal foodstuffs and suchlike.
- 6.48. It is acknowledged that the barns would introduce additional built form into the landscape but view from public viewpoints would be limited and could be further mitigated through additional landscaping.
- 6.49. The existing use of the site gives rise to vehicular traffic on nearby country lanes but there is no material evidence to indicate that the proposed storage barns would increase existing levels of traffic as the opposite may well be the case. A reduction in traffic would be a benefit in sustainability terms. There is no evidence to suggest that undue damage would occur to the local lanes as a result of the proposed barns in that a reduction of traffic may well result from the development once completed.
- 6.50. Given the reasonable distance between the proposed barns and the nearest dwellings and the storage nature of the barns it is unlikely that the use of the barns would result in unacceptably harmful adverse effects on nearby living conditions. Flood risk would not be made worse because the barns would be located on the existing hardstanding. There would be no harm to ecology arising from the development for the same reason.
- 6.51. Overall, any harms arising from the development are limited in nature and would not outweigh the functional and economic benefits of supporting an active agricultural enterprise.
- 6.52. The large number of representations submitted in objection to these applications have been considered and the depth of concern is acknowledged. The issues raised have been fully taken into account in the consideration of the applications. Whilst it is understood that many objectors feel strongly about the development, for the reasons set out in this report it is considered that the identified concerns would not be so significant to warrant refusal of the applications.
- 6.53. Therefore, the proposals are considered to comply with the development plan Policies S1, S11, DM6, and DM29 and the development plan when read as a whole and material considerations do not indicate that planning permission should be withheld.
- 6.54. For the reasons given above and having regard to all other matters raised it is concluded that the proposed developments are acceptable and in accordance with the adopted Local Plan Policies.

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

- 7.1. This application may be CIL liable and there may be a CIL charge payable.

## **RECOMMENDATION**

### **25/01195/FUL: Erect agricultural storage barn**

**The application be APPROVED subject to the following conditions: -**

#### **Condition 1**

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

Reason:

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

#### **Condition 2**

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

Reason:

In order to achieve satisfactory development of the site

#### **Condition 3**

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

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings and to ensure the development would not result in unacceptable light pollution within the Green Belt in accordance with Policy DM29 and DM6 of the Chelmsford Local Plan.

#### **Condition 4**

The agricultural storage barn hereby permitted shall not be occupied at any time by livestock.

Reason:

The proposal has been assessed on the basis that the building will be used for agricultural storage and will not accommodate livestock. Use of the building to accommodate livestock may have a materially greater effect on the living conditions of nearby residents through the noise, odour and general activity. The restriction is therefore required to safeguard nearby amenity in accordance with Policy DM29 of the Chelmsford Local Plan.

#### **Condition 5**

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

Reason:

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

#### **Condition 6**

Areas for the purposes of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, should be provided within the curtilage of the site and clear of the highway.

Reason:

In the interest of highway safety

### Notes to Applicant

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

#### Noisy work

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

#### Light work

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

In some circumstance further restrictions may be necessary.

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

### Positive and Proactive Statement

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

---

### Appendix 1 – Drawing No(s)

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

25/14/01  
25/14/03  
25/14/04 A

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to be reported to Arcady Architects immediately.



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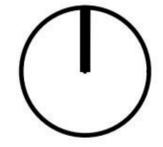
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PROJECT: FRISTLING HALL ESTATES, SMALLGAINS LANE		
TITLE: PROPOSED SITE PLAN STORAGE BARN		
SCALE: 1:500@A1	DATE: JUN 25	DRAWN: TV
NO: 25/14/03	REV:	CHKD:
Unit 4   Phillovs Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464681   www.arcadyarchitects.co.uk		



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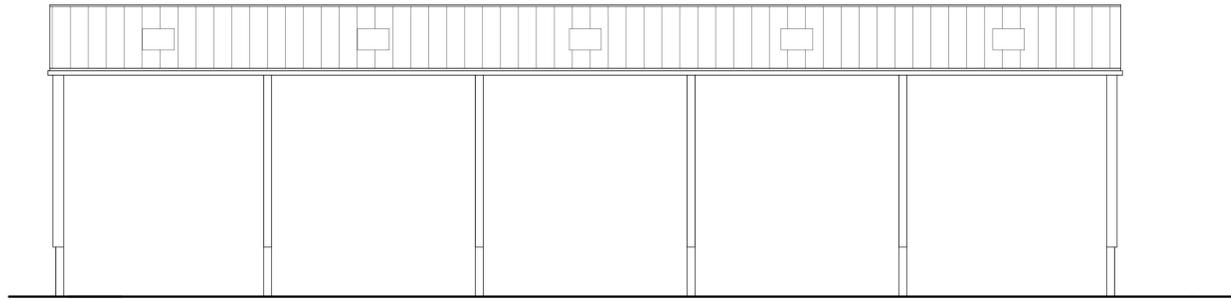


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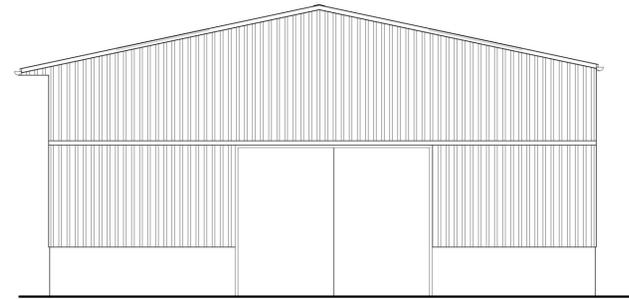
REVISION:		DATE:		DRAWN:	
PROJECT: FRISTLING HALL ESTATES, SMALLGAINS LANE					
TITLE: LOCATION PLAN					
SCALE: 1:2500@A3	DATE: JUN 25	DRAWN: TV	CHKD.:	-	
No. 25/14/01	REV.:				
Unit 4   Phillows Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464681   www.arcadyarchitects.co.uk					



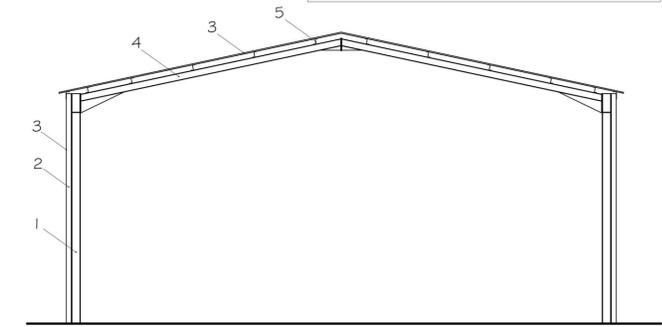
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FRONT ELEVATION



SIDE ELEVATION



SECTION

- 1. UB 254 \* 146
- 2. UC 152 \* 152
- 3. 32/1000 BOX PROFILE
- 4. UB 203 \* 133
- 5. ZED 140 + SLEEVE

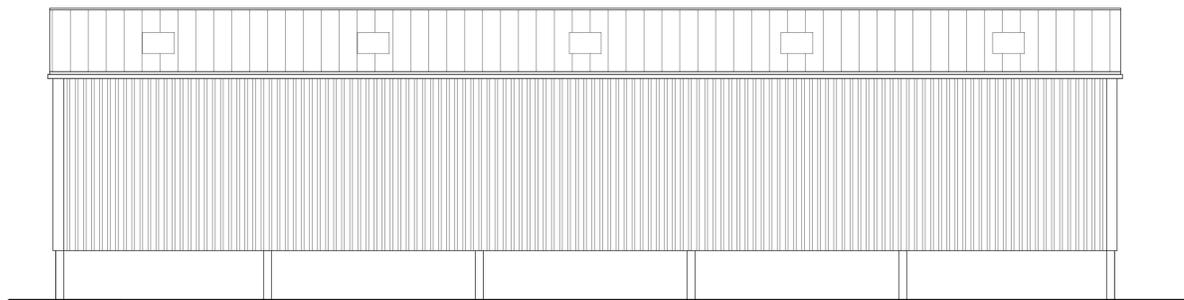
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Roof - Eternit Profile G

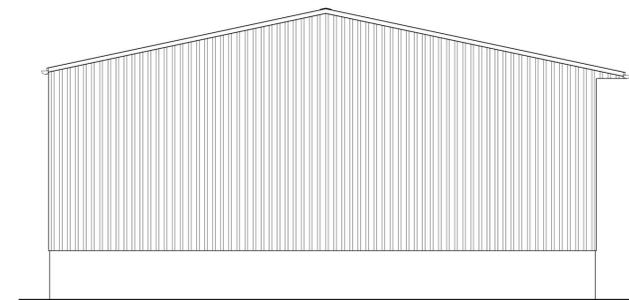
Upper Walls - Pressure treated timber hit and miss vertical boarding

Lower Walls - Pre cast concrete panels - either natural finish or faced in Bricks/brick slips

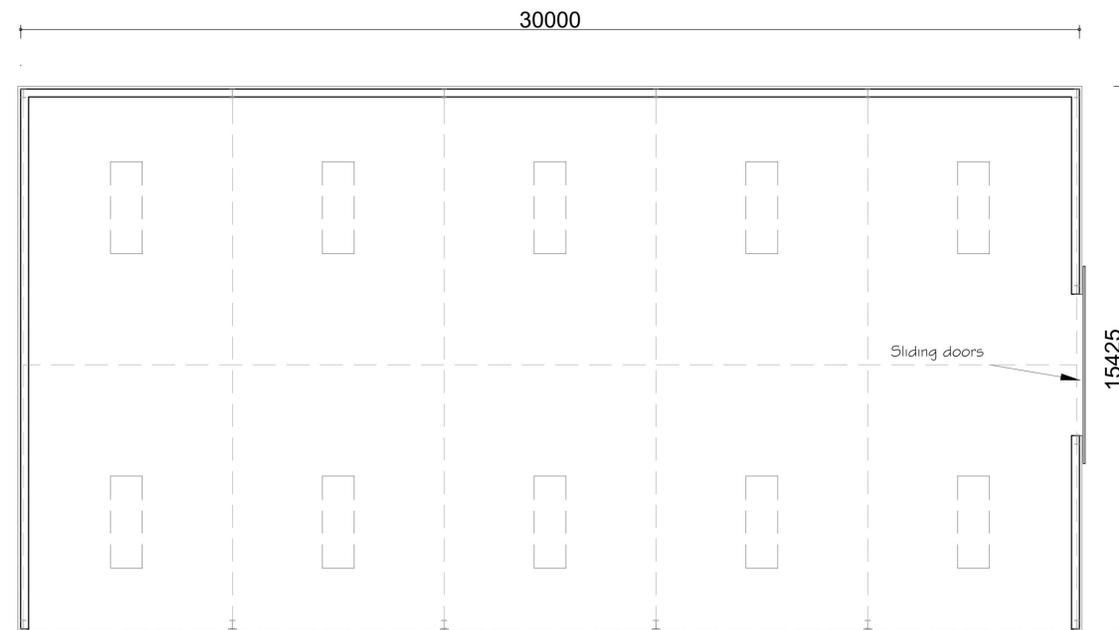
Gutters - 200mm diameter half round 'stormflo' PVC gutters and 110mm diameter down pipes (3no. per side)



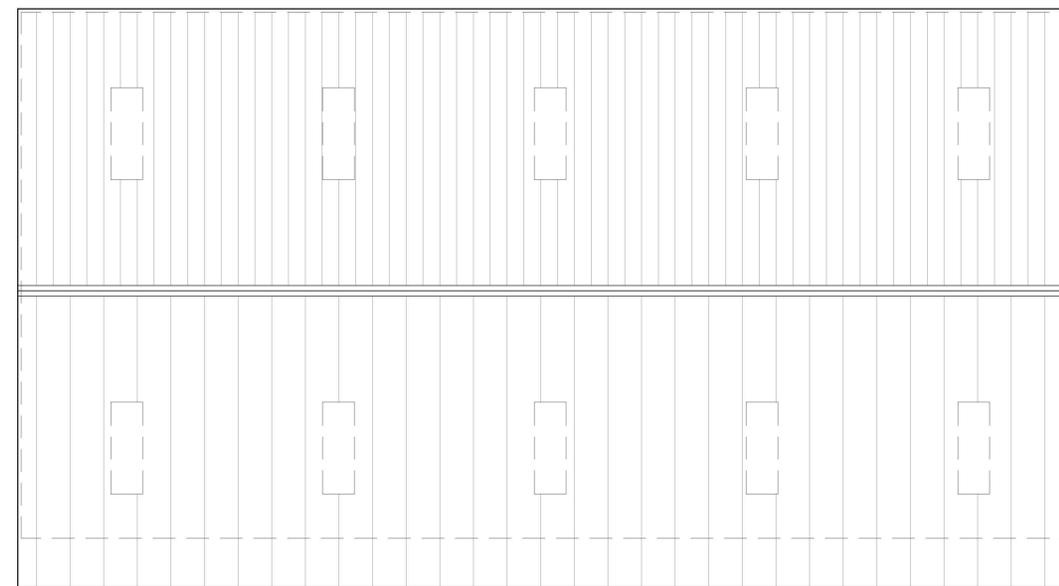
BACK ELEVATION



SIDE ELEVATION



FLOOR PLAN



ROOF PLAN

A. Note amended		DEC 25	NE
REVISION:		DATE:	DRAWN:
PROJECT: FRISTLING HALL ESTATES, SMALLGAINS LANE			
TITLE: PROPOSED PLANS & ELEVATIONS -STORAGE BARN			
SCALE: 1:100@A1	DATE: JUN 25	DRAWN: TV	CHKD:
No: 25/14/04	REV: A		
Unit 4   Phillows Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464881   www.arcadyarchitects.co.uk			





**Planning Committee**  
**24/02/2026**

<b>Application No</b>	:	25/01194/FUL Full Application
<b>Location</b>	:	Field At Greenacre Lane Stock Ingatestone Essex
<b>Proposal</b>	:	<b>Hay/feed barn</b>
<b>Applicant</b>	:	Mr and Mrs Sharp
<b>Agent</b>	:	Mrs Nicole Elkins
<b>Date Valid</b>	:	13th August 2025

## 1. Executive summary

- 1.1. This application is referred to planning committee at the request of a local ward member.

## 2. Description of site

- 2.1. The application site is located within the Green Belt approximately 1 km south of Stock Village. The area is characterised by small scale irregular hedged fields interspersed by farms and dwellings connected by quite narrow country lanes.
- 2.2. The site is located towards the southeast corner of a field largely enclosed by hedgerow. This part of the field contains a concrete hardstanding and four recently constructed barns. These comprise one of the hubs of the applicant's wider cattle breeding enterprise. Access is from Smallgains Lane via a farm track that runs parallel to Greenacre Lane, which forms the southern boundary of the land parcel. Greenacre Lane is a public bridleway and is separated from the farm track by a high hedgerow.

### 3. Details of the proposal

See report for 25/01195/FUL

#### **RECOMMENDATION**

#### **25/01194/FUL: Hay/feed barn**

**The application be APPROVED subject to the following conditions: -**

##### **Condition 1**

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

Reason:

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

##### **Condition 2**

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

Reason:

In order to achieve satisfactory development of the site

##### **Condition 3**

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

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings and to ensure the development would not result in unacceptable light pollution within the Green Belt in accordance with Policy DM29 and DM6 of the Chelmsford Local Plan.

##### **Condition 4**

The hay/feed barn hereby permitted shall not be occupied at any time by livestock.

Reason:

The proposal has been assessed on the basis that the building will be used for the storage of hay/feed and will not accommodate livestock. Use of the building to accommodate livestock may have a materially greater effect on the living conditions of nearby residents through the noise, odour and general activity. The restriction is therefore required to safeguard nearby amenity in accordance with Policy DM29 of the Chelmsford Local Plan.

##### **Condition 5**

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

Reason:

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

**Condition 6**

Areas for the purposes of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, should be provided within the curtilage of the site and clear of the highway.

Reason:

In the interest of highway safety

**Notes to Applicant**

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

**Noisy work**

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

**Light work**

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- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

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

**Positive and Proactive Statement**

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

**Background Papers**

Case File

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

25/14/08/A

25/14/05

25/14/07

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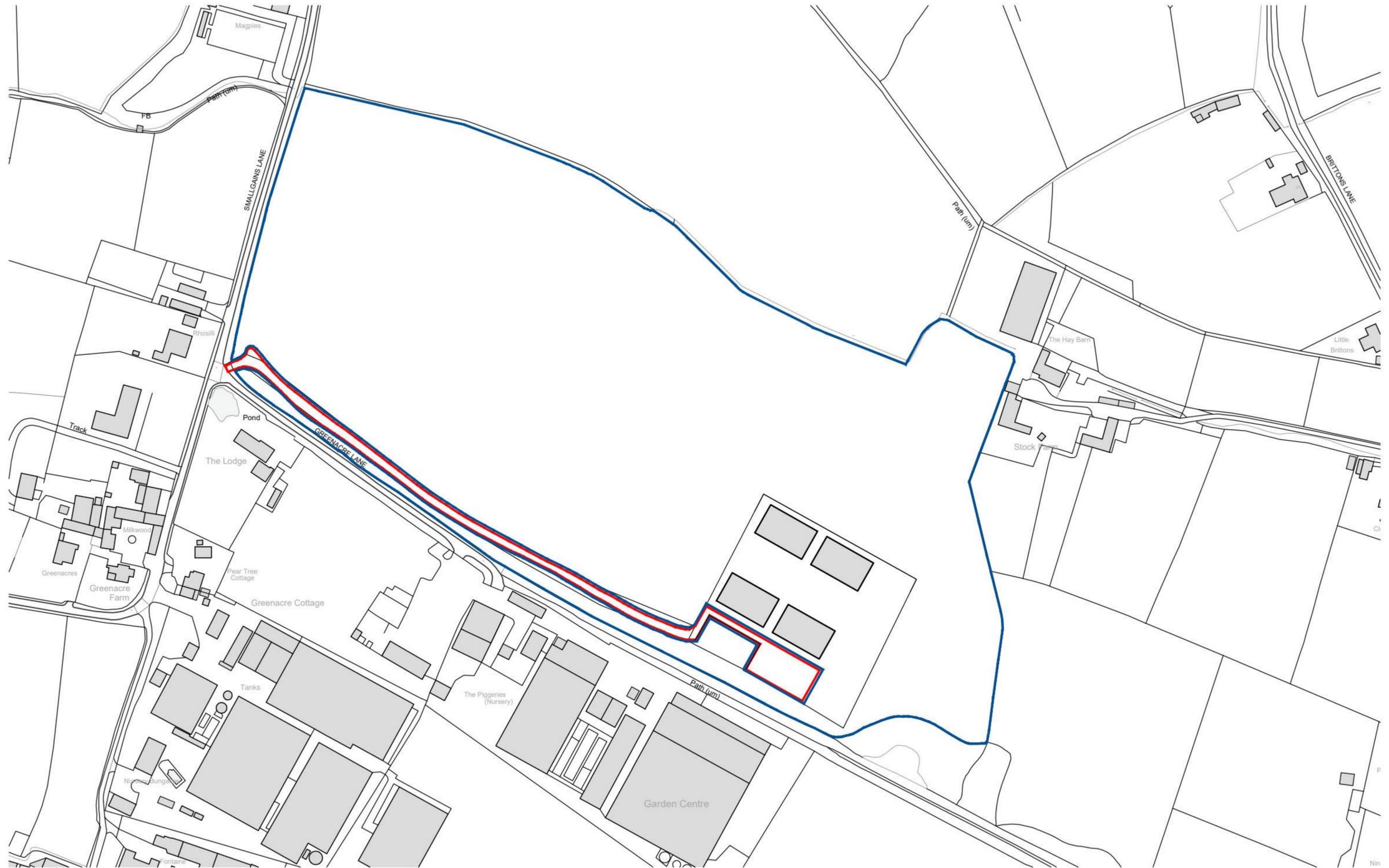


REVISION	DATE	DRAWN
PROJECT: FRISTLING HALL ESTATES, SMALLGAINS LANE		
TITLE: PROPOSED SITE PLAN - COW BARN		
SCALE: 1:500@A1	DATE: JUN 25	DRAWN: TV
NO: 25/14/07	REV:	CHKD:
Unit 4   Phillows Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464681   www.arcadyarchitects.co.uk		



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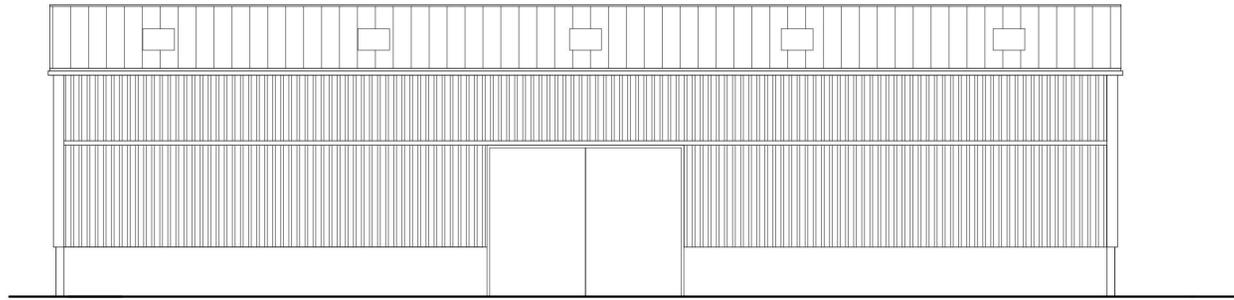
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PROJECT: FRISTLING HALL ESTATES, SMALLGAINS LANE					
TITLE: LOCATION PLAN					
SCALE: 1:2500@A3	DATE: JUN 25	DRAWN: TV	CHKD.:	-	
No.:	25/14/05		REV.:	-	
Unit 4   Phillows Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464681   www.arcadyarchitects.co.uk					

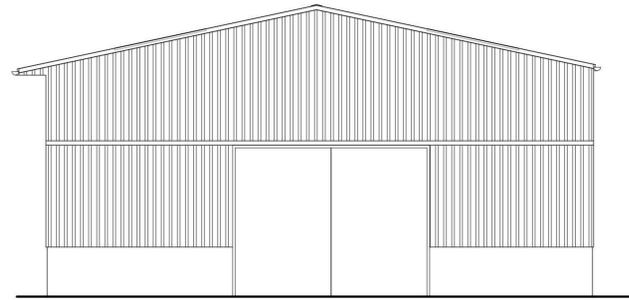


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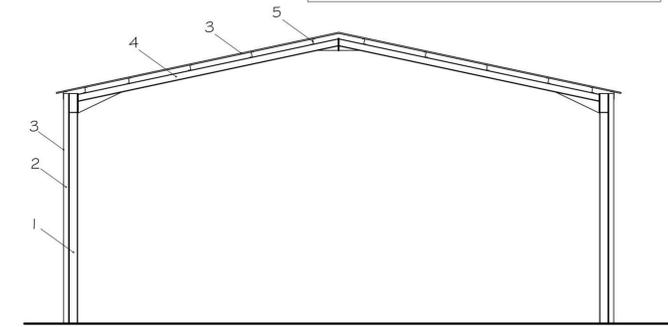
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FRONT ELEVATION



SIDE ELEVATION



SECTION

- 1. UB 254 \* 146
- 2. UC 152 \* 152
- 3. 32/1000 BOX PROFILE
- 4. UB 203 \* 133
- 5. ZED 140 + SLEEVE

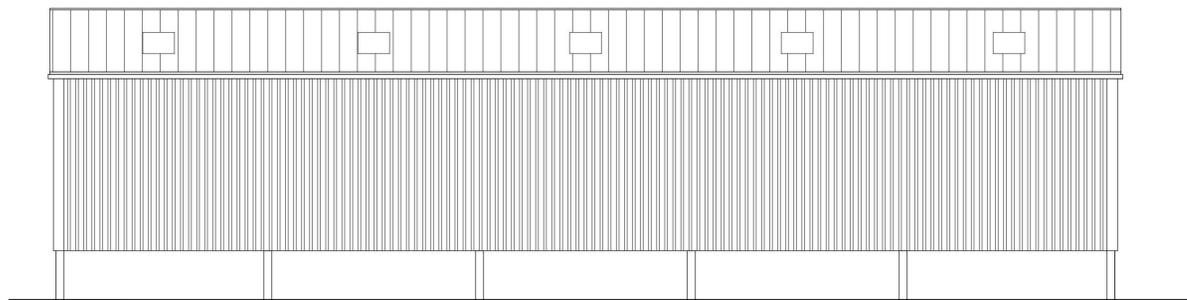
MATERIALS:

Roof - Eternit Profile G

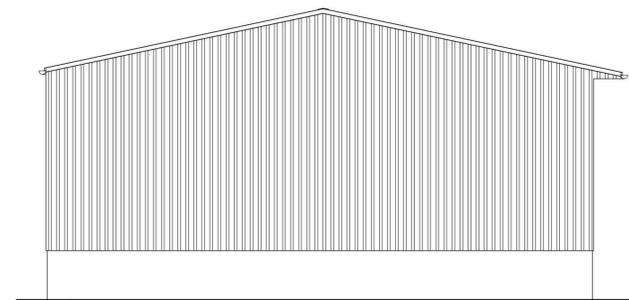
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Lower Walls - Pre cast concrete panels - either natural finish or faced in Bricks/brick slips

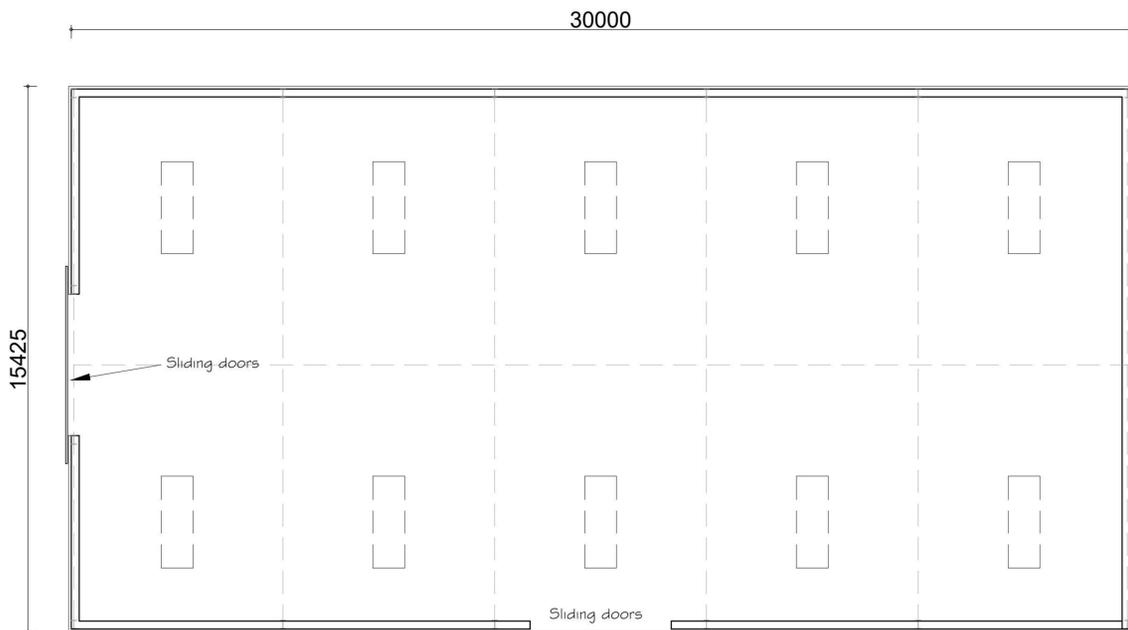
Gutters - 200mm diameter half round 'stormflo' PVC gutters and 110mm diameter down pipes (3no. per side)



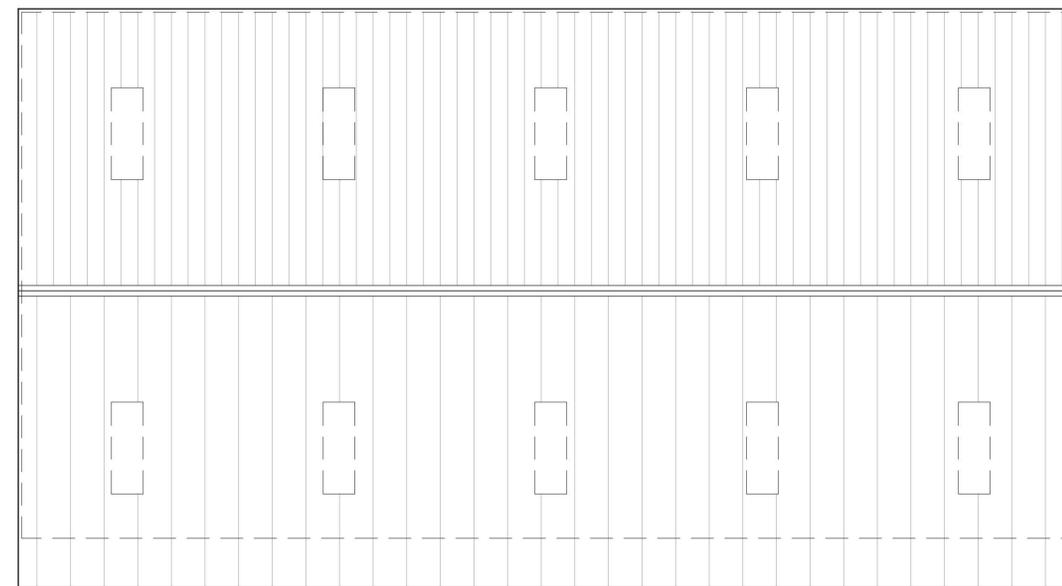
BACK ELEVATION



SIDE ELEVATION



FLOOR PLAN



ROOF PLAN

A. Alterations to fenestration		SEPT 25	NE
REVISION:		DATE:	DRAWN:
PROJECT: FRISTLING HALL ESTATES, LAND AT SMALLGAINS LANE			
TITLE: PROPOSED PLANS & ELEVATIONS -HAY/ FORAGE BARN			
SCALE: 1:100@A1	DATE: JUN 25	DRAWN: TV	CHKD:
No. 25/14/08	REV. A		
Unit 4   Pillows Barns   Hammonds Road Little Baddow   Essex   CM3 4BG Tel: 01245 464681   www.arcadyarchitects.co.uk			



## Appeals Report

Appeal Decisions received between 25-11-2025 and 10-02-2026

Decisions	Count	Percentage
Dismissed	10	63%
Allowed	4	25%
Split	2	13%
<b>Total</b>	<b>16</b>	<b>100%</b>

### Public Inquiry

#### Land North Of Sandon Lodge Woodhill Road Sandon Chelmsford Essex

Reference	25/00038/NONDET	
Proposal	Outline planning application for a commercial development of up to 46,605sqm of mixed employment, logistics, storage and distribution uses (use classes E(g)(iii), B2, B8) supporting associated development, infrastructure and landscaping. Appearance, landscaping, scale and layout reserved. Access being sought.	
Decision & Date	Appeal Allowed	11/12/2025
Key Themes	Non determination appeal - highways, flooding, minerals safeguarding were initially putative reasons for refusal, but later overcome meaning CCC not opposed to the development. Heritage, landscape, and amenity were raised by 3rd parties.	
Agreed	As CCC not opposed to the development ultimately, PINS and CCC agreed on all matters - highways, flooding, minerals safeguarding, heritage, landscape and amenity - but in this case it means all matters were not grounds for resisting development	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

<b>Public Inquiry</b>
-----------------------

<b>Land West Of The Fox And Raven Chelmer Village Way Chelmer Village Chelmsford Essex</b>
--

Reference	25/00021/REFUSE	
Proposal	Residential development comprising the construction of 55 affordable homes, provision of open space, landscaping, sustainable drainage, ground re-profiling, formation of bund, cycle and footpath links, vehicular access from Chelmer Village Way and highway changes to Chelmer Village Way.	
Decision & Date	Appeal Dismissed	08/01/2026
Key Themes	Green Wedge, design standards, heritage impacts, removal of trees, flood risk, highway impacts, planning obligations, 'tilted balance', planning balance.	
Agreed	Urban sprawl and material harm to the Green Wedge as a valued landscape. Harm to the setting and significance of two listed buildings and the Conservation Area. No material impact on other listed buildings. Harm from the removal of trees. Poor design in terms of living environment and provision of private open space. Acceptable parking provision. Acceptable impacts on the highway network. Appropriate area of search for the flood risk sequential test. Development can be made safe from all types of flood risk. Planning benefits including provision of housing, affordable housing, and the transfer land. All S106 obligations would be valid, including the transfer land. Conflict with the development plan read as a whole. Benefits insufficient to outweigh cumulative harm in the tilted planning balance.	
Disagreed	Minor increase in flood risk elsewhere resulting in exemption test not being fully satisfied. Specific degrees of weight to be afforded to harms and benefits. Weight to be afforded to most relevant local policies (significant rather than substantial). Harm from removal of trees temporary only, according with local policy.	
Appellant's Costs	None	
Council's Costs	None	

<b>Hearing</b>
----------------

<b>Site At Bishops Lodge Broomwood Lane Stock Billericay CM11 1JR</b>
---

Reference	25/00048/REFUSE	
Proposal	Retrospective application for the demolition of 5 poultry sheds and the construction of 5 buildings in B8 storage use. Proposed change of use of 1 poultry shed to B8 storage use, including repair and re-cladding works. Installation of security fencing and gates.	
Decision & Date	Appeal Dismissed	19/12/2025
Key Themes	Grey Belt, Employment need, Sustainable Location, Openness of the Green Belt	
Agreed	Does not strongly contribute to purposes (a), (b) or (d) and complies with criterion (a) of paragraph 155 and definition of Grey Belt; Golden rules (criterion (d)) no relevant, Scenario 1 of the Employment Land Reviews satisfies the requirements of the NPPF; Not a sustainable location and fails to comply with criterion (c) of paragraph 155; Negative on spatial and visual openness of the Green Belt resulting in significant harm to the Green Belt contrary to Policies S11 and DM6; Fallback position materially lesser impact on the openness of the Green Belt than the proposal and not realistic; Material finish and reduction of fencing height by condition would not address harm to openness; No very special circumstances; Substantial weight to Green Belt ham not clearly outweighed by the benefits.	
Disagreed	Limited weight can be attributed to the emerging Local Plan in the context of demonstrating employment need; Undemonstrable unmet need for storage and distribution (B8) uses; Complies with criterion (b) of paragraph 155 of the NPPF.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Downham Hall Castledon Road Downham Billericay Essex CM11 1LG**

Reference	23/00040/ENF	
Proposal	Without planning permission, the erection of a building.	
Decision & Date	Appeal Allowed	25/11/2025
Key Themes	Operation development enforcement notice; marquee building in Green Belt; inappropriate development; harm to openness; visual impacts; heritage impacts; temporary permission; very special circumstances.	
Agreed	Marquee is a building and is inappropriate development with no applicable exceptions; harmful to openness; visually harmful; has economic benefits; as permanent, not acceptable.	
Disagreed	Building is not harmful to heritage assets; as temporary, there are very special circumstances justifying development; (inferred) that harm during unlawful period is not to be weighed in the planning balance.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Land South West Of Rivaside Maltings Road Battlesbridge Wickford Essex**

Reference	23/00097/ENF	
Proposal	Without planning permission, a material change in the use of land to a mixed use comprising storage and the siting of a caravan for residential purposes.	
Decision & Date	Split decision	26/11/2025
Key Themes	Whether the matters alleged constitute a breach of planning control; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short	
Agreed	The matters alleged constitute a breach of planning control. The steps required are proportionate and do not exceed what is necessary to remedy the breach.	
Disagreed	The time for compliance is too short and was therefore extended to 8 months.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Land East Of Land Known As Two Oaks Maltings Road Battlesbridge Wickford Essex**

Reference	23/00098/ENF	
Proposal	Vehicular access created	
Decision & Date	Split decision	26/11/2025
Key Themes	Whether the matters alleged constitute a breach of planning control; whether planning permission should be granted for the matters alleged; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short	
Agreed	The matters alleged constitute a breach of planning control; the development constitutes inappropriate development in the green belt and planning permission should not be granted; The steps required are proportionate and do not exceed what is necessary to remedy the breach	
Disagreed	The time for compliance is too short and was therefore extended to 8 months.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford**

Reference	25/00028/REFUSE	
Proposal	Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.	
Decision & Date	Appeal Dismissed	28/11/2025
Key Themes	Appeal A: Character of area, setting of listed and locally-listed buildings, Conservation Area	
Agreed	Appeal A: Harm to character of area, harm to setting of listed and locally-listed buildings, harm to Conservation Area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford**

Reference	25/00029/ADVREF	
Proposal	Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.	
Decision & Date	Appeal Dismissed	28/11/2025
Key Themes	Appeal B: Amenity of area	
Agreed	Appeal B: Harm to amenity of area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Blenheim Cottage Back Lane Little Waltham Chelmsford CM3 3PP**

Reference	25/00050/REFUSE	
Proposal	Proposed new stable	
Decision & Date	Appeal Allowed	03/12/2025
Key Themes	Whether acceptable in the Green Wedge.	
Agreed	Did not agree that the development would be contrary to policies DM7 and S11 of the Chelmsford Local Plan.	
Disagreed	Inspector took the view that the proposed stables were an appropriate facility for outdoor sport and would not harm the Green Wedge.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA**

Reference	25/00041/REFUSE	
Proposal	Retrospective application for the construction of single storey rear shop extension to provide storage and preparation and toilet facilities.	
Decision & Date	Appeal Dismissed	04/12/2025
Key Themes	Character and appearance of building and area; Whether adequate waste storage area is available; Impact on West End Conservation Area	
Agreed	Building harmful to host building and wider area. No adequate area for refuse storage remaining.	
Disagreed	Impact on West End Conservation Area	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Land Adjacent To Mount Stephen Ongar Road Highwood Chelmsford Essex**

Reference	25/00049/REFUSE	
Proposal	Outline application for 1 new bungalow with detached garage, all matters reserved.	
Decision & Date	Appeal Dismissed	04/12/2025
Key Themes	Whether inappropriate development in Green Belt; Whether in sustainable location.	
Agreed	The site is not grey belt land; Inappropriate development in the Green Belt; Unsustainable location; Unknowns related to the proposed access could cause significant harm to highway safety.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Land Opposite Greenacres De Beauvoir Chase Downham Billericay Essex**

Reference	24/00050/ENF	
Proposal	Without planning permission, the construction of a building	
Decision & Date	Appeal Dismissed	16/12/2025
Key Themes	Whether, at the time the Notice was served, the development was immune from planning enforcement action (Ground d).	
Agreed	The building was not substantially completed more than four years before the date of the Enforcement Notice.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA**

Reference	25/00040/ENF	
Proposal	Without planning permission, the construction of a rear extension.	
Decision & Date	Appeal Dismissed	07/01/2026
Key Themes	The time for compliance was too short.	
Agreed	The time for compliance was not too short and the time period (3 months) for compliance with the requirements of the notice is reasonable.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**The Lodge Country Inn Hayes Chase Battlesbridge Wickford Essex SS11 7QT**

Reference	25/00065/REFUSE	
Proposal	Outline application for the erection of 22 chalet for overnight accommodation for guests of the Lodge Hotel. Access, Appearance and Layout being sought, all other matters (landscaping and scale) reserved.	
Decision & Date	Appeal Dismissed	13/01/2026
Key Themes	Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, and the effect of the proposed development on the openness of the Green Belt; Whether the proposal would achieve sustainable development regarding the location of the appeal site in terms of accessibility and the effect of the proposed development on the character and appearance of the surrounding area; Whether harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal.	
Agreed	The proposed development would be inappropriate development in the Green Belt and cause harm to its openness. The proposal would not achieve sustainable development regarding the location in terms of accessibility and the harm that would be afforded to the character and appearance of the surrounding area. No very special circumstances were identified as part of the proposal.	
Disagreed	None.	
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**16/17 Victoria Road Chelmsford CM1 1NZ**

Reference	25/00055/REFUSE	
Proposal	Outline application for Demolition of existing buildings and construction of a new mixed use multi story residential led block with ground floor E Class use and residential upper floors of not less than 5 storeys and not more than 12 storeys and not less than 35 residential units units, with all matters reserved.	
Decision & Date	Appeal Dismissed	28/01/2026
Key Themes	design and scale, heritage setting, securing appropriate infrastructure, RAMS/Trees, tilted balance	
Agreed	harmful design and scale, heritage harm, does not secure infrastructure, RAMS not satisfied, lack of tree planting, tilted balance insufficient to outweigh harms	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

**Written Representation**

**Elm Tree House Elm Lane Roxwell Chelmsford Essex CM1 4NJ**

Reference	24/00073/S195	
Proposal	Outbuilding and hardstanding	
Decision & Date	Appeal Allowed	04/02/2026
Key Themes	Whether permitted development under Class E	
Agreed		
Disagreed	That the proposed outbuilding is genuinely and reasonably required and is no larger than necessary.	
Appellant's Costs	None	
Council's Costs	None	