

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

18th April 2023

Application 22/00311/OUT

- The Secretary of State issued a decision not to intervene on planning application 21/01961/OUT on 12th April. Their decision letter is attached.
- Alteration to the description. Alter "pedestrian, cycle and bridleway routes" to "pedestrian and cycle routes"
- Under Legal Obligations, alter "Bus strategy as agreed by Countryside Properties under application 21/01961/OUT" to "Proportionate financial contribution (16.4%) towards Bus strategy as agreed by Countryside Properties under application 21/01961/OUT"
- Condition 32, remove "rev 0"
- Alter drawing no. 082004-BEL-ST-PP-BH/Rev B to 082004-BEL-ST-PP-BH/Rev C in data block and condition 3
- Condition 5 – delete the final sentence of the Reason
- Add the following Informative:

"In relation to condition 5, an alternative access (including construction access) other than the proposed roundabout spur to the Bellway site from the B1418 would conflict with the required highway works along the B1418. An alternative access from Willow Grove, other than a private drive, would not be acceptable due to Willow Grove's limited width and unsuitability for intensification of traffic, particularly commercial vehicles."
- Delete paragraph 6.7 and replace with "Anglian Water have advised that the development is in the catchment of Chelmsford Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity. The submitted flood risk assessment has been reviewed by Anglian Water and they have advised that the proposed connection is acceptable and that they do not require a condition in planning for foul water."
- Under Consultation Responses – Anglian Water replace the second and third paragraphs with "Anglian Water issued a revised consultation response on 28th March 2023. This states that the development is in the catchment of Chelmsford Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity. This response has been based on the following submitted documents: Flood Risk Assessment Part 1 to Part 3 Based upon the above reference documents, the proposed connection is acceptable. We do not require a condition in planning for foul water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

- Under Consultation Summary – Anglian Water – replace “request a condition for on-site drainage strategy” to “The proposed connection is acceptable. No condition required in relation to planning for foul water”
- Condition 24 – replace all references of 45% to 40%
- A representation was received today from the Woodham Infrastructure Group. The representation includes a copy of an appeal decision dated 25 November 2022 relating to a site in Wychavon District and the SCP report that was submitted by the Group to support their objection to the Countryside application 21/01961/OUT. The letter raises concerns regarding the impact of the development on the local highway network, taking into account the cumulative impact of other development, including within Maldon District. The Woodham Infrastructure Group consider that the Transport Assessment that was submitted to support the Countryside application 21/01961/OUT (and which this application relies upon) is not sufficiently robust. The issues raised in the letter received today were considered by the Planning Committee at the meeting of 7th February, where Members resolved to grant planning permission for the Countryside development.



Department for Levelling Up,
Housing & Communities



Please
ask for:
Tel:
Email:



Your ref: 21/01961/OUT

Our ref: PCU/RTI/W1525/3288998

Date: 12 April 2023

Dear Sally Rogers

Application by Ms K Waldron Countryside Properties (UK) Ltd for 1020 dwellings, residential care accommodation, neighbourhood centre, primary school and highways works at land north west of Hamberts Farm, Burnham Road South, Woodham Ferrers, Chelmsford. Application no' 21/01961/OUT

I refer to the above application which has been the subject of third-party requests to call in for determination by the Secretary of State for Levelling Up, Housing & Communities.

The Secretary of State has carefully considered this case against call-in policy, as set out in the Written Ministerial Statement by Nick Boles on 26 October 2012. The policy makes it clear that the power to call in a case will only be used very selectively.

The Government is committed to give more power to councils and communities to make their own decisions on planning issues and believes planning decisions should be made at the local level wherever possible.

In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that the application should be called in. The Secretary of State has decided not to call in this application. He is content that it should be determined by the local planning authority.

In considering whether to exercise the discretion to call in this application, the Secretary of State has not considered the matter of whether this application is EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The local planning authority responsible for determining this application remains the relevant authority responsible for

Planning Casework Unit
Department for Levelling Up, Housing & Communities
23 Stephenson Street
Birmingham
B2 4BH



considering whether these Regulations apply to this proposed development and, if so, for ensuring that the requirements of the Regulations are complied with.

The Article 31 Direction issued pursuant to the Secretary of State's letter of 2 February 2023 is hereby withdrawn.

Yours sincerely

M Bowen

Maria Bowen
Senior Planning Technical Officer
Planning Casework Unit

This decision was made by Minister Lee Rowley MP, Parliamentary Under-Secretary of State for Local Government and Building Safety, on behalf of the Secretary of State, and signed on his behalf.