

6 October 2026 at 7pm

Marconi Room, Civic Centre, Chelmsford

Membership

Councillor H. Ayres (Chair)

and Councillors

H. Clark, P. Clark, S. Dobson, S. Hall, R. Hyland,
V. Pappa, S. Rajesh, E. Sampson, J. Sosin, 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 or phone 01245 606480

PLANNING COMMITTEE

2 October 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 meeting held on 15 September 2026.

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 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. 26/00742/OUT – Land North East of 17 Old Bell Lane, Rettendon, Chelmsford, Essex

7. 24/00228/OUT – Site at former St Peters College, Fox Crescent, Chelmsford, Essex

8. 22-01950-OUT - Zone 1 Chelmsford Garden Community, Pratts Farm Lane, Little Waltham, Chelmsford, Essex

9. 22-01950-FUL - Zone 1 Chelmsford Garden Community, Pratts Farm Lane, Little Waltham, Chelmsford, Essex

10.23-00124-OUT - Zone 3 Chelmsford Garden Community, Beaulieu Parkway,
Chelmsford

11.23-00124-FUL - Zone 3 Chelmsford Garden Community, Beaulieu Parkway,
Chelmsford

12.Planning Appeals

MINUTES
of the
PLANNING COMMITTEE
held on 15 September 2026 at 7pm

Present:

Councillor H. Ayres (Chair)

Councillors, H. Clark, P. Clark, S. Dobson, J. Frasca, R. Hyland, S. Rajesh, E. Sampson,
J. Sosin, A. Thorpe-Apps and C. Tron

Also in attendance:

Cllr Lee

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 Cllrs Hall, Pappa and Wilson. Cllr Frasca substituted for Cllr Hall.

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 meetings on 30th June and 7th July 2026 were confirmed as correct records and signed by the Chair.

5. Public Question Time

Public questions had been submitted in advance for Item 6 and are summarised under the relevant item [and can be viewed via this link](#).

6. 25/00158/OUT – Land West of Barbrook Way, Priory Road, Bicknacre, Chelmsford, Essex

Cllr Dobson declared a non registrable interest and left the Committee for this item, to instead speak as the local ward member.

The Committee considered an outline application for the provision of up to 250 dwellings (including affordable housing and self-build plots), including vehicular and pedestrian access from Barbrook Way, land for a new early years and childcare nursery facility, land for a community facility, public open space, landscaping, surface water attenuation and associated infrastructure with all matters reserved except for access. The Committee were informed that the application had been called in by the local ward member. [The Committee also noted the green sheet of amendments to the item.](#)

The Committee were reminded that due to the Council not having a five year housing land supply, the National Planning Policy Framework (NPPF) directed that applications for development that would address an evidenced unmet need, should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, known as the tilted balance. The Committee heard that the application was able to mitigate its own impacts in relation to traffic, ecology, flooding, the historic environment, residential amenity, education and health and that the main concern raised by residents related to vehicular access. The Committee were informed that the Highways Authority were content with the proposals however. The Committee were informed that whilst the development would change the character and appearance of the site from rural fields, to a residential development, the plans detailed a landscape led scheme, with mitigated impacts, but with some residual impacts remaining. The Committee also noted that in the overall planning balance, significant weight should be attributed to the provision of up to 250 new dwellings, including 88 affordable housing units, along with the other infrastructure benefits and that the benefits of the proposals were not substantially outweighed by the residual impact to the character and appearance of the landscape, leading to an officer recommendation for approval.

The Committee heard from a member of the public who spoke in support of the application, highlighting the need for housing and the 5 year housing land supply shortfall, the inclusion of 88 affordable homes, open space and biodiversity benefits, alongside the allocation of the site in the emerging Local Plan. The Committee also heard from members of the public who raised concerns with the application, regarding access and highway safety, pressure on existing infrastructure and services, impact on the rural character and countryside, prematurity of the application with the site's allocation in the emerging local plan yet to be examined, ecological and biodiversity issues, land ownership queries and the fact that there had been significant local opposition to the proposal.

The Committee also heard from a Parish Councillor who echoed the concerns raised by local residents, but focused on the issue of prematurity and the application being considered before the site allocation had been examined by the Planning Inspectorate. They highlighted that it could undermine the plan making process and that if approved, any decision made on the soundness of the site would have been pre-empted by an approval and they would be denied the opportunity to scrutinise the scale and location of the site. They stated that there was no urgency to consider the application and that it should instead be considered once the emerging Local Plan had been examined.

The Committee also heard from a local ward member, who also echoed the concerns raised by local residents and highlighted the issue with access from the narrow cul-de-sac, with significant traffic on a single route in and out of the development leading to safety and

congestion issues. They also raised concerns about if Essex Highways standards were being followed and the legal right to use the strip of land at the end of Barbrook Way. They also highlighted pressures on local infrastructure including on schools and GP surgeries, the cumulative effect across neighbouring villages and the matter of approval before the site had been examined as part of the Local Plan process. They also stated that if approved, consideration should be given to residents with a Bicknacre connection for the affordable homes and asked that the application be refused due to unresolved harms and a fundamentally unsuitable proposed access.

The Committee also heard from the Cabinet Member for Planning and Place-Shaping who highlighted other examples of estates being built out to include more housing, that the application met all planning obligations, was policy compliant, included vital infrastructure and that weight should be given to the site's approval in the emerging Local Plan by both Cabinet and Full Council. The Committee also heard that prematurity was not normally a reason for refusal, and that despite being a single entry/exit point to the site, this was not uncommon with other estates elsewhere. They also highlighted that if not approved, it could open the door to speculative developments without affordable housing and infrastructure and that sites such as this were vital to supply quick and much needed housing for those on the housing register and in temporary accommodation.

In response to the points raised, officers stated that;

- The single access point complied with the requirement for a single and/or dual access requirement in the site policy.
- Essex County Council had been consulted on education matters and secondary school desks had been accounted for, with a 5% surplus alongside primary school places and transport to secondary schools.
- Government policy had led to changes in what was deemed acceptable compared to previous years and with a lack of a 5 year housing land supply, the balance was tipped in favour of development as a starting point.
- All ecological matters had been considered by an independent consultant, who had been out on site with officers and that despite a missing month in the bat survey, they were content that all key elements regarding bats had been covered.
- The raised issue of prematurity was unlikely to be a valid refusal reason and would only be applicable, where undermining the whole plan making process, for example if somewhere was contrary to the spatial strategy.
- Other access ideas could not be considered, the Committee could only consider the proposal before them.
- There would be a loss of agricultural land, but the Government required the building of houses, so inevitably there would be a loss of greenfield land.
- Issues of land ownership were not material planning considerations and the applicant had confirmed that they had carried out the required due diligence.
- Affordable housing had to be allocated to those most in need of housing, rather than based on if they had connections to Bicknacre.

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

- The NHS had been consulted and had requested £188k of contributions which had been agreed by the applicant.
- There was no technical refusal reason for not accepting access via Barbrook Way.
- A package of mitigations had been proposed regarding highways and there was no technical objection that could be made as the proposals were viewed as acceptable.

- There were not any suitable refusal reasons based on residential amenity, which would normally be related to overlooking or overshadowing, but due to the site being landscape led, this was not foreseen to be an issue.
- No road improvements were included, but improved pedestrian links were that would assist new residents in reaching existing infrastructure.
- Bicknacre was a key service settlement with facilities and services already in place, which meant the application was in line with the Council's Spatial Strategy to place new housing in areas with walkable facilities, hence the contributions to improve pedestrian footpaths included within the application.
- A legal obligation was in place for education funding and if the applicant didn't build the nursery, they would have to make contributions to the County Council to fund it instead.
- The Committee could only consider the application before them, and other suggested access points or arrangements were not able to be considered.

RESOLVED that the application be approved subject to the completion of a S106 agreement, together with compliance with the conditions detailed in the report, the details of those items and variations that may be considered necessary and appropriate to be delegated to the Director of Sustainable Communities/Planning Development Services Manager, in consultation with the Chair and/or Vice Chair of the Planning Committee and the amendments on the Green Sheet.

(7.23pm to 8.47pm)

[7. 26/00099/ENFA – Land Rear of Highfields, Writtle Road, Margaretting, Ingatestone](#)

The Committee were asked to consider confirming an Article 4 Direction, following the decision by officers to implement the Direction with immediate effect in April 2026 on the above land, to remove specific permitted development rights. The Committee were informed that action had been taken following reports that the site appeared to be subdivided into smaller plots and marketed to be sold at auction and that the land was in the rural area to the northwest of the Defined Settlement of Margaretting, within the Metropolitan Green Belt. The Committee were also informed that there were nearby Listed Buildings. The Committee were informed that the Direction would remain in place until 30th October 2026, required consultation had been carried out, with numerous site notices in place, following which two objections had been received. The Committee heard that officers viewed the confirmation as necessary, to continue to protect the Green Belt and rural character of the area, in addition to heritage and surface water flood risk, therefore in accordance with paragraph 3.4.7.23 of the Constitution, the recommendation to confirm the direction had been referred to the Planning Committee. It was noted that if not confirmed, the protections in place would cease at the end of October.

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

- The decision had not been left to the last minute, instead statutory consultations had been carried out as required by legislation, leading to the timeframe that had taken place.
- An Article 4 Direction was a preventative measure, that could only be used where the development had not been carried out, other enforcement measures could only be used once a breach had occurred. It was also noted that the use of an injunction would not be appropriate, due to the higher level of evidence required.

- Officers had contacted the auction house advertising the land parcels and objections had been received back from them in response.
- The confirmation of the Article 4 Direction would remove permitted development rights for certain forms of development, but would not prevent planning permission applications coming forward, they would be dealt with as usual instead.

Cllr P Clark asked that it be noted that they had challenged the reason an injunction wasn't being used and felt that something stricter should have been done.

RESOLVED that the Article 4 Direction ART4/2026/1 be confirmed.

(7.04pm to 7.22pm)

8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 25th June and 28th August 2026 be noted.

The meeting closed at 8.48pm.

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 Local Plan became five years old on 27 May 2025 and is therefore out of date for the purposes of housing requirements. In accordance with Annex A of the NPPF the weight to be attributed to the Local Plan Policies will depend upon their consistency with the national decision-making policies in the NPPF.

Local Plan review

Chelmsford City Council is currently in the process of reviewing the Chelmsford Local Plan (2013-2036), which was adopted in May 2020. The Council carried out consultation (Regulation 19) on the full Pre-Submission Local Plan in February-March 2025. However, following the conclusion of this consultation, several significant events outside the City Council's control took place which meant that the Council needed to identify additional housing site allocations for inclusion within the review of the Local Plan to improve the 5 year housing land supply position, to ensure that it can be found "sound" at examination. The additional sites comprise 11 new housing sites, three expanded housing sites and one expanded employment site. The Focused Consultation Additional Sites (Regulation 19) Document consultation ran from 20th November 2025 to 8th January 2026.

The Local Plan (2022-2041) was submitted to the Secretary of State on 5th June 2026 and will be the subject of a future Independent Examination with hearing sessions expected to begin in November 2026.

Policy	Policy Description
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)
SPS5	Strategic Policy S5 Protecting & Enhancing Community Assets - The Council recognises the important role that community facilities have in existing communities and that they are also an integral part of any proposals for new residential and employment development. Existing community assets will be protected from inappropriate changes of use or redevelopment.
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.
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.
SPS8	Strategic Policy S8 Delivering Economic Growth - The Council will make provision for flexible and market-responsive allocations of employment land which will allow further diversification of Chelmsford's economy. The Council will encourage links between business and the significant education sector in Chelmsford.
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.
SPS10	Strategic Policy S10 Securing Infrastructure & Impact Mitigation - Infrastructure must be provided in a timely, and where appropriate, phased manner to serve the occupants and users of the development. Infrastructure will be secured through planning conditions and/or obligations or through the Community Infrastructure Levy or its successor.
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.

DM1	Policy DM1 - Size & Type of Housing - The Council will protect existing housing from redevelopment to other uses and will require an appropriate mix of dwelling types that contribute to current and future housing needs and create mixed communities. For developments of 10 or more dwellings, 50% of the new dwelling shall be constructed to meet requirement M4 (2) of the Building Regulations. On sites of 30 or more dwellings 5% off the affordable units shall also be provided as wheelchair user dwellings. Sites of 100 dwellings or more will need to comply with Ai), A ii) and Bi) and provide 5 % self-build homes which can include custom housebuilding; and provision of Specialist Residential Accommodation taking account of local housing needs.
DM2A	Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.
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.
DM8	Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
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.
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.
DM14	Policy DM14 - Non-Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.
DM15	Policy DM15 - Archaeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
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.
DM24	Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.
DM25	Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.
DM26	Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.
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.

DM30	Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.
SPDSD	The Sustainable Development Supplementary Planning Document contains guidance on how new development can include sustainable construction techniques, including how it can be energy efficient, minimise the production of waste and overall reduce the negative impacts of development.
POSPD	The Planning Obligations Supplementary Planning Document was approved in May 2026 and sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.
VDS	Village Design Statements (VDS) set 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.
APPB	Appendix B forms part of the adopted Local Plan and provides information about standards that apply to all new residential developments in Chelmsford including conversions, apartments, houses, Houses in Multiple Occupation (HMO's) and extensions, unless it can be demonstrated that the particular site circumstances require a different design approach. The standards seek to ensure new developments will meet the needs of their occupiers, minimise the impact of new developments on surrounding occupiers and encourage higher rates of recycling.

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 August 2026. It sets out the Government's policies for plan-making and for making decisions on development proposals in England. It is a material consideration of critical importance in both contexts.

Paragraph 3 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the Framework are a material consideration in making these decisions and should be read alongside the policies in the development plan.

Paragraph 15 states that the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest. Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs. These objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three):

Annex A states that Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.



Planning Committee
6th October 2026

Application No	:	26/00742/OUT Outline Application
Location	:	Land North East Of 17 Old Bell Lane Rettendon Chelmsford Essex
Proposal	:	Outline application for the erection of two 4 bedroom detached dwellings. All matters reserved.
Applicant	:	Mr White
Agent	:	Mr Damian Lockley
Date Valid	:	19th June 2026

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application is for outline planning permission for the construction of two dwellings at the site, with all matters reserved.
- 1.2. This application has been called-in for committee decision by Councillor Paul Clark owing to a high level of local interest and objections from public consultation. A matter of particular reference is that previous applications for residential development on this site have been refused.
- 1.3. The application is for outline permission with all matters reserved. The principle of development is therefore the main focus of the application.
- 1.4. In summary, officers identify that the proposal is acceptable and based on the National Planning Policy Framework should be approved. Although the proposal does result in low-moderate harm to the character of the Rural Area, this harm is not considered to substantially outweigh the presumption in favour of sustainable development as set out in the National Planning Policy Framework. Officers recommend approval of the application.

2. Description of site

- 2.1. The application site is located to the south adjacent the Defined Settlement of Rettendon Common. The site area amounts to approximately 0.28 hectares, and is accessed via Old Bell Lane, which is unadopted highway. The existing site contains a small area of hard surfacing at its entrance, which extends beyond the driveway serving 17 Old Bell Lane.
- 2.2. The site is otherwise absent of development and is not constrained by the presence of tree preservation orders, fluvial flood risk, ecological habitat designation, heritage assets or setting, or other physical or designated constraints.
- 2.3. Whilst the land has no lawful planning use and is not confirmed as residential garden or curtilage which supports any adjoining dwellings, it appears to be neatly maintained as lawn mowed grass with fencing and vegetation to the west, north and east boundaries, and has paddock style timber fencing to the south site boundary. The topography of the land slopes gently from the north to the south.
- 2.4. A Public Right of Way (Footpath 11 Rettendon FP 11 229) runs adjacent the site to the east, and a Bridleway (Bridleway 15 Rettendon BR15 229) extends from Old Bell Lane to the west. Both paths join with another footpath (FP 12 229) at which point long range views of the site are visible from this footpath at approximately 350m distance to the south.

3. Details of the proposal

- 3.1. The proposal seeks permission for the construction of two residential dwellinghouses. Both properties would be four-bedroom properties. All matters are reserved; however, indicative elevations of the proposed dwellings have been provided (these are for illustration only and would not form part of the decision). The drawings indicate that the proposed buildings would be two storey of traditional form with pitch roofs.
- 3.2. The properties would have access from the east, utilising the existing shared driveway extending from Old Bell Lane which serves the group of dwellings Nos 17, 19, 21 and 23 Old Bell Lane.

3.3. The block plan indicates that the dwellings would be supported by private rear gardens, single storey cart lodges for parking provision to the side of the buildings and areas for bin storage.

4. Other relevant applications

4.1. 20/00089/FUL – Refused – Appeal Dismissed 1st April 2020

Erection of four semidetached two storey dwellings with private drive access and associated covered and open car parking.

4.2. 19/01013/FUL – Refused 29th August 2019

Construction of four semi-detached two storey dwellings with private drive access and associated covered and open car parking

5. Summary of consultations

- Rettendon Parish Council – Objection (with comments)
- Public Health & Protection Services – Recommendation for electric vehicle charging points and submission of details of heat pumps to be provided.
- Essex County Council Highways – Acceptable subject to recommended conditions to secure appropriate access, parking and cycle provision.
- Ramblers Association – Site is access via Bridleway 15 which should be maintained during construction phases.
- Local residents – 19 consultation responses received and are summarised as follows:
 - The proposal will take the total number of units to served by Old Bell Lane to 15 units, the site should be served via a Type F Minor Access for up to 25 units as per the Essex Design Guide and companion Highways Technical Manual.
 - No improvement to width, alignment or condition of Old Bell Lane is proposed.
 - The proposal will increase the number of vehicles along the Bridleway conflicting with vulnerable road users.
 - Urban encroachment into the Countryside, detrimental to the intrinsic character and beauty of the countryside
 - Concerns of Flood Risk undeclared in application form.
 - Overdevelopment, the cul-de-sac should remain quiet.
 - Concerns about bin collection, adding to collection point.
 - Concerns raised regarding noise generated from occupants of the dwellings.
 - Wildlife will be affected.
 - Noise from construction will disturb residents.
 - Construction vehicles will cause safety issues and damage road surface.
 - Deterioration of the road will cause financial burden on existing residents.
 - No street lighting on Old Bell Lane for safety.
 - Proposal will result in overlooking to neighbours.

6. Planning considerations

6.1. Chelmsford City Council is currently in the process of reviewing the Chelmsford Local Plan (2013-2036), which was adopted in May 2020. The Local Plan (2022-2041) was submitted to the Secretary of State on 5th June 2026 and will be the subject of an Independent Examination.

6.2. Policy DM4 (1) of the National Planning Policy Framework 2026 (NPPF) states that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of compliance of the relevant policies in the emerging plan to the NPPF (2026). The consideration of this application therefore takes into account the policies of the emerging plan and attributes the appropriate weight to them in the decision making process, in accordance policy DM4.

6.3. The National Planning Policy Framework (NPPF) sets out the government's policies for plan making and for making decisions on development proposals in England. It is a material consideration of critical importance in both contexts. The NPPF was recently updated in August 2026 and replaces the previous National Planning Policy Framework published in December 2024.

Main Issues

The Principle of Development

6.4. NPPF Policy S3(1) states that decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b. *Outside settlements, policy S5 should be applied;* and
- c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay

6.5. NPPF Policy S3(2) sets out that where a development proposal falls partly within and partly outside a settlement, Policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal.

6.6. The red line of the application site includes Old Bell Lane, which is private unadopted highway. This access is on land within the Defined Settlement boundary. The proposal does not seek any changes to Old Bell Lane. The red line site was revised during the lifetime of the application upon awareness of Old Bell Lane constituting a private highway, as the site is required to demonstrate its connection to public highway (East Hanningfield Road) to demonstrate how the site will be accessed. Notwithstanding this, the two dwellinghouses proposed are on a parcel of land which adjoins but is outside of the Defined Settlement Boundary.

6.7. NPPF Policy S5 is applicable to the development, as this Policy sets out the presumption in favour of sustainable development outside of settlements.

6.8. NPPF Policy S5(1) states "Only certain forms of development should be approved outside settlements, as set out in the following list (see paras 6.7 and 6.8). These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework".

6.9. As previously described in paragraph 2.3 of this report, the land has no planning status and is not designated or allocated for any purpose, it is undeveloped land forming part of the Rural Area. The site is not considered to meet the definition of previously developed land, nor would

development of the proposal constitute limited infilling within groups of houses. The proposal would not meet the exceptions listed under NPPF Policy S5(1) (a) – (i)..

- 6.10. NPPF Policy S5(1)(j) includes within this list, development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), providing the development would:
- i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
- 6.11. As per the Council's latest 5-year housing land supply position published in May 2026 which recorded a 4.74 year supply, the Council currently has an evidenced unmet housing need. NPPF Policy HO7 states in applying the policies of this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence.
- 6.12. The application site is immediately adjoining the existing Defined Settlement of Rettendon Common. The site is physically well-related to this existing settlement and therefore complies with Policy S5(1)(j) and is an acceptable form of development under the current circumstances.
- 6.13. At the local level, Strategic Policy S1 of the adopted Chelmsford Local Plan sets out the spatial principles which development should accord with. This includes locating development at well-connected and sustainable locations and respecting the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity and to focus development at the higher order settlements outside of the Green Belt and respect the existing development pattern and hierarchy of other settlements amongst other principles.
- 6.14. The adopted Local Plan is over 5 years old and as stated at paragraph 6.9 there is an evidenced unmet housing need. The National Planning Policy Framework since 2024 has applied an overriding presumption in favour of granting development based on evidenced need, such as evidenced housing need, and requires Local Plan policies that are out of date or which are not in line with the NPPF to be afforded materially less weight. On this basis, Strategic Policy S6 (Housing and employment requirements) is out of date and must be afforded materially limited weight. Strategic Policy S7 of the Local Plan which sets out the hierarchy for allocated development is also attributed limited weight as it constrains housing development in the face of evidenced unmet need. Strategic Policy S7 does however include an expectation for windfall sites, such as this, to contribute towards a reliable source of housing supply.
- 6.15. As set out in Strategic Policy S7 of the Chelmsford Local Plan, Rettendon Common is a small settlement outside of the Green Belt, at the lower end of the settlement hierarchy. Whilst development is to be focused primarily on the main urban areas and key service settlements outside of the Green Belt, windfall sites in suitable locations make an important contribution to meeting the Council's supply of homes. Rettendon Common, although a small settlement, is nevertheless an existing, designated settlement.
- 6.16. With regard to the emerging Local Plan submitted June 2026, although in general alignment with the principles of the National Planning Policy Framework, limited weight is attributed to emerging policies SPS6 and SPS7 based on the housing land supply status.

- 6.17. Rettendon does not have a Neighbourhood Plan but does have a Village Design Statement (hereafter 'VDS') (2011). The Rettendon VDS sets out that Rettendon Common has no large estates, as the dwellings within the area have been built up piece-meal along the South and East Hanningfield Roads and Chalk Street. The VDS describes the houses as a mixture of styles and designs ranging from early timber framed red brick houses to more modern infill developments. Few working farms have survived within Rettendon Common and the land surrounding the Common area is farmed by owners outside the Parish. This however does not inhibit the enjoyment of the countryside. The VDS charts an evolution of settlement which is in line with the application proposal.
- 6.18. The Village has a playing field to the west adjacent Main Road, and further south on Main Road there is an industrial site containing vehicle services, a gym, a restaurant and equestrian centre. To the northeast of the settlement is Perrywood Buckhatch nursery and café. These amenities and local services do not directly adjoin the Defined Settlement but are within approximately 550m of the settlement boundaries. Local schools and health services are located further afield, but there are bus stops on East Hanningfield Road (services 3 and 513) and Main Road (Services 8A, 13 and 13A) which run services at a range of times to locations such as Southend, Chelmsford and Wickford and less frequent services to locations such as Southchurch, Witham and Rayleigh.
- 6.19. The proposal is for 2 dwellings. The development is considered of a scale which is well related to the size of settlement and is geographically well related to the settlement's availability of existing infrastructure. The proposal complies with NNPPF Policy S5(1)(j).

Parking and Highway Safety

- 6.20. A number of concerns have been raised regarding the road infrastructure of Old Bell Lane, which is unadopted. The main concern from local residents is the use of the bridleway as a vehicular access to the new properties. The number of dwellings served by the Bridleway in recent years has increased and residents have advised that the condition of the surface of the Bridleway has deteriorated.
- 6.21. The Highway Authority have considered the proposal, which is for two houses, and raise no objection to the proposed development. Whilst the road has a poorer quality surface than adopted roads and is used as part of a Bridleway, the road is existing and already serves 13 properties. The scale of development for an additional two dwellings, and the level of vehicle and pedestrian activity arising from this is negligible and not so significant that the existing access infrastructure would be unable to support the proposal. The highway authority has raised no objection to the proposal in terms of its impact on the Bridleway or impact on users and the concerns raised in relation to highway safety are unsubstantiated.
- 6.22. Furthermore, as the application is for outline permission, further details of access and manoeuvring within the site and parking provision would be secured at reserved matters stage, but the indicative plans demonstrate the proposal can feasibly accommodate access and parking which meets or exceeds the Essex Parking Standards, and therefore concern regarding visitor overspill parking on the Bridleway as a result of the proposed properties is again unsubstantiated.
- 6.23. NPPF Policy TR3(1) directs development to be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure.

- 6.24. The proposed development is for two properties and would not likely generate a significant amount of movement in the context of the area within which the site is situated. The development is located adjacent the Defined Settlement of Rettendon Common, which demonstrates the proposal is well connected to an existing settlement. There are local amenities within reasonable and safe walking distance of the site, and there would also be opportunity for prospective occupiers of the dwellings to utilise the existing bus services.
- 6.25. No changes to the junction from Old Bell Lane onto East Hanningfield Road are required for the proposal. The Highway Authority confirms no action required to this junction.
- 6.26. The site is for outline permission with all matters reserved. The principle of development in terms of access is acceptable; the development is locationally and functionally acceptable. Parking details would be considered at reserved matters stage, however, based off the information provided, the site is capable of accommodating the required off-street parking provision in compliance with Policy DM27 of the adopted Local Plan and the Essex Parking Standards.
- 6.27. If approved, such details would be secured through planning condition and at reserved matters stage.

Impact on Character of the Rural Area

- 6.28. The objective of Chapter 4 of the National Planning Policy Framework includes limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.
- 6.29. NPPF DP3(1) sets out the key principles for well-designed places. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.
- 6.30. NPPF N2(1) relates to the Natural Environment, this Policy sets out that to contribute positively to the natural environment, and support nature's recovery, development proposals should (a) Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply).
- 6.31. Part A of Policy DM8 of the adopted Chelmsford Local Plan is generally consistent with the new National Planning Policy Framework regarding its intention to protect the character of the countryside. The Policy sets out that planning permission will be granted for new buildings and structures in the Rural Area where the development will not adversely impact on the identified intrinsic character and beauty of the countryside and where the development falls within the prescribed list of development types. The prescribed list set out in Policy DM8 must now carry limited weight due to the status of Housing Land Supply and within the context of NPPF Policy S5(1)(j).

- 6.32. It is noted the application site retains the same baseline characteristics as previously considered for a past planning application and subsequent appeal (planning application reference 20/00089/FUL) it is also noted this appeal was dismissed for four houses on the site. An important aspect of the appeal was the impact of the proposed development on the intrinsic character and beauty of the countryside.
- 6.33. It is important to note that this previous appeal was considered against a previous version of the National Planning Policy Framework, and at that time the Chelmsford Local Plan had been newly adopted with policies in alignment with the NPPF as it then existed (pre NPPF 2024), and during such time the Council was meeting its required 5-year housing land supply.
- 6.34. Since this previous appeal, the national and local policy context relevant to the proposal has changed and there is now an unmet need for the supply of homes. Also, a material difference between the current proposal and the previous proposals and appeal, is that this proposal seeks a reduced number of dwellings. These are important contextual and content changes.
- 6.35. The Inspector for the aforementioned appeal described the site as essentially enclosed on three sides but open in terms of views into the site from the south. There are a number of public footpaths within close proximity to the site and the land immediately to the south is open fields. The Inspector found that this contributed to the open setting, and character of the area, on the edge of the settlement and that the site is part of the intrinsic character of the countryside. The Inspector also considered the site contributed to this character which comprises pockets of pasture and pony paddocks as a key characteristic, which although the site is not used as such, presents itself as.
- 6.36. The Inspector for that earlier appeal concluded that the previous proposal would bring two storey development and general domestication into the appeal site which would notably alter the character and appearance of what presents as a rural paddock, which is open with no buildings, on the edge of the settlement. The Inspector found this to be harmful in addition to in-policy conflict regarding the principle of sustainable development (weight given to the Spatial Strategy), and consequently the appeal was dismissed.
- 6.37. The site still maintains enclosure on three sides, and the site is not prominently visible from the PROWs to the east or west but is visible from long range views at the south.
- 6.38. The detailing of the proposal including form, scale and siting of the two dwellings would be considered as a reserved matter, however, notably this proposal is now for two properties instead of four and the proposed development would be viewed as an inset parcel against an existing urbanised context. The current proposal would represent a less intensive development of the site, together with reduced residential paraphernalia and improved spatial setting as a result of the lesser number of houses now proposed. To the west are dwellings which are on land which falls within the Defined Settlement Boundary which envelopes two sides of the application site. There is a defensible boundary to the east, capable of limiting further sprawl.
- 6.39. The lower density proposal for two properties on the land is more reflective of the local grain and transition between the edge of settlement and the countryside. Balancing this with the previous appeal assessment which concludes the site does provide some positive contribution to the character of the Rural Area, the conclusion must be that the proposal would introduce some harm to rural area character, albeit the harm would be more limited and the context of the site is relatively urbanised with the one open view path (from the south) only seeing this parcel of land in direct context with those urban attributes of the existing landscape. The harm is considered to be low-moderate in the context of this proposal.

- 6.40. The site is not designated as a protected landscape. The impact on the character of the Rural Area is afforded low-moderate weight, to be weighed in the planning balance.

Flood Risk

- 6.41. The site is located entirely within Flood Zone 1. Local concern has been raised that there is undeclared flood risk due to a watercourse to the northeast of the site. The site contains no surface water features and no immediate off-site water bodies. Surface water can accumulate along the footpath to the east and this may reach the application site, but this does not present severe flood risk nor a reason for refusal since any surface water flood risk could be addressed through design. The development is not at risk of river flooding and would not increase the risk of river flooding away from the site. The development is of a minor scale which means there is no requirement for sustainable urban drainage system. The development is required to undertake a standard 'building regulations led' approach to site drainage to deal with any site needs relating to surface water disposal.
- 6.42. The proposal and site area does not meet the threshold for major development for SuDS requirements as per Policy DM18 of the Local Plan. The application form states that soakaways would be used to manage surface water and details of drainage would be secured at reserved matters stage which is proportionate to the scale of development in accordance with NPPF Policy F8 and satisfies Policy DM18 of the Local Plan.

Design Specifications for New Dwellings

- 6.43. Policy DM26 of the Chelmsford Local Plan requires all new dwellings to comply with criteria in respect of achieving suitable privacy and living environment for residential occupiers, achieving sufficient private amenity space, meeting appropriate internal space and providing appropriate and well-designed recycling and waste storage.
- 6.44. Concern has been raised regarding refuse collection. Bins would be stored within the residential curtilage of the site, away from the road. Details of a refuse strategy for collection have not been provided as per the application documents; however, this can be secured at reserved matters stage.
- 6.45. The adjacent properties Nos. 17, 19, 20 and 21 are served by an existing type 3 turning point and this would enable Council refuse vehicles to collect from properties and return along the access in forward gear. The proposed properties would be sited close to this existing turning facility for a collection point or drag distance which aligns with the existing refuse arrangement for the existing dwellings, and which would not result in overspill of bins interfering with the Bridleway.
- 6.46. The site is for outline permission to establish the principle of development. Specific details regarding bin provision, garden boundaries, parking layout, landscaping and technical space standards, etc. would be assessed at reserved matter stage, however, indicative plans provide sufficient information which demonstrate that the proposal has the ability to satisfactorily accommodate two dwellings which meet the requirements of Policy DM26 of the Local Plan, and which meet the standards set out in Appendix B of the Local Plan.

Impact on Neighbour Amenity

- 6.47. Policy DM29 of the adopted Local Plan seeks to protect the work and living environment of neighbouring occupiers by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. The policy also sets out that development shall not result in excessive noise, activity or vehicle movements.
- 6.48. The proposal is for minor development of two properties adjacent existing residential dwellings. The proposal would utilise the existing vehicle access which serves properties along Old Bell Lane. The level of vehicle movement and noise generated from two properties is of a negligible impact to this existing arrangement.
- 6.49. The supporting Design & Access Statement sets out that to assist achieving sustainable construction, the dwellings are intended to be provided with air source heat pumps and integrated photovoltaic panels. Public Health & Protection Services have acknowledged that air source heat pumps have potential to generate noise. No further details of air source heat pumps have been provided as part of the proposal, however, as the final layout, siting, and design of the properties are to be considered at reserved matters stage, it would be appropriate for details to be submitted at reserved matters stage. This can be secured through condition.
- 6.50. With regards to privacy and proximity to neighbours, a previous application (2019) was refused on grounds of overlooking to No. 11a Salforal Close which is located to the north of the site, however, the design of the properties and placement of windows facing this occupier were revised by a following submission (2020), and the impact of the proposal on neighbour amenity was considered acceptable. No issues were previously raised as to overshadowing or overbearing impacts.
- 6.51. No. 11a Salforal Close is a bungalow orientated with its front facing east, and its flank abutting the application site boundary. The indicative layout of the dwelling (plot 1) near to this neighbour would have a back-to flank relationship. Appendix B standards set out that the minimum back-to-flank relationship should be 12.5m and the minimum distance between a window serving an upper-floor habitable room and the side garden boundary of an adjacent property should be 15m (unless the privacy zone is otherwise protected).
- 6.52. The intervening boundary treatment comprises fencing and vegetation which provides screening from the site, affording the occupants of 11a privacy, however, the dwellings are indicated to be two storey and therefore at a distance of approximately 9.5m between the rear of the property Plot 1 and the boundary of No. 11a Salforal Close, could have potential for overlooking. The separation distance between the dwellings, given the boundary treatment and difference in land level whereby the topography slopes downward to the south means that the proposed dwellings would be less impactful in terms of their physical presence.
- 6.53. There is opportunity within the application site, due to its size, for Plot 1 to be re-sited to improve the boundary separation and orientation and factor into the design of the properties window placement which avoids overlooking. Design details such as this would be assessed at reserved matters stage since the design and siting information presented with this application is indicative only, but the proposal for the purpose of this application is capable of achieving an acceptable relationship with adjoining neighbours.

Ecology & Trees

- 6.54. The site contains modified grassland of low ecological value as identified in the Biodiversity Checklist and submitted Biodiversity Net Gain Metric. There are no protected trees within the

site, however, there is vegetation consisting of hedgerow and trees adjacent the north and east site boundaries.

- 6.55. It is not indicated that any of the trees or hedgerow would be removed as a result of the proposal, and provision for new landscaping as part of the development is indicated. A condition can secure provision of landscaping and protection of existing trees/vegetation along the boundaries of the site.
- 6.56. There are no signs of wildlife presence at the site in the main. The hedgerow is considered to be suitable habitat for nesting birds. However, the hedgerow is not indicated to be removed and a suitably worded condition would ensure any minor works (should they be necessary) to the hedgerow are to take place outside of bird nesting season. The submitted biodiversity checklist and self-assessment statement indicates that the site would not impact any protected species, and there are no bats present.
- 6.57. The Council's Climate and Ecological Emergency Action Plan includes undertaking a greening programme to significantly increase the amount of woodland and the proportion of tree cover in Chelmsford.
- 6.58. Strategic Policy S2 of the Chelmsford Local Plan recognises that new development will seek to mitigate and adapt to climate change. Paragraph 9.13 of the Planning Obligations Supplementary Planning Document (SPD) (January 2021) states that where practicable, all new housing development should seek to plant three trees per net new dwelling. Paragraph 5.18 of the Making Places Supplementary Planning Document (January 2021) states that green spaces provided in connection with new housing development should, where practicable, include the planting of three trees per net new dwelling.
- 6.59. Six new trees in addition to new hedgerow are shown to be planted within the site which satisfies the requirement.

Habitat Regulations

- 6.60. The site falls within the Zone of Influence of European designated sites scoped into the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and as the proposal seeks a new dwelling, it is likely to have an effect upon the interest features of Habitat sites [Blackwater Estuary SPA and Ramsar site, and Essex Estuaries SAC] through increased recreational pressure, when considered in-combination with other plans and projects.
- 6.61. 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, determine site specific impacts and avoid or mitigating against impacts where identified.
- 6.62. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS). 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.
- 6.63. A RAMS financial contribution has been made to address the need for mitigation for the additional dwellings which would be created by the proposal. The development therefore

complies with Chelmsford Local Plan Policy DM16 and Chapter 19 of the National Planning Policy Framework.

Biodiversity Net Gain

- 6.64. The proposal is for market dwellings and is not exempt from national Biodiversity Net Gain requirements. The mandatory BNG condition therefore applies to the development.
- 6.65. Preliminary BNG documents accompany the application, and indicate the baseline biodiversity value of the site and the required 10% net gain will be delivered on site.
- 6.66. The gain would be secured through the appropriate condition and any subsequent legal agreement as may be necessary.

7. Planning Balance

- 7.1. National policy tells us that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving development in a sustainable manner means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 7.2. It is accepted that the current Local Plan is now 5 years old, meaning the evidence upon which housing and employment needs are assessed has to be refreshed with new evidence produced using the latest methodologies. This work is well underway and has identified a need to secure a substantial amount of new homes through the emerging Local Plan, and that at this time there remains an evidenced unmet housing need.
- 7.3. The proposed housing must be ascribed substantial positive weight in the planning balance in accordance with NPPF Policy HO7.
- 7.4. The proposal would result in a low-moderate harm to the intrinsic character and beauty of the countryside. The development would be seen within the context of existing residential development from long range views to the south and has a defensible boundary to the east.
- 7.5. The development is well related to an existing settlement which is a spatial approach to development supported by the National Planning Policy Framework. Acknowledging the size of settlement, this outcome is afforded moderate positive weight.
- 7.6. NPPF Policy S5(1) states “Only certain forms of development should be approved outside settlements” These should be approved, unless the benefits of doing so would be **substantially** outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework”.
- 7.7. The proposed development is an appropriate form of development in accordance with NPPF Policy S5(1)(j) which the Policy sets out should be approved. When assessed against the National Planning Policy Framework, and policies of the adopted Local Plan weighted in terms of their compliance with the NPPF, the proposal does result in harm to the impact on the countryside however, this harm attracts low-moderate weight only. The location of the development in transport terms is well related to the existing settlement and is aligned with the NPPF objectives of directing development to existing areas of development. Taking these and all other

considerations together, the benefits of the proposal are not substantially outweighed by the adverse effects.

7.8. For the reasons given above and having regard to all other matters raised it is recommended that the committee approve the application.

8. Community Infrastructure Levy (CIL)

8.1. This application is CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

The development hereby permitted shall take place no later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason:

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

Condition 2

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

Reason:

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

Condition 3

Details of the access, appearance, landscaping, layout, and scale shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

The particulars submitted are insufficient for consideration of the details mentioned.

Condition 4

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 5

The reserved matters shall confirm details of existing and proposed land levels, boundary treatments and materials samples to be used in the construction of the development. The details shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

WEB
03FCOM

The particulars submitted are insufficient for consideration of the details mentioned.

Condition 6

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

Reason:

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

Condition 7

- i. The reserved matters shall confirm adequate parking for motorised vehicles in accordance with Essex Planning Officers Association Parking Guidance Part 1 (otherwise referred to as Essex Parking Guidance Part 1) dated September 2024.
- ii. The dwellings shall not be occupied until parking space(s) have been laid out in compliance with details approved in accordance with i. above.
- iii. Parking spaces shall thereafter be retained in accordance with approved details for use in association with the residential use of the site and for no other purpose.

Reason:

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

Condition 8

The reserved matters shall confirm details of electric vehicle charging points to serve the new dwellings in accordance with Policy DM25 of the Chelmsford Local Plan (2020), to be approved in writing by the local planning authority. Electric vehicle charging points shall be installed as approved prior to first occupation of the new dwellings.

Reason:

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

Condition 9

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

Reason:

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

Condition 10

The reserved matters shall provide details of the facilities for the storage of refuse and recyclable materials, to be approved in writing by the local planning authority. 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:

WEB
03FCOM

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

Condition 11

The reserved matters shall confirm details of both hard and soft landscape works, to be approved in writing by the local planning authority. The works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges or other soft features to be retained;
- c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- d) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
- e) Details of the planting of 3 trees per net new dwelling within the site;
- f) Management details and a five year maintenance plan.

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan and to ensure that three additional trees are planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change.

Condition 12

The dwellings hereby approved shall not be occupied until secure and covered bicycle parking has been laid out within the site in accordance with details which shall previously have been submitted to and approved in writing by the local planning authority. Those spaces shall thereafter be kept available for the parking of bicycles only.

Reason:

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

Condition 13

Prior to the commencement of development, a Precautionary Method Statement for construction works in relation to birds and bats shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved Precautionary Method Statement.

Reason:

In order to safeguard protected species on site in accordance with Policy DM16 of the Chelmsford Local Plan

Condition 14

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

a) identify areas/features on the site that are sensitive to birds and/or bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important territory routes used to access key areas of their territory, for example, foraging; and

b) show how and where the external lighting will be installed so that it can be clearly demonstrated that areas lit will not disturb or prevent the above species using their territory or having access to their breeding sites or resting places.

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

Reason:

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

Condition 15

An application for approval of reserved matters which includes "layout" shall include a final written Biodiversity Gain Plan to ensure that there is a minimum 10% net gain in biodiversity as a result of the development. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time.

The development hereby permitted shall be carried out in complete accordance with the Biodiversity Gain 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 16

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:

- o details setting out how the onsite or off-site gains will be managed;
- o Details of the persons responsible for the implementation, management and monitoring;
- o details of how habitats will be monitored (including specific details for each type of habitat);
- o details, including a schedule, of monitoring reports to be submitted to the local planning authority over at least a 30 year period;
- o details of how management will be reviewed;
- o 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 17

Prior to their installation, details of air source heat pumps including their location and noise levels shall be submitted to and approved in writing by the local planning authority and the development shall be carried out as approved.

Reason:

The particulars submitted are insufficient for consideration of the details mentioned.

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Condition 18

No trees or hedges within the site shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of the development or within a period of 5 years following commencement of the development.

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

Reason:

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

Positive and Proactive Statement

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

Notes to applicant

The public right and ease of passage over public bridleway no.15 (Rettendon Parish 229) shall be maintained free and unobstructed at all times.

Background Papers

Case File

Plans to be listed on any Decision Notice:

- 26-106-AS-3/C
- 26-106-AS-4
- 26-106-AS-1
- 26-106-AS-2
- Pre & Post Development Plans
- Design and Access Statement
- Biodiversity Statement
- Biodiversity Gain Plan
- Habitat Information
- Site Photos

Appendix 2 – Consultations

Rettendon Parish Council

Comments
29.07.2026 Rettendon Parish Council strongly objects to this planning application. The site is located within designated open countryside, where development should be strictly controlled. The Council also notes that proposals for development at, or close to, this location have previously been refused by the Planning Inspectorate, and considers that the reasons for those earlier decisions remain relevant. The proposed development would result in an unacceptable impact upon the rural character of the area, existing infrastructure and the amenities of neighbouring residents, including a significant loss of privacy. The proposed access is particularly concerning. It would be situated on or adjacent to a bridleway and close to a blind corner, creating a potential conflict between vehicles, pedestrians, cyclists and horse riders. The route has no dedicated pedestrian provision, no street lighting and is not adopted or maintained by the Highway Authority. The Council is concerned that the development would generate additional vehicle movements on a route that is unsuitable to accommodate increased traffic, potentially worsening existing congestion and highway safety risks. The Council also notes that no assessment or consultation response from the Highway Authority appears to have been provided. The application should not be determined until the Highway Authority has fully

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assessed the suitability and safety of the proposed access, the impact on the bridleway and the capacity of the surrounding road network.

For these reasons, Rettendon Parish Council strongly objects and recommends that planning permission is refused.

Public Health & Protection Services

Comments

01.09.2026 - No further PH&PS comments. The previous comments still stand.

07.07.2026 - Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is not allocated).

Air source heat pumps have the potential to cause noise disturbance to nearby residents. The applicant should submit details and specification of this plant for approval.

Essex County Council Highways

Comments

02.09.2026

The comments of 16.7.26 remain applicable.

16.07.2026

Old Bell Lane is a private road, that accommodates within its width alignment Bridleway no.15 (Rettendon Parish 229) for the first 132 metres. Bridleway no. 15 then continues south.

At 125 metres south from the East Hanningfield Road junction Old Bell Lane, the 2no. dwelling development site to the east is located at the end of the private drive between no.15 and no.19 to the east:

A new 5.5-metre-wide private drive connecting to the end of the existing driveway will serve the two new dwellings;

The new driveway incorporates 8-metre square domestic turning area at the end of the driveway to the east.

The development provides 8no. parking spaces where; each plot is provided with 4no. parking spaces comprising of a 2no. space cart lodge with 2no. parking spaces to the front:

The development would be provided with off-street parking in accordance with the Parking Standards.

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

- Construction management

- Bridleway to remain clear
- Construction of access to individual properties
- Construction of 8x8m turning facility
- Parking provision
- Cycle parking provision

Informative:

- Highway works need approval – contact information

Ramblers Association

Comments

02.09.2026 - Comments dated 22 July 2026 still apply.

22.07.2026

The proposed site is served and accessed via Bridleway 15 - Rettendon.

This PRoW should be maintained in use during the construction stages, which also serves a number of properties.

Footpath 11 - Rettendon runs to the East of the site but does not appear to be affected by the proposal.

Both these PRoW should be indicated on the site/block plans.

Local Residents

Comments

Representations received from 15 individuals, and 2 external letters on behalf of individuals raising the following:

- **Principle of development:** The site lies outside the settlement boundary in the Rural Area and similar proposals have previously been refused and dismissed at appeal.
- **Countryside impact:** The development would urbanise open countryside, causing harm to rural character, openness and landscape views.
- **Highway safety:** Concerns that visibility at the Old Bell Lane/East Hanningfield Road junction is inadequate and additional traffic would increase safety risks and create conflict with walkers, cyclists and horse riders..
- **Access arrangements:** Old Bell Lane is a narrow, private, unmade lane and objectors consider it

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unsuitable for additional development and potentially contrary to Essex Design Guide standards.

- **Private road maintenance:** Residents maintain Old Bell Lane at their own expense and are concerned about increased wear and repair costs.
- **Parking and servicing:** Concerns over parking pressure, refuse collection arrangements and delivery vehicle access.
- **Residential amenity:** Objections refer to loss of privacy, noise, disturbance and reduced tranquillity for neighbouring residents.
- **Sustainability:** The site is considered an unsustainable location due to limited local services and infrequent public transport.
- **Other matters:** Concerns were also raised regarding wildlife, flood risk, construction impacts and overdevelopment

It is recommended that clients and builders use a JCT small works contract. Note that building control can change details on site so that the build conforms to the building regulations. These notes are general purpose construction notes for building regulation approval and are in no way detailed to specification standard. The clients attention is drawn to the Party Wall Act 1996 with regards to works taking place near adjoining owners land and buildings. It is the Building owners responsibility that the act is complied with. This plan should not be scaled and careful check measurements should be made on site by the contractor with any major discrepancies being reported to the client or his building surveyor before the start of works. Any changes in the design are at the clients and contractor own risk. Oswick Ltd holds no responsibility for any mis-measurements on site as these should be checked before the start of works by the contractor or in the case of any changes in design.

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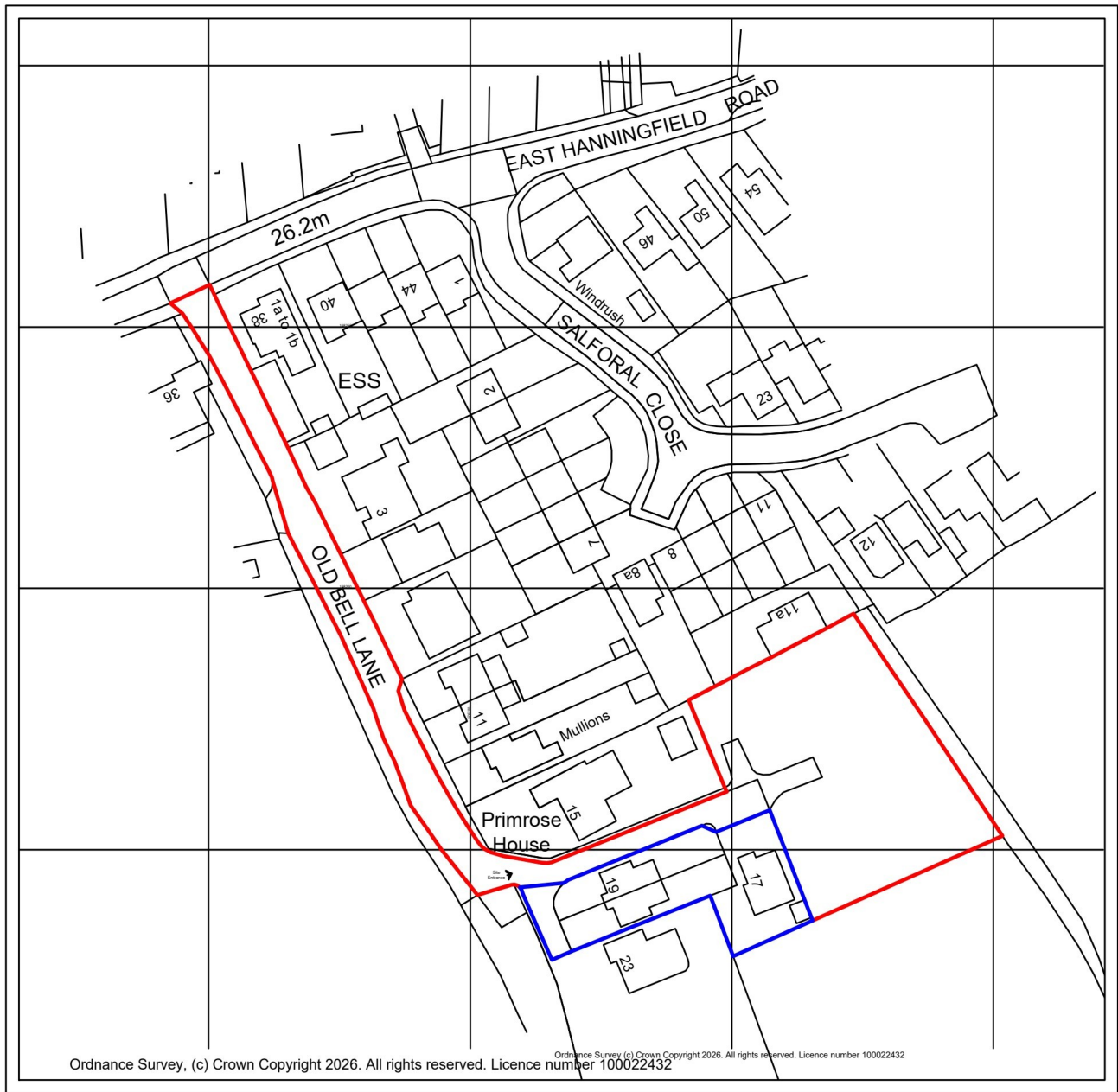
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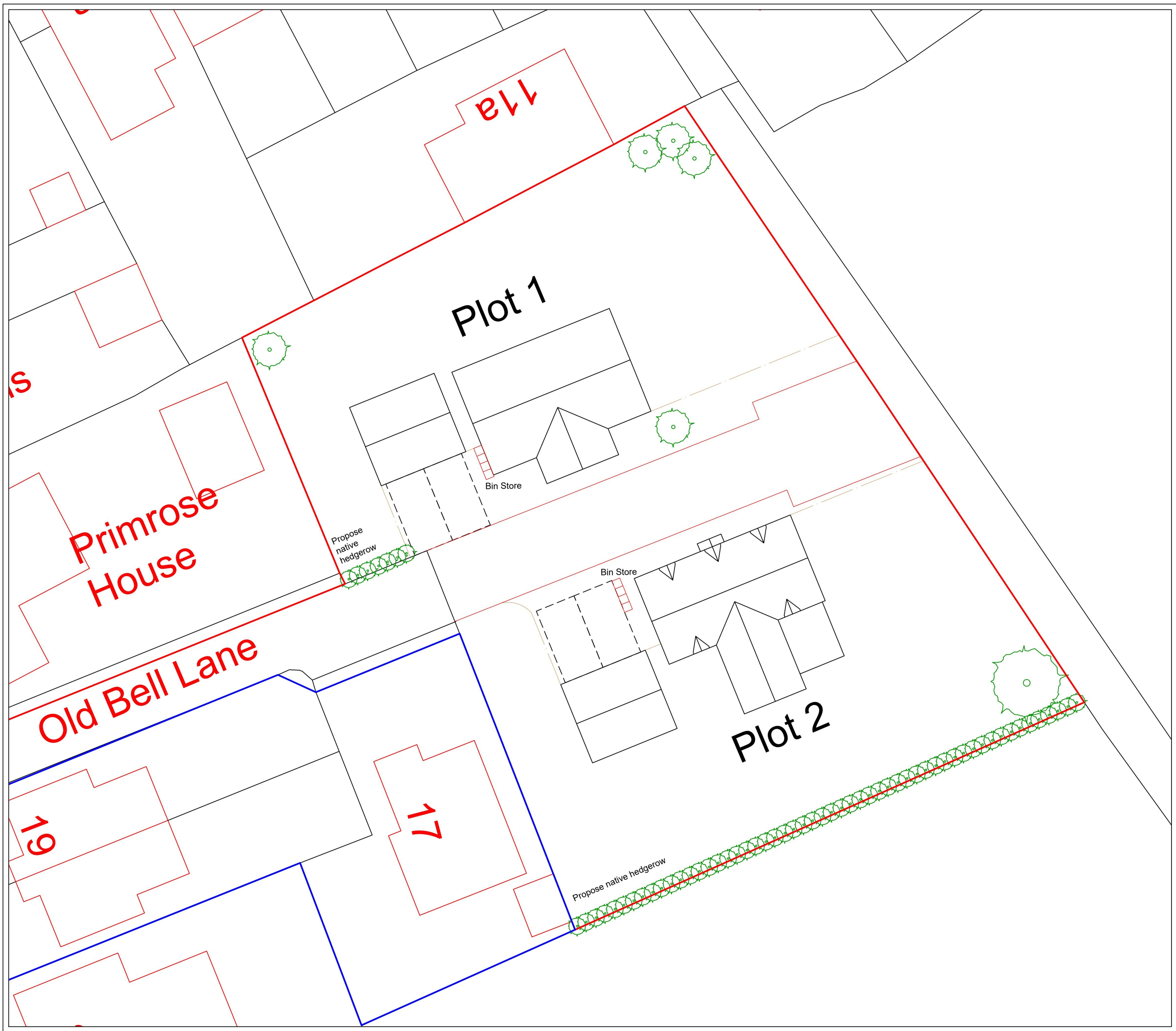
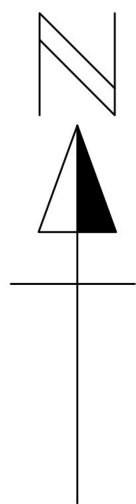
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EXISTING SITE LOCATION PLAN



EXISTING & PROPOSED SITE BLOCK PLAN

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5/7 Head Street, Halstead
Essex, CO9 2AT



Tel: 01787 477559
Email: info@oswicks.co.uk
Web: www.oswicks.co.uk

CLIENT NAME :- MR WHITE
SITE ADDRESS :- PLOT ADJ OLD BELL LANE, EAST HANNINGFIELD ROAD, RETTENDON
COMMON, CM3 8EH

PLAN TYPE :- PP
START DATE :- 21-05-2026
DRAWN BY :- GE

PAPER SIZE :- A1
SCALE :- 1:200-1:1250
REVISION :- C
UPDATED :- 25-08-2026

NOTE :- BUILDING REGULATION PLANS SHOULD BE READ
IN CONJUNCTION WITH THE GENERAL SPECIFICATION IF PROVIDED

PLAN TYPE :- SURVEYED AS EXISTING, PROPOSED 4 BEDROOM DWELLINGS
PROJECT TYPE :- PROPOSED 4 BEDROOM DWELLINGS
DETAIL SHOWN :- SITE PLANS

PLAN No. :- 26-106-AS-3

It is recommended that clients and builders use a JCT small works contract. Note that building control can change details on site so that the build conforms to the building regulations. These notes are general purpose construction notes for building regulation approval and are in no way detailed to specification standard. The clients attention is drawn to the Party Wall Act 1996 with regards to works taking place near adjoining owners land and buildings. It is the Building owners responsibility that the act is complied with. This plan should not be scaled and careful check measurements should be made on site by the contractor with any major discrepancies being reported to the client or his building surveyor before the start of works. Any changes in the design are at the clients and contractor own risk. Oswick Ltd holds no responsibility for any mis-measurements on site as these should be checked before the start of works by the contractor or in the case of any changes in design.

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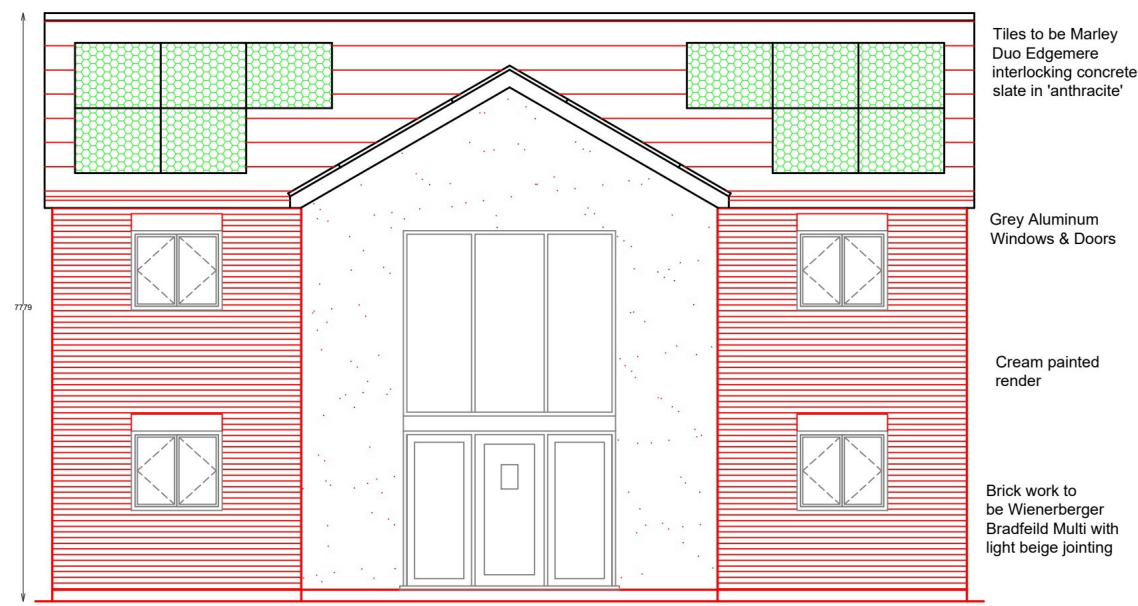
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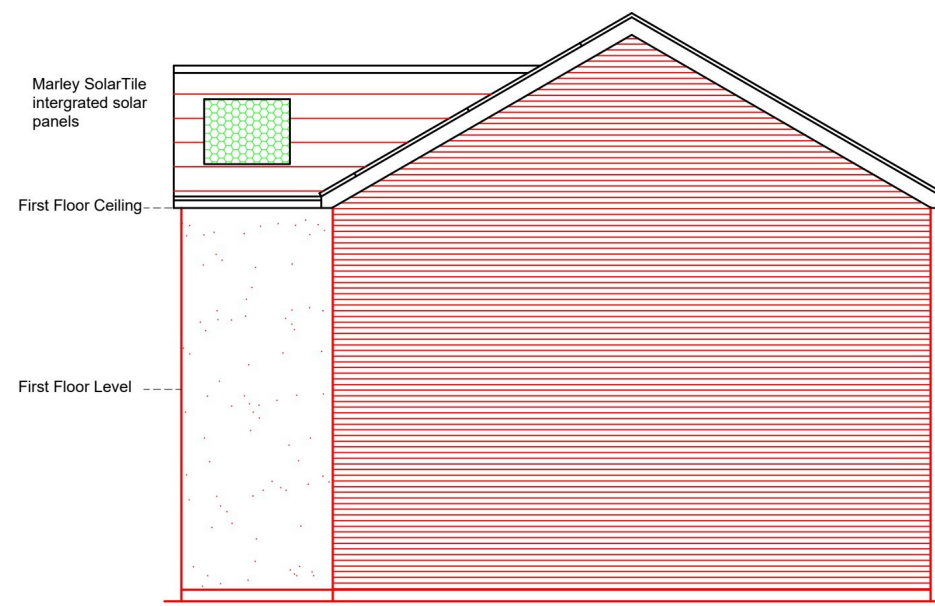
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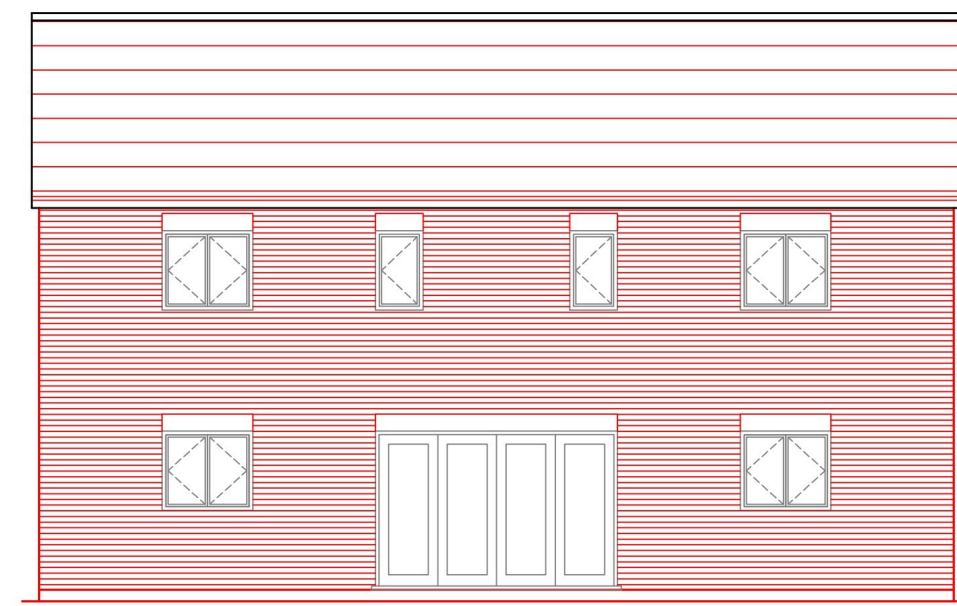
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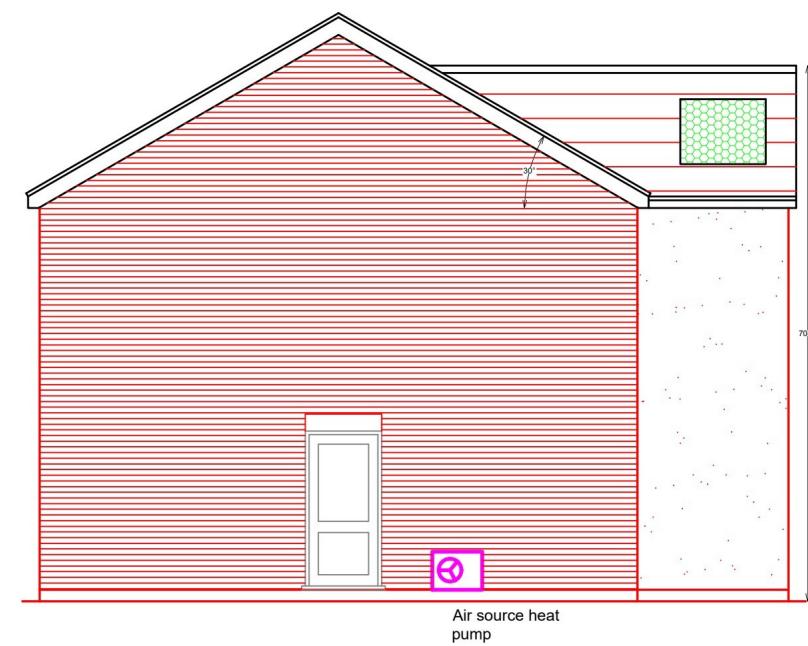
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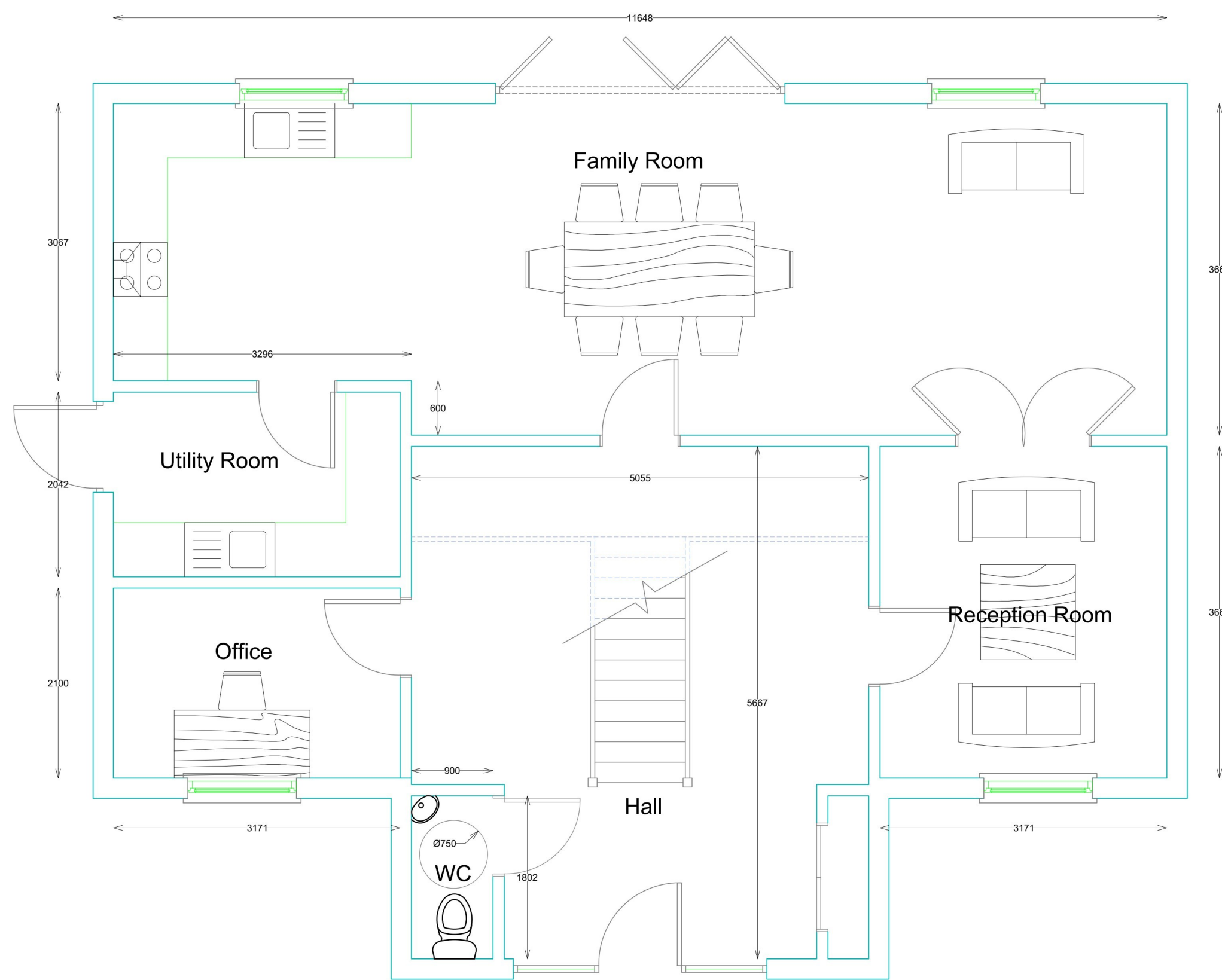
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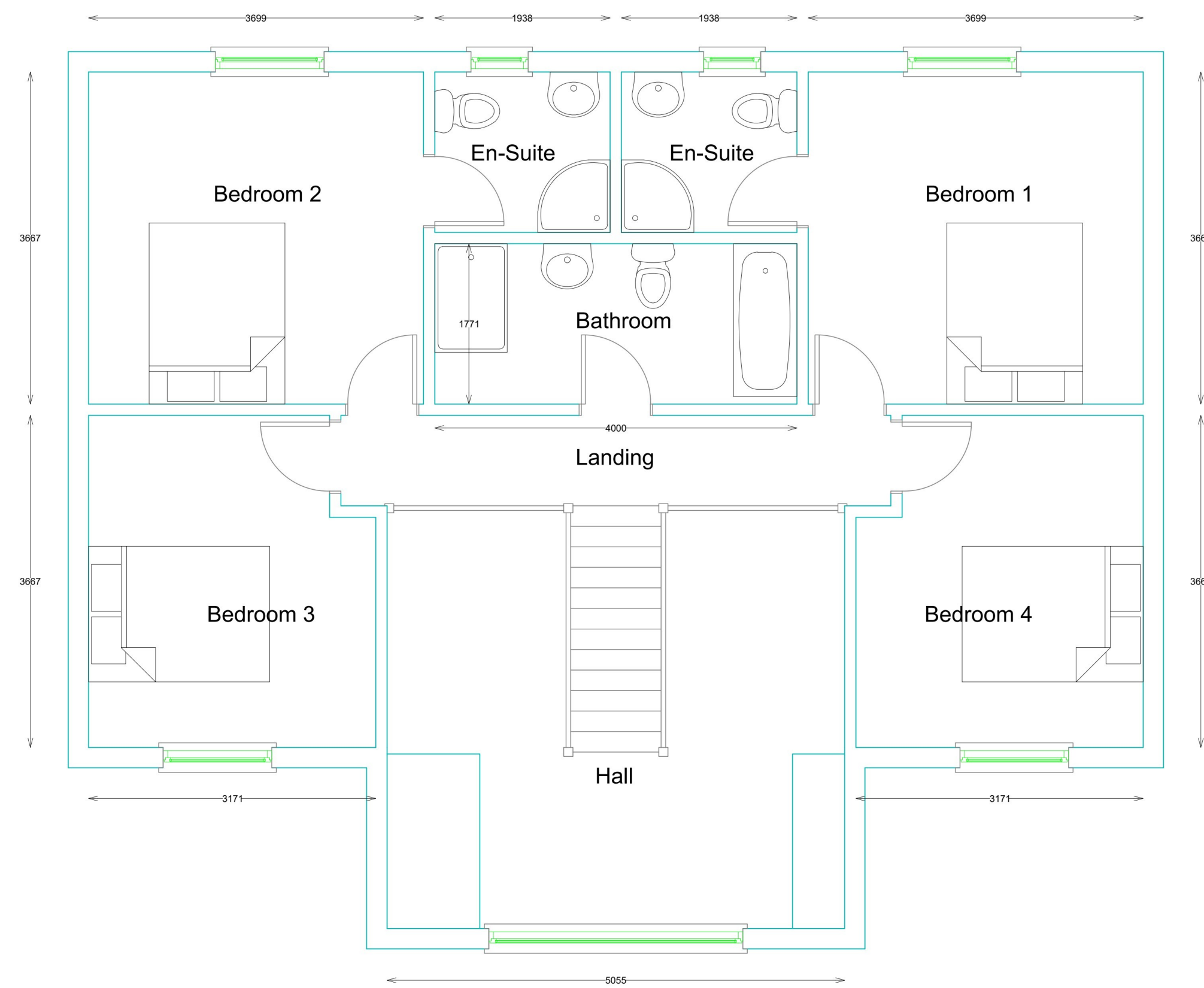
PROPOSED NORTH / WEST ELEVATION



PROPOSED SOUTH / WEST ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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5/7 Head Street, Halstead
Essex, CO9 2AT



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COMMON, CM3 8EH

PLAN TYPE :- PP
START DATE :- 21-05-2026
DRAWN BY :- GE

PAPER SIZE :- A1
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REVISION :- N-A
UPDATED :- N-A

NOTE :- BUILDING REGULATION PLANS SHOULD BE READ
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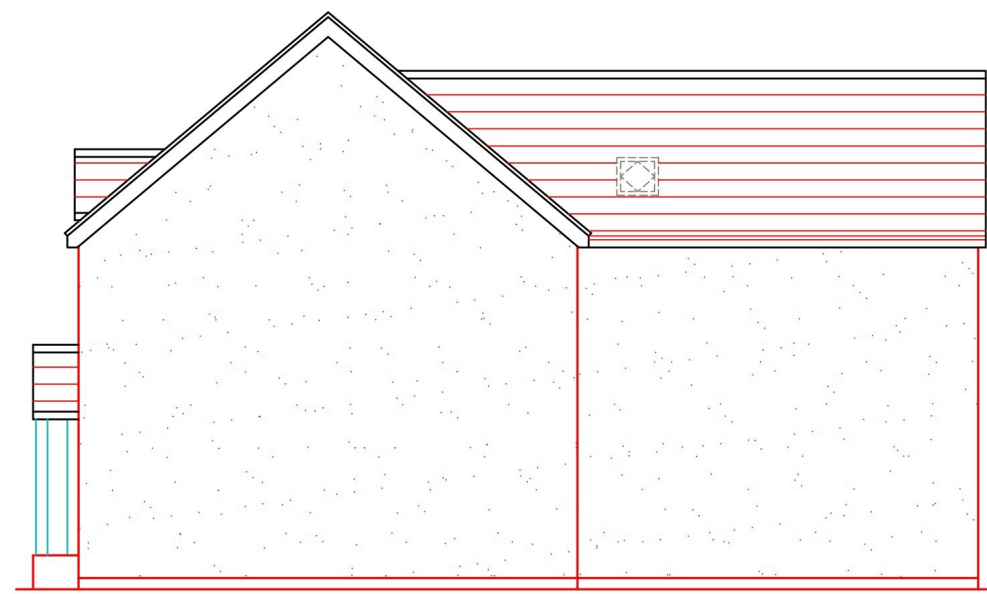
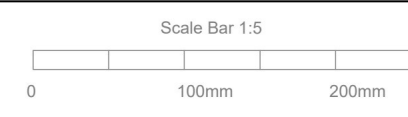
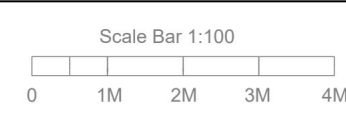
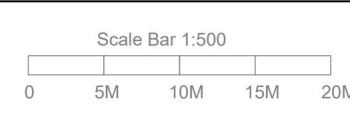
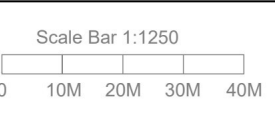
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PROJECT TYPE :- PROPOSED 4 BEDROOM DWELLINGS

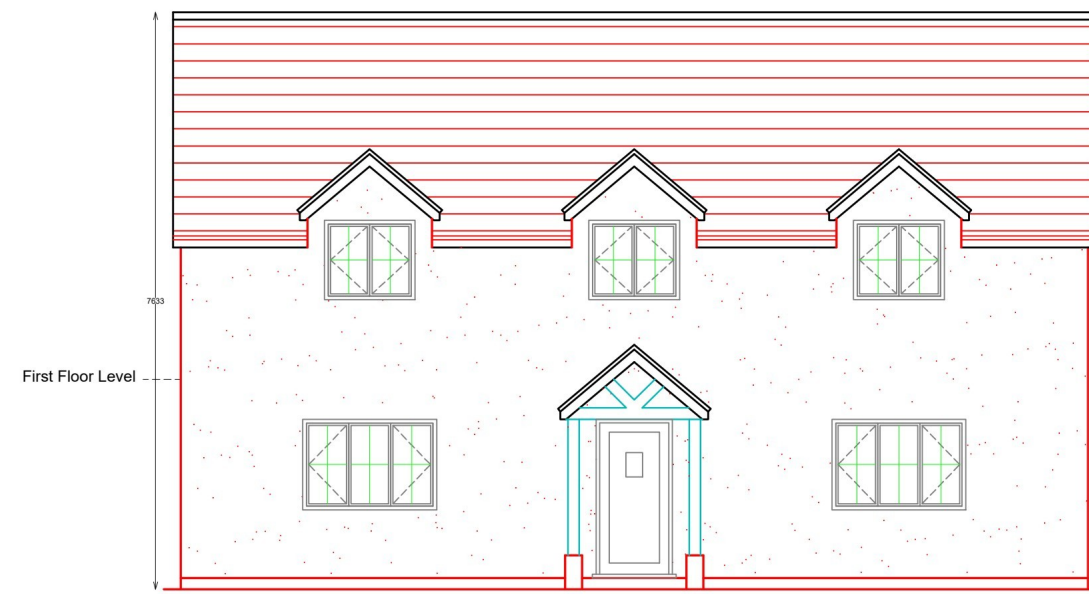
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PLAN No. :- 26-106-AS-1

It is recommended that clients and builders use a JCT small works contract. Note that building control can change details on site so that the build conforms to the building regulations. These notes are general purpose construction notes for building regulation approval and are in no way detailed to specification standard. The clients attention is drawn to the Party Wall Act 1996 with regards to works taking place near adjoining owners land and buildings. It is the Building owners responsibility that the act is complied with. This plan should not be scaled and careful check measurements should be made on site by the contractor with any major discrepancies being reported to the client or his building surveyor before the start of works. Any changes in the design are at the clients and contractors own risk. Oswick Ltd holds no responsibility for any mis-measurements on site as these should be checked before the start of works by the contractor or in the case of any changes in design.



PROPOSED SOUTH / WEST ELEVATION



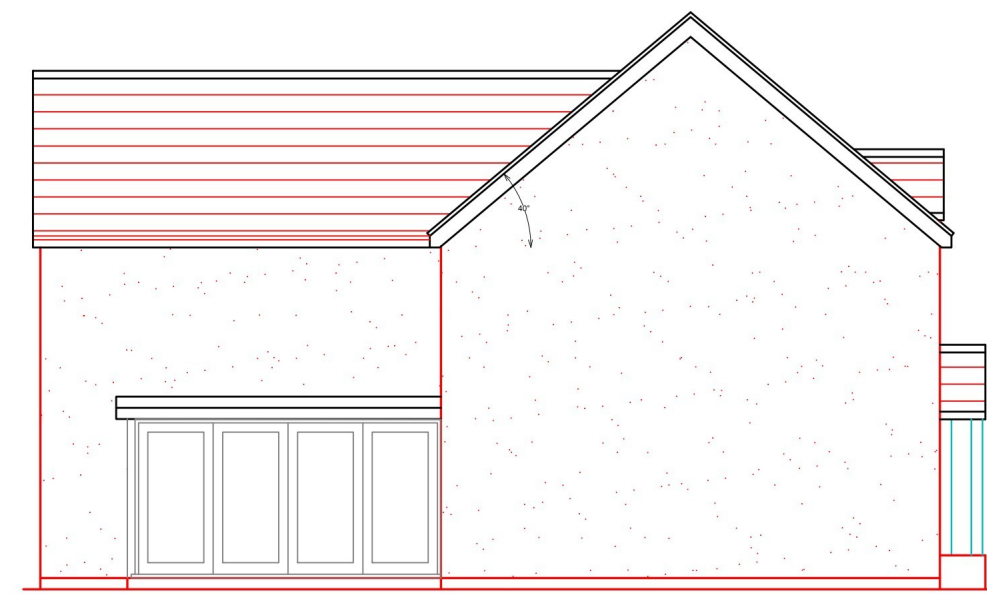
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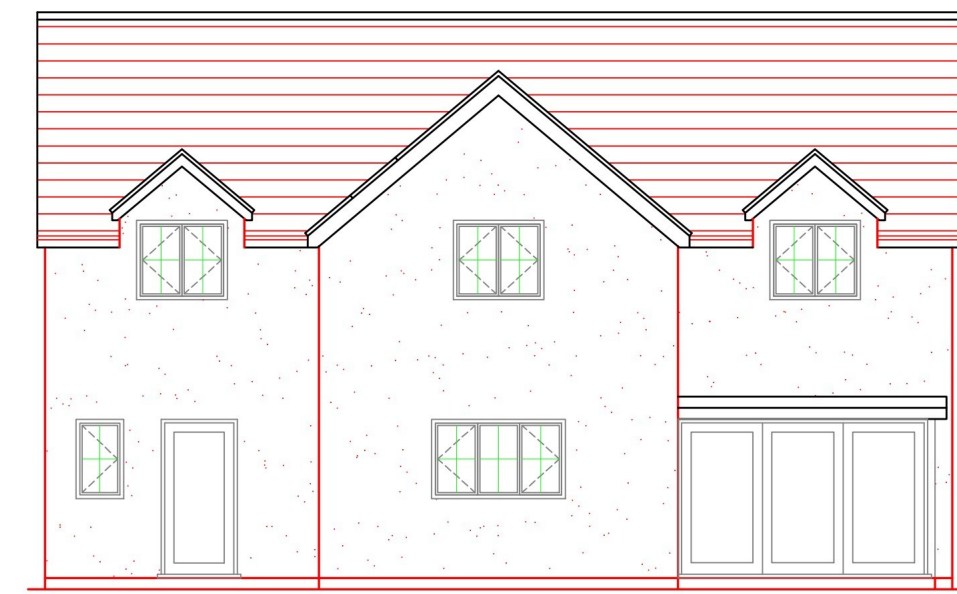
White flush casement PVCu Windows

Cream painted render

Red Brickwork to porch with oak posts

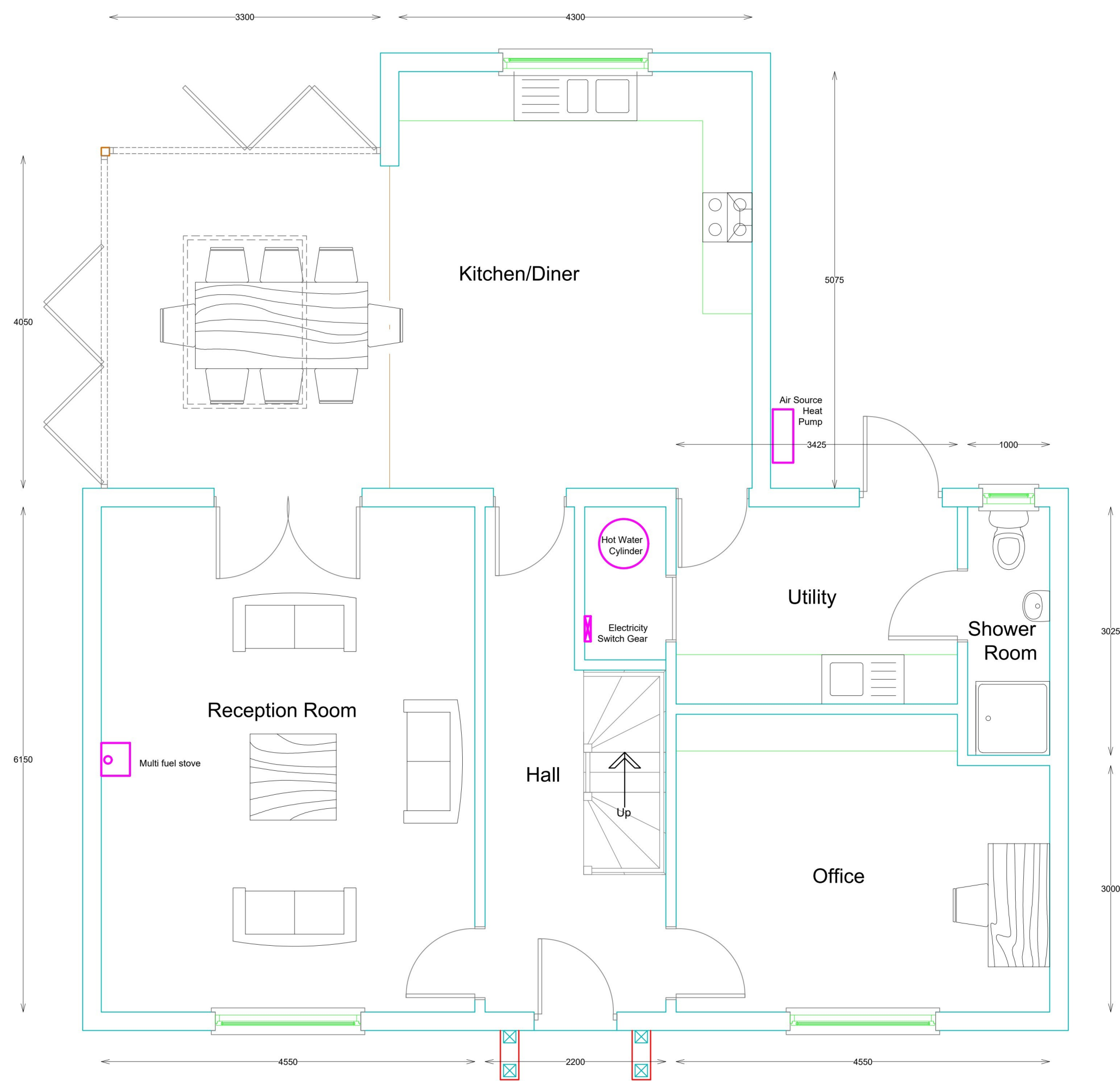


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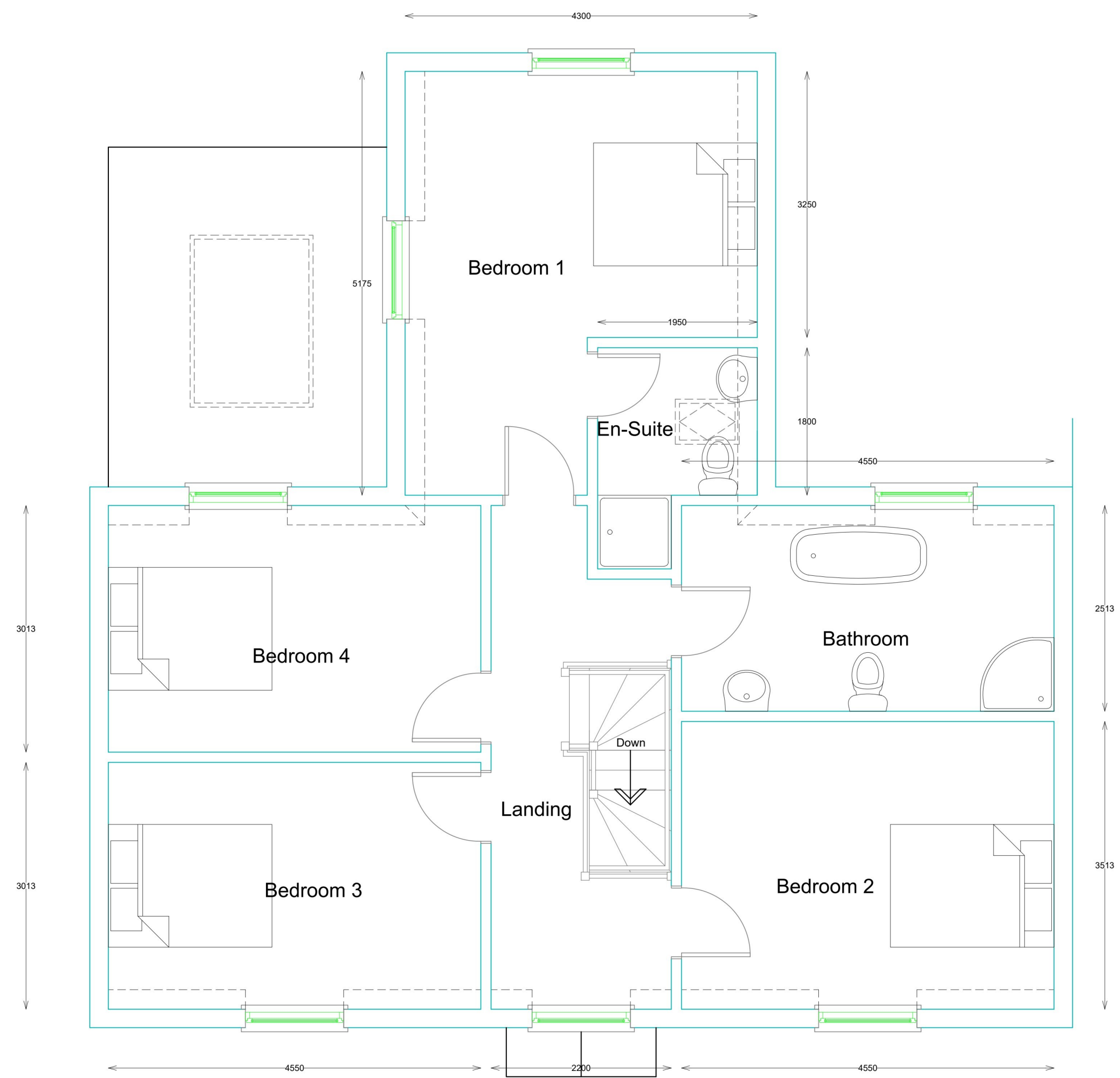


PROPOSED SOUTH / EAST ELEVATION

Grey Aluminium Bi-Fold Doors



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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Web: www.oswick.co.uk

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COMMON, CM3 8EH

PLAN TYPE :- PP
START DATE :- 21-05-2026
DRAWN BY :- GE

PAPER SIZE :- A1

SCALE :- 1:50-1:100

REVISION :- N-A

UPDATED :- N-A

NOTE :- BUILDING REGULATION PLANS SHOULD BE READ
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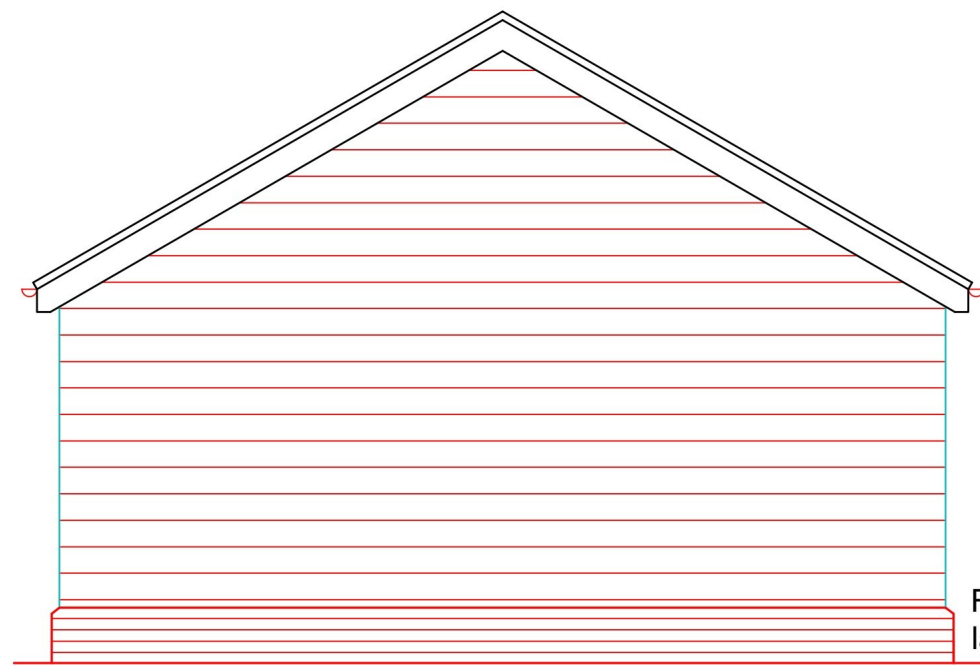
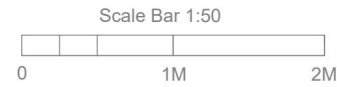
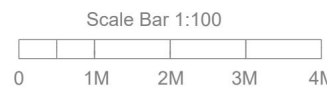
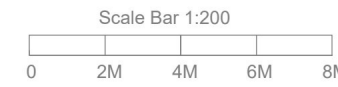
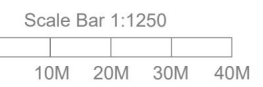
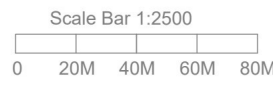
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PROJECT TYPE :- PROPOSED 4 BEDROOM DWELLINGS

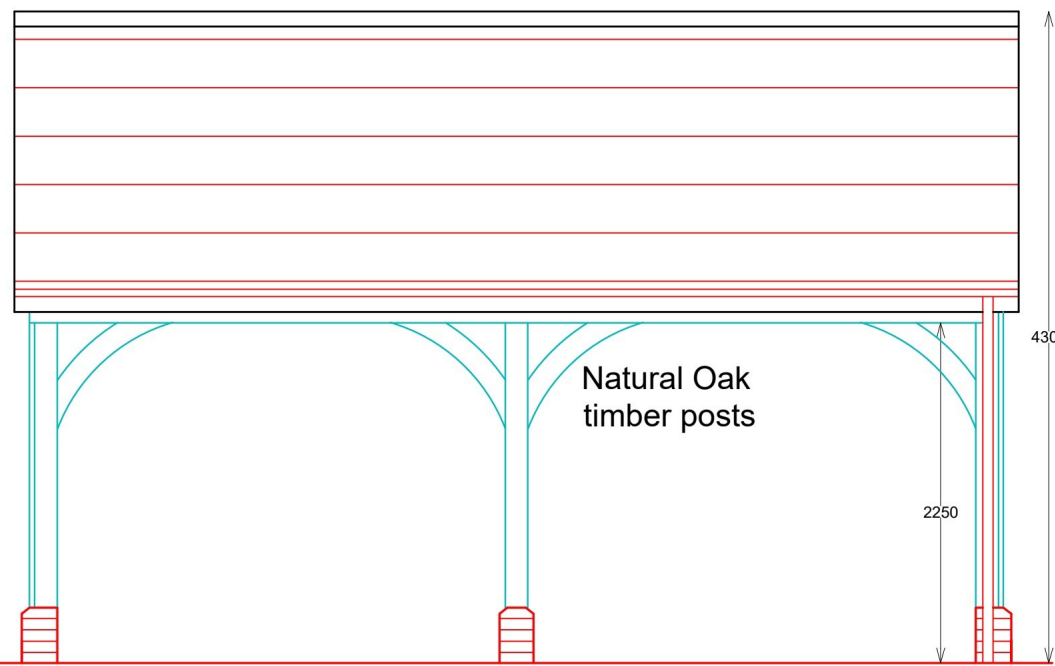
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PLAN No. :- 26-106-AS-2

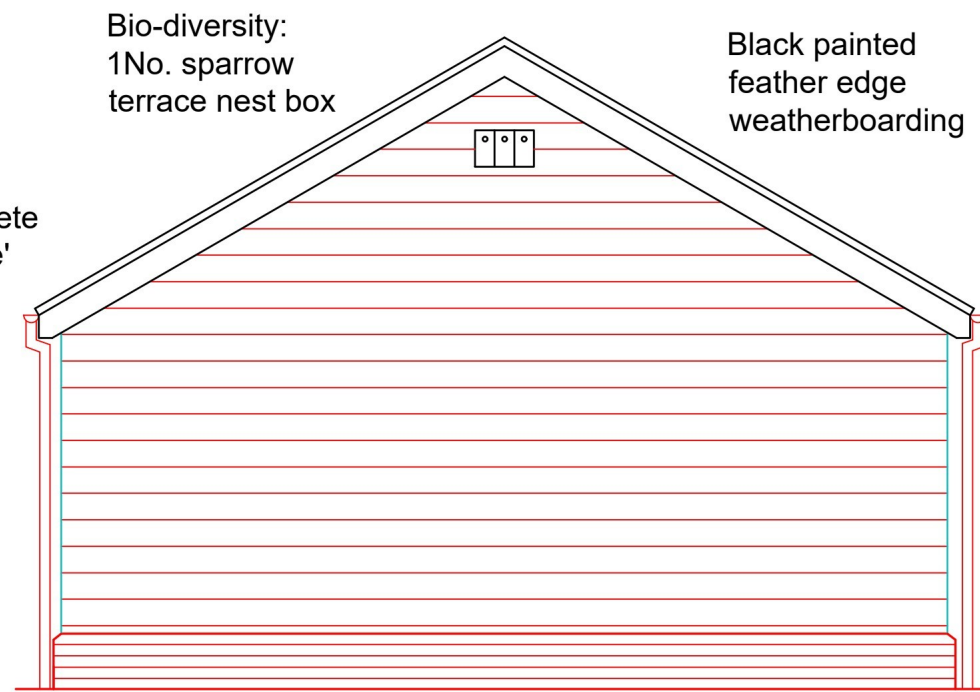
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PROPOSED SIDE ELEVATION



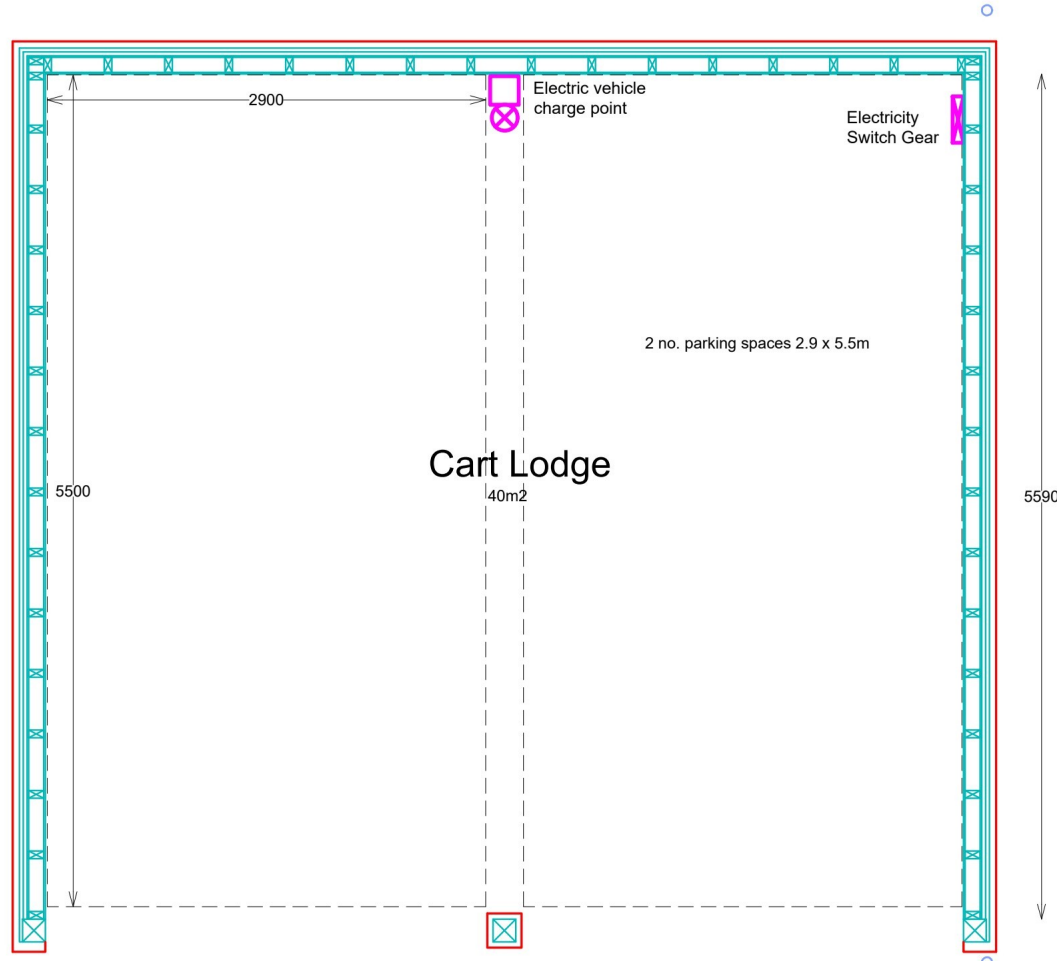
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED CART LODGE FLOOR PLAN

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5/7 Head Street, Halstead
Essex, CO9 2AT



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CLIENT NAME :- MR WHITE
SITE ADDRESS :- PLOT ADJ OLD BELL LANE, EAST HANNINGFIELD ROAD, RETTENDON
COMMON, CM3 8EH

PLAN TYPE :- PP
START DATE :- 21-05-2026
DRAWN BY :- GE

PAPER SIZE :- A1
SCALE :- 1:50
REVISION :- N-A
UPDATED :- N-A

NOTE :- BUILDING REGULATION PLANS SHOULD BE READ
IN CONJUNCTION WITH THE GENERAL SPECIFICATION IF PROVIDED

PLAN TYPE :- SURVEYED AS EXISTING, PROPOSED 4 BEDROOM DWELLINGS
PROJECT TYPE :- PROPOSED 4 BEDROOM DWELLINGS
DETAIL SHOWN :- FLOOR PLAN-ELEVATIONS

PLAN No. :- 26-106-AS-4



Planning Committee
6th October 2026

Application No	:	24/00228/OUT Outline Application
Location	:	Site At Former St Peters College Fox Crescent Chelmsford Essex
Proposal	:	Outline application with all matters reserved (but with full details provided for the highway works relating to site access and first stage of the internal spine road) for up to 185 dwellings (Use Class C3); non-residential uses of up to 7,500 sq m comprising extra care/independent living accommodation (up to 60 units) (Use Class C2), community use including flexible workspace (Use Classes F2(b) and E(g)(i)); formal and informal open space including structural landscaping, public open space and play areas; all associated highway infrastructure; drainage works and car parking/servicing; and all associated ancillary buildings and works including services and utilities.
Applicant	:	Mr David Cohen Essex Housing Development LLP
Agent	:	Mrs Emma Walker
Date Valid	:	9th February 2024

Contents

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

Appendices:

Appendix 1	Drawings
Appendix 2	Consultation responses summary

1. Executive summary

- 1.1. This application proposes the development of Strategic Growth Site Policy 1b, allocated land at the former St Peters College, for up to 185 dwellings (Use Class C3); non-residential uses of up to 7,500 sqm comprising extra care/independent living accommodation (up to 60 units) (Use Class C2), community use including flexible workspace (Use Classes F2(b) and E(g)(i)); formal and informal open space including structural landscaping, public open space and play areas; associated highway infrastructure; drainage works and car parking/servicing; and all associated ancillary buildings and works including services and utilities.
- 1.2. The proposal delivers a mixed use scheme, in addition to the other requirements of the growth site policy, in a manner consistent with the previously approved masterplan for the site.
- 1.3. The proposal demonstrates conformity with the Local Plan. It is therefore recommended that the application should be approved by the Director of Sustainable Communities, subject to conditions and the completion of the s.106 agreement.

2. Description of site

- 2.1. The application site is roughly 8.4 hectares situated to the west of Chelmsford's Urban Area.
- 2.2. The site was formerly occupied by St. Peter's College (previously known as Rainsford Secondary School). The site formerly contained a number of school buildings and associated playing fields; the majority of the buildings have now been removed from the application site with the exception of a section of building fronting Fox Crescent.
- 2.3. To the south of the application site, but within the former grounds of the school site, two new Special Educational Needs Disabilities (SEND) schools have been built (see other relevant applications) – Sir Geoff Hurst Academy and The Hawthorns School – and are open. Both of the school sites contain a modest amount of residential accommodation in connection with student needs.
- 2.4. Surrounding the site are a mixture of land uses. Directly to the north is a mix of residential properties. Further beyond, a Principal Neighbourhood Centre (Melbourne Avenue) is located circa 250m away, Melbourne Park across from Melbourne Avenue, Chelmsford Sport and Athletics Centre is circa 500m away. To the east is a mix of housing fronting Fox Crescent. To the south includes Thriftwood College, St. John Ambulance training centre, RHP Bowls Club, and the SEND schools noted above.
- 2.5. Langton Avenue, to the north of the site, is part of the definitive cycle network providing connections with both Admirals and Central Parks (south), Melbourne Park (north) and city centre (south-east).
- 2.6. For a former education site, access and foot/cycle penetration into the site is limited. Formal access (vehicular/foot/cycle) comes via Fox Crescent.

- 2.7. There are vegetated boundaries primarily to the west and north of the site - these areas comprising mature hedgerows and trees, with some more sporadic vegetation to other boundaries. There is a line of vegetation across the middle of the former playing fields. The boundary shared with Fox Crescent contains a number of street trees.
- 2.8. The site is located within Flood Zone 1 - low probability of flooding.
- 2.9. There are no designated heritage assets within or located near to this site. The central section of one of the former school buildings has been retained and identified as holding local heritage merit, to be treated as a non-designated heritage asset for the purposes of this assessment.
- 2.10. The site is within the Urban Area boundary as identified by the Chelmsford Local Plan (May 2020).

3. Details of the proposal

- 3.1. Outline planning permission is sought for up to 185 dwellings (use class C3); non-residential uses of up to 7,500 sqm comprising extra care/independent living accommodation (up to 60 units - use class C2), community use including flexible workspace (Use Classes F2(b) and E(g)(i)); formal and informal open space including structural landscaping, public open space and play areas; associated highway infrastructure; drainage works and car parking/servicing; and all associated ancillary buildings and works including services and utilities.
- 3.2. All matters are reserved but with details provided for the highway works relating to site access and first stage of the internal spine road.
- 3.3. The entry points include two vehicular access points – both off Fox Crescent, and two proposed further pedestrian points of access – to the north and to the west

4. Other relevant applications

21/00002/MAS - approved 7 June 2022
Strategic Growth Site 1b – Former St Peter's College

- 4.1. The masterplan was subject to negotiation and revision. The substantive point to evolve from its consideration through its first Policy Board meeting was the inclusion of a second vehicular access off Fox Crescent, as well as options for additional parking provision on Fox Crescent.
- 4.2. The approved masterplan is a material planning consideration in the determination of the planning application.

23/01041/EIASO – not EIA development 14th July 2023

- 4.3. Environmental Impact Assessment (EIA) screening report determined that the proposal would not be EIA development, therefore an Environmental Statement would not be required.

21/00395/FUL - Approved 23rd June 2021
Construction of single storey building for use as a 70 place Special Educational Needs and Disabilities School (SEND) (Use Class F1), two storey residential building (Use Class C2) to accommodate 10 students with associated vehicular access road from Fox Crescent, landscaping works and car park/student drop off area.

21/00396/FUL - Approved 22nd June 2021

Construction of single storey building for use as a 64 place Special Educational Needs and Disabilities School (SEND) (Use Class F1) and two storey residential building (Use Class C2) to accommodate 15 students with associated vehicular access road from Fox Crescent, landscaping and car parking incorporating student pick up and drop off.

4.4. These two applications are the governing permissions for two special needs schools, which are now built and occupied.

5. Summary of consultations

5.1. Below is a summary of the responses from consultees. More expansive comments found in Appendix 2.

- ECC Historic Environment – Recommends conditions requiring archaeological and geoarchaeological investigation prior to development due to the site's archaeological potential, with any necessary mitigation, reporting and archiving to follow.
- ECC Highways Authority - No objection subject to conditions. The submitted Transport Assessment demonstrates that the development would not result in unacceptable impacts on highway safety, capacity or efficiency.
- Economic Development & Implementation - Supports the inclusion of flexible workspace within the development and welcomes further details at the reserved matters stage.
- Anglian Water - No objection in relation to foul drainage capacity, confirming capacity exists at Chelmsford Water Recycling Centre and within the sewerage network. Recommends conditions securing an approved surface water drainage strategy and protection of existing sewerage infrastructure.
- ECC Sustainable Drainage (LLFA) - No objection subject to conditions. Recommends conditions requiring a detailed surface water drainage scheme, construction-phase drainage measures, long-term maintenance arrangements and management of SuDS infrastructure.
- Sport England - Objects to the proposal in its current form due to the loss of former playing field land. Advises that the objection could be resolved through appropriate off-site mitigation and/or financial contributions towards replacement sports provision in accordance with Local Plan requirements
- Essex Police (Strategic Planning Team) - Supports continued engagement and highlights considerations relating to community safety, design, crime prevention, transport infrastructure and emergency service accessibility
- Essex Police Designing Out Crime Officer - Recommends engagement throughout the design process and encourages the development to achieve Secured by Design accreditation
- Essex County Fire & Rescue Service - Raises no objection in principle. Advises that detailed fire appliance access arrangements, water supplies and fire safety measures should be addressed through subsequent design and Building Regulations stages.

- Mid and South Essex Integrated Care Board - Advises that the development will increase demand on local primary healthcare services and requests a financial contribution of £121,500 towards additional healthcare capacity through a Section 106 agreement.
- ECC Community Infrastructure Planning (Education) - No education contributions requested as sufficient capacity exists for early years, primary, secondary, post-16 and school transport provision. Requests a library contribution of £19,061 and supports the preparation of an Employment and Skills Plan.
- Public Health & Protection Services - No objection subject to conditions. Recommends conditions relating to land contamination remediation and a Construction Environmental Management Plan, and supports provision of electric vehicle charging infrastructure.

5.2. Below is a summary of responses from three representations. Two responses were from local residents (one listed as an objections, the other as neutral). Note that the third representation was a combined commentary from the three local councillors.

- Capacity of roads to accommodate traffic
- Sustainable travel options should be secured
- Open spaces need to be provided
- Capacity for health and education services in the area to provide for new development
- Community centre
- Consultation with residents
- Residential amenity – query impact
- Flood risk/drainage - concerns over discharge
- Air quality/public health – concerns expressed

Response to representations

5.3. The following sections will deal with a number of planning matters, some issues raised through representations are not material planning considerations. This report will not comment on requests for amendments, as the application is considered on its submitted details and appraised on its individual merits.

6. Planning considerations

Policy context

6.1. Chelmsford City Council is currently in the process of reviewing the Chelmsford Local Plan (2013-2036), which was adopted in May 2020. The review Local Plan (2022-2041) was submitted to the Secretary of State on 5th June 2026 and will be the subject of an Independent Examination. Policy DM4 of the National Planning Policy Framework 2026 (NPPF) states that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of compliance with the relevant policies in the emerging plan to the NPPF. The consideration of this application therefore takes into account the policies of the emerging plan and attributes the appropriate weight to them in the decision-making process, in accordance with Policy DM4 of the NPPF.

Principle of Development

Strategic Priorities: 1 (sustainable development patterns) 2 (new homes), 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S1, S6, S7. Site Policies: Growth Site Policy 1b

6.2. Strategic Priority 2 of the Chelmsford Local Plan is 'meeting the needs for new homes'. The Local Plan will need to ensure the provision of sufficient and appropriate housing to meet objectively assessed housing needs.

6.3. Strategic Policy S7 sets out the spatial strategy (i.e., the scale and distribution) for new development over the period of the Local Plan. The Spatial Strategy applies the Spatial Principles to focus new housing and employment growth to the most sustainable locations, which includes sustainable urban extensions around Chelmsford and South Woodham Ferrers. In allocating sites for strategic growth, this policy confirms that Strategic Growth Sites will be delivered in accordance with masterplans to be approved by the Council.

6.4. The application site relates to part of Strategic Growth Site Policy 1b – Former St Peter's College. This site policy requires the following amount and type of development:

- Around 185 new homes of mixed size and type to include affordable housing
- Two special schools
- Linked publicly accessible open spaces,
- Equipped play provision for children and teenage users
- New or relocated community facilities to meet evidenced needs
- Integration of flexible workspace facilities.

6.5. It is noteworthy that the two special schools (as required by the site policy) were delivered through two previous planning permissions (see history above). That requirement is therefore deemed to be fulfilled. The current application consists of the remaining land (to the north of those schools) which forms part of the site allocation.

6.6. This application follows the approval of a masterplan for the site allocation. The development of the masterplan was led by Essex Housing. The masterplan was considered by Chelmsford Policy Board on 5 July 2021 and, following revisions, further on 17 February 2022. The masterplan was approved by Cabinet on 7 June 2022.

6.7. In terms of land use, the proposed development meets the (remaining) requirements of Strategic Growth Policy 1b. Although the application is submitted in outline, an illustrative layout plan has been provided to show how the development might be laid out. The land uses are consistent with the approved masterplan.

6.8. The land was allocated in the Chelmsford Local Plan as a strategic growth site within the Urban Area. The principle of development is acceptable.

6.9. The site has been the subject of a detailed masterplan, and the application submission is in accordance with that masterplan. The development therefore contributes to fulfilling the Council's strategic priorities for housing and employment growth and is in accordance with the Spatial Strategy.

Housing

Strategic Priority 2 (new homes)

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Market Housing

- 6.10. The reasoned justification within Policy DM1 outlines an appropriate mix for market housing on strategic sites in order to address the Council's greatest need. The proposed revised policy within the Local Plan review will provide an indicative market mix based on the latest Strategic Strategic Housing Needs Assessment (SHNA) 2024. Whilst the revised policy carries limited weight, the updated assessment is relevant in considering application details. The application is made in outline and the housing mix is indicative as a whole, it does identify over-provision of two bed units and under-provision of four bed units, even with the greater flexibility provided by the review DM2 policy. This matter is highlighted here and one to be dealt with under reserved matters submissions. The location is such that density on the site can be altered to suit.
- 6.11. Policy DM1 also requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). This is secured by planning condition. Policy DM1 also requires 5% of the affordable units to meet requirement M4(3) of the Building Regulations 2015 (wheelchair user dwellings). This will be secured through legal agreement.

Affordable Housing

- 6.12. Policy DM2 of the Local plan require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing on such size of site.
- 6.13. The application is for "up to" 185 residential dwellings and "up to" 60 independent living units. The heads of terms for the legal agreement include a total of 78 affordable dwellings, which represents 35% of 185 and 22% of 60 ($64.75 + 13.2 = 77.95$, rounded up to 78). At the time of submission Specialist Residential Accommodation (which Independent Living can be classed as) was exempt from affordable home ownership hence the 35% requirement is not applied to the 60 units.
- 6.14. The affordable dwelling mix is broken down into 54 affordable rent and 24 shared ownership (i.e. a 69/31% split across the total provision of affordable housing). First Homes are no longer included in this mix as it is no longer a national requirement. The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. Given that this requests a total percentage of social or affordable rent, the percentage is not truly equitable in this case because of the two separate housing types included. Ordinarily, the split between affordable rent and shared ownership would be a 71/69% split. However, the agreed split is considered acceptable as the affordable rent element of the 185 units was already rounded up.

Self-Build and Custom Build and Specialist Residential Housing

- 6.15. Policy DM1 (C) states that within all developments of more than 100 dwellings the Council will require 5% self-build homes, which can include custom housebuilding, and provision of Specialist Residential Accommodation. The development would include 5% of the new homes as self-build, in a location to be determined in future reserved matters applications (5% of 185). The provision of these units, as well as design coding, would be secured through the s.106 agreement.
- 6.16. DM1 (C)(i) expressly relates to evidence of local housing needs when considering the requirement for developments of more than 100 dwellings to provide Specialist Residential Accommodation. Whilst the scheme is only proposed to cater for one element of that need (in

this case extra care/independent living), as a discrete proposal that number (60 in this case) is considered to be acceptable. The requirement for self-build is not applied to those units as there is no express demand for that product in the Supported and Specialist Housing and Accommodation Needs Assessment (2025).

Education

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S9, S10; Site Policies: Growth Site Policy 2; Local Policy: DM20

- 6.17. The development is located within the St Andrews ward and will create the need for an additional childcare and school places. No contributions were requested by Essex County Council for early years, primary, secondary, post 16, or school transport. There is capacity within the catchment for all of those items.

Health

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure) Local Plan Strategic Policies:

S9, S10. Site Policies: Growth Site Policy 2, Local Policy: DM20

- 6.18. Strategic Growth Site Policy 1b states that 'healthcare provision' will be required for community facilities as required by the NHS/ Clinical Commissioning Group (CCG).
- 6.19. The NHS Mid Essex Clinical Commissioning Group (CCG) were consulted on this planning application and have advised that the proposed development is likely to have an impact on the services of the surgeries that operate within the vicinity, where there is already a deficit. They have requested a financial contribution towards increasing capacity to mitigate the impact of the development on healthcare services. This will be secured through the s.106 agreement.

Open Space / Sports provision

- 6.20. The site contains Open Space comprising former school playing fields (unused for 10+ years) , as shown on the Policies Map in the Local Plan.
- 6.21. Strategic Growth Site Policy 1b includes amongst its site infrastructure requirements to 'provide or make financial contributions to new or enhanced sport, leisure and recreation facilities.' The reasoned justification for the policy outlines that a commuted sum will be secured in lieu of the loss of any open space, as agreed with the County Council as the landowner. Essex Housing are the development arm of the County Council and disagree with the commuted sum outlined by Sport England. The playing fields are not to be reprovided on site, and furthermore weren't expected to be so through the masterplan process.
- 6.22. A financial contribution of £496,279 has been agreed with the applicant. The negotiated figure would comply with the wording site policy requirement (in that it provides a financial contribution) albeit not in the form or degree envisaged by the reasoned justification. Given the allocation of the site for housing and the passage of time since the last use of the playing fields (over 10 years), the financial contribution is considered to represent an appropriate figure.

Highways matters

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S9, S10; Local Policy: DM24

Traffic Impact

- 6.23. The transport assessment submitted as part of this application demonstrates that, with the inclusion of mitigation measures, that the impact of the development on highway safety is acceptable and cumulative impacts on the road network are not severe (severe being the NPPF threshold). The transport assessment (TA), and subsequent addendums, have analysed the impact of the development on the highway network. The TA has concluded, subject to a package of appropriate mitigation, that the traffic impact that would result from the proposal could be suitably mitigated through a package of highway works, sustainable transport measures and financial contributions, as set out in this recommendation. The Highway Authority has concluded that the proposal would not be detrimental to highway safety, capacity or efficiency.
- 6.24. The mitigation measures would promote sustainable transport, including walking and cycling connections.
- 6.25. In accordance with the requirements included in the masterplan, the layby along Fox Crescent will be extended to create six parking spaces. This will be secured through legal agreement.

Routes and Access

- 6.26. The parameter plan identifies two vehicular access points off Fox Crescent, which directly responds to the requirements of the approved masterplan.
- 6.27. Two pedestrian/cycle routes are shown to the western edge, one linking into Hobart Close to northwest, the other linking into Highfield Road to the southwest. The presence of these routes will greatly increase the permeability of the site for new and existing local residents.

Natural Environment

Key Strategic Priority 7 (Protecting and enhancing the Natural and Historic and Environment)

Local Plan Strategic Policy: S4, Local Policies DM16 and DM17

Ecology - Designated Sites

- 6.28. The application site lies within the Zone of Influence (ZOI) for the Essex Coast RAMS (2026). A proportionate financial contribution towards visitor management measures will need to be secured from the developer in line with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to be secured by planning obligation. This is necessary to avoid adverse effects upon the coastal Habitats sites from recreational disturbance in combination with other plans and projects.

Ecology - on site

- 6.29. The site comprises common habitats of generally low ecological value. Bats and badgers were noted to be present on site.
- 6.30. The initial reports were revisited in June 2026 following the passage of a reasonable period from the application submission date. The updated ecological report notes that the mitigation measures outlined earlier remain relevant and that those measures (such as sensitive lighting scheme, creation/retention of hedgerow, etc) are best captured by planning conditions. Subject to the mitigation measures and conditions there would be no likely harm.
- 6.31. No objection is raised by Natural England.

Ecology - Biodiversity Net Gain

- 6.32. The supporting statement sets out how the development seeks to increase biodiversity on the site. The application does not mandatorily need to provide for 10% (as submitted pre 12th Feb 2024). A Biodiversity Enhancement Strategy is to be secured by condition.

Trees

- 6.33. The application is accompanied by an Arboricultural Impact Assessment prepared in accordance with BS5837:2012. The survey identifies a range of trees around the site boundaries, including several high-quality Category A and Category B specimens, together with areas of lower-value scrub and tree groups. The site is not subject to any Tree Preservation Orders and is not located within a Conservation Area. The highest quality trees are concentrated around the site boundaries and include several mature and veteran oak trees, which make a positive contribution to local amenity and landscape character.
- 6.34. The detailed highway and access works would require the removal of two individual trees and sections of three low-quality tree groups. One of the individual trees is identified as unsuitable for long-term retention and the remaining trees proposed for removal are of low arboricultural value. The Arboricultural Impact Assessment concludes that the majority of higher quality Category A and B trees can be retained and protected as part of the development. In addition, some low-value scrub, hedgerow vegetation and Category C trees identified within the masterplan area are unlikely to be retained as future detailed layouts come forward through reserved matters.
- 6.35. The proposed development has been designed to largely avoid impacts on the most significant trees and their root protection areas. A limited encroachment is identified where a proposed pedestrian and cycle access would pass through the root protection area of a veteran off-site oak tree (T28). The Arboricultural Impact Assessment advises that this access can be accommodated through a root-sensitive construction method and that detailed drainage, landscaping and service layouts should be reviewed at reserved matters stage to ensure the continued protection of retained trees.
- 6.36. Subject to appropriate tree protection measures, arboricultural method statements and replacement planting, the proposal would not result in unacceptable harm to the site's arboricultural resource and would comply with Policy DM17 of the Chelmsford Local Plan.

Noise

Strategic Priority 8 (Well designed and attractive places, healthy communities)

Local Policy DM29

- 6.37. The City Council's Public Health and Protection Service (PHPS) have reviewed the content of the submitted reports and have advised that the content is acceptable.

Contamination

Strategic Priority 8 (Well designed and attractive places, healthy communities)

Local Policy DM30

- 6.38. Reports of the site investigations show that remediation is required. PHPS have recommended a condition to cover site remediation.

Air Quality

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Strategic Priority 8 (Well designed and attractive places, healthy communities)
Local Policy DM30

- 6.39. The submitted air quality impact assessment identifies that the overall effect of the proposed development on local air quality to be 'not significant' and that the site is suitable for the proposed use. However, within the assessment, the construction phase was found to present a high risk for dust soiling and medium risk for human health. To mitigate these risks, it is recommended that a planning condition is set requiring submission of a site-specific construction environmental management plan (CEMP).

Flood risk and Drainage
Local Policy DM18

Flood risk

- 6.40. The Environment Agency Flood Zone map indicates that the site lies within Flood Zone 1 'Low Probability'.

Surface Water

- 6.41. Policy DM18 of the Chelmsford Local Plan states that all major development will be required to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. The principal method to do so should be the use of Sustainable Drainage Systems (SuDS).
- 6.42. The site is located within a Critical Drainage Area (CDA) in regards to surface water flooding. As a result of this the site is likely to require an individually designed mitigation scheme to address this issue.
- 6.43. A SuDS drainage strategy is included as part of the application. The principle of the drainage strategy is to ensure that the water draining from the site would be no more than the existing situation. The submitted SuDS scheme has been considered by the Lead Local Flood Authority at Essex County Council. They do not object to the granting of planning permission for this development and recommend conditions.

Foul Water

- 6.44. Anglian Water have advised that the sewerage system has available capacity for projected flows.

Historic Environment

Strategic Priority 7 (Protecting and Enhancing the Natural and Historic Environment)
Local Plan Strategic Policy: S3, Local Policies DM14 and DM15

Heritage

- 6.45. St Peters College was built in 1939 as Rainsford Secondary School to serve the 1930s Boarded Barns estate. It was designed by Henry William Allardyce an architect from Barking, who also designed numerous schools and public buildings in East London. The original school included a sixth form college, which the site took its common name. The complex of buildings included additions to the original school including two sixth form blocks, clock tower, theatre, science

block and care takers accommodation. All of the buildings on the site have now been demolished, except the central two storey part of the original building fronting Fox Crescent.

- 6.46. The retained building has some heritage value due to its architectural interest for its design, detailing and materials, as well as historic interest for its long running community association and remainder of the sites history. It is of local interest, sufficient to be considered as a non designated heritage asset. This outline application indicates the existing building would be retained within the new housing layout and potentially converted into 4 flats, which is welcomed.
- 6.47. The layout of buildings around the retained building and its setting will be important considerations as part of the reserved matters layout and design. This part of the site is indicated as up to 3 storeys in height. The scale of buildings adjacent to the retained building and any link to it would need careful consideration. 3 storeys flanking the building would likely be unacceptable. The detailed design would also need to consider repairs and making good, and the detail of the conversion. Conditions should ensure retention of the building and further details.

Archaeology

- 6.48. The proposed development is located in an area with the potential for archaeological remains to survive. An archaeological evaluation undertaken immediately to the south of the proposed development uncovered a medieval/post-medieval boundary and several postholes. Remains related to these features may extend into the proposed development area and be negatively impacted by the groundworks associated with the proposals. Multiple archaeological finds have previously been made in the area surrounding the proposed development, including Roman coins to the west and Roman pottery and a flint spearhead to the south. Additionally, the southern part of the proposed development site is within a geological area mapped as containing head deposits adjacent to river terrace gravels that have a known association with palaeolithic archaeological remains.
- 6.49. ECC Historic Environment have requested two planning conditions. The development would not result in any significant harmful impacts on heritage assets that cannot be satisfactorily mitigated.

Design and Layout

- 6.50. The application is submitted in outline with all matters reserved except access. Overall, the illustrative layout and parameter plans show a development scheme that would be compliant with the masterplan and likely to have an acceptable character and appearance.
- 6.51. Policy DM24, and more widely the strategic policies, require public art to be embedded within major development schemes. A condition is proposed to secure public art for the scheme.

Sustainable development

- 6.52. The National Planning Policy Framework states that the planning system has three overarching objectives to achieving sustainable development; economic, social and environmental.

Economic

- 6.53. The proposal would generate jobs through the construction process and in the longer term through the occupation of the community facility. The construction dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.54. The proposed development would provide a range of house types and sizes and would meet the City Council's identified growth needs. The development would provide affordable homes of varying type, self or custom build, wheelchair user homes and accessible or adaptable homes.
- 6.55. The scheme includes facilities that would encourage social interactions and the growth of a new community. The onsite facilities will include strategic and local open space, sports provision planning contribution and play spaces. It will also enable a new community facility to be built within the site.
- 6.56. The scheme has been designed to connect pedestrian and cycle links to enable improved connections with local sports provision, the city centre and provide good walking and cycling routes throughout the site. Active and sustainable modes of transport are a realistic prospect.
- 6.57. It is recognised that the development will result in additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of the additional traffic through a commitment to provide additional parking bays on Fox Crescent.
- 6.58. The proposal provides social benefits, which weigh in favour of the development.

Environmental

- 6.59. The proposed scheme provides areas of open space. It is acknowledged, however, that the development would result, in part, in the loss of a former green pocket within the urban area (as former playing fields to the school). The proposal seeks to retain most of the existing trees and hedgerows and would result in no harm to protected species. A biodiversity net gain can be achieved.
- 6.60. The application provides environmental benefits through the provision of a network of pedestrian and cycle links, and financial contributions towards an improved sports provision at Melbourne Park.
- 6.61. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, by requiring water efficiency building regulations to be met and also for non-residential buildings to be built to BREEAM 'Very Good' level.
- 6.62. Minor harm could be caused to the existing non-designated heritage assets if good design is not employed through the reserved matters. This is not reason to withhold permission at this stage. A condition is attached to ensure that the archaeology of the site is properly recorded.
- 6.63. Overall, with the provision of appropriate conditions and s.106 obligations, the proposal is considered to comply with the three strands of sustainable development.

Legal Obligations

Key Strategic Priorities: 2 (new homes), 5 (strategic infrastructure), 6 (local infrastructure);

Local Plan Strategic Policies: S6, S9, S10;

Site Policies: Growth Site Policy 2; Local Policies: DM1, DM2, DM16, DM20

- 6.64. The nature of the requirements for mitigation of this type of application will necessitate a s.106 agreement to be signed. The head of terms are agreed with the applicant and are summarised as follows.
- 6.65. Contributions listed are correct at the time of publication.

Housing

Affordable Housing

- 35% of total C3 units to be provided as affordable housing, 22% of Specialist Residential to be provided as affordable housing (78 units total – 54 as affordable rent, 24 as shared ownership)
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase

Specialist residential accommodation

- Provision of 60 units as per description

Self/Custom Build

- Self/Custom Build housing to be provided at 5% of the total number of C3 residential units (10 No.)
- Design code to be submitted and agreed

Transport/Infrastructure

- Secure connections to Highfield Road and Queensland Crescent, with barrier or ransom
- Local highway works – visibility splays, traffic calming, lay-by on Fox Crescent, junction protection and parking restrictions
- Submission of travel plan

Open Space / Recreation

- Open Space Delivery
- Strategic Open Space. Safeguarding of land and transfer to CCC with a commuted maintenance sum, or transfer to Management Company
- Provision of play area
- Provision of SANG (Suitable Alternative Natural Greenspace)
- Financial contribution towards Sport provision (Melbourne Park)
- Landscape and Open Space Management and Maintenance Plan
- Transfer of land to Chelmsford City Council for provision of community centre
- 555 trees to be planted (based on 185 dwellings) on site or financial contributions in lieu of on-site provision in accordance with the Planning Obligations SPD 2026

Health Care

- Financial contribution towards floorspace provision

Biodiversity / RAMS

- RAMS financial contribution per dwelling - £169.45 pr dwelling
- Inclusion of package of measures to mitigate dog walking locally

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

7.1. The development is CIL liable and CIL payments will be levied on the CIL chargeable elements of the development.

8. Conclusion

8.1. The site was allocated in the Chelmsford Local Plan as a sustainable development site within the Urban Area. The application follows an approved masterplan, which has shaped both its form and detailing.

8.2. For reasons listed in Section 6, the development would be a positive contributor economically and socially. Any minor negative environmental impacts can be mitigated. All material considerations have formed part of the planning balance.

8.3. The development is required to meet the Council's identified growth needs and is a direct consequence of the plan-led system. The proposal is in accordance with the approved masterplan and would satisfactorily meet the requirements of Strategic Growth Site Policy 1b (Former St Peter's College) of the Chelmsford Local Plan.

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

RECOMMENDATION

The Application be APPROVED subject to the completion of a S106 Agreement together with compliance with the following conditions, the details of those items and any variations that may be considered necessary and appropriate to be delegated to the Director of Sustainable Communities/Assistant Director of Sustainable Communities/Planning Development Services Manager in consultation with the Chair and/or Vice Chair of the Planning Committee:

Procedure

Condition 1

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

Reason:

The particulars submitted are insufficient for consideration of the details mentioned.

Condition 2

- (i) Application for approval of the reserved matters shall be made to the local planning authority no later than 3 years from the date of this permission.
- (ii) Application for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this planning permission.
- (iii) Implementation of a Reserved Matters Approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

Reason:

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

Condition 3

Plans and particulars of the Reserved Matters referred to in Condition 1 for each phase of the development shall accord with the following Parameter Plans:

Drawing No. 1717-SBA-XX-XX-DR-A-510/D;

Reason:

In order to achieve satisfactory development of the site

Condition 4

The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No -SBA-XX-XX-DR-A-500/A;

Drawing No 011/P1;

Drawing No 010/P1;

Drawing No 001/P2.

Reason:

In order to achieve satisfactory development of the site.

Pre-commencement

Condition 5 - Levels

Prior to any construction works, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the surrounding area and neighbouring buildings shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

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

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Condition 6 - Archaeology

- a) No development or preliminary groundworks shall take place until a programme of geoarchaeological assessment and fieldwork has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- b) No development or preliminary groundworks shall take place until the completion of the programme of geoarchaeological investigation identified in the Written Scheme of Investigation defined in (a) above.
- c) The applicant shall submit to the local planning authority a post excavation assessment, within six months of the completion of the fieldwork.

Reason:

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

Condition 7 - Construction Environmental Management Plan

Prior to commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved CEMP.

Reason:

In the interests of minimising the impact of dust during construction upon local residents in accordance with Policy DM30 of the Chelmsford Local Plan.

Condition 8 - Construction Environmental Management Plan (highways)

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:

- a. construction vehicle access and routing,
- b. any temporary traffic management/signage,
- c. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- d. contractor and visitor parking clear of the highway,
- e. turning, loading and unloading of plant and materials and storage of plant and materials used in constructing the development,
- f. hours of deliveries

Reason:

In the interests of highway safety and to minimise the impact of construction upon local residents.

Condition 9 - Contamination

a) No development within any phase or sub-phase of the development shall take place until a scheme to assess and deal with any contamination within that phase or sub-phase has been submitted to and approved in writing by the local planning authority.

b) Prior to the occupation or first use of the development within any phase or sub-phase, any remediation found necessary as a result of the scheme to be approved under part (i) of this condition shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

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

Condition 10 - Biodiversity enhancement strategy

Prior to the commencement of the development hereby permitted a Biodiversity Enhancement Strategy (BES) demonstrating how the development will achieve a positive biodiversity net gain shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with that strategy, with a timetable for implementation and details of maintenance of biodiversity features within each phase to be included with the submission of landscaping details to address the reserved matters.

Reason:

To ensure that the development delivers Biodiversity Net Gain in accordance with the Council's Making Places SPD.

Condition 11 – Arboricultural method statement

No development shall take place until an arboricultural method statement setting out details of ground protection, service routes and levels changes has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

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

Condition 12 – Surface water drainage

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

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. 2
- Limiting discharge rates to 15.57l/s (western catchment) and 2.97l/s (eastern catchment) for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event subject to agreement with the relevant third party.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.

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- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- Final modelling and calculations for all areas of the drainage system. • The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment.

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 13 - Minimise off-site flooding

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

Reason:

To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Condition 14 – Drainage clearance

No development shall take place until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason

To ensure that the drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 15 – Time limit for surveys

If the development hereby approved does not commence within 12 months from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

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- i. establish if there have been any changes in the presence and/or abundance of protected and priority species, specifically badgers and bats; and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason:

To allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

Condition 16 – Employment skills plan

Prior to the commencement of development an Employment and Skills Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall include the following:

- a) Details of where relevant job and tendering opportunities will be posted during the construction phase;
- b) Who, on behalf of the developers, shall be responsible for notifying of construction job opportunities and making all developers/contractors/subcontractors aware of (i) their employment obligations and (ii) requirement to report on their compliance with such;
- c) What steps will be taken to ensure that all developers, contractors and subcontractors on the site are aware of their obligations and actions to be taken if there is default in relation to these;
- d) How the developers, via the appointed coordinator, will work with local employment and training agencies, the Council, Job centre Plus, schools, relevant education authorities to identify, promote and deliver education and training opportunities related to construction; and
- e) How the measures will be recorded and submitted to the Local Planning Authority to monitor compliance with the Plan.

Once approved, the Plan shall be enacted during the construction of the development only, and the recorded measures shall be made available to the Local Planning Authority within 3 days of a written request to the appointed coordinator during that period.

Reason:

To maximise local employment and training opportunities during the construction of the development.

Pre-occupancy

Condition 17 – Retained building details

Prior to any works to the retained building, large scale drawings shall be submitted to and approved by the local planning authority showing details of the following :-

- (a) Any repairs or making good to facilitate residential conversion;
- (b) Details of layout to enable sub-division of property;
- (c) Any external modifications, including windows, doors, hips, eaves, vents, flues, meter boxes and external lighting.

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

Reason:

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To ensure the proposed development does not detract from the historical value or character and appearance of the non-designated heritage asset building in accordance with Policy DM14 of the Chelmsford Local Plan.

Condition 18 – Internal noise levels

The residential properties shall be constructed so that the internal noise levels in habitable rooms, with windows closed, does not exceed 35 dBA LAeq (0700-2300 hours) and 30 dBA LAeq (2300-0700 hours).

Reason:

In the interests of protecting the living environment of occupiers of the dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 19 – Travel information pack

Prior to occupation of the relevant dwelling, the Developer shall provide to each household a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include:

- a. Information on walking and cycling routes and public rights of way in the vicinity of the site.
- b. Details of travel websites which include real time bus timetable information for local services.
- c. Bus and rail timetables and routes.
- d. Promotion of car sharing.
- e. Information on alternative modes of transport to the private motor vehicle, such as 'Voi' scooters, or their successor.
- f. 2 x 4 week travel vouchers (per dwelling) for use with the relevant local public transport operator.

Reason:

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

Condition 20 - Landscaping

Prior to first occupation of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges or other soft features to be retained;
- c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
- e) details of the planting of trees;

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan and to ensure that three additional trees are planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change.

Condition 21 - Parking

No dwelling to be occupied until such time as the approved vehicle parking for that building has been made available for use. The spaces shall not thereafter be used for any purpose other than the parking of motor vehicles in conjunction with the building which they serve.

Reason:

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To ensure that parking provision is acceptably integrated within the development avoiding car dominated spaces and to prevent on-street parking in the interests of highway safety and the amenities of the area in accordance with Policy DM27 of the Chelmsford Local Plan. To ensure that sufficient parking is available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 22 – EV charging

Prior to the first occupation of the dwelling/s hereby permitted, charging infrastructure for electric vehicles shall be installed and retained at a rate of 1 charging point per dwelling or 1 charging point per 10 spaces (where off-road parking is unallocated).

Reason:

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

Condition 23 – Bicycle parking

No dwelling shall be occupied until the corresponding secure and covered bicycle parking has been laid out within the plot in accordance with details which shall previously have been submitted to and approved in writing by the local planning authority. Those spaces shall thereafter be kept available for the parking of bicycles only.

Reason:

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

Condition 24 – Details of materials

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

Reason:

To ensure that the development is visually acceptable in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 25 – Ecology recommendations

The development hereby permitted shall only be carried out in line with the recommendations and mitigation measures within the approved Ecological Impact Assessment (SES, July 2026).

Reason:

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

Condition 26 – Badger setts

No badger sett closure shall commence unless the local planning authority has been provided with either:
a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or
b) evidence of site registration supplied by an individual registered to use a Badger Mitigation Class Licence; or
c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

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To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

Condition 27 – Bat licence

Any works which will impact the breeding / resting place of bats, shall not commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation or Earned Recognition Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

Condition 28 – Lighting design (ecology)

Prior to the first occupation of any dwelling a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

Reason:

To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

Condition 29 – SuDS maintenance plan

Prior to the first occupation of the development within any phase or sub-phase of the development, a maintenance plan detailing the maintenance arrangements for SuDS features within that phase or sub-phase, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and approved in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided.

Reason:

To ensure that the development is constructed sustainably in accordance with Policies S2 and Policy DM18 of the Chelmsford Local Plan.

Post occupancy monitoring and management

Condition 30 - SuDs maintenance logs

The applicant, or any successor in title or maintenance body nominated by the applicant, must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason:

To ensure that the development is constructed sustainably in accordance with Policies S2 and Policy DM18 of the Chelmsford Local Plan.

Condition 31 – Water efficiency

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

Reason:

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

Condition 32 - Part M4 (2)

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

Reason:

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

Condition 33 - Public Art

Within six months of the commencement of the development, a public art statement shall be submitted to and approved in writing by the local planning authority. The statement shall include the following:

- a) Details of the artist (including an explanation of why they have been selected for this scheme),
- b) Details of the proposed public art (including an explanation of the chosen theme and medium) and its intended siting,
- c) Details for the installation including timing,
- d) Future maintenance regime.

The approved public art scheme shall be implemented in accordance with the approved statement.

Reason:

To ensure that Public Art is provided in accordance with Policy DM24 Chelmsford Local Plan.

Condition 34 – Superfast broadband

Each dwelling shall be provided with a connection to superfast broadband prior to the first occupation of that dwelling.

Reason:

Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being in accordance with the objectives of the National Planning Policy Framework and Making Places Supplementary Planning Document.

Condition 35 - Boundary treatments

- a) Details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, shall be submitted to and approved in writing by the local planning authority.
- b) No dwelling shall be occupied until the boundary treatments for the respective dwelling have been provided in accordance with the approved details.

Reason:

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

Condition 36 – Unbound material

No unbound material shall be used in the surface treatment of the vehicular accesses 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 37 - BREEAM commercial over 500sqm

- a) All new non-residential buildings with a floor area in excess of 500sqm shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of any building with a floor area in excess of 500sqm, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;
- c) any building with a floor area in excess of 500sqm shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.
- d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the relevant building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

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

Notes to Applicant

1 Hours of work during construction

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

Noisy work:

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

Light work:

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

In some circumstance further restrictions may be necessary.

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

- 2 The proposed development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended) which will be applied to any Reserved Matters application(s) submitted in connection with this outline application. Reserved Matters application(s) must be accompanied by a CIL Additional Questions Form as well as CIL Form 2 - Claiming Exemption or Relief if claiming Social Housing relief. There are further details and links to these forms on the Council's website at www.chelmsford.gov.uk/cil.

- 3 Essex County Council Highways Authority

All work within or affecting existing and future highways 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.

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

The developer will be responsible for all of the costs associated with the stopping up of existing public highway to facilitate the development and its associated highway works.

APCs

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

Commuted Maintenance Payments

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

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

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the

aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available

- 4 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 5 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 6 This planning permission is subject to planning condition(s) that need to be formally discharged by the Council. Applications to discharge planning conditions need to be made in writing to the local planning authority. Forms and information about fees are available on the Council's website.
- 7 Essex County Council SuDS team

Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the consultation response from Essex County Council SuDS team.

It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.

- 8 Anglian Water

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 .

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

- 9 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 10 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk

Positive and Proactive Statement

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

Background Papers

Case File

Plans to be listed on any Decision Notice:

1717-SBA-XX-XX-DR-A-510/D;
 1717-SBA-XX-XX-DR-A-511/D;
 -SBA-XX-XX-DR-A-500/A;
 011/P1;
 010/P1;
 001/P2.

Appendix 2 – Consultations

ECC Place Services

Comments
RE: 24/00228/OUT - Outline application with all matters reserved (but with full details provided for the highway works relating to site access and first stage of the internal spine road) for up to 185 dwellings (Use Class C3); non-residential uses of up to 7,500 sq m comprising extra care/independent living accommodation (up to 60 units) (Use Class C2), community use including flexible workspace (Use Classes F2(b) and E(g)(i)); formal and informal open space including structural landscaping, public open space and play areas; all associated highway infrastructure; drainage works and car parking/servicing; and all associated ancillary buildings and works including services and utilities. Land At Former St Peters College, Fox Crescent, Chelmsford The above application has been identified by the Historic Environment Advisor to Chelmsford City Council as having archaeological implications. As accurately attested by the submitted archaeological desk-based assessment (DBA), the Essex Historic Environment Record (EHER) shows that the proposed development is located in an area with the potential for archaeological remains to survive. An archaeological evaluation recently undertaken immediately to the south of the proposed development uncovered a medieval/post-medieval boundary and several postholes (EHER 49839). Remains related to these features may extend into the proposed development area and be negatively impacted by the groundworks associated with the proposals. Multiple archaeological finds have previously been made in the area surrounding the proposed development, including Roman coins to the west (EHERs 802 & 814) and Roman pottery and a flint spearhead to the south (EHER 697 & 698). Additionally, and again as attested by the submitted DBA, the southern part of the proposed development site is within a geological area mapped as containing head deposits adjacent to river terrace gravels that have a known association with palaeolithic archaeological remains. In view of the above, this office recommends that the following conditions are placed on any consent, in line with the National Planning Policy Framework, paragraph 211 and Chelmsford Local Plan policy DM15: RECOMMENDATION: Geoarchaeological Assessment and fieldwork (i) No development or preliminary groundworks of any kind shall take place until a programme of geoarchaeological assessment and fieldwork has been secured in

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accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of geoarchaeological investigation identified in the Written Scheme of Investigation defined in (i) above.

(iii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

RECOMMENDATION: Archaeological trial-trenching and excavation

(i) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological trial-trenching as identified in the submitted Written Scheme of Investigation.

(iii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The required archaeological work should be carried out by a qualified and accredited archaeological contractor and will comprise an archaeological trial-trench evaluation of the entire development site. This will determine the presence/absence of archaeological remains and provide suitable information for undertaking a subsequent programme of archaeological mitigation, should significant remains be identified. Additionally, a programme of geoarchaeological assessment and, if appropriate, field evaluation, will be undertaken on the development site to determine the presence and location of significant deposits.

Depending on the results of these investigations further archaeological work may be required on the development site, such as open-area excavation or monitoring of groundworks associated with the proposed development.

The Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief detailing the work required will be issued from this office on request and should be acquired prior to the production of any Written Schemes of Investigation. If the archaeological trial trenching and geoarchaeological work were to be carried out by the same contractor this office would have no objection to the submission of a single Written Scheme of Investigation covering both works.

If you have any questions please do not hesitate to contact me.

Economic Development & Implementation

Comments

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From an economic development perspective, in principle we welcome the proposal to include flexible workspace as part of this development. We look forward to seeing more detail around this as the proposal develops and a detailed application comes forward.

Essex County Council Highways

Comments

16.06.2026 - The Highway Authority has considered the above planning application in their role as statutory consultee in response to a consultation by Chelmsford City Council as Local Planning Authority.

The application is for Strategic Growth Site 1B - Former St Peters College, Fox Crescent, an allocated site in Chelmsford City Council's Local Plan, adopted May 2020.

The Transport Assessment (TA), and subsequent Addendum analysed the impact of the proposal on the highway network. The Highway Authority has assessed the application and the submitted information, and has concluded that in highway terms, the application is not contrary to national and local highways and transportation policy and will not be detrimental to highway safety, capacity and efficiency, subject to the requested mitigation and conditions.

The Local Plan policy for site 1b requires "Development that maximises opportunities for sustainable travel", that the scheme "Provide pedestrian and cycle connections" and that

the "Development will need to provide enhanced and new pedestrian and cycle connections to all directions from the site including Melbourne Avenue, Hobart Close and Highfield Road, facilitating

easy access to shops, community and sports facilities, as well as bus services and the existing pedestrian/cycle route network." The applicant has failed to demonstrate that a foot/cycle connection can be achieved to the north of site without requiring 3rd party land. It is understood the land is currently in Taylor Wimpey's ownership, but it is due to be passed to CCC as a land transfer. CCC have confirmed that once the transfer is complete, CCC Parks would provide the necessary works across the land in question to provide a foot/cycle link to adopted highway, so the applicant will be required to provide a foot/cycle route to the boundary of the site, with no ransom or barrier.

This recommendation has been further revised following communication from the applicant in the form of a review of the Highway Authority's consultation response dated 9th December 2025 by the applicant's Transport Consultant, within which they assert that existing bus services are adequate to serve the development and no contribution to improve service provision should be required.

ECC concede that there is an adequate bus service in the vicinity of the site, ECC's previous Passenger Transport Contribution request to improve services was requested on the basis that no junction mitigation is being provided by the development and in reality, any additional traffic related to the development will lead to increased pressure on nearby junctions, there is a need to ensure new residents choose sustainable travel options as their first choice and a high quality and frequent bus service past the site would enable

this.

An alternate solution, in lieu of improved Passenger Transport services, would be to ensure the residents of the new development are provided with 2 x 4 week bus travel vouchers to enable them to try the bus service and hopefully encourage new travel habits, avoiding significant car use.

The Highway Authority does not wish to object to the proposal as submitted subject to the following measures:

Construction Management Plan

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:

- a. construction vehicle access and routing,
- b. any temporary traffic management/signage,
- c. wheel and underside chassis cleaning facilities to prevent the deposition of mud or other debris onto the highway network/public areas,
- d. contractor and visitor parking clear of the highway,
- e. turning, loading and unloading of plant and materials and storage of plant and materials used in constructing the development, and
- f. hours of deliveries.

Reason: In the interests of highway safety.

MUD / DEBRIS ON HIGHWAY

Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

Highway works:

2. Prior to first occupation of any dwelling within the adjacent phasing of the development, the provision of foot/cycle routes within the site, to connect with Highfield Road and a route to the edge of the site without ransom or barrier, to connect with Queensland Crescent in the future, as shown in principle in Parameter Plan - Access + Movement rev D, shall be surfaced and illuminated as appropriate in accordance with details to be submitted to and

approved in writing by the local planning authority and designed to accord with the adoptable highway standard applicable at the time.

Reason: To provide sustainable travel options to/from the site and in the interest of highway safety.

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3. Prior to first occupation of any dwelling within the development, the provision of the highway works shown in Richard Jackson plan 49886 R/L XX XX DR C 001 P3 and 49886 R/L XX XX DR C 012 P1, unless otherwise agreed with the Highway Authority, to include but not limited to:

- a) Provision of 2.4m x 43m visibility splays in either direction from Road 1 junction with Fox Crescent, to be available clear to ground and retained free of obstruction at all times,
- b) Appropriate traffic calming features to promote a 20mph zone,
- c) 6 bay lay-by on Fox Crescent,
- d) Junction protection and parking restrictions, markings and signage on Fox Crescent.

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

Residential Travel Information Packs and Travel Plan

4. Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport. The packs, to be approved by Essex County Council, should include;

- a. Information on walking and cycling routes and public rights of way in the vicinity of the site.
- b. Details of travel websites which include real time bus timetable information for local services.
- c. Bus and rail timetables and routes.
- d. Promotion of car sharing.
- e. Information on alternative modes of transport to the private motor vehicle, such as 'Voi' scooters, or their successor.
- f. 2 x 4 week travel vouchers (per dwelling) for use with the relevant local public transport operator.

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

7. Prior to first occupation of the proposed development, the developer to submit a Residential Travel Plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation, with annual monitoring reports submitted to Essex County Council. It shall be accompanied by an annual Travel Plan monitoring fee of £1883 (index linked to April 2026) to be paid to Essex County Council.

Reason: To monitor compliance with the Travel Plan targets, in the interests of sustainable travel.

The above requirements 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, within Chelmsford City Council's Local Plan and within Ministry of Housing, Communities and Local Government's National Planning Policy Framework 2024.

Informative:

All work within, or affecting, the highway shall be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority (Essex County Council), with all details being agreed before the commencement of any highway works. Failure to secure the necessary approvals and relevant permits for works within the highway may result in

enforcement action by the Highway Authority against, but not limited to, the owner of the land or the person causing, or responsible for, the damage to the Highway. To start the process to obtain the relevant permissions the applicant should contact the Essex Highways Development Management Team by email at development.management@essexhighways.org

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

The developer will be responsible for all of the costs associated with the stopping up of existing public highway to facilitate the development and its associated highway works.

APCs

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

Commuted Maintenance Payments

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

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

Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to

the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

Anglian Water Services Ltd

Comments
Section 1 - Assets Affected There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence. WASTEWATER SERVICES Section 2 - Wastewater Treatment The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have available capacity for these flows. When assessing the receiving water recycling centre's(WRC) dry weather flow(DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" - this must include non-compliance from the last annual data return. Based on the above assessment Chelmsford WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. Section 3 - Used Water Network This response has been based on the following submitted documents: FRA July 2023/Drainage Design Note June 2024 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public

sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3. INFORMATIVE - Building near to a public sewer – No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers or Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to incomplete evidence of the surface water hierarchy, whilst the Drainage Design Note June 2024 states infiltration has been tested and ruled out, this evidence is required. We would therefore recommend that the applicant consults with Anglian Water. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development.

This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website
<http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Surface water:

Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:

Development hectare size

Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -
<http://www.uksuds.com/drainagecalculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)

Connecting manhole discharge location

Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be

included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA July 2023 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

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2. INFORMATIVE - Protection of existing assets – A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

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Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with

connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to incomplete evidence of the surface water hierarchy. A brownfield rate being assumed without full evidence of existing on site connections being provided. We would therefore recommend that the applicant consults with Anglian Water. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

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in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has

been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website

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If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will

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Surface water:

Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:

Development hectare size

Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1

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tools/greenfield-runoff-rate-estimation . For Brownfield sites being demolished, the site should be

treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)

Connecting manhole discharge location

Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface

water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Essex County Council (SUDS)

Comments

Thank you for your email received on 17/07/2024 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- o Non-statutory technical standards for sustainable drainage systems
- o Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- o The CIRIA SuDS Manual (C753)

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- o BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position:

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Condition 1

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

- o Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- o Limiting discharge rates to 15.57l/s (western catchment) and 2.97l/s (eastern catchment) for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event subject to agreement with the relevant third party.
- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- o Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- o Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- o Final modelling and calculations for all areas of the drainage system.
- o The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- o An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Reason

- o To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- o To ensure the effective operation of SuDS features over the lifetime of the development.
- o To provide mitigation of any environmental harm which may be caused to the local water environment.
- o Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

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

Reason

The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

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

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

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

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Condition 5

The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

We also have the following advisory comments:

- o We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

- o Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

- o Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below. <https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

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

- o Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply. <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

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- o As there has been a query raised with regards to an existing ditch adjacent to the site, we would expect this to be addressed within the strategy and resolved.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- o Sequential Test in relation to fluvial flood risk;
- o Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- o Safety of the building;
- o Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- o Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- o Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- o Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- o Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- o It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where

appropriate from other downstream riparian landowners.

o The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

o We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

o Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

o Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications

'Preparing for Floods' and 'Improving the flood performance of new buildings'.

o Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

Sport England Eastern Region

Comments

Summary

An objection is made to this planning application as a non-statutory consultee. This objection could be addressed if an appropriate commuted sum towards off-site playing field mitigation is secured as set out in this response.

Sport England - Non Statutory Role and Policy

It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

However, as the playing field (the former St Peter's College playing field) has not been used for at least five years, this consultation with Sport England is not a statutory requirement.

Notwithstanding the non-statutory nature of the consultation, Sport England has considered the proposal in the light of the National Planning Policy Framework (particularly Para 103) and Sport England's policy on planning applications affecting playing fields www.sportengland.org/playingfieldspolicy which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- o all or any part of a playing field, or
- o land which has been used as a playing field and remains undeveloped, or
- o land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions which are set out in the annex to this response.'

The Proposal and its Impact on the playing field

In summary, the proposal involves an outline application for the redevelopment of the majority of the former St Peter's College playing fields (approximately 3.5 hectares) for a residential scheme and supporting uses. No mitigation for the loss of the playing fields is currently proposed in relation to either replacement playing field provision or financial contributions towards the delivery of off-site playing field mitigation projects.

Assessment against Sport England's Playing Fields Policy and NPPF

I have considered the proposals with regard to the specific exception criteria identified in the above policy and would make the following comments:

o Exception 1 - Not applicable. It has not been demonstrated that there is an excess of playing pitches in the catchment in terms of community playing pitch provision. In this regard, Chelmsford City Council's Playing Pitch and Outdoor Sports Strategy (2016) is now out-of-date and cannot be used to robustly inform current and future playing pitch needs. However, the Council are currently preparing a new Playing Pitch Strategy and if this is available before the application is determined it should be used to inform whether this exception could apply. Information prepared to date to inform this strategy indicates that there are significant existing deficiencies in a range of playing pitch types. It is therefore considered very unlikely that this exception could apply in practice.

o Exception 2 - Not applicable. The proposed development is not ancillary to the principal use of the site as a playing field.

o Exception 3 - Not applicable. The area proposed for the development would result in the loss of all of the remaining playing field, which when last in use as a school playing field, was either marked out for natural turf playing pitches or was capable of being used for marking out playing pitches.

o Exception 4 - Not applicable. No replacement playing field provision is currently proposed or alternative off-site playing field mitigation.

o Exception 5 - Not applicable. No new sports facilities are proposed.

None of the exceptions in Sport England's policy or paragraph 103 of the NPPF would therefore be considered to apply to the proposal in its current form.

The application has considered the issue of the loss of playing fields in the Planning Statement and the Open Space Assessment. In addition to the above assessment against policy, I would wish to make comments on the following matters:

Local Plan Policy

Strategic Growth Site Policy 1b of the adopted Chelmsford Local Plan specifically requires development on this site to provide, or make financial contributions to new or enhanced sport, leisure and recreation facilities. The reasoned justification to the policy in paragraph 7.34 supports this policy requirement by making it explicit that a commuted sum will be secured in lieu of any loss of open space and that the scale of financial contributions should be at least that required to provide an equivalent replacement playing field including essential ancillary facilities. No commuted sum is proposed to be made and the application

focuses instead on seeking to justify why playing field mitigation should not be made. Paragraph 7.35 advises that an evidence based study should be provided to show how existing open space and play deficiencies in the locality can be remedied and how the needs generated by the development on site will be accommodated with the advice of Sport England. While an Open Space Assessment has been submitted (assuming this is intended to be the requested evidence based study) this does not show how existing outdoor sports deficiencies will be addressed and has not been prepared in consultation with Sport England.

The proposal in its current form would not be considered to accord with the site specific requirements of Strategic Growth Site Policy 1b therefore or the requirements of Policy DM21, the generic Local Plan development management policy relating to protecting community facilities.

The Former St Peter's College Masterplan (2022) was prepared by the City Council in collaboration with the applicant to set out the Council's strategic approach to the development of this site allocation in order to provide a framework for planning applications. This masterplan document makes it explicit on page 7 that the scale/details of an appropriate financial contribution towards off-site open space works to mitigate the loss of playing fields will be addressed through the planning application process. As no financial contributions are currently proposed, the application would be considered to not accord with the masterplans as well as the Local Plan policy.

St Peter's College Playing Field Use

The Planning Statement and Open Space Assessment seeks to justify not proposing any off-site playing field mitigation on the basis that the playing fields have not been used since 2011 and that they were in educational use when previously used.

Sport England considers proposals for the development of playing fields that are no longer in use in the same way as playing fields that are in active use because development on them would permanently prevent such sites from being brought back into active use. Sport England's playing fields policy and the Government planning policy on playing fields (in paragraph 103 of the NPPF) does not distinguish between public and educational playing fields and whether playing fields are currently in use or not. It should be emphasised that Sport England's role is to safeguard playing fields for meeting the needs of current and future users. While this playing field may not be needed for educational use in the future, it may be required for meeting future community playing pitch needs.

While the college's playing field (when operational) may have predominantly been used for educational use it has been acknowledged in paragraph 3.6 of the Open Space Assessment that two football clubs had regular lettings when the site was last in use. The lack of community use of the playing fields since 2011 when the school closed has not been due to lack of demand from community users. It is because the playing fields have not been made available for community use by the landowner as the site has been closed.

Paragraph 3.2 of the Open Space Assessment appears to attempt to make a case that the northern playing field was not used for formal sport based on historic aerial photographs. However, aerial photographs only represent a snapshot of how the playing fields were being used at a particular point in time. More importantly, regardless of how this area was used or maintained by the former school at particular times in the past, the lawful use of this area is a school playing field and it would be capable of being used as a playing field if required for educational or community use. Furthermore, the use of this area of the site as a

playing field was recognised by the City Council on the Local Plan Policies Map and this was not challenged through the examination of the Local Plan. It should be noted that the 2006 aerial photograph included in Appendix 2 of the Open Space Assessment shows training grids marked out on the northern playing field which is a common type of winter sports marking on secondary school sites.

Off Site Sports Provision

The Planning Statement and Open Space Assessment also seeks to justify not proposing any off-site playing field mitigation on the basis that the schools that pupils relocated to when St Peter's College closed have had their sports facilities improved since then and there are residential developments in the pipeline elsewhere in Chelmsford that are providing new playing fields.

Whether any of the schools that pupils relocated to have had their sports facilities improved since the St Peter's College site closed is not considered to be relevant in planning terms. None of the sports facilities that were proposed at the other sites were proposed as mitigation for the loss of the St Peter's College playing fields when planning applications were made for these facilities. Each proposal was made to address the specific needs of the school and/or the community at the time and none of the proposals were made to mitigate the loss of playing fields on the application site. It is considered unreasonable to retrospectively claim that unrelated investment that may have been made by local schools into sports facilities in the past negates the need to mitigate the loss of the playing fields on the application site. Notwithstanding this, it should be noted that the floodlit synthetic training pitch that has been referenced at Hylands School was never implemented and the grass playing pitches provided at Beaulieu Park School are unusable for pitch sports due to unsuitable ground conditions. The sports facilities proposed at the Sir Geoff Hurst Academy and the Hawthorns School are not playing fields that are suitable for playing pitch use and were not proposed to mitigate the loss of the playing fields on the application site.

The playing fields that are proposed in the pending hybrid application for a residential led development at the West Chelmsford Strategic Site are entirely unrelated to the current application. The facilities proposed in this planning application are to meet the additional sports facility needs arising from this development and have not been proposed to mitigate the loss of an existing playing field.

Open Space Needs Assessment

The assessment in the Open Space Assessment implies that playing field provision is less important than providing other open space types and suggests that providing more on-site open space for other open space typologies than that required to meet the Council's standards negates the need to mitigate the loss of playing fields.

As well as not meeting Sport England's playing fields policy, paragraph 103 of the NPPF or the site specific requirements of Strategic Growth Site Policy 1b of the adopted Local Plan, the assessment conclusions do not account for the local need for playing pitch provision. In particular, the following considerations are relevant:

- o The assessment of playing pitches relies on the Council's 2016 Playing Pitch and Outdoor Sports Strategy. This strategy is now considerably out of date as it was based on playing pitch supply and demand data that is now at least 8 years old. Notwithstanding this, the 2016 strategy did identify significant deficiencies of junior football pitches which is the type of pitches that were made available for community use on the St Peter's College site before it closed. A new Playing Pitch Strategy is currently being prepared by Chelmsford

City Council which is expected to confirm that there are significant deficiencies for most sizes of football, rugby and cricket pitches across the Chelmsford area. The commuted sum required by the Local Plan policy could be used for projects to help address these deficiencies in order to mitigate the permanent loss of playing fields on the application site.

o Consultation with sports governing bodies has confirmed that there are significant current deficiencies in football, rugby and cricket provision in Chelmsford. For example, the RFU has advised that the two rugby clubs closest to the application site have demand for rugby pitches which is equivalent to 10 matches more than the capacity of the current rugby pitches available. The Football Foundation (who represent the FA and Essex County FA) has advised that team numbers in Chelmsford have risen from 395 to 566 between the 2018/19 and 2023/24 football seasons which is placing more pressure on the existing grass football pitch network plus there is now a shortage of around 11 artificial grass pitches in the Chelmsford area. The ECB has advised that there are significant deficiencies in cricket pitch provision within Chelmsford with clubs struggling to find venues for matches.

o The open space proposed in the residential development could not be used for playing pitches regardless of whether it is overproviding in terms of the Council's standards for other types of open space.

Furthermore, the residential development would generate a need for additional playing pitch provision which is not currently being proposed to be met on site which will aggravate the position.

Sport England's Position

In conclusion, the proposed development, without playing field mitigation, would not be considered to accord with any of the exceptions to Sport England's playing fields policy or Government policy in paragraph 103 of the NPPF and the Council's adopted Local Plan policies. I can therefore confirm that Sport England objects to the application in its current form.

Potential is considered for this objection to be addressed, if as required by Strategic Growth Site Policy 1b of the Local Plan an appropriate commuted sum is secured in accordance with the guidance in paragraph 7.34 of the Local Plan. Advice can be provided on request with respect to how a commuted sum should be calculated and secured.

Provision also needs to be made through any planning permission (CIL or planning obligations) for meeting the additional needs for outdoor and indoor sport that are generated by the residential development.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agenda(s), report(s) and committee date(s). Please notify Sport England of the outcome of the planning application.

Annex

Sport England's 'Playing Fields Policy and Guidance Document' is available to view at:
www.sportengland.org/playingfieldspolicy

The Five Exceptions to Sport England's Playing Fields Policy are:

Exception 1

A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an

excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2

The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- o reduce the size of any playing pitch;
- o result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- o reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- o result in the loss of other sporting provision or ancillary facilities on the site; or
- o prejudice the use of any remaining areas of playing field on the site.

Exception 4

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- o of equivalent or better quality, and
- o of equivalent or greater quantity, and
- o in a suitable location, and
- o subject to equivalent or better accessibility and management arrangements.

Exception 5

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Essex and Suffolk Water

Comments

No response received

Police - Strategic Planning Team

Comments
Thank you for providing the opportunity to respond to the above referenced planning application. We have reviewed the content of the application have attached for your information, the Essex Police considerations to development and infrastructure change which forms part of the organisations strategic planning considerations. As a key emergency service provider, this document outlines information on Essex policing priorities and provides initial considerations to development and infrastructure proposals. Please note, any comments relating to crime prevention and secured by design considerations will be provided by the Essex Police Designing Out Crime Office (DOCO) and submitted under separate cover. We welcome the opportunity to be involved in further discussions and engagement to ensure a policing perspective is considered; this will include aspects such as impacts to operational policing, road traffic management, designing out crime considerations and infrastructure strategies. If further information or clarification is required, please contact the Strategic Planning team at Strategic.Planning@essex.police.uk. As a key emergency service provider, Essex Police advocates to continuously adapt and reflect its practices to ensure that the service provided is efficient and effective in keeping our communities safe. With the policing landscape continually changing we welcome any opportunities to develop and enhance this provision. We note the scheme proposes, up to 185 dwellings; non-residential uses of up to 7,5 sqm comprising extra care/independent living accommodation (up to 6 units), community use including flexible workspace, formal and informal open space including structural landscaping, public open space and play areas; all associated highway infrastructure; drainage works and car parking/servicing; and all associated ancillary buildings and works including services and utilities. This document provides an initial response to this proposal and outlines the Essex Police considerations to development and infrastructure change which forms part of the organisations strategic planning considerations and provides key information on our policing priorities. If further information or clarification is required to support this development, please contact the Strategic Planning team at Strategic.Planning@essex.police.uk. Essex Design Guide This document supports the content and key objectives outlined in the Essex Design Guide for engaging with the emergency services during the design process for the creation of safe and secure communities and sustainable estate provision. By working directly with developers and local planning authorities to influence the design and build of new places, we can collectively make new and existing communities as safe as they can be, delivering real benefits to the residents of Essex as well as those who visit for business or leisure activities¹.

Emergency Services engagement

Key considerations

- o To encourage effective engagement between Essex Police, Local Authorities and Developers at the earliest opportunity.
- o To create a proactive, consistent, and informed early response to the new demand placed on emergency services that housing developments and infrastructure change will bring.
- o To endeavour to create a collaboration programme with emergency services and other partners that will enhance our ability to achieve service benefits and property performance targets for the efficiency of the estate.

Community Safety Partnership and Emergency Service Estates Provision

Key considerations:

- o Encouragement of proactive police service-related communication to new residents and communities that promote public confidence and cohesion.
- o To deliver estates provision that responds to the demands of modern policing, embracing the digital and cultural enablers that allow us to reduce our physical footprint.
- o Explore opportunities for a shared, environmentally sustainable co-located community estate that shares facilities in appropriate locations within the community to provide flexible spaces to accommodate the changing needs of policing and create a more local, visible, and accessible policing provision.

Designing out crime and Secured by design

Key considerations:

- o To work with planners, architects, and developers to ensure that new developments in Essex provide a mix of well-designed homes, open spaces and promote neighbourhoods that consider community safety and wellbeing that provide benefit to all communities.
- o That the prevention of Crime and Disorder is supported through well-designed places that includes the provision of a sense of community and safety.
- o Ensuring 'Secured by Design' standards and applicable 'Police Crime Prevention Initiatives' are incorporated and fully exhausted throughout new development (including associated buildings) as a minimum whilst maximising opportunities against current and future and crime pattern changes.
- o Implement a 'Crime Impact Statement' within the 'Design and Access Statement'. Such statements are devised to identify specific measures that will be adopted to reduce crime.
- o Incorporating provision of affordable housing for key worker accommodation (inclusive of Police service staff).

- o Ensuring that all work, education, and public spaces are well designed and promote safe, secure communities and environments.

When considering future developments, it is imperative to achieve sustainable reductions in crime, to help people live and work in a safer society. Designing out Crime Officers, (DOCO's) specialise in the application of designing out crime and provide expert advice on crime prevention through environmental design, (CPTED principles) to a wide range of design and build professionals. Their role is fundamental in the development of safe and secure communities. The DOCO role is underpinned by National Planning Policy and Home Office agendas. DOCO's recommend developers to consider the foreseeability of crime and maximise on the opportunity to design such issues out, as to prevent the need for bespoke situational crime prevention measures in the future.

Police Crime Prevention Initiatives are a police-owned organisation working on behalf of the Police Service, to deliver a wide range of crime prevention initiatives, of which they promote Secured by Design (SBD). Supported by the DOCO, SBD provide a series of 'design guides' that enable the DOCO to work closely with architects, developers, and local authority planners throughout the life cycle of the proposed development. This will enable the DOCO to assist the developer to 'design out crime' by improving the layout and physical security of buildings from the initial conception, construction, and occupation.

The Essex Police DOCO response to this proposal will be provided under separate cover. For any queries relating to secured by design and designing out crime matters relating to new developments please contact: designingoutcrime@essex.police.uk

Traffic management Considerations

Key considerations:

- o To ensure an understanding of the key objectives for managing road infrastructure, improved vehicle design, redesigning speed limits and renewing Essex Police enforcement policy, all of which will be forefront in Essex Police strategic road safety campaigns.
- o To be engaged with master-planning for any transport related developments, collaboratively working with the relevant authorities to ensure that new developments are planned and designed to improve safety on the various road networks. This will include preventing those Killed or Seriously Injured (KSI) and Road Traffic Collisions where possible.
- o To engage in the Safe System approach 'Vision Zero', recognise that human beings' lives and health should never be compromised by their need to travel and any fatal or serious injuries that occur within the road system are unacceptable. This is considered as best practice in road safety according to the World Health Organisation and the Organisation of Economic Cooperation and Development (OECD).

In the interest of road safety and reducing casualties linked to highways usage, Essex Police believe that developers should contribute to designing out the need for enforcement within the construction of newly built roads. This would apply to estate roads where the introduction of any desired speed limit is largely self-enforcing through design. This is especially relevant to the strong desire for 20 mph limits or zones on new estates. Residents have an expectation that the 20 mph limit or zone will be enforced, where it then becomes a local policing issue. Creative design can take out the need for enforcement.

For distributor roads we identify more and more roads being built by developers which become roads for distributing high volumes of traffic around new estates and potentially towns. These new roads have the potential to become roads where young drivers may use them as roads to test their ability for travelling at high speeds.

For such examples we would look to ensure:

- o Speed limits are appropriate and meet the needs of all road users and residents.
- o With an evidenced case, and where possible, a developer is requested to install average speed detections systems to ensure road user compliance, thereby reducing the need for police presence to enforce speed limits on newly built roads.

Additionally, technology exists for red light enforcement at traffic lights and developers should consider enforcement technology as part of any traffic light systems installed, improving overall safety of the location but also providing an efficient way to enforce the restriction.

Considering the prevention of crime and to enhance community safety, Essex Police believe that commercial and residential developers should contribute to the costs of installing Automatic Number Plate Recognition (ANPR) systems on newly designed roads.

Developers also need to consider how their planning decisions can have a negative long-term impact upon neighbours and communities around simple things such as parking disputes through the lack of available parking, which can be factored into Designing Out Crime.

In terms of road safety, Developers should make provision for all road users and in particular the most vulnerable road users, cyclists and pedestrians. Essex Police request developers to engage, educate and enforce on the road network alongside the ethos of the five essential pillars in the Safe System approach, ultimately to reach zero road related deaths, these being:

- o Safe Speeds: Road users understand the risks and implications of exceeding the speed limit and therefore, travel at appropriate speeds to the conditions and within posted speed limits.
- o Safe Road Use: Road users who know and comply with the rules of the road and take responsibility for the safety of themselves and others, especially the vulnerable.
- o Safe Roads & Roadsides: Road design encourages safe travel and one that is predictable and forgiving of mistakes.
- o Safe Vehicles: That vehicle fleets comprise of well-maintained vehicles that reduce the risk of collisions and, in the event of a collision, reduce the harm to road users, including pedestrians, pedal cyclists, motorcyclists and vehicle occupants.
- o Post Collision Response & Care: Provision of a more operative response to collisions by working effectively with all emergency services and the National Health Service (NHS). Road victims receive appropriate medical care and rehabilitation to minimise the severity and long-term impact of their injuries.

Learnings from collisions are captured and acted upon. Families of those killed or seriously injured are appropriately supported.

Zero Emission Fleet and Infrastructure Strategy

Key considerations:

- o To include infrastructure considerations to ensure and develop an efficient policing response in the future. This includes such matters as community based Electric Vehicle charging points to support the Essex Police Zero Emission Fleet and Infrastructure Strategy.

As part of Essex Police's comprehensive Zero Emission Fleet and Infrastructure Strategy, we are committed to achieving a fully electrified vehicle fleet by 2(S)35. In pursuit of this objective, we have developed plans to install electric vehicle charging points across all our police premises. The broader strategy also recognises the crucial role of community-based charging infrastructure in supporting extended patrols and recharging vehicles during and after operations.

One of the primary challenges of electric vehicles is their limited range and lengthy charging time and access to external charging facilities is vital for the force to carry out their duties effectively. To ensure that we can recharge our vehicles locally and work in specific areas away from police premises for an extended period, we ask developers to consider the inclusion of charging facilities into their design, with one or two charging points allocated for emergency services use to support our operations.

By providing dedicated charging points for emergency services, we can expand our patrols in the area and increase visible police presence, thereby contributing to a safer environment for local communities and visitors. As well as promoting safer communities, this infrastructure plan aligns with our commitment to promote sustainable practices and support the transition towards a greener future.

Information on Essex policing priorities and context.

PFCC Polke and Crime plan 2021 - 20242

The Police and Crime Plan sets out the policing priorities and aims for keeping Essex safe. It brings together police, partners, and the people of Essex to build safe and secure communities. The commitments set out in the plan build on existing partnerships and seek to develop them in new and ambitious ways. These include greater collaboration between police and fire and closer working with local councils, community safety partnerships, and the voluntary, community and health sectors.

The Police and Crime Plan 2(S)21 - 2(S)24 will make a strategic commitment to prevention, a shift in our main effort from rapid response into a model of targeted prevention and early intervention.

The twelve plan priorities:

- o Further investment in crime prevention
- o Reducing drug driven violence
- o Protecting vulnerable people and breaking the cycle of domestic abuse

- o Reducing violence against women and girls
- o Improving support for victims of crime
- o Protecting rural and isolated areas
- o Preventing dog theft
- o Preventing business crime, fraud, and cyber crime
- o Improving safety on our roads
- o Encouraging volunteers and community support
- o Supporting our officers and staff
- o Increasing collaboration

Essex Police Force Plan3

Essex Police force priorities are drawn from the Police, Fire and Crime Commissioner's (PFCC) Police and Crime plan. The plan provides our main effort, which helps us focus our energies on our priorities and think about helping victims, identifying vulnerability, preventing violence, and being visible in everything we do, whatever role we do to ensure we:

- o Help people: Deliver the best possible service prioritising threat, harm, risk and putting victims at heart of what we do.
- o Keep people safe: Prevent crime, protect the vulnerable, keep our communities and people safe and work with partners to do this.
- o Catch criminals: Identify suspects and bring them to justice targeting the most harmful and paying attention to the needs and views of victims.

Essex County Fire & Rescue Service

Comments

Thank you for your email dated 23/02/2024 enclosing drawings showing details of the above proposal.

The application has been considered and I draw your attention to the following comments:

Access

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

The plans supplied provide insufficient detail to comment on access for Fire Service Appliances. It is therefore not possible to fully confirm compliance at this time. However, more detailed observations on access and facilities for the Fire Service will be considered on submission of suitable plans. This will require

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that access is in accordance with Approved Document B.

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 Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

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

Mid And South Essex Integrated Care Board

Comments

1.0 Further to a review of the application details the following comments are made in regard to the primary healthcare provision on behalf of the health partners of the Mid and South Essex Integrated Care System (the ICS).

2.0 Existing healthcare position proximate to the planning application site

2.1 The proposed development is likely to have an impact on the services of the Surgeries which operate within the vicinity of the application site. One of the GP practices does not have capacity for the additional growth resulting from this development and cumulative development in the area.

2.2 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The ICS would therefore expect these impacts to be fully assessed and mitigated.

3.0 Review of planning application

3.1 The planning statement submitted in support of the planning application states that the impact of the proposals on health have been assessed through a health impact assessment (HIA). The statement also includes heads of terms for a S106 agreement. It lists community facilities including a healthcare contribution.

3.2 The HIA assesses the proposals against the Essex Healthy Places criteria. It says that the increased demand for health services generated by the development does not create the need for a healthcare facility on-site, which is accepted. However, the HIA states that a financial contribution made towards healthcare to increase capacity within the area should it be required. The assessment concludes that, subject to this contribution, the impact of the development would be neutral. This is considered to be appropriate mitigation in relation to this development proposal.

4.0 Assessment of development impact on existing healthcare provision

4.1 One of the existing GP practices does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 588 new residents and subsequently increase demand upon existing constrained services.

4.2 The primary healthcare services directly impacted by the proposed development and the current capacity position are shown in Table 1.

Table 1 Healthcare services within a 2km radius of the development

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula; this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.

2. Current Net Internal Area occupied by the Practice

3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the Mid and South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"

4. Based on existing weighted list size

4.3 Table 1 shows that the capacity of primary healthcare facilities in the area of the proposed development

is already below the recognised standards of provision for the existing population. Additional population growth in the area resulting from new development would add to the deficit and so would be unsustainable if unmitigated.

5.0 Healthcare needs arising from the proposed development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace for support the population arising from the proposed development is calculated to be £121,500.

Table 2: Capital Cost calculation of additional health services arising from the development proposal

Notes:

5. Calculated using the Chelmsford City Council average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).

6. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the Mid & South Essex STP). Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"

7. Based on BCIS cost multiplier (£3,015) for new build and extensions to health centres and hospitals using rates for gross internal floor area for the building costs including prelims updated to 01/01/2022 and rebased for Essex, rounded to nearest £100.

5.2 The development would have an impact on healthcare provision in the area where there is already a deficit of primary care facilities. If unmitigated, the development would be unsustainable. Planning obligations could be used to secure contributions to mitigate these impacts and make an otherwise unacceptable development acceptable in relation to healthcare provision.

5.3 The ICS therefore requests that the sum of £121,500 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase capacity for the benefit of patients of the Primary Care Network operating in the area. This may be achieved through any combination of extension, reconfiguration or relocation of premises.

6.0 Conclusions

6.1 The ICS has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests that these are secured through a S106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local healthcare services.

6.2 The terms set out above are considered appropriate having regard to the formulated needs arising from the development and the ICS is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

6.3 The health partners of the ICS look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

ECC Community Infrastructure Planning (Education)

Comments

25.04.2024 - Thank you for providing details of the above Outline planning application proposing the development of up to 185 new dwellings; non-residential uses of up to 7,500 sq m comprising extra care/independent living accommodation (up to 60 units).

As the unit size and mix has not been advised, I have assumed they will all be houses of 2 or more bedrooms.

When estimating the number of children that a new housing development will generate, and that will require a school place (yield), ECC takes account of the number of houses and flats that are suitable to accommodate children. One-bedroom units and some dwellings, such as student and elderly accommodation, are excluded from the education calculation.

With reference to the details above, a development of this size can be expected to generate the need for up to 16.65 Early Years and Childcare (EY&C) places; 55.50 Primary School places, and 37 Secondary School places.

Please note that any developer contribution figures referred to in this letter are calculations only, and that final payments will be based on the actual dwelling unit mix and the inclusion of indexation.

Early Years and Childcare

The proposed development is located within St Andrews ward and will create the need for an additional 16 childcare places.

According to latest available childcare sufficiency data, there are over 100 early years and childcare providers within a 3 mile radius. Overall total of over 100 unfilled places were recorded for this area. Therefore, we would not require a financial contribution at this time.

Primary Education

In this part of Chelmsford there is no evidence to support a CIL reg 122 compliant request. Please see forecasts for Chelmsford Primary Group B and Secondary Group A in our 10 Year Plan.

We are asking for contributions in North Chelmsford, as the Garden Community will need to be self sufficient in terms of school places. Other than that, we have no record of requesting any contributions in the above planning groups for over three years i.e. since birth rates fell.

Secondary Education

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

Post 16 education

A contribution toward Post16 education is not required at this time. However, in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2023), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and skills opportunities.

School Transport

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

However, the developer should ensure that safe direct walking and cycling routes to local Primary and Secondary Schools are available. Where appropriate, engagement with Essex Highways is advised to ensure this is achieved. All sites will be suitably assessed in accordance with the current climate and national and local drive to provide more sustainable modes of travel and to meet the initiative towards active travel provision.

Libraries

ECC may seek contributions to support the expansion of the Library Service to meet customer needs generated by residential developments of 20+ homes. The provision of a Library Service is a statutory duty under the 1964 Public Libraries and Museums Act and it's increasingly become a shared gateway for other services such as for accessing digital information and communications.

The suggested population increase brought about by the proposed development is expected to create additional usage of Chelmsford Library. A developer contribution of £19,061 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

Monitoring Fees

In order to secure the delivery of the various infrastructure improvements and to meet the needs arising from development growth, ECC needs to monitor Section 106 planning obligations to ensure they are fully complied with on all matters. ECC has a resultant obligation to ensure the money is received and spent on those projects addressing the needs for which it was sought and secured. To carry out this work, ECC employs a staff resource and charges an administration/monitoring fee towards funding this requirement.

The Monitoring Fee will be charged at a rate of £700 per obligation (financial and otherwise). On large developments the Monitoring Fee will be calculated using a bespoke approach.

Employment and Skills

Both Central and Local Government have a crucial role to play in identifying opportunities to maximise employment, apprenticeships, and to invest in skills to realise personal and economic aspirations.

ECC has a role to play in supporting Local Planning Authorities and helping to ensure that the development industry has the necessary skills to build the homes and communities the county needs. ECC supports Chelmsford City Council in securing obligations which will deliver against this crucial role in supporting employment and skills in the district.

In the current economic climate and national skills shortage, ECC supports Chelmsford City Council in requiring developers to prepare an 'Employment and Skills Plan' (ESP) seeking to drive forward an increase in construction employability levels and workforce numbers. These plans will help to address negative perceptions of the sector and develop a strong future pipeline. This is referred to as the 'development phase'. ECC also supports Chelmsford City Council in requiring landowners to produce an ESP for commercial developments, to enable wider employment opportunities for those requiring additional support to enter the job market. This is referred to as the 'end-use phase'.

Additionally, ECC encourages Chelmsford City Council to consider the inclusion of other requirements, including financial contributions, to support appropriate employment and skills outcomes as a result of this development.

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on Libraries.

The contributions requested have been considered in connection with the CIL Regulations 2010 (as Amended) and are CIL compliant. Our standard formula s106 agreement clauses that ensure the contribution would be necessary and fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

If your council were minded to refuse the application, ECC request that we are automatically consulted on any appeal or further application relating to the site.

Thank you for consulting this authority in respect of this application.

South Essex Parking Partnership

Comments
No response received

Police - Designing Out Crime

Comments
Essex Police comments pursuant of the National Planning Policy Framework 2019 (NPPF) and Chelmsford City Council polices.
NPPF section 8 "Promoting Healthy and Safe Communities" paragraph 91(b), and section 12 "Achieving Well Designed Places" paragraph 127(c) address creating places that are safe. Chelmsford Local Plan DM23 &

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DM24 addresses security through "High Quality Design" and "Place Shaping" with a reasoned justification 9.6 - "The layout and design of a development are important in creating a safe environment where people are comfortable to live, work and visit".

This application appears to be in the early days of the design process and to provide a meaningful comment we would need further proposed layout detail.

We would welcome the opportunity to consult on this significant development to assist the developer demonstrate their compliance with these policies by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring the risk commensurate security is built into each property and the development as a whole.

From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application.

Public Health & Protection Services

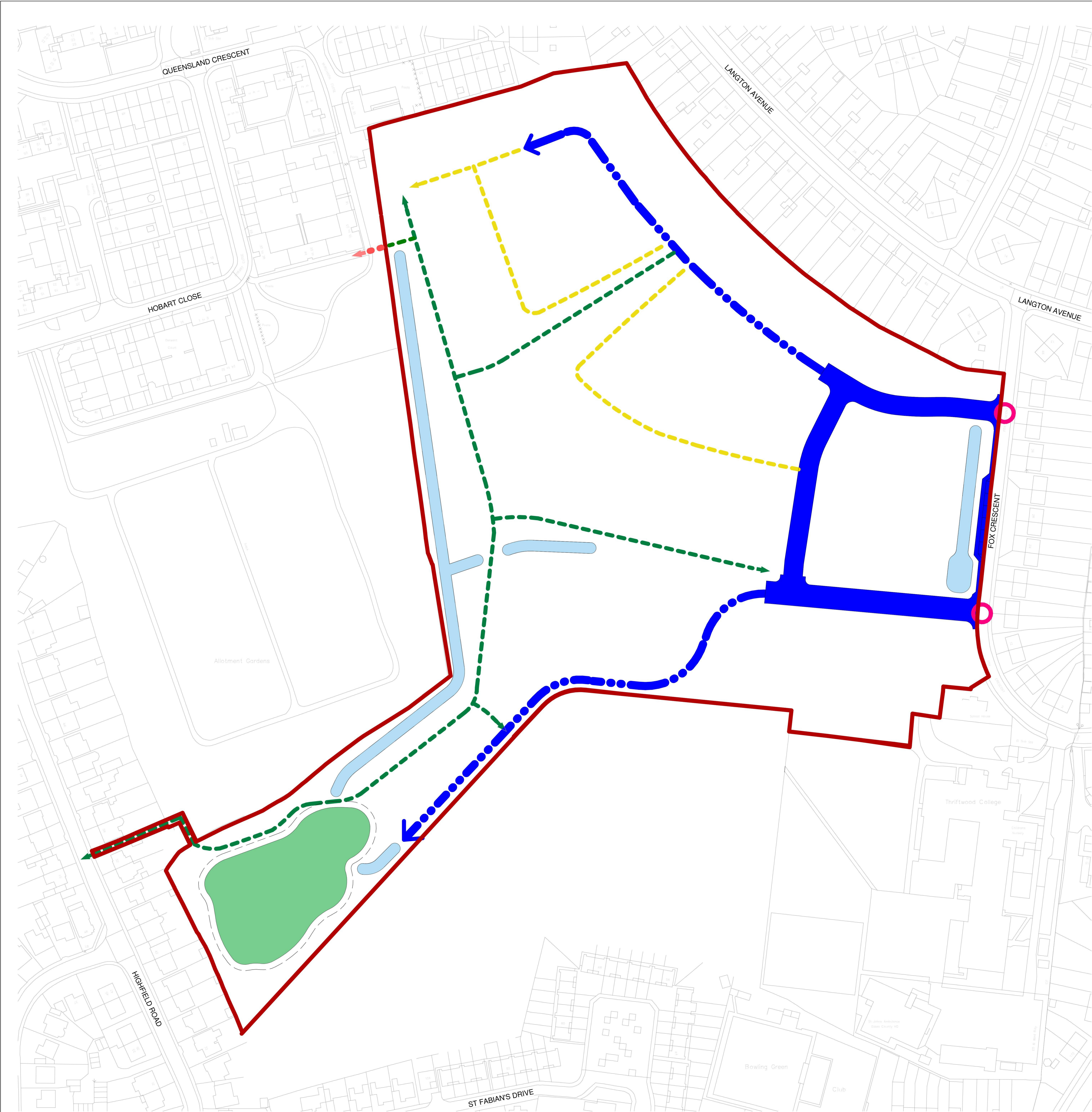
Comments

Please put on an ENV07 condition. Site investigations show that remediation is required.

The submitted air quality impact assessment identifies that the overall effect of the proposed development on local air quality to be not significant and that the site is suitable for the proposed use. PH&PS accepts these findings.

However, within the assessment, the construction phase was found to present a high risk for dust soiling and medium risk for human health. To mitigate these risks, it is recommended that a planning condition is set requiring submission of a site-specific construction environmental management plan (CEMP).

Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is not allocated).



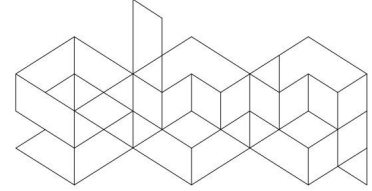
No.	Note
1	All dimensions to be verified on site by GENERAL CONTRACTOR prior to any work, setting out or shop drawings being prepared.
2	Drawings not to be scaled. Work to figured dimensions only.
3	© copyright SAUNDERS BOSTON LIMITED. All rights reserved. This drawing remains the property of SAUNDERS BOSTON LIMITED at all times and may not be reproduced or copied in whole or in part without their prior written consent.
4	This drawing and related specifications are for use only in the stated location.
5	This drawing is to be read in conjunction with all other Consultants drawings and specifications.
6	Drainage has not been surveyed and any/all pipe locations and below ground drainage runs are indicative.
7	It is assumed that all works will be carried out by a competent contractor who will be working, where appropriate, to an approved method statement.

- Vehicular Access
- Extent of detailed highway works (with associated pedestrian and cycle links)
- Additional primary road network (with associated pedestrian and cycle links) - Indicative alignment
- Secondary road network (with associated pedestrian links) - Indicative alignment
- Primary off-street pedestrian and cycle connections - Indicative alignment
- Potential / indicative route to be delivered by others
- Application Site Boundary
- Principal area for surface water attenuation - indicative shape and boundaries * *
- Areas of drainage swale - indicative shape and boundaries * *
- ** Final position of these features will take into account root protection areas.

Scale 1:1000
0 10 20 30 50m



D	Update to notes and potential/ indicative route	12.05.25	BH	BH
C	Updated Notes	18.08.2023	BH	BH
B	Updated with indicative drainage	25.07.2023	BH	BH
A	Outline Application Issue	07.06.2023	BH	BH
No.	Revision	Date	Chk.	Auth.



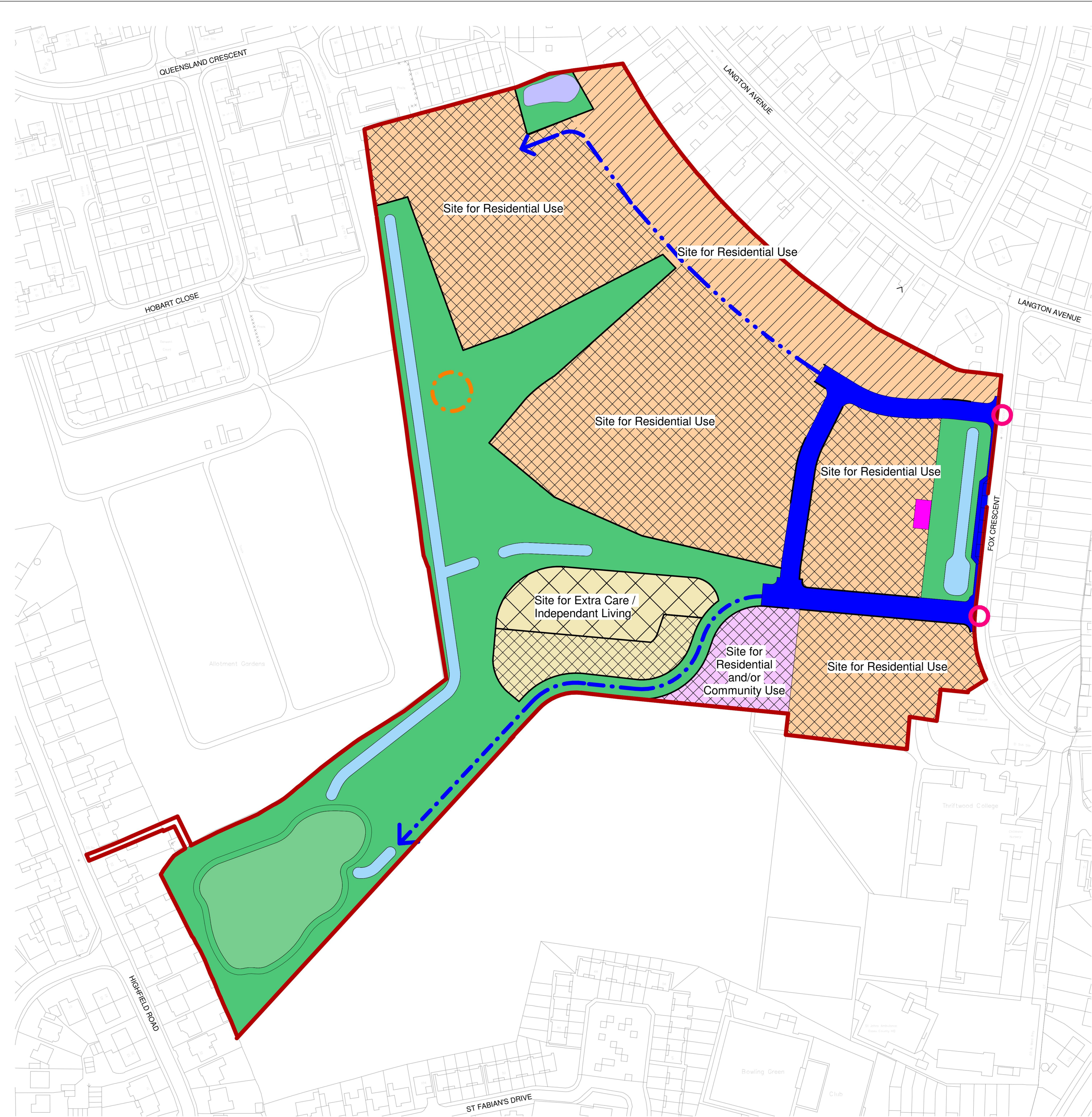
**Saunders
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OUTLINE APPLICATION			
SBA Project Code	Drawn	Date	1717
	Checked	Suitability Code	

Scale	As indicated @A1	Revision	D
project	1717	originator	zone
		level	type
		role	number
			-SBA-XX-XX-DR-A-510



Site designated for Residential Development *

Site designated for Residential and/or Community Use *

Site designated for Extra Care/Independent Living *

Indicative residential unit location

Retained St Peters College Building

Open Space

Principal area for surface water attenuation - indicative shape and boundaries * *

Areas of drainage swale - indicative shape and boundaries * *

Extent of detailed highway works (with associated pedestrian and cycle links)

Additional primary road network (with associated pedestrian and cycle links) - Indicative alignment

Indicative location of LEAP

Potential to build up to 2 storeys of accommodation

Potential to build up to 3 storeys of accommodation

Potential to build up to 4 storeys of accommodation

Application Site Boundary

* Precise development boundary to be set at Reserved Matters stage

** Final position of these features will take into account root protection areas.

No.

Note

1

All dimensions to be verified on site by GENERAL CONTRACTOR prior to any work, setting out or shop drawings being prepared.

2

Drawings not to be scaled. Work to figured dimensions only.

3

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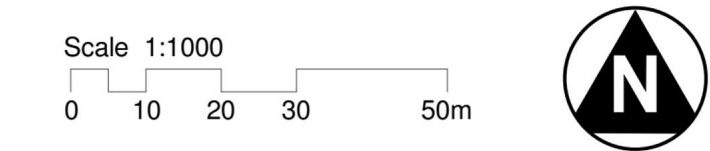
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6

Drainage has not been surveyed and any/all pipe locations and below ground drainage runs are indicative.

7

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Saunders
Boston
Architects

OUTLINE APPLICATION

SBA Project Code
1717

Drawn
BH

Checked
BH

Date
01/12/22

Suitability
Code

Scale
As indicated @A1

Revision
D

Client
Essex Housing

Job
St. Peters

Drawing
Parameter Plan - Land Use + Storey Heights

Scale
As indicated @A1

Revision
D

project
1717

originator
-SBA-XX-XX-DR-A-511

zone
level
type
role
number

D

Retained St Peters College building indicated

21.06.2024

BH

BH

C

Updated Notes

18.08.2023

BH

BH

B

Updated with indicative drainage

25.07.2023

BH

BH

A

Outline Application Issue

07.06.2023

BH

BH

No.

Revision

Date

Chk.

Auth.

1

Parameter Plan - Land Use + Storey Heights

1 : 1000

Page 106 of 110



Planning Committee
6th October 2026

Application No	:	22/01950/OUT Outline Application
Location	:	Zone 1 Chelmsford Garden Community Pratts Farm Lane Little Waltham Chelmsford Essex
Proposal	:	Application for hybrid planning permission, seeking outline planning permission with all matters reserved, except means of access at Essex Regiment Way (including pedestrian and cycle bridge) and Belsteads Farm Lane (road to Park Farm), for a mixed use scheme comprising up to 1,500 new homes (use Class C3); a primary school including co-located early years nursery provision and associated playing fields (Use Class F1 and E(f)); employment areas (Use Class Ec,Eg (i)(ii)(iii) and associated ancillary uses); a mixed use neighbourhood centre (Use Classes Ea,b,c,d,e,f,g(i), and F1(e), F2(b); and associated green infrastructure, including public open space, formal and informal play and recreation areas; drainage features, and other associated works; and, diversion of public rights of way. Detailed planning permission is sought for the initial phase of on-site highway works comprising the east to west main street; north to south main street, including bus gates; and associated strategic ground re-profiling and strategic surface water attenuation and associated landscaping.
Applicant	:	Ptarmigan Chelmsford A Limited
Agent	:	Adam Kindred
Date Valid	:	18th November 2022

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current form at Appendix 5 (*to that report*)
- (ii) approval of the Stage 1 Masterplan which comprises the Development Framework Document, as agreed by Cabinet at its meeting on 24th January 2023 (minute CAB39-40), the Infrastructure Delivery Plan in its agreed form as contained within Appendix 4 and the completion of the PFA as set out in (i) above within six months from the date of resolution (*15th June 2026*)
- (iii) withdrawal of the National Highways holding objection
- (iv) completion of the required CIL Reinvestment Funding Agreement with the relevant parties, and that the Director of Sustainable Communities using their existing delegated powers to negotiate and settle the final form of the CIL Reinvestment Funding Agreement
- (v) completion of the s106 Agreement in accordance with the heads of terms set out within the report under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1972, and that the Director of Sustainable Communities use their existing delegated powers to negotiate, settle and complete the s106 Agreement and to agree any details/minor variations in liaison with the Chair and Vice Chair of Planning Committee
- (vi) the planning conditions as listed in the report, the details/minor variations of which are to be delegated to the Director of Sustainable Communities in liaison with the Chair and Vice Chair of Planning Committee.

The committee reports and green sheet can be viewed here: [Planning Committee \(15 December 2025\)](#).

Following the 15th December 2025 meeting significant and positive progress was made in relation to the Planning Framework Agreement, the s106 Agreements and the CIL Funding Agreement. Final documentation was in the process of being put in place to secure the funding of the A12 Junction 19 and Roundabout 5 Improvements (referred to as the Beaulieu Access Package (BAP)), which in turn, required a material amendment to the Housing Infrastructure Fund Funding Agreement with Essex County Council to introduce the BAP Works. The timing of the required funding approvals from Essex County Council and National Highways meant it was not possible to complete the Planning Framework Agreement, the s106 Agreement and the CIL Funding Agreement by 15th October 2026.

Members resolved to agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026, to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement, and the s106 Agreement at the meeting of the Planning Committee on 26th May 2026 (minute PL2); see here: [Planning Committee \(May 2026\)](#). Completion of all three agreements then enables approval of the Stage 1 Masterplan and the grant of planning permission.

Positive progress has been made since the Planning Committee on 26th May 2026. The Planning Framework Agreement (PFA) has been substantively agreed and was published online for the required 14 day period on 7th September 2026. Significant progress has been made on the s106 Agreements for both the Zones 1 and 3 planning applications, and a draft copy of each agreement was published for the required 14 day period on 8th September 2026. Final drafting matters are now in the process of being addressed. The CIL Funding Agreement has been drafted.

Essex County Council and the Zone 3 applicant have been meeting regularly in parallel, to agree the s278 Agreement for the Northern Radial Distributor Road; (the legal agreement under the Highways Act 1980

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between the developer and the local highway authority to make permanent alterations to a public road). Further work is required to complete this agreement, which has implications for the timing of completion of the PFA, the s106 Agreements and the CIL Funding Agreements; whilst progress is being made at pace, it is not anticipated that the agreement will be completed by 15th October 2026.

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RECOMMENDATION

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Planning Committee
6th October 2026

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between the developer and the local highway authority to make permanent alterations to a public road). Further work is required to complete this agreement, which has implications for the timing of completion of the PFA, the s106 Agreements and the CIL Funding Agreements; whilst progress is being made at pace, it is not anticipated that the agreement will be completed by 15th October 2026.

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Planning Committee
6th October 2026

Application No	:	23/00124/OUT Outline Application
Location	:	Zone 3 Chelmsford Garden Community Beaulieu Parkway Chelmsford
Proposal	:	Application for Hybrid planning permission at Powers Farm, Chelmsford; Outline Planning Permission with all matters reserved except means of accesses from/to the proposed Northern Radial Distributor Road (NRDR). Residential development of up to 1250 units, which comprises market/affordable and single family rental (SFR) / Build to Rent (BTR). Provision of Discovery Park North which will include open space, landscaping, formal sports pitches, pavilion and associated car parking. Internal vehicular carriageways, footways, cycleways and all pedestrian routes with associated landscaping and green infrastructure. Phased development (each and every phase (and/or sub-phase) being a separate and severable part of the development. Detailed planning permission for two spine roads north/south carriageway(s), cycleway(s) and footway(s) from/to the proposed Northern Radial Distributor Road North (NRDR) and one east/west spine road to Great Belsteads Village. Drainage and sustainable urban drainage systems (SUDs) throughout the development with all associated engineering works including strategic ground re-profiling, stockpiling, and below ground works
Applicant	:	Halley Developments Ltd
Agent	:	Anthony Aitken
Date Valid	:	9th February 2023

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Planning Committee
6th October 2026

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Location	:	Zone 3 Chelmsford Garden Community Beaulieu Parkway Chelmsford
Proposal	:	Application for Hybrid planning permission at Powers Farm, Chelmsford; Outline Planning Permission with all matters reserved except means of accesses from/to the proposed Northern Radial Distributor Road (NRDR). Residential development of up to 1250 units, which comprises market/affordable and single family rental (SFR) / Build to Rent (BTR). Provision of Discovery Park North which will include open space, landscaping, formal sports pitches, pavilion and associated car parking. Internal vehicular carriageways, footways, cycleways and all pedestrian routes with associated landscaping and green infrastructure. Phased development (each and every phase (and/or sub-phase) being a separate and severable part of the development. Detailed planning permission for two spine roads north/south carriageway(s), cycleway(s) and footway(s) from/to the proposed Northern Radial Distributor Road North (NRDR) and one east/west spine road to Great Belsteads Village. Drainage and sustainable urban drainage systems (SUDs) throughout the development with all associated engineering and infrastructure works including strategic ground re-profiling, stockpiling, and below ground works
Applicant	:	Halley Developments Ltd
Agent	:	Anthony Aitken
Date Valid	:	9th February 2023

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current form at Appendix 5 (*to that report*)
- (ii) approval of the Stage 1 Masterplan which comprises the Development Framework Document, as agreed by Cabinet at its meeting on 24th January 2023 (minute CAB39-40), the Infrastructure Delivery Plan in its agreed form as contained within Appendix 4 and the completion of the PFA as set out in (i) above within six months from the date of resolution (*15th June 2026*)
- (iii) withdrawal of the National Highways holding objection
- (iv) completion of the required CIL Reinvestment Funding Agreement with the relevant parties, and that the Director of Sustainable Communities using their existing delegated powers to negotiate and settle the final form of the CIL Reinvestment Funding Agreement
- (v) completion of the s106 Agreement in accordance with the heads of terms set out within the report under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1972, and that the Director of Sustainable Communities use their existing delegated powers to negotiate, settle and complete the s106 Agreement and to agree any details/minor variations in liaison with the Chair and Vice Chair of Planning Committee
- (vi) the planning conditions as listed in the report, the details/minor variations of which are to be delegated to the Director of Sustainable Communities in liaison with the Chair and Vice Chair of Planning Committee.

The committee reports and green sheet can be viewed here: [Planning Committee \(15 December 2025\)](#).

Following the 15th December 2025 meeting significant and positive progress was made in relation to the Planning Framework Agreement, the s106 Agreements and the CIL Funding Agreement. Final documentation was in the process of being put in place to secure the funding of the A12 Junction 19 and Roundabout 5 Improvements (referred to as the Beaulieu Access Package (BAP)), which in turn, required a material amendment to the Housing Infrastructure Fund Funding Agreement with Essex County Council to introduce the BAP Works. The timing of the required funding approvals from Essex County Council and National Highways meant it was not possible to complete the Planning Framework Agreement, the s106 Agreement and the CIL Funding Agreement by 15th October 2026.

Members resolved to agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026, to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement, and the s106 Agreement at the meeting of the Planning Committee on 26th May 2026 (minute PL2); see here: [Planning Committee \(May 2026\)](#). Completion of all three agreements then enables approval of the Stage 1 Masterplan and the grant of planning permission.

Positive progress has been made since the Planning Committee on 26th May 2026. The Planning Framework Agreement (PFA) has been substantively agreed and was published online for the required 14 day period on 7th September 2026. Significant progress has been made on the s106 Agreements for both the Zones 1 and 3 planning applications, and a draft copy of each agreement was published for the required 14 day period on 8th September 2026. Final drafting matters are now in the process of being addressed. The CIL Funding Agreement has been drafted.

Essex County Council and the Zone 3 applicant have been meeting regularly in parallel, to agree the s278 Agreement for the Northern Radial Distributor Road; (the legal agreement under the Highways Act 1980

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between the developer and the local highway authority to make permanent alterations to a public road). Further work is required to complete this agreement, which has implications for the timing of completion of the PFA, the s106 Agreements and the CIL Funding Agreements; whilst progress is being made at pace, it is not anticipated that the agreement will be completed by 15th October 2026.

Having regard to the above, it is requested that members agree a further 2 month period from the expiry of the agreed resolution to 15th December 2026 to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement in tandem with work being progressed by the Zone 3 applicant and Essex County Council on the s278 Agreement. Completion of all three agreements would then enable approval of the Stage 1 Masterplan and the grant of planning permission.

RECOMMENDATION

A 2-month period from the expiry of the agreed resolution (minute PL2) to 15th December 2026 be agreed to extend the period for completion of the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement.

Appeals Report

Directorate for Sustainable Communities

Appeal Decisions received between 31-08-2026 and 17-09-2026

Decisions	Count	Percentage
Dismissed	2	100%
Total	2	100%

Written Representation

Land North Of Lyndale Twitty Fee Danbury Chelmsford Essex

Reference	26/00010/REFUSE	
Proposal	Outline planning application for the erection of 1no dwelling.	
Decision & Date	Appeal Dismissed	15/09/2026
Key Themes	Single new dwellingHarm to protected lane - Non designated heritage asset. BNG RAMSPrinciple - Not PDL Harm to rural area DM8Unsustainable location	
Agreed	Unsustainable location - unlit rural roads, away from main key service areas. Harm to character of the Rural Area - can be considered PDL but harmful to the existing rural character of the site that positively contributes to the rural lane. Harm to the protected lane - the site positively contributes to the significance of the NDHA, the proposal would result in significant harm, no public benefits from the scheme to outweigh harm	
Disagreed	N/A BNG hard to condition - not enforceable via condition. Would have to be a legal agreement.	
Appellant's Costs	None	
Council's Costs	None	

Householder

The Meadows High Street Chelmsford

Reference	26/00015/ADVREF	
Proposal	Proposed internally illuminated 2 sided digital signage totem.	
Decision & Date	Appeal Dismissed	08/09/2026
Key Themes		
Agreed	Disagreed with ECCHA:- No unacceptable public safety concerns.- Bridge inspection and maintenance access would be retained.Agreed with CCC:- The totem would harm visual amenity due to its scale, prominence and visibility.- It would detract from views of the riverside corridor and fail to preserve the setting and significance of the Conservation Area.- Any condition controlling illumination would not overcome the visual harm.Reason for Dismissal:- Harm to visual amenity and the Conservation Area setting outweighed all other considerations.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	