Hearing Statement

Matter 10 Issue 1 Question 10.7
Consultation PID: 307959
Local Plan reference: PS25-99, Map 11 — Chatham Green

Purpose of this statement
I wish to participate in the forthcoming Chelmsford Local Plan hearing sessions. I disagree with the Council's proposed Defined Settlement Boundary (DSB) for Chatham Green. Modifications to policies S11 /DM6-DM12 .For the reasons set out below, I consider that the Plan is not justified and therefore does not meet the soundness test.

Relevant methodology
The Council's methodology and criteria for preparing DSBs are set out in the evidence-base document *Urban Area and Defined Settlement Boundary Review*. The Settlement Boundary Review Criteria provide for the inclusion of the *"main built-up extent of settlements, such as groups of housing and their gardens, schools, employment/industrial sites, community facilities, churches and open spaces contained within the built form."* The accompanying notes state that a *"DSB will normally be drawn approximately 25m from the rear and side elevations of houses with large gardens, pubs, community halls and churches."*

Statement of Common Ground SOCG048 was prepared between the Council and us as part of the Local Plan process, to identify areas of agreement and disagreement and assist the examination. Although I continue to consider that insufficient sustainable housing has been allocated on rural brownfield sites, including Pondside Nursery and Yard, I was willing to narrow the matter in dispute to the inclusion of the site within the Chatham Green DSB, where a small development of one or two houses could then be considered in principle. The outstanding matter is therefore representation PS25-99, Map 11 — Chatham Green. Under a separate matter I am also arguing the lack of Employment designation for Pondside Nursery and Yard

Appendix 1, page 8, of SOCG048 contains an annotated map of the Chatham Green DSB. It shows that Pondside Nursery and Yard an employment/industrial site ,is approximately 181 metres from the existing DSB and that the Windmill public house, a community facility, is approximately 30 metres away. It also shows the relationship and built up area between Tanglewood, Millside House, Baileys Cottage and the Windmill public house, none of which is presently included in the DSB, and Brick Cottages and Crowbush Cottage, which are included. A site visit would assist the Inspectors in assessing this physical context.

The Council states that Baileys Cottage is approximately 11 metres from the existing DSB. Applying the approach in the *Urban Area and Defined Settlement Boundary*

Review, a boundary drawn 25 metres from the side elevation of Baileys Cottage would include it within the DSB. The boundary could then follow the built form to include the Windmill public house opposite, Millside House, Tanglewood, the village green, and Pondside Nursery and Yard. The latter is also close to the bus stops, supporting a more sustainable boundary.

As part of SOCG048, we submitted 21 questions concerning the DSB. Several were not answered directly or were answered ambiguously. The most relevant questions, the Council's responses and my comments are set out below.

Answers to questions from Mr & Mrs Parker received 15.03.26

Number	Question	Answer	My Answer
2	Do you agree with the Settlement Boundary Review criteria point 2 under Include *Main built -up extent of settlements such as groups of housing and their gardens, schools, employment/ industrial sites, community facilities, churches and open space contained within the built form.*	Criterion 2 is set out in Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	The response identifies the source of criterion 2 but does not answer whether the Council agrees with the proposition. A direct response would assist the examination.
3	Do you agree that Pondside Nursery and Yard is or could be described as an employment/industrial site?	The lawful planning use of the site is for the use of land as a Landscape Contractors Yard including storage containers, hard standing, parking and open storage, as set out in the certificate of lawful use (17/00539/CLEUD).	The response describes the site's lawful planning use but does not state whether the Council accepts that it is an employment/industrial site. This should be considered alongside the agreement in SOCG048 that the site has a green RAG rating and that 18SLAA3 achieved the highest score (98) of all sites assessed for a proposed employment use.
4	Do you agree that Baileys Cottage situated opposite the pub and approximately 10m from the existing settlement boundary for Chatham Green, is isolated sporadic development and relates more to the countryside?	The boundary of the plot where Bailey's Cottage is located is approximately 11m away from the Defined Settlement Boundary (DSB) in a straight line (at the closest point). However, bear in mind that the DSB was amended in 2020 and now includes approximately 25m of the side garden of 2 Brick Cottages (the closest point of the DSB from Bailey's Cottage). There is a visual and	The map indicates that Baileys Cottage is not isolated or sporadic development. It is approximately 11 metres from the DSB. Applying the same 25-metre approach used for the side garden of 2 Brick Cottages would bring Baileys Cottage within the boundary. The approximately 30-metre gap between Brick Cottages and Crowbush Cottage is comparable with the gap between Little Longs and the Windmill public house. The differing treatment therefore requires clear justification. Including Baileys Cottage would also support consideration of the adjoining built form: the Windmill public house, Millside House,

		physical separation between the built form of the two dwellings of almost 40m in a straight line. The Council therefore considers that Bailey's Cottage is isolated and sporadic development relating more to the countryside, hence it falls under criterion 6 of the Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	Tanglewood, the village green, and Pondside Nursery and Yard as an employment/industrial site.
6	Do you agree that Brick Cottages situated approximately 30m from Crowbush Cottage inside the boundary for Chatham Green, is isolated sporadic development and relates more to the countryside?	Brick Cottages are not isolated development but are located near the centre of the DSB and within the main built-up extent, falling under criterion 2 of the Urban Area and Defined Settlement Boundary Review February 2024.	The Chatham Green DSB map shows Brick Cottages towards the edge of the boundary, in a position comparable with Little Longs. The principal built form is located across the road at the fireplace shop and associated premises. Tanglewood, Millside House and the Windmill public house also form a substantial group of development but are excluded as isolated and sporadic development. The basis for this distinction is not clear.
7	Do you agree that Tanglewood, Millside House and the Windmill Pub are more built up than Brick Cottages and Crowbush Cottage?	The Council considers that Tanglewood, Millside House and the Windmill Pub are isolated and sporadic development that relate more to the countryside than the main built-up extent of the DSB and so fall under criterion 6 of the Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	The Chatham Green DSB map shows that Tanglewood, Millside House and the Windmill public house constitute a more substantial group of built development than Brick Cottages and Crowbush Cottage. Criterion 2 expressly refers to the main built-up extent, including groups of housing, employment/industrial sites, community facilities and open spaces. Their exclusion therefore appears inconsistent with the stated criterion and requires further justification.
9	Do you agree that the 25m rule from the rear and side	In relation to Baileys Cottage, this rule does not apply as it	The response confirms that the 25-metre approach may apply where a property is within a

	elevations of houses with large gardens like Baileys Cottage could be adopted?	only applies to development inside a DSB, see notes to criterion 2 of the Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	DSB, but says that it cannot be used for Baileys Cottage because the property is presently outside the boundary. This appears circular: the review should first determine whether the property forms part of the main built-up extent and, if so, draw the boundary in accordance with criterion 2.
10	Do you agree that Little Longs which is situated inside the settlement boundary for Chatham Green is set in a large garden?	Little Longs forms part of the main built-up extent of the DSB and is considered to have large rear and side gardens. This is why the DSB has been drawn approximately 25m from the rear of the rear elevation of this property, in line with criterion 2 of the Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	This confirms that dwellings with large rear and side gardens may be included within a DSB and that the 25-metre approach is applied. The different treatment of Baileys Cottage therefore requires a clear and consistent explanation.
11	Do you agree that no 2 Brick Cottages, which is situated inside the settlement boundary for Chatham Green is set in a large garden?	2 Brick Cottages form part of the main built-up extent of the DSB and is considered to have a large side garden. This is why the DSB has been drawn approximately 25m from the side elevation of this property, in line with criterion 2 of the Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary Review February 2024.	The Council confirms that 2 Brick Cottages forms part of the main built-up extent and that the DSB includes approximately 25 metres of its side garden. Baileys Cottage is approximately 11 metres from the DSB and close to Brick Cottages, yet is treated as isolated and sporadic development. The Chatham Green map appears inconsistent with that conclusion and should be considered carefully.
12	Do you agree that some/a few houses situated in the settlement boundary for Ford End are set in large gardens?	The DSB for Ford End has been defined in accordance with Settlement Boundary Review Criteria in the Urban Area and Defined Settlement Boundary	This confirms that other settlements include dwellings with large rear and side gardens within their DSBs. The same criteria should be applied consistently at Chatham Green.

		Review February 2024 and some dwellings with large gardens have been included in the DSB which is in accordance with criterion 2.	

Comparable boundary approach

On page 6 of SOCG048, the Council responds to our case for changing the Chatham Green DSB. It refers to criterion 3, which allows relatively large groups of houses or buildings that are separated from, but remain relatively close to, the main settlement core to form part of a DSB. The Council cites Woodham Ferrers, which has four DSBs; the smallest contains 14 dwellings, is adjacent to a playing field, and is approximately 50 metres from a larger section of the Woodham Ferrers DSB.

If the Chatham Green DSB were amended to include Baileys Cottage, the community facility the Windmill public house, Millside House and Tanglewood, Pondside Nursery and Yard would be approximately 78 metres from the DSB and adjacent to the playing field/village green. It could therefore be considered as a separate DSB on a comparable basis to Woodham Ferrers. Criterion 2 is also relevant because it expressly provides for the inclusion of employment/industrial sites, which Pondside Nursery and Yard is.

Sustainability and accessibility

The present Chatham Green DSB contains only a fireplace shop. In appeal APP/W1525/W/23/3333442 concerning Pondside Nursery and Yard, the Inspector found that the appeal site might be closer to services and facilities than existing homes within the Chatham Green DSB and other rural developments in the Council's area. The appeal for a three-bedroom chalet bungalow was dismissed in part because the proposed access could harm highway safety, contrary to Framework paragraphs 114 and 115.

The Council accepts that Pondside Nursery and Yard is closer to the bus stops on either side of the A131 than existing homes within the Chatham Green DSB. The Inspector's concern was that pedestrians would have to walk along a verge close to frequent, high-speed traffic, making the journey unattractive even in good weather and daylight and leaving future occupiers heavily reliant on private vehicles. A later preliminary enquiry proposed using the existing access from Chatham Green Lane and allowing occupiers to walk safely through the Pondside site to the bus stops rather than along the unsafe verge. The Council nevertheless maintained that the site was unsustainable, despite the absence at that time of a five-year housing land supply and an up-to-date Local Plan. In practice, exclusion from the DSB materially limits the prospect of planning permission.

Conclusion

Applying the Council's own evidence base consistently, the Chatham Green DSB should be amended to include the main built-up extent of the settlement: Baileys Cottage, the Windmill public house as a community facility, Millside House, Tanglewood, the village green, and Pondside Nursery and Yard as an employment/industrial site. These changes would provide a coherent and evidence-based boundary and therefore improve

consistency with the Council's stated criteria and comparable settlements, and enable the Plan to satisfy the soundness test of being justified.