

# Planning Committee Agenda

**9 July 2019 at 7pm**

**Council Chamber  
Civic Centre, Duke Street  
Chelmsford CM1 1JE**

## **Membership**

Councillor J A Sosin (Chair)

## **and Councillors**

L Ashley, H Ayres, S Dobson, P Hughes, R J Hyland, R Lee,  
L Mascot, G H J Pooley, R J Poulter, T E Roper, C Shaw,  
R J Shepherd, M Springett and I Wright

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. If you would like to find out more, please telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923, email [brian.mayfield@chelmsford.gov.uk](mailto:brian.mayfield@chelmsford.gov.uk), call in at the Civic Centre or write to the address above.

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# PLANNING COMMITTEE

9 July 2019

## AGENDA

### PART I

Items to be considered when members of the public are likely to be present

1. **CHAIR'S ANNOUNCEMENTS**

2. **MINUTES**

To consider the minutes of the meeting held on 16 April 2019.

3. **PUBLIC QUESTION TIME**

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

If a number of people wish to ask substantially the same questions or make the same points on a matter, they are encouraged to appoint one or more spokespersons to do so on their behalf in order to avoid repetition.

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, those who spoke under public questions at the previous meeting may not repeat their questions or statements.

4. **DECLARATION OF INTERESTS**

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.

5. **APPOINTMENT OF VICE CHAIR**

6. **45-47 NEW WRITTLE STREET, CHELMSFORD – 19/00481/FUL**

7. **LAND NORTH OF CAR PARK, COMPASS GARDENS, CREEKVIEW ROAD, SOUTH WOODHAM FERRERS – 19/00279/FUL**

8. **RAMSDEN HALL SCHOOL, HEATH ROAD, RAMSDEN HEATH, BILLERICAY – 19/00633/FUL**

9. **PLANNING APPEALS**

PART II (EXEMPT ITEMS)

NIL

## MINUTES

of the

### PLANNING COMMITTEE

held on 16 April 2019 at 5:00 pm

Present:

Councillor I Wright (Chairman)

Councillors L Ashley, M W Holoway, F B Mountain, R J Poulter,  
G C Seeley, R A Villa and M D Watson

Councillor T E Roper was also in attendance but did not participate as a  
member of the Committee

1. **Apologies for Absence**

There were no apologies for absence.

2. **Minutes**

The minutes of the meeting held on 26 March 2019 were confirmed as a correct record and signed by the Chairman.

3. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda.

4. **Site at Jubilee Farm, Newney Green, Writtle, Chelmsford – 18/01167/FUL**

(M6, PL38, 2019) At its meeting on 26 March 2019 the Committee had been minded to refuse an application for the demolition of existing buildings on a site at Jubilee Farm, Newney Green and its redevelopment to provide 12 dwellings with associated landscaping, access, garages, parking and amenity space. It had deferred until this meeting the consideration of the detailed reasons for refusal, which centred on the site not being in a sustainable location, the adverse effect the proposal would have on the nearby Protected Lane, and the harm caused by the development to the Green Belt.

The report to the meeting assessed the reasons for refusal and set out suggested detailed wording for each. The Committee was also informed that the applicant's agent had requested that further consideration of the application be deferred to enable consideration to be given to further information which they said supported the arguments in favour of the application. That information had been distributed to the Committee before the meeting and was set out in a Green Sheet circulated at the meeting, with the officers' comments on it. Councillor Roper was in attendance as a local ward councillor to speak against the application.

Noting the additional information, the Committee saw no compelling reason to change its view on the application and accepted the detailed reasons for refusal set out in the report to the meeting.

**RESOLVED** that application 18/01167/FUL in respect of the site at Jubilee Farm, Newney Green, Writtle, Chelmsford, be refused for the reasons set out in the report to the meeting.

*(5.02pm to 5.07pm)*

The meeting closed at 5.07pm.

Chairman

## **PLANNING POLICY BACKGROUND INFORMATION**

### **DEVELOPMENT PLAN**

Section 38 (6) of the Planning and Compensation Act 2004 Act states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

### **DEVELOPMENT PLAN DOCUMENTS**

The Core Strategy and Development Control Policies Development Plan (DPD) was adopted by Chelmsford Borough Council on 20 February 2008. This contains Core and Development Control Policies (prefixed by CP or DC) which are applied Borough-wide. The Borough's area is covered by three further adopted development plan documents: Chelmsford Town Centre Area Action Plan (2008), North Chelmsford Area Action Plan (2011) and the Site Allocations DPD (2012). These development plan documents implement the Core Strategy by identifying land-use allocations, proposals and notations which are set out in their relevant Proposals Maps.

## **SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA**

### **DEVELOPMENT PLAN DOCUMENT 2001 - 2021**

- CP5** Core Policy CP5 Containing Urban Growth - Urban growth will be contained by defining the physical limit of the urban areas of Chelmsford and South Woodham Ferrers and the Defined Settlements.
- CP12** Core Policy CP12 Protecting and Enhancing Recreational Provision - The City Council will seek to maintain and enhance the provision of formal and informal recreation facilities, at appropriate locations within the City, including the designation of new local parks and gardens, country parks and other public open spaces.
- DC1** Development Control Policy DC1 Controlling Development in the Metropolitan Green Belt - Planning permission for new buildings will be refused except where it is required for purposes directly related to agriculture, appropriate facilities for outdoor sport, outdoor recreation, nature conservation and cemeteries, affordable housing for local needs, residential infilling in villages, replacement of an existing building, limited infilling or redevelopment of previously developed sites where this would not have a greater impact on the openness of the Green Belt. These are subject to compliance with policies DC33, DC32, DC12, and DC11 respectively. Local transport infrastructure, extension or alteration of a building, the re-use of a building and development brought forward under a Community Right to Build Order are appropriate in the Green Belt provided that they preserve openness. , These are subject to compliance with policies DC47 and DC57 respectively. Inappropriate development is by definition harmful and should not be approved except in very special circumstances.

- DC2** Development Control Policy DC2 Controlling Development in the Countryside beyond the Metropolitan Green Belt - The countryside within the rural area beyond the Metropolitan Green Belt will be protected for its intrinsic character and beauty. Planning permission will be granted for development within the rural area provided that the intrinsic character and beauty is not adversely impacted upon and provided it is for a new building that supports sustainable growth of an authorised viable rural business and there is a justified need and no adverse impact upon character, appearance and visual amenity of the countryside; or promotes development and diversification of agriculture and other appropriate land based rural businesses or is accommodation in connection with such uses; or is for affordable housing for local needs; or is for the replacement of a building; or is for local transport infrastructure; or is for residential infilling in villages. These are subject to compliance with policies DC33, DC32, DC11 and DC12. The extension or reuse of an existing building is acceptable subject to compliance with Policy DC47 or DC57. Engineering or other operations or changes of use of land are acceptable provided they would have no material effect on the appearance and character of the countryside.
- DC4** Development Control Policy DC4 Protecting Existing Amenity - All development proposals should safeguard the amenities of the occupiers of any nearby properties by ensuring that development would not result in excessive noise, activity or vehicle movements, overlooking or visual intrusion and that the built form would not adversely prejudice outlook, privacy, or light enjoyed by the occupiers of nearby properties.
- DC7** Development Control Policy DC7 Vehicle Parking Standards at Developments - All development will be required to comply with the vehicle standards as set out at Appendix C of the Core Strategy and Development Control Policies Development Plan Document.
- DC10** Development Control Policy DC10 Coastal Protection Belt - Planning permission will not be granted for development that would adversely affect the open and rural character of the undeveloped coastline, historic features, wildlife habitats and other sites of nature conservation importance.
- DC13** Development Control Policy DC13 Site of Biodiversity and Geological Value - The City Council will seek to restore, maintain, and enhance biodiversity and geological conservation interests. Appropriate weight will be attached in respect of designated sites when determining planning applications.
- DC14** Development Control Policy DC14 Protected Trees and Hedges - Planning permission will be refused for any development that would be liable to cause demonstrable harm to protected woodland, trees and hedgerows, unless conditions can be imposed requiring the developer to take steps to secure their protection.
- DC18** Development Control Policy DC18 Listed Buildings - Planning permission and/or listed building consent will be refused where development proposals or works affect both the exterior and interior of buildings on the statutory List of Buildings of Special Architectural or Historic Interest unless they preserve or enhance the special character and/or setting of those buildings. The City Council will only permit the change of use of a listed building where it is in the interests of the long-term preservation of the building and its setting.
- DC22** Development Control Policy DC22 Areas of Flood Risk - Sets criteria for the submission of Flood Risk Assessments for development in the Environment Agency's Flood Zones 2 and 3 and circumstances where planning permission will be granted.
- DC37** Development Control Policy DC37 Protecting Existing Local Community Services and Facilities - Sets the criteria for circumstances where proposals for redevelopment or change of use of a facility or service which supports the local community in all parts of the Borough, whether of a commercial nature or not, will be permitted.
- DC38** Development Control Policy DC38 Promoting Sport, Leisure, Recreation and Tourism - Sets criteria for granting permission for new facilities or improvements and extensions to existing.



- DC39** Development Control Policy DC39 Protecting and Enhancing Open Spaces and Indoor Sports Facilities - Requirements for satisfying criteria for the change of use, or redevelopment for other purposes, of all existing public open space, private outdoor sports grounds, and school playing fields forming part of an educational establishment, allotments and indoor recreation or sporting facilities.
- DC44** Development Control Policy DC44 Private Amenity Space - All new dwellings will be required to have a high degree of privacy and the use of private amenity space appropriate for the type of dwelling and its location.
- DC45** Development Control Policy DC45 Achieving High Quality Development - Planning permission will only be granted for new buildings and extensions to existing buildings provided that they are well designed in themselves and amongst other matters, the siting, scale form and detail of the proposed buildings has an appropriate visual relationship with the character and appearance of the surrounding area.
- DC47B** Development Control Policy DC47 Extensions to Buildings - Permission will be granted where the extension is acceptable in siting, form, scale, architecture, landscape design and materials and would not adversely affect the character, appearance or visual amenities of the area; and it would not adversely prejudice outlook, privacy or light enjoyed by neighbours; and off street parking is provided in accordance with the City Council's parking standards. Outside the Urban Areas and Defined Settlements in addition to the above permission will be granted for extensions to buildings where it is substantially intact and has a reasonable remaining life, the proposed extension together with any previous additions to the original building is acceptable in size, scale and proportions such that the form and appearance of the extension and/or enlarged building is acceptable and in keeping with its context and surroundings and would not adversely affect the intrinsic character and beauty of the countryside.

## **EMERGING CHELMSFORD DRAFT LOCAL PLAN**

- LPCF2** Local Policy CF2 Protecting Community Facilities - The change of use of premises or redevelopment of sites that provide valued community facilities will only be permitted where the site cannot be used for an alternative community facility or where there is already an adequate supply of that type of facility in the locality or settlement concerned. Existing open spaces, sports and recreational buildings and land will also be protected.
- LPCF3** Local Policy CF3 Education Establishments - The change of use or redevelopment of educational establishments identified on the Policies Map will only be permitted if they are surplus to educational requirements. Extensions or expansion of existing educational facilities will be supported subject to compliance with other relevant local policies.
- LPCO1** Local Policy CO1 Green Belt, Green Wedges, Green Corridors and Rural Areas - Inappropriate development within the Green Belt will not be approved except in very special circumstances. Green Wedges will be protected and enhanced as valued and multi-faceted landscapes. The valued landscape character of the main river valleys where they extend into the countryside will be protected as Green Corridors. The intrinsic character and beauty of the Rural Area will be assessed and development will only be supported where it would not adversely impact on its identified value.
- LPCO2** Local Policy CO2 New Buildings and Structures in the Green Belt - New buildings in the Green Belt will only be permitted where they do not constitute inappropriate development except in very special circumstances. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- LPCO4** Local Policy CO4 New Buildings and 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.

- LPHE2** Local Policy HE2 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.
- LPMP1** Local Policy MP1 High Quality Design - Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape.
- LPMP4** Local Policy MP4 Design Specification for Dwellings - All new dwellings shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. All houses in multiple occupation shall also provide, amongst other matters, adequate cycle storage, parking and sound proofing.
- LPMP5** Local Policy MP5 Parking Standards - All development will be required to comply with the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended.
- LPNE1** Local Policy NE1 Ecology and 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.
- LPNE2** Local Policy NE2 Trees, Woodland and 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, 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.
- LPNE3** Local Policy NE3 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.
- LPPA1** Local Policy PA1 Protecting Amenity - 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
- SPS6** Strategic Policy S6 Conserving and 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.
- SPS13** Strategic Policy S13 The Role of the Countryside - The general extent of the Green Belt is established and will be protected from inappropriate development. The main river valleys are identified as valued landscapes and are locally designated as Green Wedges and Green Corridors. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt, is designated as the Rural Area.

## **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 published in July 2018. It replaces the first NPPF published in March 2012 and almost all previous national Planning Policy Statements and Planning Policy Guidance, as well as other documents.

Paragraph 1 of the NPPF sets out the Government's planning policies for England and how these should be applied. Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and should be read as a whole.

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

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

Paragraph 213 in the implementation section of the NPPF confirms that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).





## Planning Committee

9<sup>th</sup> July 2019

<b>Application No</b>	:	19/00481/FUL Full Application
<b>Location</b>	:	45-47 New Writtle Street Chelmsford CM2 0SB
<b>Proposal</b>	:	<b>Demolition of existing building and erection of 8 No single occupancy 1 bedroom apartments.</b>
<b>Applicant</b>	:	Mr Craig Williams
<b>Agent</b>	:	Front Architecture Ltd
<b>Date Valid</b>	:	26th March 2019

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### Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

## **1. Executive summary**

- 1.1. This application is referred to the planning committee at the request of a local ward member due to concerns in relation to design and compatibility with the character of the area.
- 1.2. The site is located within the Urban Area where the principle of development is acceptable. The site is within a sustainable location, very close to public transport options and the City Centre.
- 1.3. The site is located in an area where there are a mix of building styles, ages and heights. There are multiple examples of three storey buildings close by, including directly opposite the site, on the corner of Baker Street and to the rear of Stapleford Close.
- 1.4. The proposal is for a new building providing eight one-bedroom flats. The scheme has been amended during the life of the application and the design of the building has been carefully thought through with Officers. The corner element would be three stories in height with a pyramid roof form. This would reflect the development on the opposite side of the road. The building would then step down in height towards the neighbouring two storey terrace and towards the rear. The element facing onto Stapleford Close would be single storey with dormer windows to the front providing accommodation within the roofspace. Overall, the building is well-designed in itself. The proposal would therefore have an acceptable relationship with the character of the area.
- 1.5. The proposal is acceptable in all other respects. The application is therefore recommended for approval.

## **2. Description of site**

- 2.1. The site is located within the Urban Area of Chelmsford where the principle of development and growth is acceptable. The site is in a sustainable location, close to public transport links. The railway station is around 750m to the north.
- 2.2. The site is on the south side of New Writtle Street, on the corner of Stapleford Close. The existing building is single storey with hardstanding around it. The building has previously been used as a place of worship and is currently vacant.
- 2.3. There is a terrace of two storey dwellings located immediately to the west of the site, as well as on the other side of the Stapleford Close junction. The development on the opposite side of the road comprises both two and three storey height. There is a car park to the rear of the site.
- 2.4. The site is located in Flood Zone 2.

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

- 3.1. The existing building would be demolished and the site redeveloped to provide 8 residential units. The new building would be 'L' shape, fronting onto both New Writtle Street and Stapleford Close.
- 3.2. The scheme has been amended during the life of the planning application. The building has a three storey element to the corner of the site and this would have a pyramid style roof. This would then reduce in height to two storey elements adjoining the pyramid block. The height of the building would be further reduced to the rear of the site, facing onto Stapleford Close, through the use of a single storey element with rooms in the roof and two modest dormer windows.

3.3. Each residential unit would have one bedroom.

3.4. No vehicle parking is proposed. Cycle parking for eight bicycles is proposed in a shelter to the rear of the building.

3.5. A small area of around 50 square metres to the rear of the building would provide communal outdoor space.

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

18/01836/FUL - Application Withdrawn 9th January 2019

Change of use from existing place of worship to residential use including the demolition of existing building and erection of 8 No. single occupancy 1 bedroom apartments.

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

The following were consulted as part of the application:

- Public Health & Protection Services – no comments.
- Environment Agency – consultation not required; flood zone 2.
- Essex County Council Highways – acceptable subject to conditions.
- Recycling & Waste Collection Services – no response.
- Local residents - Objections received from 5 local residents, summarised as follows:
  - Harm through overshadowing and loss of outlook to properties to the east
  - Design has improved but 3 stories is not appropriate
  - Overlooking and loss of privacy
  - Harm to amenity of No.44
  - Incongruous design
  - One bedroom units doesn't encourage family-lifestyle
  - Noise issue for future residents from road
  - Concern about parking
  - No need for development
  - Concern about units being rented out to those who are in unfortunate circumstances (concern about police raids, drugs, loud music.)

#### **6. Planning considerations**

6.1. The following matters will be considered as part of this report:

- a) Loss of Community Facility
- b) Character of the Area and Design
- c) Residential Amenity
- d) Highways and Parking
- e) Other Matters

##### ***Loss of Community Facility***

6.2. The existing building within the site has a lawful use as a place of worship. As such, the building is a community facility. Policy DC37 of the adopted local plan and Policy CF2 of the emerging local plan (albeit currently afforded limited weight) seek to protect community facilities. Planning permission may only be granted for the loss of a community facility where: the use is not

economically viable, could not be provided by some other means, or is genuinely redundant; and the premises cannot readily be used for, or converted to any other community facility; or the facility which will be lost will be adequately supplied or met by an easily accessibly existing facility in the locality.

- 6.3. The building was formerly used by The Christadelphians Church. The presence of the church has declined within Chelmsford, with just three trustees remaining and no requirement for a base, therefore leaving the building vacant.
- 6.4. A marketing assessment has been submitted with the application. The site has been marketed by 4 agents, including Duffield Stunt, Savills and Charles Davis Casson, and a specialist commercial Agent. This was undertaken over a 15 month period from August 2017. Three offers were made, however these were all from investors or developers looking at residential development. There were approximately 30 faith/religious groups who expressed interest, however these expressions of interest were not taken forward and the site was not viewed by those groups. Feedback showed that this was largely due to either the lack of parking available or the condition of the building and the investment that would be required making purchase unviable.
- 6.5. Having reviewed the information provided with the application, it can reasonably be concluded that the premises cannot readily be converted to another community facility and that the use is genuinely redundant. On this basis, the loss of the existing facility building cannot reasonably be resisted.

#### ***Character of the Area and Design***

- 6.6. The site is in the Urban Area where there are a mix of building types and styles. There are Victorian terraces on the south side of New Writtle Street; more recent development on the opposite side of New Writtle Street; a commercial use in Stapleford Close and three storey flats at the end of Stapleford Close. There is also 3 storey post war flats further along New Writtle Street on the corner of Baker Street.
- 6.7. The site is situated on a corner plot in New Writtle Street. Given the site's location, where 3 storey built form is present nearby, the use of a three storey element is acceptable. The design of the building has been amended during the life of the application; principally to refine the three storey pyramid roof element and to set back the two storey element so that it is in line with the adjacent terrace. The ridge height of the proposed building adjacent to No.44 would be 2.1m taller than that of its neighbour. This height difference, whilst noticeable, would not be out of keeping with the street scene. The proportions and detailing of the front elevation reflect those used for the residential development on the opposite side of the road. The stepped down side elevation also reflects the detailing of nearby housing including the use of barrel roofed small dormer windows.
- 6.8. The design of the proposed building is acceptable in itself and the proposal would fit in with the character and appearance of the street scene.

#### ***Residential Amenity- existing properties***

- 6.9. No. 44 New Writtle Street is the closest neighbouring property to the site, sharing its western boundary. There is a passage way at ground floor level through the house leading to the rear garden which is closest to the application site. Further west of the passage way is a dining room window and kitchen door and window in the rear outshot facing towards the site. At a first floor level the closest rear facing window serves a bedroom. Number 44 has a narrow south facing garden, about 18m long, stretching the length of the application site.



- 6.10.** The scheme has been designed to place the tallest element of the proposed building adjacent to the blank flank wall of no. 44. The height of the proposed building would be reduced towards the rear to avoid the building being overbearing or causing a harmful degree of overshadowing. The lower element would also be set away from the boundary with the neighbour by 4.5m at its furthest point and 2.9m at its closest point. This element would have an eaves height of 2.8m and an overall height of 5.9m.
- 6.11.** The design and siting of the building means that the proposal would not be oppressive to the neighbour and would not result in a harmful loss of light.
- 6.12.** The internal arrangement of the proposal means that there would be no first floor windows serving habitable rooms facing over the neighbour's garden. There would be one first floor side window facing towards the neighbour, however this would serve a bathroom and a condition could be added to require this to be obscure glazed and non-opening below 1.7m from finished floor level thereby prohibiting outlook from it.
- 6.13.** Concern has been raised that the windows in the eastern side of the building would result in a loss of privacy to the properties on the opposite side of Stapleford Close. Whilst there would be two, third floor side lounge windows facing in this direction, these would look towards the front and blank flank side wall of the property on the other side of the road. The separation between the site and these properties (over 15m due to the existence of Stapleford Close) and the presence of mature planting at the neighbouring property, means that the amenity of these neighbouring properties would not be harmed.
- 6.14.** Habitable room windows would face towards the flats on the opposite side of New Writtle Street. These flats also have windows facing the application site. The elevations facing one another would be public elevations with a degree of mutual overlooking between the two. The scheme would not harm the amenity of the occupiers of these flats.
- 6.15.** Overall, the proposal would have an acceptable relationship with all neighbouring properties.

***Residential Amenity - proposal***

- 6.16.** Each new flat would be provided with an acceptable level of accommodation of between 37 and 48 square metres which is in line with Nationally Described Space Standards.
- 6.17.** A communal amenity area would be provided to the rear of the building. This would be approximately 50 square metres in area. The ground floor units to the rear part of the building would also have small amenity areas to the front. The Council's 'Making Places' Supplementary Planning Document says that where a building performs a clear beneficial role in the layout (by turning corners, acting as a vista stop or where infill restore urban form), less private or communal amenity space may be provided. Whilst the proposal does not meet the numerical standard of amenity space sought by the 'Making Places' guidance, the building does provide a townscape feature and turns the corner such that the level of amenity space proposed in this instance is acceptable. The site is also only around a three minute walk to Central Park. The proposal would provide an acceptable standard of amenity for future residents. A condition would be attached to require details of landscaping for the site.

### **Highways and Parking**

- 6.18.** The site is located within a sustainable location, within walking distance to public transport links and the city centre. The surrounding roads are also protected by a traffic regulation order (double yellow lines) and a resident's permit parking area. The new residential units would not be eligible for parking permits. There are no realistic on-street parking opportunities for future residents of the development.
- 6.19.** The proposal does not provide any parking spaces, however due to the site's sustainable location this is acceptable.
- 6.20.** Cycle parking for eight bicycles would be provided within a covered facility in the amenity area. This would be secured by condition. The Highway Authority have no objection to the proposal.

### **Other Matters**

- 6.21.** An area towards the rear of the building would be available for the storage of refuse and recycling. This could be collected from the kerbside using the existing dropped kerb on New Writtle Street. This arrangement is acceptable.
- 6.22.** The site is located within Flood Zone 2. A flood risk assessment has been submitted with the application and this confirms that floor levels would be above the 1 in 100 year event (with an allowance for climate change). The sequential and exception tests have been passed.
- 6.23.** Concern has been raised in relation to the potential occupiers of the building and the possibility of anti-social behaviour and noise. Future occupation of the units is not a material planning consideration in this case and any anti-social behaviour would be dealt with outside of the planning system.
- 6.24.** New residential development at this site has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the requirements of the Conservation of Habitats and Species Regulations 2017. The applicant has completed a unilateral undertaking securing a financial contribution towards mitigation at a local wildlife site.

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

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

## **RECOMMENDATION**

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

### **Condition 1**

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

Reason:

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

**Condition 2**

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

Reason:

In order to achieve satisfactory development of the site

**Condition 3**

Prior to their use, samples 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 Policies DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 4**

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) The development shall not be occupied until the boundary treatments 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 DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 5**

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

Reason:

To ensure that suitable facilities for refuse disposal are provided and that such facilities are visually satisfactory.

**Condition 6**

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 DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 7**

Details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently these 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) 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 DC13 and DC45 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 8**

No dwelling shall 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 facilities shall thereafter be kept available for the benefit of the occupiers of the development for the parking of bicycles only.

Reason:

To ensure that sufficient bicycle parking is available to serve the development in accordance with Policy DC7 of the Core Strategy and Development Control Policies Development Plan Document.

**Condition 9**

The first floor window in the west elevation and shown on approved Drawing No 201 D and 202 C shall be:

- a) obscured (minimum Level 3 obscurity level) and
- b) of a design not capable of being opened below a height of 1.7m above finished floor level and shall remain so obscured and non-openable.

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DC4 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 10**

Prior to their installation large scale drawings of the proposed windows shall be submitted to and approved 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 Policies DC45 and DC47 of the adopted Core Strategy and Development Control Policies Development Plan Document.

## Notes to Applicant

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

### Noisy work

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

### Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at <http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 3 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.
- 4 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](http://www.chelmsford.gov.uk/streetnaming). Enquires can also be made to the Address Management Officer by emailing [streetnaming@chelmsford.gov.uk](mailto:streetnaming@chelmsford.gov.uk).
- 5 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.
- 6 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.
- 7 The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

Notice should be in writing and accompanied by a block plan (e.g. 1/500) clearly identifying the building(s) to be demolished.

- 8 You are reminded that this application is subject to a Unilateral Undertaking, which requires that a payment should be made to the local authority upon commencement of the development (or at any other time as varied by the Undertaking).

### **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.

### **Background Papers**

Case File

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**Economic Development & Implementation**

Comments
No response received

**Public Health & Protection Services**

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

**Environment Agency**

Comments
No response received

**Recycling & Waste Collection Services**

Comments
No response received

**Essex County Council Highways**

Comments
<p>In main urban areas with frequent and extensive public transport, cycling and walking links, the EPOA Parking Standards recommend that a reduced parking standard provision may be applied to residential developments. A zero vehicle parking standard provision level has been applied to this proposal as it is located very close to regular public transport services, walking and cycling links and public car parking facilities. The surrounding roads are protected by existing TRO parking restrictions designed to discourage undesirable parking habits.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. No development shall take place, including any ground works or demolition until a Construction Method Statement has been submitted to and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: <ol style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. wheel and underbody washing facilities</li> </ol> </li> </ol> <p>Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to</p>

ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1.

**Note - INF24 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.

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

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

3. 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 unit, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers 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 in accordance with policies DM9 and DM10.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

**Informatives:**

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

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU

## Local Residents

### Comments

5 Comments were made which raised the following matters:

#### *Character and Design*

Existing terrace is an attractive row of former railway workers cottages. They are not listed but to a point they are a heritage asset in that they are attractive, are of their era, are well looked after and consistent. The small terrace sits within a spacious context noting that the single-storey church building is set back from the main road, the high development on the opposite side of the road is some distance away and the three-storey development on the western side is divorced from the terrace by a series of single-storey



garages. The high development to the rear is also set back some distance away.

The front elevation is much higher than the terrace of cottages by some significant margin. It is incongruous by means of its height, bulk, mass and modern design and clashes with the modest scale and character of the small terrace.

Direct and harmful clash between the modern built form now proposed and the cottages not least in respect of height, bulk, mass and design.

The terraced 1 bed units which run back along Stapleford Close are appropriately sized and sympathetic to the existing situation.

The three-storey component of the proposal would be in a prominent corner location and needs to be reduced in height, to two storeys, which would be in keeping with the adjoining existing two storey terrace of properties, to the West of the site, in New Writtle Street.

Dwarf the properties next door potentially blocking light for the surrounding areas.

#### *Amenity*

The scheme proposes 4 large habitable windows (to habitable rooms) facing directly and in close proximity to the rear garden of No.44. The intervening garden fence is not sufficient to mitigate direct overlooking and/or perception of being overlooked.

The garden of the No.44 currently has a relatively open and spacious south-facing outlook and there would be a clear and harmful sense of enclosure as well as loss of light arising from significant built form along the full duration of the common boundary.

The three-storey height, scale, bulk and massing, of the amended proposal, would cause a loss of daylight, direct sunlight and outlook, to the ground floor habitable rooms of the dwellings to the north of the site, on the opposite side of New Writtle Street.

Increase in overlooking and a loss of privacy, to the rear garden areas of properties on the South side of New Writtle Street, to the East of the site. The three-storey height of part of the proposed development, would also cause an increase in overlooking and a loss of privacy to the flats opposite the site in New Writtle Street.

The first floor proposed dormers along Stapleford Close would cause an increase in overlooking and a loss of privacy, to the rear garden areas of properties on the South side of New Writtle Street, to the East of the site.

#### *Parking*

Parking restrictions are only applicable and monitored Mon - Sat and between certain hours of the day which will not stop potential new residents using the already under allocated spaces for existing residents, many of which are currently being forced of an evening to park illegally in front of the site and on the double yellow lines in Stapleford Close.

Where will the builders and trades park during the development?

### *Other Matters*

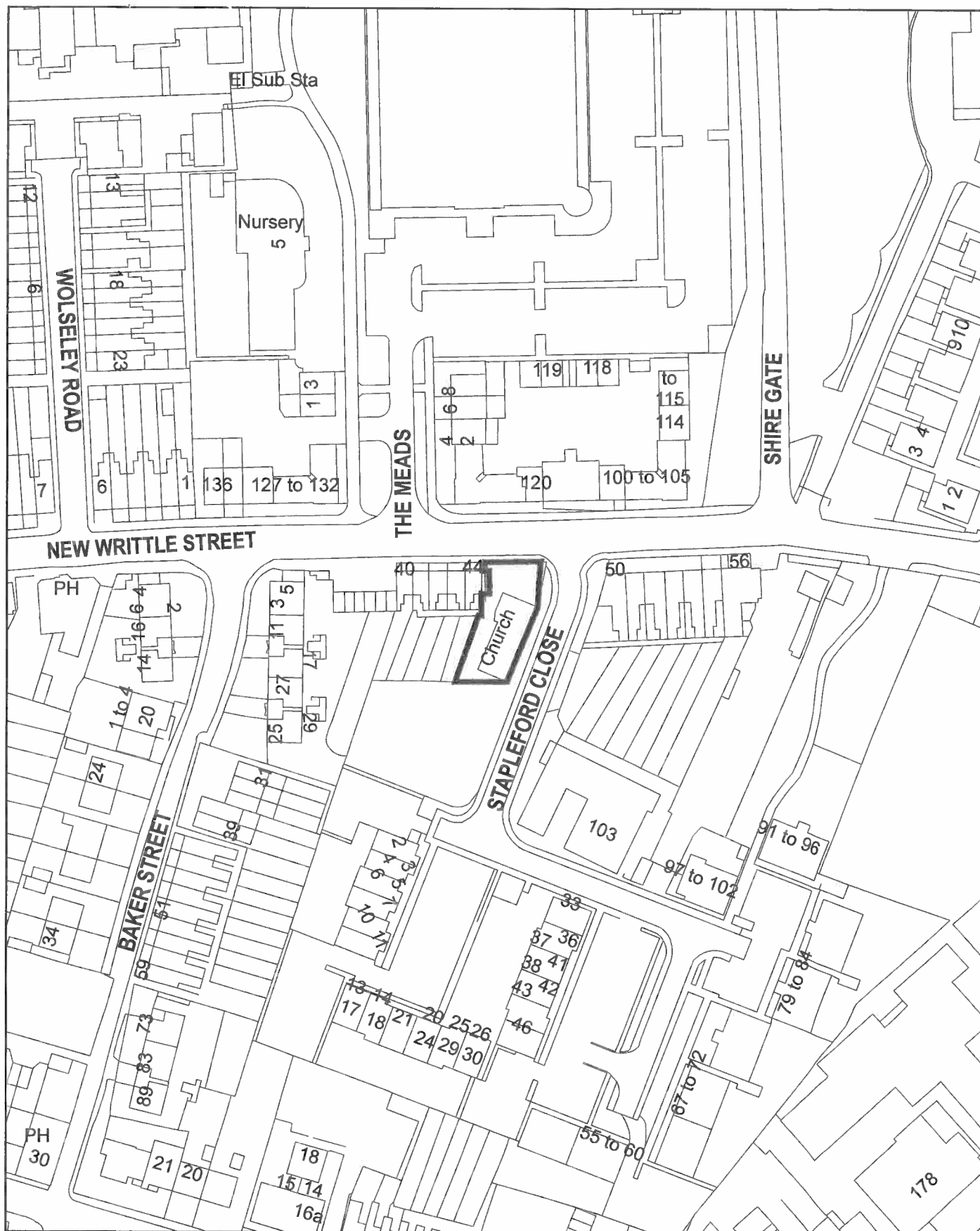
How can this development plan be practical for people? Specially those that are single (which a one bedroom place hints towards) who are likely to think about settling down soon who once in these one bedroom places cannot afford to move on else where, plus one bedroom places doesn't encourage family-lifestyle and is something we should be encouraging.

The scheme simply comprises over-development.

Majority of the properties are purchased by investors and rented out by agents to people who may at the time be in unfortunate circumstances with all of the troubles that come along with that i.e. Police Raids, Drugs of various degrees, loud music until the early hours etc.

Current properties for sale, combined with the current ongoing new developments in Chelmsford of similar sized properties plus what still needs to be completed at the Essex Cricket Ground, is there a need to squeeze another development with all of its complexities, negatives and very little benefits or positives into New Writtle Street?

The existing terrace is already very close to the road, and I don't see that there is any valid argument for bringing the new building even closer. It will increase noise issues for future residents counter to para 180 of the NPPF. The stretch of road up to the entrance to Virgin gym gets very busy before and after work hours.



0 5 10 20 Metres

1:1,250



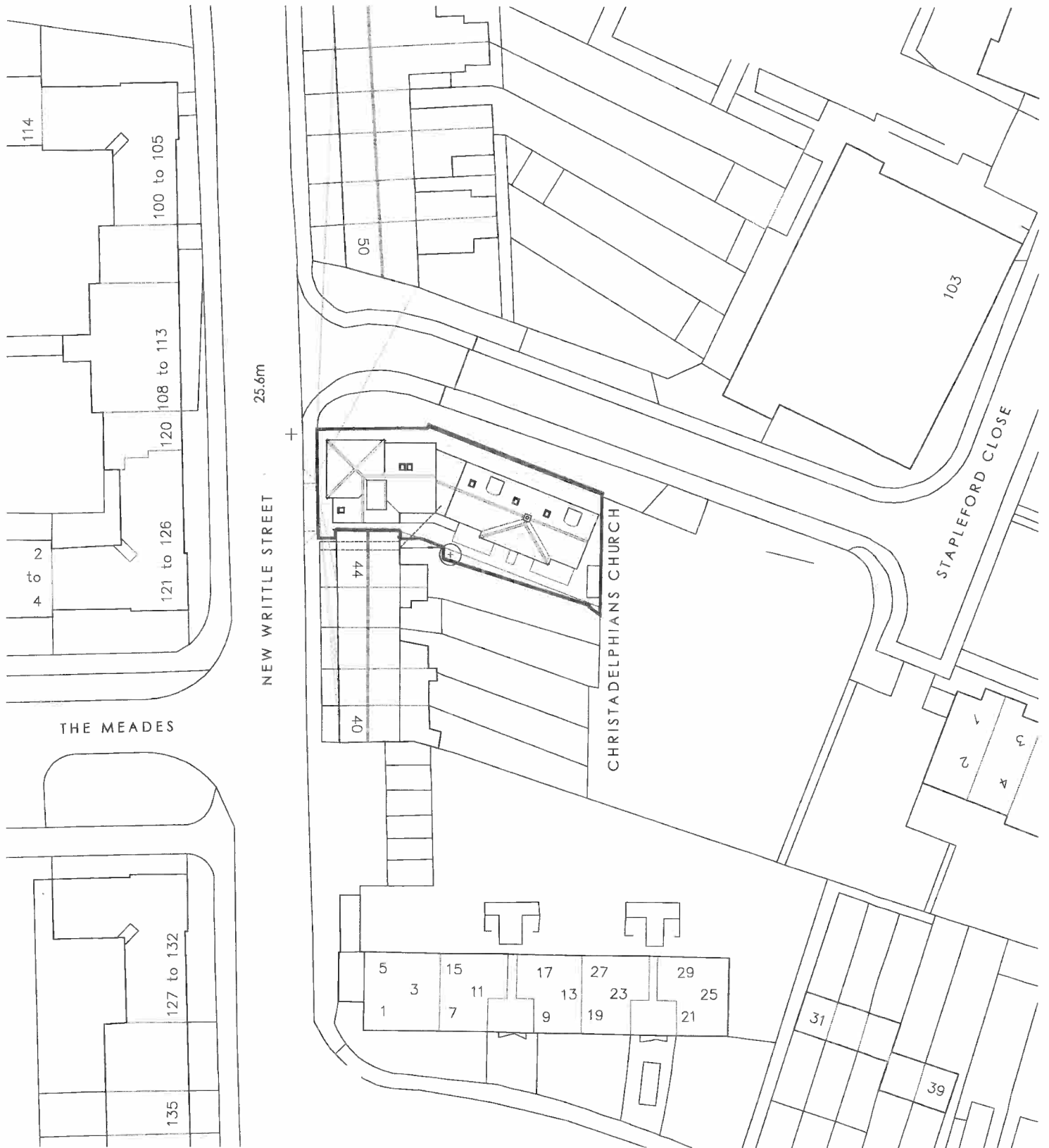
**Planning Committee**  
**19/00481/FUL**

**Planning & Development Management**  
**Directorate for Sustainable Communities**

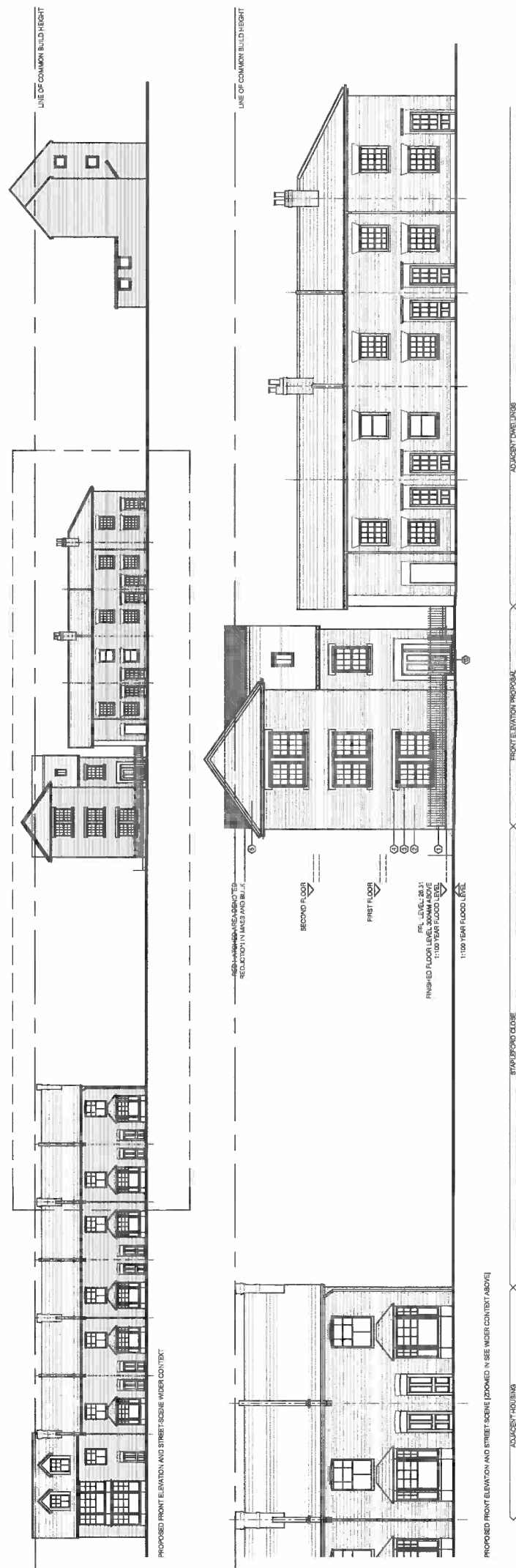
PO Box 7544 Civic Centre  
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

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PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION









## Planning Committee

9<sup>th</sup> July 2019

<b>Application No</b>	:	19/00279/FUL Full Application
<b>Location</b>	:	Land North Of Car Park Compass Gardens Creekview Road South Woodham Ferrers Chelmsford Essex
<b>Proposal</b>	:	<b>Construction of club house and changing rooms.</b>
<b>Applicant</b>	:	Mr Chris Firminger South Woodham Ferrers United CIC
<b>Agent</b>	:	GPO Designs Ltd
<b>Date Valid</b>	:	28th February 2019

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### Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

## **1. Executive summary**

- 1.1. The application is referred to the planning committee as it relates to land within the ownership of Chelmsford City Council.
- 1.2. The application is made by South Woodham Ferrers Football Club who are based at Saltcoats Park. The proposal is a new club house building to the south of the park, providing changing facilities, a social area, bar and kitchen. The proposed siting of the building would result in the existing football pitches being re-arranged. This would introduce conflict with other users of the park as the edges of pitches would be adjacent to the pathway through the park.
- 1.3. The new building would not be centrally or sensitively located. It would be separate from the existing rugby club house building. The proposal would spread built form across the site and result in unnecessary fragmentation of the park. It would also result in the loss of important trees within the park. The proposal would adversely affect the intrinsic character of the park and wider countryside around South Woodham Ferrers. This would be contrary to Policy DC2 and the objectives of the National Planning Policy Framework to recognise the intrinsic character and beauty of the Countryside.
- 1.4. The use of the park currently generates a significant amount of on-road parking on Creephedge Lane and Ferrers Road. The application is not supported by sufficient information to demonstrate that the proposal would not worsen this situation. An objection from Essex County Council Highways Authority has been received.
- 1.5. The site is located in Flood Zone 3. The area where the building would be located suffers from surface water flooding. Insufficient information has been submitted to demonstrate that the building would be safe in terms of flooding and would not make flooding elsewhere worse. This follows an objection from the Environment Agency.
- 1.6. The application is recommended for refusal.

## **2. Description of site**

- 2.1. The site is located within Saltcoats Park; a large sports and recreation ground owned by Chelmsford City Council. Three sports clubs occupy the park; football, cricket and rugby. The site is designated as Open Space.
- 2.2. There are two accesses to the park and two parking areas. One from Creekview Road to the south (Compass Gardens car park), one from Ferrers Road to the west.
- 2.3. There is a belt of trees to the north of the Compass Gardens car park which contributes to the wider character of the park.
- 2.4. The site is in the Rural Area and the Coastal Protection Belt.
- 2.5. The site is within Flood Zone 3.

### 3. Details of the proposal

- 3.1. The application proposes a new club house building for South Woodham Ferrers Football Club. It would provide changing facilities, showers, a bar, kitchen and social area. The building would be 26m wide and 10m deep. It would be single storey with an overall height of 5.7m.
- 3.2. The building would be located in the southern part of Saltcoats Park, to the north of the Compass Gardens car park.
- 3.3. A new path would be created leading from the car park, through the existing bank of trees, to the new building. A new refuse and recycling storage area would be provided, screened by 1.8m high fencing. This is shown to be partially within the bank of trees.
- 3.4. During the life of the application the plans have been revised to re-orientate football pitches and avoid the loss of a pitch.

### 4. Summary of consultations

The following were consulted as part of the application:

- Essex County Council (SUDS) – no comments.
- Public Health & Protection Services - a proprietary gas-impermeable membrane should be used.
- Environment Agency - holding objection; insufficient information to fully assess flood risk.
- Essex County Council Highways - not acceptable as insufficient information has been provided to demonstrate that the proposal would be acceptable.
- Ramblers Association – no comment.
- South Woodham Ferrers Town Council - support, however request trees are relocated within the park.
- Sport England Eastern Region - no objection following revised plans.
- Parks & Open Spaces - objection; conflict with long term plan for sports provision and unnecessary fragmentation of the park.
- Leisure & Heritage Services – no comments.
- Local residents – no responses.

### 5. Planning considerations

5.1. The following matters will be considered as part of this report:

- a) Background and Long-Term Strategy
- b) Intrinsic Character and Beauty of the Countryside
- c) Trees
- d) Flooding
- e) Highways and Parking

#### ***Background and Long-Term Strategy***

5.2. The application site is part of the wider Saltcoats park and sports ground. Three sports clubs are based at the park; the rugby club, cricket club and football club. The park is owned by Chelmsford City Council. There are two accesses to the park; one from Creekview Road serving a car park, Compass Gardens and the skatepark; and one from Ferrers Road which leads to the rugby club building, existing football changing rooms and a second parking area. The existing rugby club

building and football changing rooms are within the centre of the park and close to pitches for all three sports.

- 5.3. Part of the evidence base for the emerging local plan is the Chelmsford open space, sports and recreational facilities study 2016-2036 , which was prepared by Ethos Environmental Planning in 2015. It included a playing pitch and outdoor sports needs assessment and strategy and action plan. At the time of the Ethos Study the level of future housing growth was known for the Chelmsford area but the proposed location of it was not. The more recent Chelmsford City Council Outdoor Sport Pitch and Facility Strategy and Action Plan – Future Growth Supplement (Jan 2018) reviews how the playing pitch and outdoor sports needs of the population to 2036 can be accommodated alongside the proposed areas for future growth.
- 5.4. The Jan 2018 Action Plan – Future Growth Supplement has looked at the existing capacity that can be utilised at existing facilities, or improvement that can be made to existing facilities to increase their capacity. Following this, it was then considered where new facilities could be accommodated within the new Local Plan, and what needs these facilities could accommodate.
- 5.5. As part of the emerging Local Plan Growth Area 3, South and East Chelmsford, is proposed to accommodate around 1,130 new homes. The majority of development is proposed on greenfield land to the north of the existing town of South Woodham Ferrers.
- 5.6. Table 7 of the Jan 2018 Action Plan – Future Growth Supplement states that the proposed new development requirements for Growth Area 3 would be “A sports facility providing 3 football and 1 rugby pitches, sports pavilion including sports club rooms, toilets and 4 dual changing rooms (suitable for two sides), 120 parking spaces; located to satisfy the need of growth area 3.”
- 5.7. Table 8, however looks at a more strategic and integrated approach to pitch provision. This states that:
- “A new sports ground of 4 rugby pitches, sports pavilion including sports club rooms, toilets and 4 dual changing rooms (suitable for two sides), 120 parking spaces to relocate the South Woodham Rugby Club is required as a new site of 4.4 hectares. This would free up sports pitch capacity to address the football and cricket pitch requirements by co-locating all additional football/cricket facilities in Saltcoats Park and Compass Gardens, thereby resolving all additional sports pitch requirements for South Woodham Ferrers and Rural South.”
- 5.8. Based on the above, it is likely that two sports clubs would remain at Saltcoats Park. There is already a club house facility at Saltcoats Park, currently used by the rugby club. New provision at Growth Site 3 is intended to include a sports pavilion. This means that the rugby club building could be shared by the remaining two clubs at Saltcoats Park. If this were to include the cricket club, no conflict would exist with the remaining rugby or football club as the seasons are different. The existing building could be extended or replaced to meet needs of the clubs using it.
- 5.9. It is clear that, in the long-term, the arrangement and management of sports clubs within Saltcoats Park will change. The Council is supportive of the sports clubs and is looking to provide an appropriate solution, ensuring sufficient space for each club to operate.

### ***Principle of Development***

- 5.10. Policy DC2 of the adopted development plan seeks to protect the intrinsic character and beauty of the countryside. This policy sets out a number of exceptional forms of development that may be

appropriate providing that the intrinsic character and beauty of the countryside is not adversely impacted upon. A new outdoor sports or recreation building does not easily fit into any of these forms of development.

- 5.11. Policy CO4 of the emerging local plan, currently afforded limited weight in decision-taking, states that new buildings for appropriate facilities for outdoor sport or outdoor recreation will be granted planning permission provided that the development will not adversely impact on the identified intrinsic character and beauty of the countryside.
- 5.12. In terms of principle, the Council is supportive of outdoor sports clubs and would look to support their proposals. However, any new building would need to be sensitively located, centralised and not prejudice other users of the park. It would need to be an appropriate facility.

### **Appropriate Facility?**

- 5.13. The proposed club house would result in the re-organisation of football pitches the park. The plans have been amended during the life of the application to show that there would not be a reduction in the number of pitches. This has meant that the holding objection from Sport England has been removed. Whilst the proposal would not result in a loss of pitches, the re-organisation of pitches is not appropriate to the site's public park setting. The 11v11 adult pitch is shown to be rotated by 90 degrees. This means that the goal would be positioned next to the pathway running through the park. The run-off area would be closer to the path. The run-off areas to the 5v5 and 7v7 pitches would also be closer to the pathway, at some points following the edge of the pathway. This arrangement would present a risk to other users of the park who are using the pathways, as the pitch arrangement and run-off areas would increase the risk of balls overrunning onto pathways.
- 5.14. The proposed football club house would conflict with the long term strategic objective for sports facilities in South Woodham Ferrers. It would result in unnecessary fragmentation of the park and open space and would not be sited close to other functional buildings. As it stands, the proposed club house is not an appropriate facility in this location.

### **Intrinsic Character and Beauty**

- 5.15. The site is within an area of designated Open Space. The park forms part of the Coastal Protection Belt to the River Crouch. This wraps around the west, south and east of the town of South Woodham Ferrers. The area to the south of South Woodham Ferrers, stretching up through the east to include the site is largely natural and open.
- 5.16. The site falls within the Fambridge Drained Estuarine Marsh character area in the Chris Blandford Landscape Character Area Assessments 2006. This forms part of the evidence base to the adopted and emerging plans and is a material planning consideration. This describes Woodham Ferrers as a large new town with a well-screened wooded perimeter. The Landscape Character Assessment notes that the character area is sandwiched between two urban centres but it retains a strong sense of place. The countryside around the towns and Defined Settlements is a defining characteristic of the Chelmsford City spatial strategy.
- 5.17. The proposed building would be relatively large. In addition to changing rooms and showers, the building would provide a kitchen, social area and bar. The building would be 10m deep by 26m wide. As outlined above, the proposed building is not considered to be an appropriate facility in this location as it would prejudice other users of the park. It would also result in the fragmentation of the park and an additional building a long distance from other sport club facilities within the park. This would erode the open, undeveloped nature of the park and wider area and set a

precedent for more buildings within the park. An inappropriate building of this nature and in this location would adversely affect the intrinsic character and beauty of the area. This is not outweighed by any overriding need or justification for the building.

### **Trees**

- 5.18. Policy NE2 of the emerging local plan is afforded significant weight. Part B relates to non-protected landscape features and states that planning permission will only be granted that do not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
- 5.19. There is an existing belt of trees to the north of the Compass Gardens car park. The belt of trees would be south of the proposed building. The proposal seeks to divide the belt of trees to facilitate access to the clubhouse and install a refuse area. The trees have reasonable form and condition, and make an attractive feature *en masse*. Linear groups of trees are a reoccurring feature of Compass Garden and this particular belt provides screening between the car park and sport pitches.
- 5.20. The proposal seeks to remove a 4 metre wide section for the access and drop the levels. The proposal would separate the tree belt which would be detrimental to the natural landscape feature and wider character of the park, as well as having an impact on the root systems of retained trees due to the drop in ground levels. The proposal conflicts with emerging policy NE2(b).

### **Flooding**

- 5.21. Policy DC22 of the adopted development plan requires all applications in flood zones 2 and 3 to be accompanied by a flood risk assessment. Planning permission will only be granted for development providing it can be demonstrated that the existing flood defences or other satisfactory mitigated provide adequate protection from flooding now and for the lifetime of the development. In flood zones 2 and 3 outside Urban Areas and Defined Settlements planning permission will only be granted for development that is primarily open in character, or for essential transport and utilities infrastructure that cannot be located elsewhere.
- 5.22. Policy NE3 of the emerging local plan relates to flooding. It is currently afforded limited weight. Policy NE3 states that planning permission will only be granted where it can be demonstrated that the site is safe from all types of flooding and it seeks to achieve betterment and does not worsen flood risk elsewhere.
- 5.23. The site is within tidal flood zone 3a and has a high probability of flooding. The proposed building falls within the 'less vulnerable' category of developments. A flood risk assessment has been submitted, however this fails to detail flood emergency measures; use correct flood levels; correctly calculate flood depths or provide finished ground floor levels.
- 5.24. On this basis, it has not been adequately demonstrated that the proposal would be safe and not increase flood risk elsewhere. The Environment Agency object to the proposal on this basis and a reason for refusal is included.

### **Highways and Parking**

- 5.25. The current facilities are, at peak demand times, used at capacity and due to the nature of having 3 Clubs based at Saltcoats Park and Compass Gardens, some usage conflicts exist, particularly with car parking. Parking often occurs on Ferrers Road and Creekview Road which can be hazardous to highway safety.

5.26. During the life of the application additional information was requested by the Highway Authority to assist in an assessment of whether the proposal would be acceptable in terms of highway safety and efficiency. The information sought by the Highway Authority included a parking accumulation study; identifying overlap between football and other visitors to the park; the existing number of vehicle movements for the football operation and the increase the club house would result in.

5.27. Some additional information has been provided, however this does not address all of the points raised by the Highway Authority. Crucially there is no parking accumulation study or information in relation to the number of vehicles visiting the park.

5.28. In the absence of adequate information, the Highway Authority cannot ascertain that the proposal would be acceptable in terms of highway safety and efficiency. A reason for refusal on this basis is therefore included.

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

6.1. The proposal is not CIL liable.

## **RECOMMENDATION**

**The Application be REFUSED for the following reasons:-**

### **Reason 1**

Policy DC2 of the adopted core strategy and development control policies development plan document seeks to protect the intrinsic character and beauty of the countryside. This policy sets out a number of exceptional forms of development that may be appropriate providing that the intrinsic character and beauty of the countryside is not adversely impacted upon. A new outdoor sports or recreation building does not easily fit into any of these forms of development.

Policy CO4 of the emerging local plan, currently afforded limited weight in decision-taking, states that new buildings for appropriate facilities for outdoor sport or outdoor recreation will be granted planning permission provided that the development will not adversely impact on the identified intrinsic character and beauty of the countryside.

The proposed building would be relatively large and result in a poor re-organisation of football pitches to the detriment of other park users. It is not considered to be an appropriate facility. It would result in the fragmentation of the park and an additional building scattered across the park. This would erode the open, undeveloped nature of the park and wider area and set a precedent for more buildings within the park. An inappropriate building of this nature would adversely affect the intrinsic character and beauty of the area. This is not outweighed by any overriding need or justification for the building.

### **Reason 2**

The current facilities are, at peak demand times, used at capacity and due to the nature of having 3 Clubs based at Saltcoats Park and Compass Gardens, some usage conflicts exist, particularly with car parking. Parking often occurs on Ferrers Road and Creekview Road which can be hazardous to highway safety. It is noted that currently many football visitors park in the northern area, accessed by Ferrers Road, as this is closest to the changing rooms.

During the life of the application additional information was requested by the Highway Authority to assist in an assessment of whether the proposal would be acceptable in terms of highway safety and efficiency.

Some additional information has been provided, however this does not address all of the points raised by the Highway Authority. In the absence of adequate information, it has not been demonstrated that the proposal would be acceptable in terms of highway safety and efficiency.

### **Reason 3**

Policy DC22 of the adopted core strategy and development control policies development plan document states that planning permission will only be granted for development providing it can be demonstrated that the existing flood defences or other satisfactory mitigated provide adequate protection from flooding now and for the lifetime of the development. Policy NE3 of the emerging local plan relates to flooding and is currently afforded limited weight. Policy NE3 states that planning permission will only be granted where it can be demonstrated that the site is safe from all types of flooding and it seeks to achieve betterment and does not worsen flood risk elsewhere.

The site is within tidal flood zone 3a and has a high probability of flooding. A flood risk assessment has been submitted, however this fails to detail flood emergency measures; use correct flood levels; correctly calculate flood depths or provide finished ground floor levels. On this basis, it has not been adequately demonstrated that the proposal will be safe and will not increase flood risk elsewhere, contrary to Policy DC22 and emerging policy NE3.

### **Reason 4**

Policy NE2 of the emerging local plan is afforded significant weight. Part B relates to non-protected landscape features and states that planning permission will only be granted that do not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.

There is an existing belt of trees to the north of the Compass Gardens car park. The belt of trees would be south of the proposed building. The proposal seeks to divide the belt of trees to facilitate access to the clubhouse and install a refuse area. The trees have reasonable form and condition, and make an attractive feature en masse. Linear groups of trees are a reoccurring feature of Compass Garden and this particular belt provides screening between the car park and sport pitches. The proposal seeks to remove a 4 metre wide section for the access and drop the levels. The proposal would separate the tree belt which would be detrimental to the natural landscape feature and wider character of the park, as well as and impact the root systems of retained trees due to the drop in ground levels. The proposal conflicts with emerging policy NE2(b).

### **Positive and Proactive Statement**

The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework to deliver sustainable development.

### **Background Papers**

Case File

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## Essex County Council (SUDS)

Comments
<p>12.03.2019 -</p> <p>Thank you for your email which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.</p> <p>As the Lead Local Flood Authority (LLFA) ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.</p> <p>In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:</p> <p>Non-statutory technical standards for sustainable drainage systems</p> <p>Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide</p> <p>The CIRIA SuDS Manual (C753)</p> <p>BS8582 Code of practice for surface water management for development sites.</p> <p>Lead Local Flood Authority position</p> <p>Having reviewed the planning application and the associated documents which accompanied the planning application, we have identified that this is not a major application and therefore we shall have no further comments accordingly in relation to this application.</p> <p>However please consider the following conditions/informatives if relevant for the development;</p> <p>Conditions</p> <p>1) Surface Water Drainage - Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:</p> <p>Run-off from the site is limited to greenfield rates for a storm event that has a 100% chance of occurring each year (1 in 1 year event).</p> <p>The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.</p> <p>2) Sustainable Urban Drainage- Prior to commencement of the development no works shall take place until a detailed Sustainable Urban drainage scheme as specified in the Essex Sustainable Drainage Systems Design Guide 2014 submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation of the development and should include and not be limited to;</p> <p>3) Maintenance - Prior to first 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, has been submitted to and agreed in writing, by the local planning authority.</p>

4) Flood Risk Assessment - The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application and forms part of this permission, shall be fully implemented and in place prior to the first occupation of the development and retained as such thereafter.

5) Flood Risk Assessment 2 - Notwithstanding the details set out in the Flood Risk Assessment submitted with the application, no development shall be undertaken unless and until a method statement has been submitted to and approved in writing by the local planning authority detailing:-

The flood mitigation measures to be incorporated into the detailed design of the dwelling(s)

The provision for the installation of removable flood barriers such as flood boards to form part of the detailed design of the doorways and vents/airbricks on the exterior of the property

The provision of non-return valves to all sanitary outlets to prevent backflow during a flood

6) Flood Mitigation Measures - Development shall not be commenced until a scheme for the provision and implementation of flood mitigation measures has been submitted to and approved in writing, with the Local Planning Authority. The scheme shall be carried out in its entirety before the development is first occupied and constructed and completed in accordance with the approved plans and in line with the Environment Agency documents "Improving the flood performance of new buildings" and "Prepare your property for flooding: A guide for householders and small businesses."

#### Informatives

In discharging condition X where the surface water drainage strategy proposes the use of soakaways the details of the design and the results of a series of percolation tests carried out upon the subsoil in accordance with DG 365 2016. You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, and whether it will be rubble filled.

In discharging condition X where discharging to a watercourse the proposed scheme shall include details of the destination and discharge rates equivalent to "greenfield runoff" and no greater than 5 litres per second up to and including a 1 in 100 year rainfall event. This is typically achieved by installing some form of attenuation on site e.g. temporary storage.

In discharging condition X if discharging to a watercourse, ditch, stream etc, the applicant must demonstrate that the system is an appropriate point of discharge for the site i.e would take existing pre-development flows. If not then further information/assessment will be required to determine the suitability of the system to convey the proposed flows and volumes of water. Evidence will be required that the development will not increase risk to others. If the proposed discharge point is outside the development site then the applicant will need to demonstrate that the necessary permissions and or agreements to achieve connection are possible.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

No works to infill ditches should be undertaken without prior consent from Essex County Council. You should also be aware that works of this nature may require planning permission

No raising of land in flood plains should take place without prior consent from Essex County Council. You should also be aware that works of this nature may require Environment Agency consent if in a flood plain.

The removal of land drains likely to interrupt the flow may require prior consent from Essex County Council on 08457430430 or [floods@essex.gov.uk](mailto:floods@essex.gov.uk). You should also be aware that works of this nature may require

planning permission

#### 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.

Sequential Test in relation to fluvial flood risk;

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

Safety of the building;

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

Sustainability of the development.

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

### Public Health & Protection Services

#### Comments

12.03.2019 - The proposed development is situated on an area of made ground of unknown composition. In order to protect against the potential ingress of ground gases generated within the made ground, the developer must install a proprietary gas-impermeable membrane (methane & CO2) under any ground-bearing floor slabs. The membrane should be installed as per manufacturers instructions, lapped to the damp-proof course and fully sealed around any service penetrations.

### Environment Agency

#### Comments

05.04.2019 - Thank you for your consultation dated 08 March 2019. We have inspected the application, as submitted, and are raising a holding objection to this application on grounds of flood risk. We have highlighted our objection and provided guidance on how the applicant can overcome this within the flood risk section below.

#### Flood Risk

Our maps show the site lies within tidal Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for the construction of club house and changing rooms which is classified as a 'less vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance (PPG). Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site specific

#### Flood Risk Assessment (FRA).

We have reviewed the submitted flood risk assessment (FRA), submitted by GPO Designs and dated 15th December 2018, and consider it does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306. It does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

1. Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.
2. Use the correct flood levels from us
3. Correctly calculate the expected flood depths on site and within the building
4. Provide finished ground floor levels
5. No topographic survey has been submitted

#### Overcoming our Objection

1. The applicant should include a Flood Emergency Plan detailing the actions to take before, during and after a flood.
2. Flood levels can be requested from our Customers and Engagement team. Please see the Advice to applicant section in the technical appendix.
3. The applicant needs to compare the flood levels with the site levels and building levels to determine the potential flood depths.
4. Please see the advice to applicant section
5. Submit a GPS verified topographic survey

The applicant can overcome our objection by submitting an FRA that covers the deficiencies highlighted above and demonstrates that the development will be safe will not increase risk elsewhere. If this cannot be achieved we are likely to maintain our objection to the application. Submission of an amended FRA will not in itself lead us to remove our objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted. We have included a factsheet with our response, which sets out the minimum requirements and further guidance on completing an FRA is available on our website.

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.

#### Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

Please see the technical appendix at the end of this letter for further advice on flood risk for the applicant.

## Essex County Council Highways

Comments
<p>06.06.2019 -</p> <p>From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:</p> <p>I. The developer has not demonstrated that the proposal would be acceptable in terms of highway safety and efficiency.</p> <p>II. The additional information has been considered. However, the information provided is not sufficient.</p> <p>III. The applicant has provided some details,:</p> <p>IV. 'The Club House Rationale, For Club House and Changing Rooms on Land at Saltcoats Park, South Woodham Ferrers, CM3 5GU, Issue 1.0, 25 April 2019.'</p> <p>a. This states the number of team/groups in the Club House.</p> <p>V. 'The Highway Impacts for the Club House and Changing Rooms on Land at Saltcoats Park, South Woodham Ferrers, CM3 5GU Issue 1.0, 25 April 2019.'</p> <p>This document states the operating hours and the days:</p> <p>Monday to Thursday 6pm to 10pm</p> <p>Friday 6pm to 11pm</p> <p>Saturday 9am to 11pm</p> <p>Sunday 9am to 10pm</p> <p>VI. However other information that was requested in the previous comments has not been provided. These have been extracted and are listed below with enhanced comments where necessary:</p> <p>3. The operating hours for the current associated at Compass Gardens.</p> <p>4. The existing number of vehicle movements associated with:</p> <p>i. For the Football Operation</p> <p>ii. Compass Gardens visitors.</p> <p>5. For the existing car park</p> <p>i. The total vehicle parking accumulation.</p> <p>ii. Identify any overlap of the Football Operation and Compass Garden visitors</p> <p>iii. Maximum number of vehicles parked at any one time combined; Football operation and Compass Garden visitors</p> <p>iv. Cycle parking provision existing and proposed.</p>

6. The proposed number of vehicle movements associated with the new Football Operation.
7. The applicant has not included an appropriate parking layout with spaces laid out in accordance with the parking standards and with marked out parking spaces to maintain parking efficiency in terms of the number of vehicles that can be accommodated as recommended in the previous comments. Although an overflow car park area has been identified, no vehicular access is shown to the overflow area.

The proposal as submitted is therefore contrary to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

## Ramblers Association

### Comments

25.04.2019 -Ramblers - no comment as no public right of way is immediately affected and the proposed building is clear of the informal paths on the site.

## Sport England Eastern Region

### Comments

28.05.2019 - Further to the applicants agents email dated 13th May 2019 which contained revised existing and proposed playing pitch layouts of the playing fields at Saltcoats Park, I am writing to review Sport England's position on the above planning application.

In our original formal response dated 13th May 2019, while supportive of the principle of providing the proposed pavilion, an objection was made due to potential concerns about the impact on playing pitch provision. However, the revised playing pitch layouts have now demonstrated that all of the existing football pitches could be retained on the remaining playing field area without reducing the dimensions of the pitches or compromising the safety run-off areas by revising the playing pitch layout. I am therefore satisfied that there will not be an adverse impact on the use of the playing field associated with the siting of the pavilion although the revised orientation of some of the pitches is less preferable compared to the current pitch layout. The Football Foundation have also confirmed that their previous concerns about the impact on football pitches have been addressed by the pitch layouts.

As set out in our previous response, the proposed pavilion would assist with meeting South Woodham Ferrers United football clubs' needs and would clearly be ancillary to the principal use of the site as a playing field. The proposal has therefore been assessed in this context.

Further to the above assessment, Sport England is therefore satisfied that the proposal meets the following Sport England Policy exception:

2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields and does not affect the quantity or quality of pitches or adversely affect their use.

Sport England therefore wishes to withdraw its previous objection to this application and confirms that no objection is now made. No planning conditions are requested to be imposed on any planning permission on this occasion. However, it is requested that if planning permission is forthcoming that the following informative is added to the decision notice:

Informative: The applicant is advised that the design and layout of the sports pavilion should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the Changing Accommodation Data Sheet published by the Football Foundation and the Football Association

The inclusion of this informative would help ensure that the detailed design of the pavilion is fit for purpose in terms of meeting the needs of users. I attach a copy of the guidance note referred to in the informative for information.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sports support for any related application for grant funding.

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

### **Parks & Open Spaces**

Comments
No response received

### **Leisure & Heritage Services**

Comments
No response received

### **South Woodham Ferrers Town Council**

Comments
26.03.2019 - The Town Council is in support of this planning application and have no concerns regarding any material planning objections, the town council feel that this would be a great asset for the town and wish the football club the best of luck with this application.
A point was raised as to whether the trees as detailed in the application as being removed could be relocated somewhere within the park as some immature trees were damaged during the recent storms

### **Local Residents**

Comments
No responses.



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**Planning Committee**  
**19/00279/FUL**

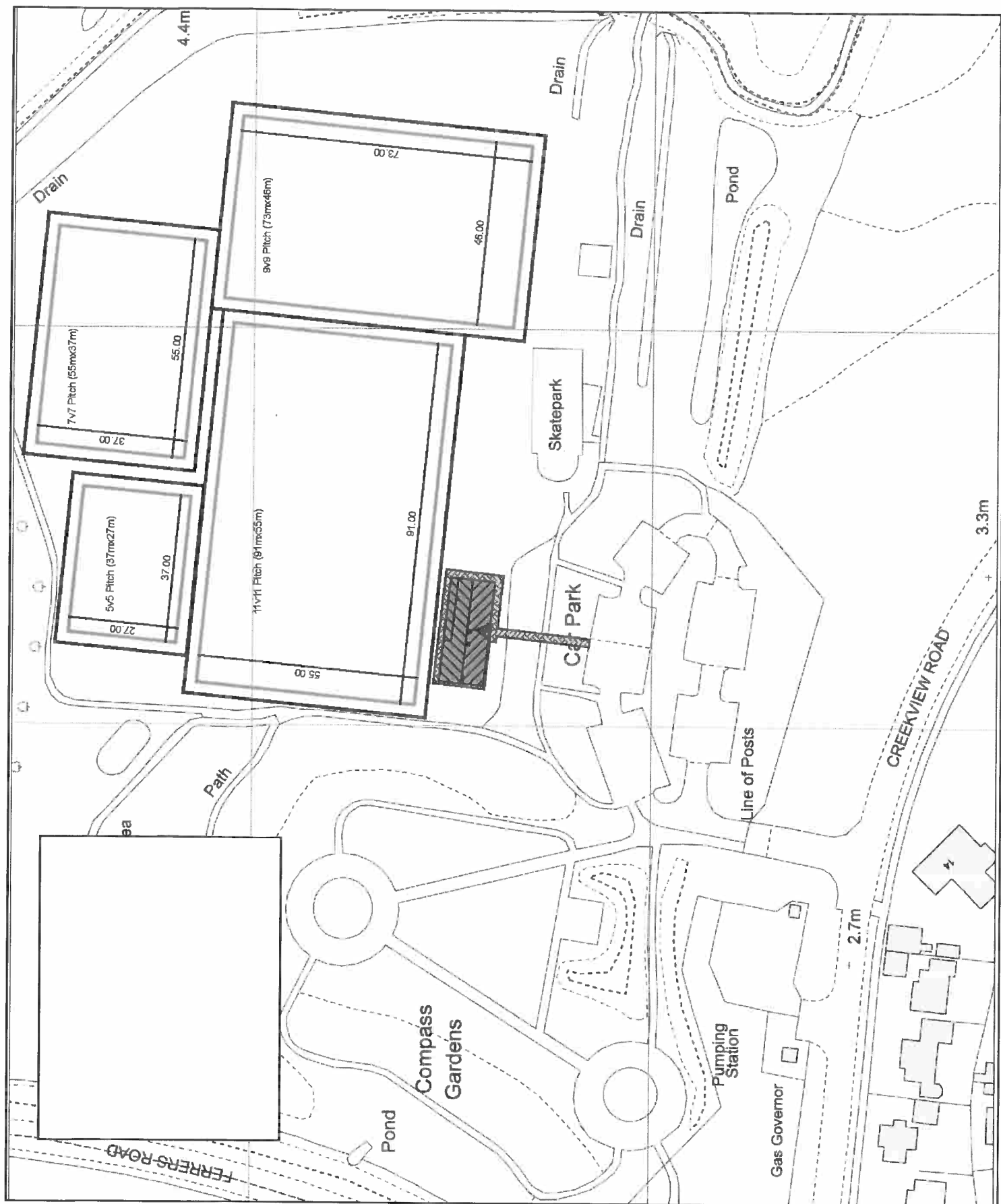
**Planning & Development Management**  
**Directorate for Sustainable Communities**

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## Planning Committee

9<sup>th</sup> July 2019

<b>Application No</b>	:	19/00633/FUL Full Application
<b>Location</b>	:	Ramsden Hall School Heath Road Ramsden Heath Billericay Essex CM11 1HN
<b>Proposal</b>	:	<b>Extension of existing teaching block to provide new replacement and additional teaching facilities, erection of new replacement residential accommodation block, associated hard and soft landscaping, and replacement car parking.</b>
<b>Applicant</b>	:	Morgan Sindall
<b>Agent</b>	:	Strutt & Parker
<b>Date Valid</b>	:	2nd May 2019

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## Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

## 1. Executive summary

- 1.1. This application is referred to the planning committee for determination as it is a “departure application”, that is a planning application which is not consistent with policies in the local development plan for a particular area. *The Town and Country (consultation) (England) Direction 2009* documents sets out when departure applications should also be referred to the Secretary of State. It states that Green Belt development which is inappropriate development, and consists of the provision of a building or buildings where the floor space to be created by the development exceeds 1000 square metres, should be referred. The proposed development would consist of two buildings neither of which would fall within the definition of being not inappropriate development within the Green Belt<sup>1</sup>, which would have a floor area exceeding 1,000 sqm. As such, if the planning committee resolve that planning permission should be granted, consultation with the Secretary of State is required before a decision can be made.
- 1.2. Ramsden Hall Academy is a school which currently provides specialist teaching facilities for 97 Year 6 and secondary age male students who have special educational needs. It is located within a remote, wooded setting to the west of Ramsden Heath village and is in the Metropolitan Green Belt.
- 1.3. The proposal would involve the construction of an extension to an existing teaching building to provide a centralised teaching and learning centre. It also proposes the construction of an ‘L’ shaped part two storey, part three storey residential building which would provide boarding accommodation for up to 40 students (not including Year 6 students) and associated staff accommodation.
- 1.4. The existing one-way vehicular movement system, which sees cars enter via Heath Road at the north of the site and leave via Outwood Common Road to the west of the site, would be maintained.
- 1.5. The proposal would be inappropriate development in the Green Belt and would harm openness. However, it would provide increased and improved learning and residential accommodation for an existing special needs school and would allow it to modernise to meet modern education needs. The works proposed would create the least disruption to students. It is considered that there are very special circumstances that would outweigh the harm to the Green Belt.
- 1.6. Approval is recommended, subject to conditions.

## 2. Description of site

- 2.1. The application is a large site of approximately 7.4 hectares. It is located within the Metropolitan Green Belt and is bordered by woodland and farmland on all sides.
- 2.2. Basildon District is located about 160m to the south of the application site.
- 2.3. The site is occupied by Ramsden Hall Academy. The Academy provides specialist teaching for year 6 and secondary age male students who have an Educational Health Care Plan for Social Emotional and Mental Health (SEMH) special education needs. The school currently operates with a total of 97 pupils, which includes day students and 40 boarders.

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<sup>1</sup> National Planning Policy Framework 2019 para 145

- 2.4. The main school building is an old Victorian country house set around a central courtyard which dates from around the 1800s. It retains much of its original character and key spaces but has also been altered and due to this it would not fulfil the high test for listing. Whilst it is not a listed building it is considered a non-designated heritage asset. The ground floor of the building is used for school teaching and school admin, whilst the upper floor provides the student residential space.
- 2.5. To the north of the heritage building, is a single storey, flat roof 'horseshoe' shaped building, which was added to the site around 2008. This provides the main teaching facilities at the school.
- 2.6. To the south of the heritage building is a small workshop which provides learning facilities for the students about animal welfare.
- 2.7. The school sits within a very rural setting surrounded by woodland and pasture. Beyond the woodland are arable fields.
- 2.8. The site is currently accessed via a northern access off Heath Road. This leads to a hardsurfaced car park. Egress is then via the internal roadway with an exit on to Outwood Common Road
- 2.9. Whilst there are no Tree Preservation Orders (TPO's) on the site the mature trees and woodland surrounding the buildings play an important part in creating the verdant character and feel of the site and provide significant visual and ecological amenity value.

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

- 3.1. There are two main elements of the proposal. The first element is the construction of an extension to the existing horseshoe building to provide a larger and centralised teaching building. The teaching areas within the heritage building would be relocated into the extended building to create one centralised teaching centre on the site. The new extension would be single storey with different height levels ranging from 4.25m at the western end rising to 5.9m in the main hall. In addition to the different heights the extension would have different angles and set back elements with different materials used in different parts of the building. This design approach would help to separate and identify the different internal elements and would externally give the façade a more interesting appearance. The overall floor area of the extension would be approximately 1303sqm.
- 3.2. To the rear of the newly enlarged education building would be a secure hard and soft garden, both of which would be surrounded by a 2.4m high anti climb fence. This courtyard would separate the old building from the new extension.
- 3.3. The second element of the proposal involves the construction of an L-shaped part two storey, part three storey residential building which would provide boarding accommodation for up to 40 students and associated staff accommodation. The building would provide for all of the residential needs for the school. It would be located on the northern end of the site in the location that is currently occupied by the main car park. The building would have a maximum height of 9.4m and a total floor area of 1544sqm. A secure garden and taxi drop off space would be located to the north of the building.
- 3.4. The two buildings would be linked together by the existing path which runs alongside a grassed outdoor sports pitch. This path would provide a secure link for the students whilst providing separation between the residential and teaching parts of the sites.

3.5. Minor changes would also be made to the workshop and horseshoe building. A new partition wall would be constructed to the workshop to create an additional WC as well as the installation of two extractor fans and a new door. The horseshoe building would be remodelled internally to provide a new circulation route through to the new extension. A new 2.4m fence would be positioned adjacent to the footpath to the rear of the existing heritage providing a secure route from the teaching block to the workshop.

3.6. The construction of the residential block would displace 40 parking spaces. To ensure there is enough parking on site, 58 vehicular parking spaces would be re-provided on the site. These would be located in the courtyard to the front of the heritage building and teaching centre and alongside the access road in small groups.

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

19/01122/EIASO - Not EIA development - 28<sup>th</sup> June 2019.

Environmental Impact Assessment Screening Opinion for extension of existing teaching block to provide new replacement and additional teaching facilities, erection of new replacement residential accommodation block, associated hard and soft landscaping, and replacement car parking.

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

- South Hanningfield Parish Council
- ECC Historic Environment Branch
- Basildon District Council
- Essex County Council Highways
- Essex County Council (SUDS)
- Public Health & Protection Services
- Local residents

5.1. No objections have been raised by any consultee. A detailed summary of all the comments made is contained within the appendix.

#### **6. Planning considerations**

##### ***Main Issues***

6.1. The following matters will be considered as part of this report:

- a) Principle of development
- b) Proposal
- c) Heritage and Archaeology
- d) Parking and Highways
- e) Trees
- f) SUDS
- g) Other Matters

##### ***The principle of development***

6.2. The site is located fully within the Metropolitan Green Belt. Both the National Planning Policy Framework (NPPF) and local planning policy state that a local planning authority should regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this

include the extension of a building provided it does not result in disproportionate additions over and above the size of the original. Green Belt policy also allows for the replacement of buildings provided that the new building is not materially larger than the one it replaces.

- 6.3. The size and form of the extension to the horseshoe building is such that it is a disproportionate addition. The new residential block is not a replacement as the existing building used for accommodation is not proposed to be removed.
- 6.4. Neither the extension or the new building would fall within the types of development specifically set out in national or local policy that may be considered not inappropriate and therefore they would amount to harmful development. In pure policy terms the development would be unacceptable. There is no disagreement between the Local Planning Authority and the applicant on this point.
- 6.5. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful and should only be approved in very special circumstances. This planning application is based on the position that very special circumstances exist in this case such to outweigh the harm to the Green Belt.

#### **Planning balance- Very Special circumstances**

- 6.6. There is no doubt that the proposal would be inappropriate development that would cause harm to the openness of the Green Belt. Substantial weight has to be attributed to that harm<sup>2</sup>.
- 6.7. The applicant's supporting statements are both thorough and detailed. The school supports some of the most vulnerable and challenging students in Essex. They advise that the demand for SEN school places is increasing year on year and the pupil requirements are very specialist thereby serving a large catchment. The agent clearly states that Ramsden Hall Academy is in desperate need of modernisation to provide fit for purpose facilities to meet demand. Specifically, Ofsted inspections and local authority reviews have identified that the existing residential building, given its age and internal layout is less than ideal to meet current educational standards and is in need of modernising. The poor fabric of the building has been identified as a limiting factor. In 2014 a successful bid was submitted to the DfE Priority Schools Building Programme for funding to deliver new, improved school facilities. Information is provided on how the internal layout of the building is complex making pupil management difficult. The current split use of the building does not allow boarding pupils the emotion of leaving an education environment for a home environment at the end of the school day. Separating education space from residential space is a very important part of the new proposal.
- 6.8. The agent explains that the chosen option represents the most efficient reuse of the site with the least harm to openness of the Green Belt, but most importantly will allow the school to continue in operation during construction, minimising disruption to the pupils.
- 6.9. The agent puts forward the case also that the new school buildings have the potential to provide a wide range of educational benefits to students that are fully supported by the NPPF<sup>3</sup> this will include provision of appropriately sized classrooms and the dedicated residential block.
- 6.10. Council officer's have engaged with the applicant over many months to understand the school's specialist accommodation requirements and exploring different opportunities and approaches for improving the school facilities. The proposed scheme, to enlarge and improve the existing

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<sup>2</sup> National Planning Policy Framework 2019 para 144

<sup>3</sup> National Planning Policy Framework 2019 para 94

teaching building to its north side, and construct a separate residential block on the existing car park is a solution that fits well with the existing school facilities, its existing vehicle and pedestrian circulation and physical site constraints including important trees and ecology. Officers do not disagree with the applicant's position of needing to modernise and improve the existing facilities for the benefit of the students and staff.

- 6.11. Initial discussions between officers and the applicant considered the demolition of Ramsden Hall itself. In simple terms, its removal would offset the construction of the new buildings in terms of the impact of the proposal on the openness of the Green Belt. Ramsden Hall is a non-statutory listed building. Whilst the building retains much of its character, due to alterations that have occurred, it does not fulfil the high test for listing. It is however a building of some character with architectural and community value. Its surroundings, such as the original stables, walled garden remain and are an important part of its setting. The Hall does not however form part of this planning application, and once the proposed new facilities are available, it would not be used for teaching or student accommodation. Any future new use for the building would be subject to a further planning application to be considered on its merits.
- 6.12. Demolition of Ramsden Hall, to offset Green Belt harm, would in itself result in harm because of the loss of a non-designated heritage asset and this approach to offsetting harm to the openness of the Green Belt has not been pursued. Officer's agree with that position.
- 6.13. The new buildings would cause some erosion to its well treed grounds and diminish the sense of its original country house setting. However, the new buildings would be set away from the heritage building in an effort to minimise the impact on the setting.
- 6.14. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications, a balanced judgement will be required with regard to the scale of any harm and the significance of the heritage asset. Whilst there would be some harm to the setting of the heritage building this is considered to be indirect and minimal and can be further minimised by conditions relating to landscaping and materials. The public benefit of the proposal, in providing improved education facilities, weighs in favour of the development outweighing the harm to the setting of the hall. Officers are satisfied that the amount of new development proposed and the design and siting of it is the 'best fit' in terms of meeting the applicant's very specialist accommodation needs and having proper regard to the non-designated heritage asset.

### **Summary of Green Belt position**

- 6.15. There is no doubt that the proposal, due to the size and siting of the development proposed, amounts to inappropriate development in the Green Belt. The school provides specialist educational facilities for vulnerable children. The remote nature of the site and the extensive grounds are important for the particular needs of the pupils and allows the school to deliver an extensive curriculum and therefore it is necessary to look at the existing school site to continue to provide for the specialist needs of the students and not elsewhere. The existing facilities are dated and do not provide good educational learning facilities or a 'home from home' residential environment. The proposed new facilities would give the potential to provide a wide range of educational benefits to students which is supported by para 94 of the NPPF. Overall, taking account of the specialist educational benefits that the proposal would create, the limited harm to the non-statutory heritage asset, it is considered that the proposal would amount to very special circumstances that would outweigh the harm to the Green Belt.



## **Other matters**

### ***Design***

- 6.16. The design and appearance of both the extension and new building are relatively simple and functional. Some visual interest has been created by the use of cladding materials and in the case of the education extension, its shape, which responds to the presence of trees. Overall the design and appearance of the development reflects the existing leaning facilities at the site and would be appropriate in this location.

### ***Archaeology***

- 6.17. Part of the extensions are being built on an area of car park beyond the playing area. This appears to be within a former walled garden which is 19<sup>th</sup> Century in date or earlier. It is possible that the bases of former conservatories and other buildings within the garden may survive beneath the carpark surface which should be recorded.
- 6.18. It is not clear from the application whether any parts of the wall survive along the southern and eastern edge and whether they are being retained or not. If surviving parts of the original wall are being demolished these should be recorded before demolition.
- 6.19. A condition relating to the submission of a written scheme of investigation shall be attached to the decision.

### ***Trees and ecology***

- 6.20. The trees present on the site are not protected by a tree preservation order however there are areas of ancient semi natural woodland. The trees are an important feature that contribute to the rural setting of the site and provide significant visual amenity.
- 6.21. To facilitate the proposed development a total of 14 individual trees and 4 tree groups are shown for removal including A and B category trees. The largest tree loss will occur to the south east of the site. To compensate for this loss a condition will be attached to the decision requiring replacement trees on a two for one basis.
- 6.22. Other conditions relating to the protection of the remaining trees will also be attached to this decision.
- 6.23. The applicant has submitted a detailed ecology report as part of this application. This shows mitigation methods to protect birds and badgers that may be on site. A condition will be attached requiring compliance with the ecology report.

### ***Highways and parking***

- 6.24. Forty spaces will be displaced as part of the construction of the residential building. The proposal would provide 60 parking spaces for staff and visitors and would also include an area for drop off to parents and taxis. This would be in line with the Council's parking standards.
- 6.25. No change is proposed to the existing entrance or access.

## **7. Sustainable urban Drainage**

- 7.1. The local lead flood authority has assessed the application and originally raised a holding objection to the proposal. The applicants have subsequently submitted a flood risk assessment and associated flood management documents. The local lead flood authority has since removed their objection subject to the imposition of a condition that requires compliance with the maintenance plan. The condition will be attached to this decision.

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

- 8.1. The proposal is not CIL liable.

## **RECOMMENDATION**

- 1. The Committee resolves that being minded not to refuse the application it refers it for consultation with the Secretary of State as required by Articles 9 and 10 (as development covered by Article 4) of The Town and Country Planning (Consultation) (England) Direction 2009**
- 2. That upon the expiration of the 21 day period in which the Secretary of State has to respond from the date on which they confirm receipt of the material required under Article 10, or upon notification that SoS does not intend to intervene (if received sooner than the 21 day period) the Director of Sustainable Communities be authorised to grant the application subject the following conditions:-**

### **Condition 1**

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

Reason:

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

### **Condition 2**

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

Reason:

In order to achieve satisfactory development of the site

### **Condition 3**

Prior to their 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 Policies DC45 and DC47 of the adopted Core Strategy and Development Control Policies Development Plan Document.

### **Condition 4**

The development hereby permitted shall only be carried out in accordance with the details contained in the approved tree protection plan reference wwa\_1902\_AL\_703-P01 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

To ensure that no harm is caused to protected species in accordance with Policy DC14 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 5**

In relation to any works within the root protection area (RPA) of the trees on the site, prior to those works taking place, the following details shall have been submitted to the local planning authority in the form of an arboricultural method statement setting out arrangements for;

- a) location and installation of service runs within the RPA
- b) details of construction within the RPA

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

Reason:

The use of the correct excavation methods will ensure that the tree roots are not damaged in order to safeguard the existing trees in accordance with Policy DC14 of the adopted Core Strategy and Development Control Policies Development Plan Document.

**Condition 6**

In the first planting season following the first occupation of either the extension to the horseshoe building or the residential building, replacement trees shall be planted at the site in accordance with approved drawing wwa\_1902\_LL\_101-P00 unless as may otherwise be agreed in writing by the local planning authority.

Reason:

To safeguard the existing tree coverage and wooded appearance which are of amenity value and add character to the site.

**Condition 7**

Prior to the first occupation of the residential building the vehicle parking spaces shown on proposed drawing 142612 - PEV - XX- XX- DR - A - 9200, including the drop off area for cars and taxis shall be constructed and ready for use. The vehicle parking areas and associated turning area shall be retained in this form at all times.

Reason:

In the interests of highway safety

**Condition 8**

With regard to surface water management the application shall only be carried out in accordance with the approved construction method statement for surface water management.

The applicant or any successor in title must subsequently maintain yearly logs of maintenance which should be carried out in accordance with the approved statement and must be available for inspection upon 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 9**

- (i) No demolition, development or preliminary ground works shall take place within the site until a written

scheme of investigation for the programme of recording work has been submitted to and approved in writing by the local planning authority.

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

Reason:

To ensure that no harm is caused to the area of archaeological importance.

#### **Condition 10**

The development hereby permitted shall only be carried out in accordance with the details contained in the approved ecology survey dated January 2019 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

To ensure that no harm is caused to protected species in accordance with Policy DC13 of the adopted Core Strategy and Development Control Policies Development Plan Document.

#### **Notes to Applicant**

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

##### Noisy work

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

##### Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 The site lies within an area of archaeological interest. Accordingly, the applicant is requested to contact the Essex County Council Historic Environment Management Team (Waste, Recycling and Environment) at County Hall, Duke Street, Chelmsford, on 01245 437632 prior to any works commencing on site, to agree a watching brief and afford the Council reasonable facilities to inspect the proposed excavation works.
- 3 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.
- 4 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.

- 5 The Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are:  
Development Management Team,  
Essex Highways,  
Springfield Highways Depot,  
Colchester Road,  
Chelmsford  
CM2 5PU.  
Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).

### **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

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**South Hanningfield Parish Council**

Comments
No Objection but would refer to no 3 storey buildings within the VDS.

**ECC Historic Environment Branch**

Comments
<p>22.05.2019 - SPECIALIST ARCHAEOLOGICAL ADVICE</p> <p>RE: 19/00436/FUL - Ramsden Hall School, Ramsden Heath</p> <p>The above application has been identified on the weekly list and checked on the web site by the Historic Environment Advisor of Essex County Council.</p> <p>Part of the extensions are being built on an area of carpark beyond the playing area. This appears from early OS mapping to be within a former walled garden which is 19th century in date or earlier. It is possible that the bases of former conservatories and other buildings within the garden may survive beneath the carpark surface which should be recorded.</p> <p>It is not clear from the application whether any parts of the wall survive along the southern and eastern edge and whether they are being retained or not. If surviving parts of the original wall are being demolished, these should also be recorded before demolition.</p> <p>In view of this, the following recommendation is made in line with the National Planning Policy Framework:</p> <p>RECOMMENDATION: Full condition</p> <p>(i) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of recording work has been</p>

submitted to and approved in writing by the local planning authority.

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

The archaeological work will comprise evaluation of the proposed development area, which may be followed by excavation or monitoring if features are revealed. The City Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief will be produced from this office detailing the work required on request.

30.05.2019 - SPECIALIST ARCHAEOLOGICAL ADVICE

#### **Basildon District Council**

Comments
No response received

#### **Essex County Council Highways**

Comments
17.06.2019 - Your Ref: 19/00633/FUL
The school currently operates over its capacity of 80 pupils, accommodating 97 pupils. The proposal increases the school's capacity to 100 pupils.
The capacity of the car park would increase from 40no. to 58no. parking bays and would include an area for pupil drop-off by parents and or taxis.
No change is proposed to the existing vehicular access arrangements.
From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:
1. The Developer shall be responsible for the provision and implementation of a Travel Plan including the initial commitments and amended and supplemented under the provisions of a yearly report to include the results and analysis of the Staff and pupil Travel Survey approved by Essex County Council. A fee of £5,000 (plus the relevant sustainable travel indexation) will be payable on occupation of the development, to cover a minimum 5 year period from the date of occupation. Payment will be made upfront to cover the 5 year

period from first use of the School, towards the online travel survey, monitoring and review of the Travel Plan. The applicant to contact the Travel Planning Team at County Hall, Chelmsford, by email: Travel.PlanTeam@essex.gov.uk or telephone number 03330 136879.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10. . The need to reduce the number of trips made by the private motor car is now comprehensively covered by the national and local government policies. Travel Plans form a crucial part of these policies.

2. No development shall take place, including any ground works or demolition until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide but not be limited to:

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

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

3. Making Good Damage to the Highway - Prior to the commencement of any work on the site a joint inspection of the route to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority. The Highway Authority may also wish to secure a commuted sum for special maintenance to cover the damage caused to the existing roads used as access by vehicles servicing the application site.

4. Prior to the school extension becoming fully operational 58no. vehicle parking spaces shown in the Proposed Site Plan, drawing no. 142612 ' PEV ' XX- XX- DR ' A ' 9200, including the drop off area for cars and taxis shall be constructed ready for use in accordance with the EPOA Parking Standards. The vehicle parking area and associated turning area shall be retained in this form at all times.

Reason: To ensure that on street parking of vehicles in the adjoining roads does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

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



Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

**Informatives:**

I. Making Good Damage to the Highway - On the completion of the Development, all covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

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

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU

## **Essex County Council (SUDS)**

Comments
<p>10.06.2019 -</p> <p>Consultation Response - 19/00633/FUL - Ramsden Hall School Heath Road Ramsden Heath</p> <p>Thank you for your email received on 22.05.2019 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.</p> <p>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.</p> <p>In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:</p> <p>Non-statutory technical standards for sustainable drainage systems</p> <p>Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide</p>

The CIRIA SuDS Manual (C753)

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

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.

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.

The Following information was reviewed:

Original drainage strategy

Flood Risk Assessment

Amended DRAINAGE STRATEGY (20/5/19)

Attached email correspondence

Construction method statement

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.

Sequential Test in relation to fluvial flood risk;

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

Safety of the building;

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

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:

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](mailto: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 attached standing advice note.

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.

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.

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.

Team: Development and Flood Risk

Service: Waste & Environment

Essex County Council

## 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.

**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.

**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'.

#### Sustainability of the development

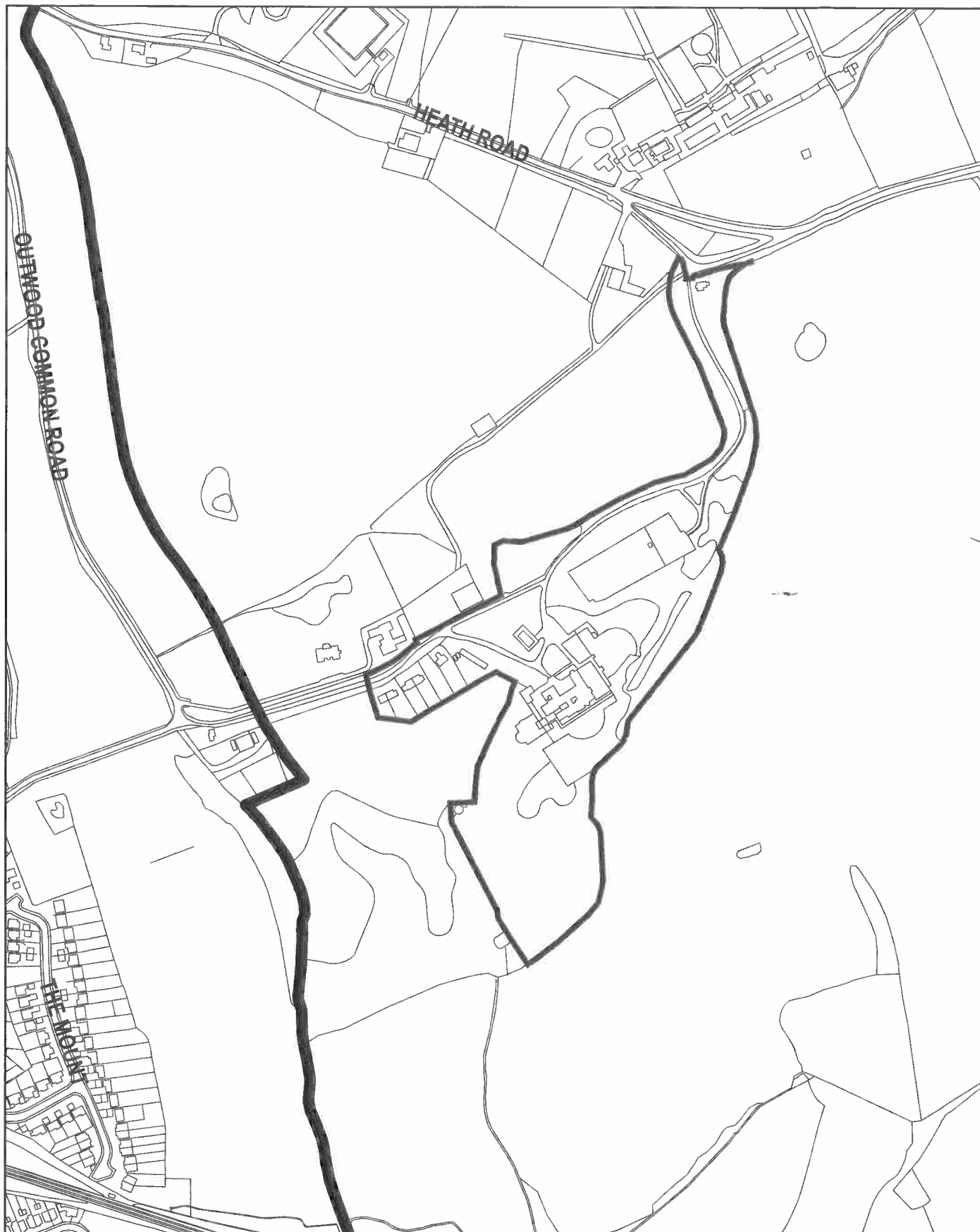
The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising 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.

#### Public Health & Protection Services

Comments
10.05.2019 - No PH&PS comments with regard to this application.

#### Local Residents

Comments
No comments received



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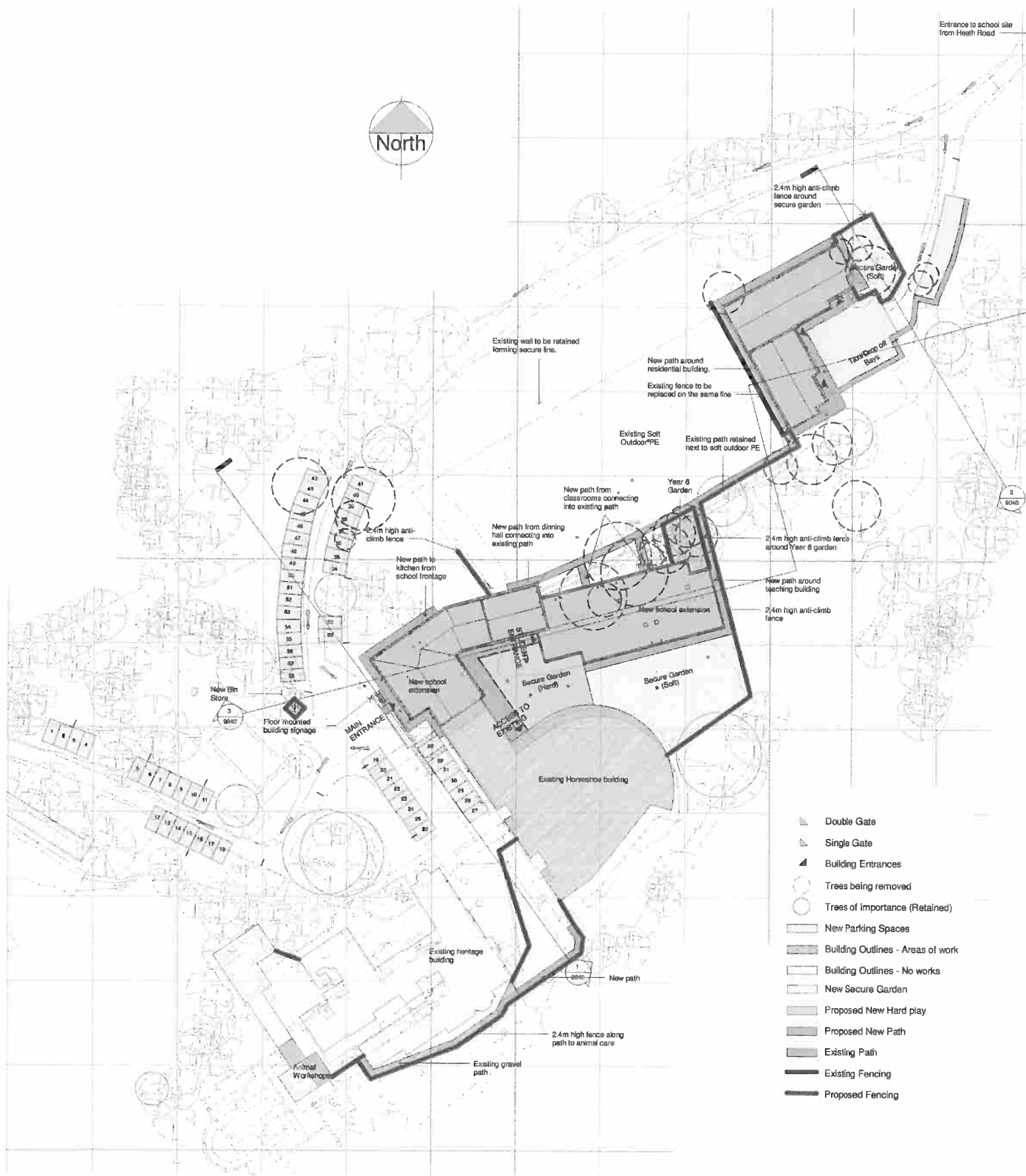
**Planning Committee**  
**19/00633/FUL**

**Planning & Development Management**  
**Directorate for Sustainable Communities**

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

Telephone: 01245 606826

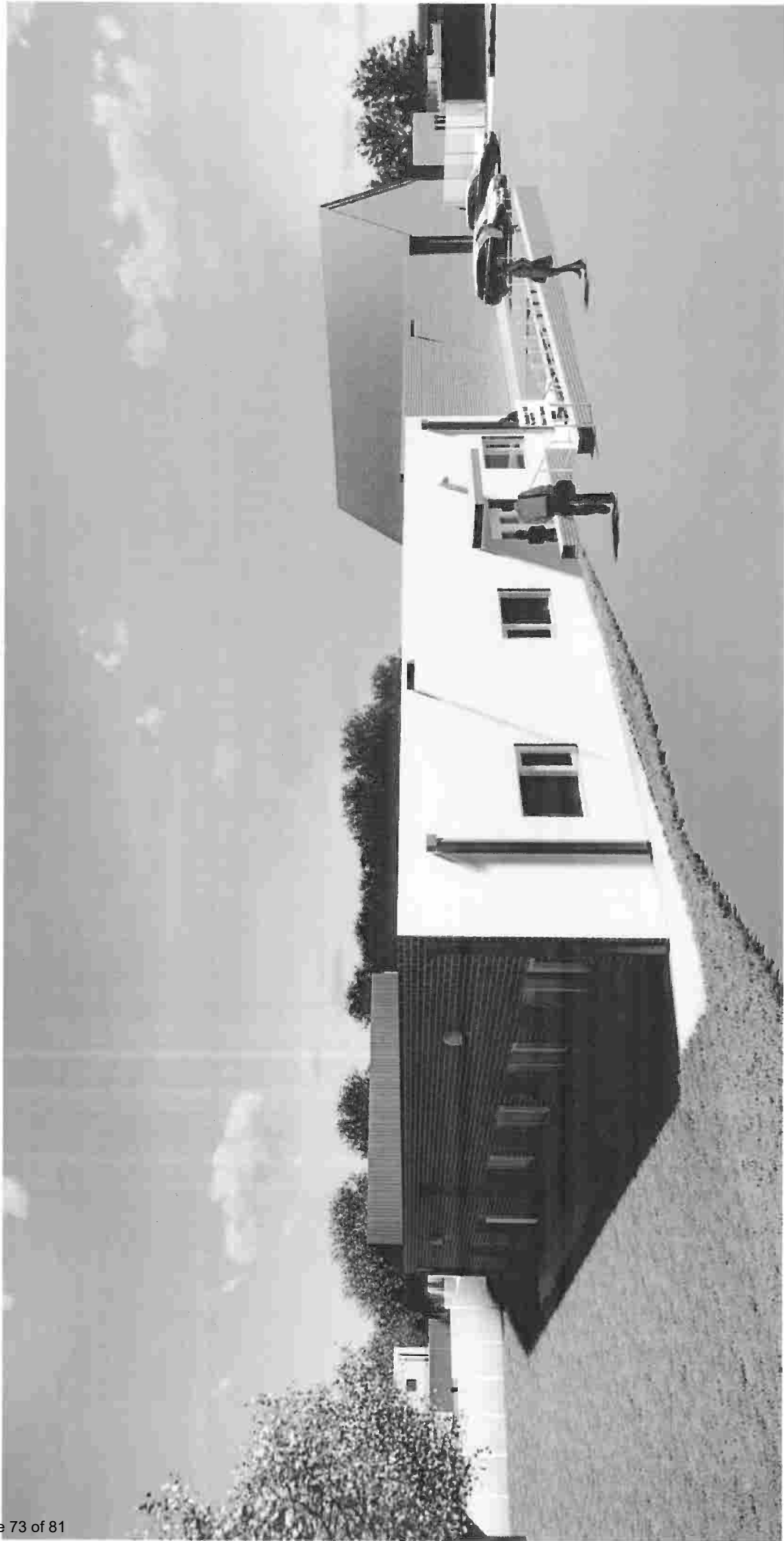
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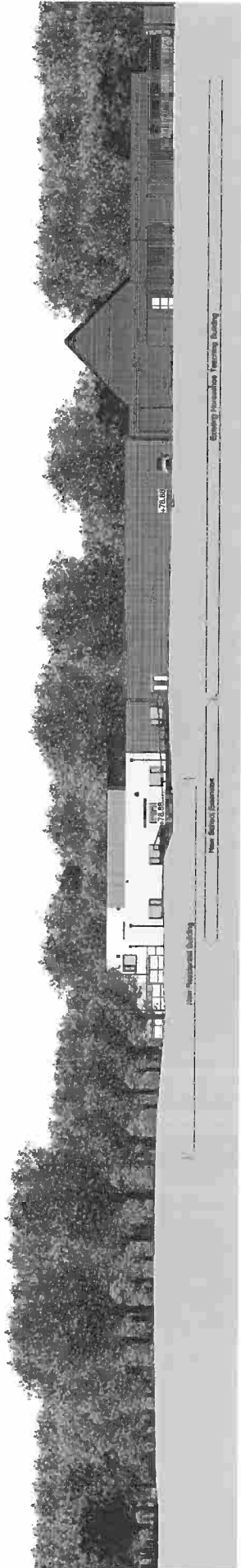


Entrance to Residential Building

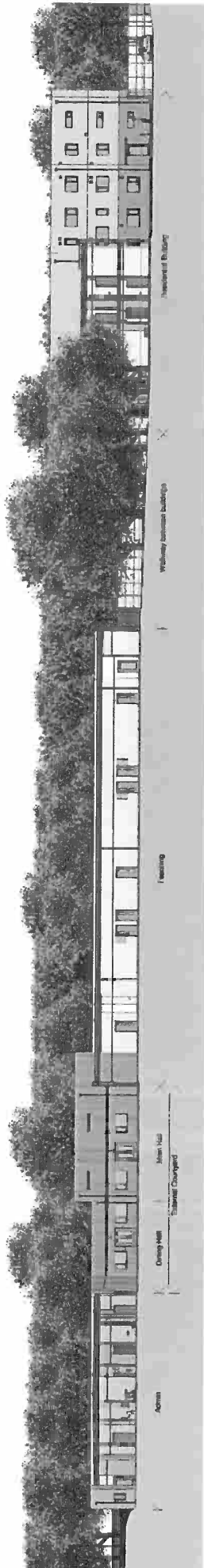




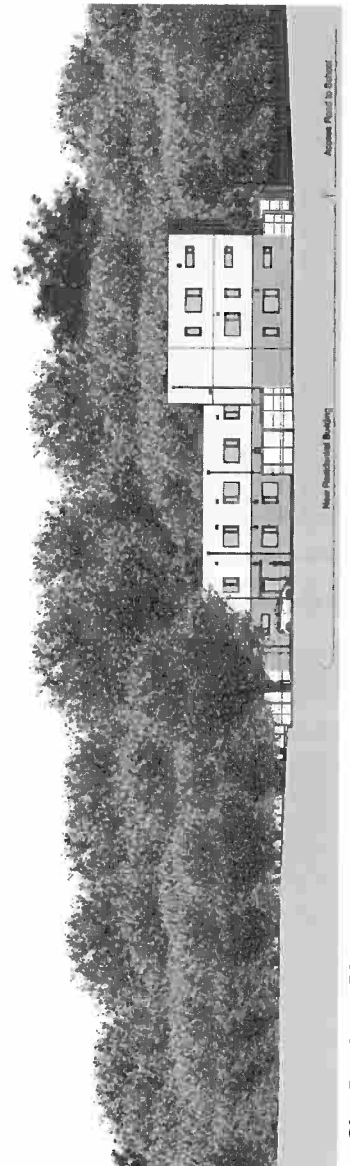
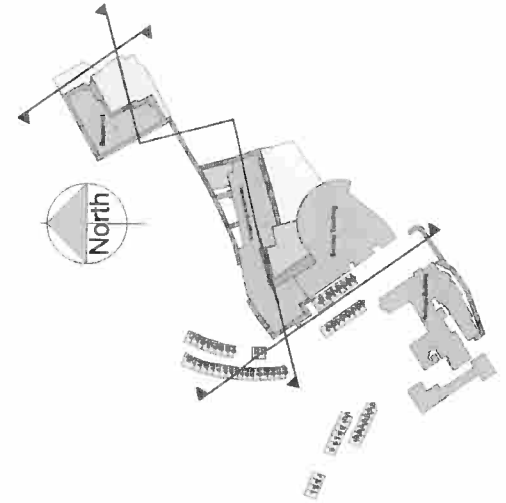
Teaching Building Entrance



## 1 Site Section 1 Planning



### 3 Site Section 3 Planning



## 2 Site Section 2 Planning

# Appeals Report

Appeal Decisions received between 28/02/2019 and 28/06/2019

## PLANNING APPEALS

Total Appeal Decisions Received	25	
Dismissed	21	84%
Allowed	4	16%
Split	0	0%

### Informal Hearing

#### Land Part Of Buckhatch Nurseries Buckhatch Lane Rettendon Common Chelmsford Essex CM3 8EP

<b>Reference</b>	18/00714/FUL
<b>Proposal</b>	Change of use of land for the siting of a mobile home
<b>Appeal Decision</b>	Appeal Dismissed - 04/03/2019
<b>Key Themes</b>	Need for agricultural workers dwelling; harm to rural character
<b>Agreed with CCC on</b>	No essential need; harmful to character and appearance of area
<b>Disagreed with CCC on</b>	None.
<b>Costs Decision</b>	None

### Written Reps

#### Phase 3B Runwell Hospital Site Runwell Chase Runwell Wickford

<b>Reference</b>	16/00684/MAT/1
<b>Proposal</b>	Material amendment to permission reference 16/00684/FUL (Conversion of, and extensions to, the existing former Administrative Building to accommodate 14no. residential apartments (9no. two bedroom and 5no. three bedroom), with associated access, parking a
<b>Appeal Decision</b>	Appeal Dismissed - 03/05/2019
<b>Key Themes</b>	Non-designated heritage asset, Character and appearance of the host building and surrounding area, Cycle parking provision, Off-road parking provision and Private amenity space.
<b>Agreed with CCC on</b>	Non-designated heritage asset, Character and appearance of the host building and surrounding area, Cycle parking provision and Off-road parking provision.
<b>Disagreed with CCC on</b>	Private amenity space.
<b>Costs Decision</b>	None

#### Land South West Of 213 Chignal Road Chelmsford

<b>Reference</b>	16/01093/OUT
<b>Proposal</b>	Outline planning application for residential development comprising three dwellings.
<b>Appeal Decision</b>	Appeal Allowed - 15/03/2019

<b>Key Themes</b>	principle of development; character of the area; relationship with protected tree; Heritage
<b>Agreed with CCC on</b>	None.
<b>Disagreed with CCC on</b>	No harm to character; acceptable relationship with protected tree; no harm to setting of listed building
<b>Costs Decision</b>	None

#### Site At The Gables Priory Lane Bicknacre Chelmsford Essex

<b>Reference</b>	18/00324/FUL
<b>Proposal</b>	Demolition of existing detached chalet dwelling and construction of 3 detached chalet dwellings with associated off road car parking and private amenity spaces.
<b>Appeal Decision</b>	Appeal Dismissed - 17/05/2019
<b>Key Themes</b>	Character and design; neighbour amenity
<b>Agreed with CCC on</b>	Harmful to the character of the area
<b>Disagreed with CCC on</b>	Acceptable relationship with neighbour
<b>Costs Decision</b>	None

#### Land Adjacent Ledahays Vera Road Downham Chelmsford CM11 1LJ

<b>Reference</b>	17/02054/OUT
<b>Proposal</b>	Outline application with all matters reserved for two new detached four bedroom bungalows with garages.
<b>Appeal Decision</b>	Appeal Dismissed - 09/05/2019
<b>Key Themes</b>	- whether it is in a village and infill development - effect on Green Belt openness - located in a suitable location for development
<b>Agreed with CCC on</b>	-not in a village or infill development - Would harm openness of the Green Belt - No benefits to outweigh the harm
<b>Disagreed with CCC on</b>	- not inappropriate place for new housing and has access to services with sustainable benefits.
<b>Costs Decision</b>	None

#### Outbuildings At Former Brook Farm Smallgains Lane Stock Ingatestone CM4 9PP

<b>Reference</b>	18/00562/FUL
<b>Proposal</b>	Conversion of buildings to a dwelling and construction of link. Creation of new driveway and parking area
<b>Appeal Decision</b>	Appeal Dismissed - 09/05/2019
<b>Key Themes</b>	Inappropriate or not in the Green Belt, impact on openness of Green Belt, impact on character of area, ecology
<b>Agreed with CCC on</b>	Inappropriate development in the Green Belt, harmful to openness of Green Belt, harmful to ecology
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**Land Rear Of The Gables Bicknacre Road East Hanningfield Chelmsford CM3 8AN**

<b>Reference</b>	18/00909/FUL
<b>Proposal</b>	Demolition of agricultural barn (known as barn 1) and construction of a new three-bedroom dwelling, with associated driveway, garden, new ditch and boundary treatments. Temporary siting of mobile home.
<b>Appeal Decision</b>	Appeal Dismissed - 15/03/2019
<b>Key Themes</b>	whether the appeal site is located in a suitable location and the effect it would have on the intrinsic character and beauty of the countryside.
<b>Agreed with CCC on</b>	Agreed that the site is not suitable for the proposal and would harm the intrinsic character and beauty of the countryside.
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**Little Belsteads Back Lane Little Waltham Chelmsford CM3 3PP**

<b>Reference</b>	18/00995/FUL
<b>Proposal</b>	Proposed new stable building
<b>Appeal Decision</b>	Appeal Allowed - 28/03/2019
<b>Key Themes</b>	Green Wedge
<b>Agreed with CCC on</b>	none.
<b>Disagreed with CCC on</b>	Not harmful to Green Wedge.
<b>Costs Decision</b>	None

**Land At 87 Main Road Great Leighs Chelmsford Essex**

<b>Reference</b>	18/00314/OUT
<b>Proposal</b>	Outline application for the construction of 5 detached dwellings and garages
<b>Appeal Decision</b>	Appeal Dismissed - 05/04/2019
<b>Key Themes</b>	infill; rural character.
<b>Agreed with CCC on</b>	Not an infill (DC12); harmful to rural character
<b>Disagreed with CCC on</b>	none.
<b>Costs Decision</b>	None

**Land Rear Of 274 Broomfield Road Chelmsford**

<b>Reference</b>	18/00087/FUL
<b>Proposal</b>	Proposed construction of a 2 bed bungalow
<b>Appeal Decision</b>	Appeal Dismissed - 14/03/2019
<b>Key Themes</b>	Neighbour amenity, character of the area, suitable refuse and recycling collection
<b>Agreed with CCC on</b>	Harmful to the character of the area, unsuitable refuse and recycling collection arrangements
<b>Disagreed with CCC on</b>	Found no harm to neighbour amenity
<b>Costs Decision</b>	None

**Site At 9 Springfield Park Lane Chelmsford Essex CM2 6EG**

<b>Reference</b>	18/00845/FUL
<b>Proposal</b>	Conversion of existing detached double garage into a one bed residential bungalow dwelling, with rear extension and bayed window.
<b>Appeal Decision</b>	Appeal Dismissed - 14/03/2019

<b>Key Themes</b>	Effect on character and appearance of area
<b>Agreed with CCC on</b>	Effect on character and appearance of area
<b>Disagreed with CCC on</b>	Nothing. The Inspector agreed with all the Councils concerns.
<b>Costs Decision</b>	None

#### Barn At Ash Tree Stud Farm Main Road Little Waltham Chelmsford Essex

<b>Reference</b>	18/01187/FUL
<b>Proposal</b>	Proposed conversion of existing barn to annex
<b>Appeal Decision</b>	Appeal Dismissed - 10/06/2019
<b>Key Themes</b>	Green Wedge; Conservation Area
<b>Agreed with CCC on</b>	Not acceptable form of development in Green Wedge; harmful effect on Conservation Area.
<b>Disagreed with CCC on</b>	N/a.
<b>Costs Decision</b>	None

#### Land South West Of 84 Main Road Great Leighs Chelmsford Essex

<b>Reference</b>	18/01301/OUT
<b>Proposal</b>	Proposed 2 No. detached dwellings with detached garages
<b>Appeal Decision</b>	Appeal Dismissed - 15/03/2019
<b>Key Themes</b>	Infill; character of the area
<b>Agreed with CCC on</b>	Not an infill plot in accordance with DC12; harmful to character of area
<b>Disagreed with CCC on</b>	None.
<b>Costs Decision</b>	None

#### Land North West Of Jobo Lynderswood Lane Great Leighs Chelmsford Essex

<b>Reference</b>	18/01212/FUL
<b>Proposal</b>	Retrospective application for retention of a barn and proposed pig shed
<b>Appeal Decision</b>	Appeal Dismissed - 16/04/2019
<b>Key Themes</b>	DC2 -Impact upon intrinsic character and beauty DC45 -Design and effect on countryside
<b>Agreed with CCC on</b>	Agreed that development harmful to countryside Agree that design unacceptable and harmful to intrinsic character and beauty
<b>Disagreed with CCC on</b>	N/A
<b>Costs Decision</b>	None

#### Site At Valcot London Road Chelmsford Essex

<b>Reference</b>	18/00671/OUT
<b>Proposal</b>	Demolition of existing bungalow, improvements to vehicular access, 3 No new dwellings with garages, 6 additional visitor parking spaces.
<b>Appeal Decision</b>	Appeal Dismissed - 26/04/2019
<b>Key Themes</b>	harm to highway safety through intensification of the site
<b>Agreed with CCC on</b>	Proposal would cause harm to highway safety
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**96 Cheviot Drive Chelmsford Essex CM1 2EX**

<b>Reference</b>	18/01379/FUL
<b>Proposal</b>	Demolish garage and erect proposed new dwelling with new cross over, permeable drive, porch to existing dwelling, bike shed, bin store.
<b>Appeal Decision</b>	Appeal Dismissed - 12/03/2019
<b>Key Themes</b>	Effect on the character and appearance of the host dwelling and street scene and impact on neighbour amenity
<b>Agreed with CCC on</b>	Effect on the character and appearance of the host dwelling and street scene and impact on neighbour amenity
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

**Site At Downham Road Ramsden Heath Billericay Essex**

<b>Reference</b>	18/01013/FUL
<b>Proposal</b>	Change of use from restaurant to residential comprising two units with associated car parking and amenity space
<b>Appeal Decision</b>	Appeal Dismissed - 21/05/2019
<b>Key Themes</b>	Loss of Community Facility
<b>Agreed with CCC on</b>	loss of community facility is harmful
<b>Disagreed with CCC on</b>	n/a.
<b>Costs Decision</b>	None

**The Cottage West Hanningfield Road West Hanningfield Chelmsford CM2 7SY**

<b>Reference</b>	18/00622/FUL
<b>Proposal</b>	Construction of a two-storey house and single-storey domestic outbuilding to replace those that previously existed on the site. Section of 1.8 metre high close boarded fence on site frontage.
<b>Appeal Decision</b>	Appeal Dismissed - 12/03/2019
<b>Key Themes</b>	Whether the proposal would be inappropriate development in the Green Belt; Effect of the proposal on openness of the Green Belt; Do very special circumstances exist to outweigh any harm; Whether the occupants of the proposed dwelling would have adequate access to facilities and services without reliance on private vehicle use?
<b>Agreed with CCC on</b>	Inappropriate development in Green Belt; Would reduce openness; Very special circumstances do not exist to outweigh harm.
<b>Disagreed with CCC on</b>	No harm with regard to occupants of the proposed development having adequate access to facilities and services.
<b>Costs Decision</b>	None

**Land South East Of Wood Edge Main Road Bicknacre Chelmsford Essex**

<b>Reference</b>	18/01440/OUT
<b>Proposal</b>	Outline application (all matters reserved) for Two detached dwellings including separate Garage/Carlodge to each
<b>Appeal Decision</b>	Appeal Dismissed - 05/04/2019

<b>Key Themes</b>	Rural Area Intrinsic Character and Beauty - Policy DC2 Infilling in the Countryside - Policy DC12 Biodiversity Interest -Policy DC12
<b>Agreed with CCC on</b>	Inspector agreed that the site did not constitute an infill plot and that the development would be harmful to the countryside. Inspector also considered that the proposal could have the potential to impact on protected species and the biodiversity interest of the adjacent site.
<b>Disagreed with CCC on</b>	N/A
<b>Costs Decision</b>	None

#### Land Between 83 And 87 Mill Lane Danbury Chelmsford Essex

<b>Reference</b>	18/00502/FUL
<b>Proposal</b>	Demolition of two existing residential properties, construction of 5 new dwellings with associated garages, turning areas and landscaping.
<b>Appeal Decision</b>	Appeal Allowed - 17/04/2019
<b>Key Themes</b>	Character and appearance of the area
<b>Agreed with CCC on</b>	
<b>Disagreed with CCC on</b>	The inspector did not consider that the scale, form and layout of the development would look out of place or excessive against the context of existing development. Whilst the inspector acknowledged that the central courtyard area would have some impact on the appearance of the area the harm would not be significant.
<b>Costs Decision</b>	None

#### Barrowfield Copt Hill Danbury Chelmsford CM3 4NN

<b>Reference</b>	18/00818/FUL
<b>Proposal</b>	Demolition of existing dwelling and garage and erection of replacement dwelling and garage
<b>Appeal Decision</b>	Appeal Allowed - 20/05/2019
<b>Key Themes</b>	Impact on character of area
<b>Agreed with CCC on</b>	n/a
<b>Disagreed with CCC on</b>	Not harmful to the character of the area.
<b>Costs Decision</b>	None

#### Land Adjacent Hawkstone Main Road Bicknacre Chelmsford Essex

<b>Reference</b>	18/01641/FUL
<b>Proposal</b>	Proposed new 4 bedroom dwelling.
<b>Appeal Decision</b>	Appeal Dismissed - 05/04/2019
<b>Key Themes</b>	Effect proposed development has on character and apperance of the area
<b>Agreed with CCC on</b>	Agreed that the proposed house would not be infill development and would cause harm to the intrinisc character and beauty of the countryside.
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

#### Barn South Hillcroft Chignal Road Chignal Smealy Chelmsford Essex

<b>Reference</b>	18/00882/FUL
<b>Proposal</b>	Re-use and conversion of existing buildings on site to a residential dwelling.
<b>Appeal Decision</b>	Appeal Dismissed - 17/04/2019



<b>Key Themes</b>	Harm to rural character, building not capable of conversion, ecology
<b>Agreed with CCC on</b>	Harm to rural character, building not capable of conversion, potential harm to protected species
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

#### Land Rear Of 45 Eves Crescent Chelmsford Essex

<b>Reference</b>	18/01467/FUL
<b>Proposal</b>	Detached bungalow and creation of new vehicular access.
<b>Appeal Decision</b>	Appeal Dismissed - 27/06/2019
<b>Key Themes</b>	Effect of the development on the character and appearance of the area
<b>Agreed with CCC on</b>	The effect of the development on the character and appearance of the area
<b>Disagreed with CCC on</b>	
<b>Costs Decision</b>	None

#### Householder

#### 22A Beehive Lane Great Baddow Chelmsford CM2 9TQ

<b>Reference</b>	18/01859/FUL
<b>Proposal</b>	Retrospective application for fence and gates
<b>Appeal Decision</b>	Appeal Dismissed - 27/06/2019
<b>Key Themes</b>	highway safety
<b>Agreed with CCC on</b>	harmful to highway safety
<b>Disagreed with CCC on</b>	none
<b>Costs Decision</b>	None

#### ENFORCEMENT APPEALS

Total Appeal Decisions Received	1	
Dismissed	1	100%
Allowed	0	0%
Split	0	0%

#### Written Reps

#### Hayes Country Park Hayes Chase Battlesbridge Wickford Essex

<b>Reference</b>	16/00592/ENFB
<b>Proposal</b>	Without planning permission, the material change of use to incorporate the land into a residential caravan park
<b>Appeal Decision</b>	Appeal Dismissed - 01/05/2019
<b>Grounds of Appeal</b>	Change of use has not occurred (ground b); steps to comply are excessive (ground f); time to comply should be extended (ground g)
<b>Agreed with CCC on</b>	Use has occurred; requirements are not excessive.
<b>Disagreed with CCC on</b>	Four months given to comply with the notice requirements.
<b>Costs Decision</b>	None