

Core Strategy and Development Control Policies

Focused Review

Local Development Framework 2001 - 2021

The Code for Sustainable Homes has now been withdrawn.
This affects policy DC24, criteria (ii).



Areas covered by the Focused Review

Areas covered by the Focused Review

This document is a Focused Review of the adopted Core Strategy and Development Control Policies Development Plan Document 2008 (Core Strategy). The Focused Review should be read as an addendum to the Core Strategy. It amends specific policies and text in the existing Core Strategy and introduces some new sections. The areas covered in the Focused Review are as follows:

Amended Policies

Focused Review Policy*	Subject
Policy CP1	Securing Sustainable Development
Policy CP5	Containing Urban Growth
Policy CP15	Meeting the Housing Needs of our Communities
Policy DC1	Managing Development in the Metropolitan Green Belt
Policy DC2	Managing Development in the Countryside Beyond the Metropolitan Green Belt
Policy DC6	Transport Assessments
Policy DC7	Vehicle Parking Standards at Developments
Policy DC11	Replacement Dwellings and Buildings in the Countryside
Policy DC12	Infilling in the Countryside
Policy DC23	Promoting Renewable and Low Carbon Energy Generating Projects
Policy DC24	Energy Efficient Design and Use of Materials
Policy DC30	Protecting Existing Housing
Policy DC31	The Provision of Affordable Housing
Policy DC32	Rural Housing Need
Policy DC33	Agricultural/Rural Workers Dwellings
Policy DC47	Extensions to Dwellings or Buildings
Policy DC48	Employment Areas
Policy DC59	Primary Frontages in Chelmsford and South Woodham Ferrers
Policy DC60	Secondary Frontages in Chelmsford and South Woodham Ferrers

*The associated reasoned justifications for the above policies are also amended.

Other Changes

Focused Review Reference	Change
Appendix C - Vehicle Parking Standards	Amended Vehicle Parking Standards
Position Statement on Gypsy and Traveller Accommodation	New Position Statement
Appendix E - Transport Assessment Guideline Thresholds	New Appendix

Non-Technical Summary

Non-Technical Summary

Following the publication of the National Planning Policy Framework on 27th March 2012, Chelmsford City Council has undertaken a Focused Review of its Core Strategy and Development Control Policies Development Plan Document. This non-technical summary provides an explanation of the Focused Review. It lists policies that have been replaced and other changes made.

Introduction

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and is an important Government planning publication which distils a large number of Planning Policy Guidance notes and Planning Policy Statements into a single document. The NPPF sets out Government planning requirements and objectives in relation to issues such as housing, employment, transport, the historic and natural environment etc.

The NPPF is a material consideration in the preparation of local development plans and planning decisions although the NPPF makes it clear that it does not change the statutory status of the development plan as the starting point for decision making. However, the NPPF sets out the National Planning Policy that all Councils need to implement. Local authorities may need to revise their development plans to take into account the policies contained within the Framework.

What is the Focused Review?

In light of the requirements of the NPPF, the City Council undertook a review of its Development Plan Documents and identified a number of policies within its Core Strategy and Development Control Policies Development Plan Document that required amendments in order for these policies to be consistent with the advice contained within the NPPF.

What is the scope of the Focused Review?

The purpose of the Focused Review was to identify those policies that could be readily amended to be consistent with the provisions of the NPPF without the need to prepare further evidence in respect of those specific policies. This is the first stage of a Review process, and the second stage will involve a Full Review of the City Council's Local Development Framework to produce a consolidated Local Plan that extends the Plan period to 2036 with new housing and employment targets and allocations.

Now adopted, these amended policies (and their accompanying reasoned justifications) only replace the previous versions of these policies (and their accompanying reasoned justifications) contained within the adopted Core Strategy and Development Control Policies Development Plan Document 2008. All other policies will remain unchanged until a Full Review of the Local Development Framework is undertaken. The unamended policies have not been tested for the purposes of the Focused Review Examination 2013.

Non-Technical Summary

Policy Amendments

The City Council identified five policy topics and within each of these policy topics there are specific policies which required amendments to reflect the wording of the NPPF. Each of the topics identified correspond with the various themes contained within the NPPF.

Policy Topic	Policies
Development within the Countryside	<p>Policy CP5 – Containing Urban Growth - page 12</p> <p>Policy DC1 – Controlling Development in the Metropolitan Green Belt - page 14</p> <p>Policy DC2 – Controlling Development in the Countryside beyond the Metropolitan Green Belt - page 16</p> <p>Policy DC11 – Replacement Dwellings in the Countryside - page 18</p> <p>Policy DC12 – Infilling in the Countryside - page 19</p> <p>Policy DC33 – Agricultural Workers Dwellings - page 28</p> <p>Policy DC47 – Extensions to Dwellings - page 30</p>
Housing	<p>Policy CPI5 – Meeting the Housing Needs of our Communities - page 13</p> <p>Policy DC30 – Protecting Existing Housing - page 23</p> <p>Policy DC31 – The Provision of Affordable Housing - page 24</p> <p>Policy DC32 – Rural Housing Need - page 27</p>
Securing Sustainable Development	<p>Policy CPI – Securing Sustainable Development - page 11</p> <p>Policy DC6 – Criteria for Transport Assessments - page 17</p> <p>Policy DC7 – Vehicle Parking Standards at Developments - page 18</p>
Promoting Healthy Communities	<p>Policy DC23 – Renewable Energy - page 20</p> <p>Policy DC24 – Energy Efficient Design and Use of Materials - page 21</p>
Economic Prosperity	<p>Policy DC48 – Employment Areas - page 31</p> <p>Policy DC59 – Primary Frontages in Chelmsford and South Woodham Ferrers - page 33</p> <p>Policy DC60 – Secondary Frontages in Chelmsford and South Woodham Ferrers - page 34</p>

Non-Technical Summary

Other Changes

The Focused Review also amends Appendix C - Vehicle Parking Standards (**page 36**), introduces a new Position Statement on Gypsy and Traveller Accommodation (**page 35**) and includes a new Appendix E - Transport Assessment Guideline Thresholds (**page 43**).

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I Glossary of terms

I Glossary of terms

Affordable Housing

Affordable Housing includes a variety of tenures, provided to specified eligible households whose needs are not met by the market. Affordable Housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Brownfield Land/Previously Developed Land

Previously-developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. Previously-developed land may occur in both built-up and rural settings.

Code for Sustainable Homes

A single national standard developed by the Government to guide industry in the design and construction of sustainable homes. The Code uses a sustainability rating system indicated by 'stars' ranging from one to six.

Community Right to Build Order

Introduced by the Localism Act 2011, it enables local people to bring forward small-scale, site-specific, community led developments without the need to apply for planning permission.

Decentralised Energy Projects

Electricity production at or near point of use, irrespective of size, technology or fuel used – both off-grid and on-grid. It includes high efficiency cogeneration (CHP), on-site renewable energy and industrial energy recycling and on-site power.

Development Plan Document (DPD)

Spatial planning documents that form the development plan for Chelmsford City. They are subject to independent examination and are shown geographically on an adopted Proposals Map.

Evidence Base

A collective term for technical studies and background research that provides information on key aspects of social, economic and environmental characteristics of the City. This enables the preparation of a sound LDF meeting the objectives of sustainable development.

Local Development Framework

Is a portfolio of Local Development Documents which provide the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of their area where this affects the development of land.

Metropolitan Green Belt

An area of countryside or land that is protected from inappropriate development in order to prevent the sprawl of existing built-up areas and to protect the openness of the countryside. Green Belts area not designated for their beauty or character, although there are many areas of high landscape quality within the Green Belt. The Metropolitan Green Belt is the countryside that surrounds Greater London.

National Planning Policy Framework

A Government planning publication which distils a large number of Planning Policy Guidance notes and Planning Policy Statements into a single document. It sets out new Government planning requirements and objectives in relation to issues such as housing, employment, transport, the historic and natural environment etc.

Rural Area beyond the Metropolitan Green Belt

The areas of countryside that lie outside the Urban Areas and Defined Settlements beyond the Metropolitan Green Belt.

Sustainable Development

A widely used definition is: 'development that meets the needs of present without compromising the ability of future generations to meet their own needs' (World Commission on Environment and Development 1987).

2 Introduction

2 Introduction

Background

2.1 The Government published the final version of the National Planning Policy Framework (NPPF) on 27th March 2012 together with 'Planning policy for traveller sites' which should be read in conjunction with the Framework. The NPPF replaces a considerable amount of planning policy that was previously contained within a number of Planning Policy Statements, Planning Policy Guidance and letters from the Chief Planners with the principal aim of making the planning system less complex and more accessible, and to promote sustainable growth.

2.2 By virtue of Section 19(2) of the Planning and Compulsory Purchase Act 2004, the NPPF is a material consideration in the preparation of local development plans and planning decisions although the NPPF makes it clear that it does not change the statutory status of the development plan as the starting point for decision making. However, the NPPF sets out the National Planning Policy that all councils need to implement. Local authorities may need to revise their development plans to take into account the policies contained within the Framework.

A copy of the National Planning Policy Framework can be viewed/downloaded at:

www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf

2.3 The Focused Review was subject to consultations during the scoping consultation in July/ August 2012 and the Draft Submission consultation in November 2012/January 2013. The Focused Review was submitted to the Planning Inspectorate in April 2013. Following the Examination in July 2013 the City Council proposed some Main Modifications to the document which were published and consulted on in July/ August 2013. The Council received the Inspector's Report on the Focused Review in October 2013, which found the Plan to be "Sound", provided the Main Modifications are made.

Purpose and Scope

2.4 Following the publication of the NPPF, the City Council identified a number of policies within the adopted Core Strategy and Development Control Policies Development Plan Document 2008 that required amendment to remain consistent with the requirements of the NPPF, which could be taken without the need to prepare further evidence in respect of those specific policies.

2.5 This Focused Review sets out amendments to these policies which are listed in paragraph 2.7 below. Now adopted, these amended policies (and their accompanying reasoned justifications) are identified as being adopted in 2013, following the Focused Review, and will replace the previous versions of these policies (and their accompanying reasoned justifications) contained within the adopted Core Strategy and Development Control Policies Development Plan Document 2008.

2.6 All other policies in the adopted Core Strategy and Development Control Policies Development Plan Document will remain as adopted in 2008, until they are reviewed as part of a Full Review of the City Council's Local Development Framework. The unamended policies have not been tested for the purposes of the Focused Review Examination 2013.

2.7 The City Council identified five policy topics and within each of these topics there are specific policies which required amendments to reflect the wording of the NPPF. Each of the policy topics identified correspond with the various themes contained within the NPPF.

Policy Topic	Policies
Development within the Countryside	<p>Policy CP5 – Containing Urban Growth - page 12</p> <p>Policy DC1 – Controlling Development in the Metropolitan Green Belt - page 14</p> <p>Policy DC2 – Controlling Development in the Countryside beyond the Metropolitan Green Belt - page 16</p> <p>Policy DC11 – Replacement Dwellings in the Countryside - page 18</p> <p>Policy DC12 – Infilling in the Countryside - page 19</p> <p>Policy DC33 – Agricultural Workers Dwellings - page 28</p> <p>Policy DC47 – Extensions to Dwellings - page 30</p>
Housing	<p>Policy CPI5 – Meeting the Housing Needs of our Communities - page 13</p> <p>Policy DC30 – Protecting Existing Housing - page 23</p> <p>Policy DC31 – The Provision of Affordable Housing - page 24</p> <p>Policy DC32 – Rural Housing Need - page 27</p>
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2 Introduction

Other Changes

The Focused Review also amends Appendix C - Vehicle Parking Standards (**page 36**), introduces a new Position Statement on Gypsy and Traveller Accommodation (**page 35**) and includes a new Appendix E - Transport Assessment Guideline Thresholds (**page 43**).

How to use this document

Policy Amendments

2.8 The policies are listed in numerical order in Section 3, however as shown on pages 8 each policy relates to one of the five policy topics. For each policy, a statement is given on the objective of the policy amendment i.e. what is the purpose of the policy amendment. In some circumstances the title of the policy has changed. Section 4 provides new text introduced by the Focused Review relating to Gypsies and Travellers. This is followed by changes to the Appendices.

2.9 As part of the policy amendments, any references to 'Borough' have been updated to 'City'. In addition, any references to Planning Policy Guidance/Statements have been replaced with the NPPF. For the avoidance of doubt and to ensure consistency, these presentational amendments should also be applied to those policies that do not form part of this Focused Review.

Policy Alternatives

2.10 The objective of each policy amendment is to be NPPF compliant. However, to achieve this there are potentially a wide range of policy alternatives and as part of the Focused Review, alternative options were evaluated and discounted. A further explanation and assessment is given in the Focused Review Sustainability Appraisal Report.

Sustainability Appraisal and Habitats Regulations Assessment

2.11 The process of undertaking a Focused Review of Chelmsford's Core Strategy and Development Control Policies DPD is underpinned by a Sustainability Appraisal which assesses the environmental, social and economic performance of the Focused Review policies against a set of sustainability objectives. In addition, a Habitats Regulations Assessment has been prepared to assess the likely significant effects the Focused Review policies will have upon one or more European Sites.

2.12 Both the Sustainability Appraisal Report and the Habitats Regulations Assessment have been prepared by independent consultants Amec Environment & Infrastructure UK Limited and are available to download (one document) at <http://www.chelmsford.gov.uk/csdpd>

3 Policy Amendments

The following amended Policies replace those in the Core Strategy and Development Control Policies Development Plan Document, adopted 2008.

Policy CPI - Securing Sustainable Development

Objective of Amended Policy

3.1 The inclusion of the model wording published by the Planning Inspectorate to help local planning authorities ensure that local plans reflect the presumption in favour of sustainable development contained within the NPPF.

Amended Policy

Policy CPI - Securing Sustainable Development

The City Council will promote and secure sustainable development. This means linking housing and employment needs and directing development to locations supported by effective transport provision, leisure, community and other essential services, whilst minimising damage to the environment and actively securing environmental enhancements. Such developments shall create well designed places and spaces, promote social inclusion, work with the environment where they are located and contribute to the growth of the local economy. Materials and construction methods should be employed to help reduce the depletion of natural resources and the production of greenhouse gases, and buildings should have a long life and be flexible and adaptable for potential future uses.

When considering development proposals the City Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Development Plan Document (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the City Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

3 Policy Amendments

Reasoned Justification (amendment to paragraph 2.72 of the Core Strategy and Development Control Policies DPD)

3.2 The delivery of sustainable development is at the heart of the City Council's Core Strategy and permeates all of the themes of this Development Plan Document. Development at the local level can have a wider impact and therefore requires an integrated approach to new development, which promotes an innovative and productive economy, services and facilities that are socially inclusive and balanced communities in ways, which protect and enhance the wider environment and minimise the use of resources and consumption of energy. These policy objectives cut across all of the policies within this Development Plan Document.

Policy CP5 - Containing Urban Growth

Objective of Amended Policy

3.3 To ease restrictions placed on development within the Rural Area beyond the Green Belt.

Amended Policy

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.

Beyond the Urban Areas and Defined Settlements, the Metropolitan Green Belt as defined on the Proposals Map will be protected in accordance with national policy. Planning permission will be refused other than in the circumstances identified in the relevant Core and Development Control Policies.

Within the rural areas beyond the Metropolitan Green Belt as defined on the Proposals Map, the City Council will protect the intrinsic character and beauty of the countryside whilst supporting rural communities and economies.

Reasoned Justification (amendments to paragraphs 2.89 - 2.91 of the Core Strategy and Development Control Policies DPD)

3.4 Much of the City Council's area falls outside the Urban Areas and Defined Settlements. This is defined as Metropolitan Green Belt or Rural Area beyond the Metropolitan Green Belt on the Proposals Map. Much of the City Council's area that falls within the countryside is very attractive and of a traditional rural appearance with long unbroken views. This policy seeks to prevent the erosion of the intrinsic beauty and character of the countryside from inappropriate forms of development.

3.5 In assessing the character and beauty of the countryside, the Council will make a judgement on a site-by-site basis. However, the City Council's area is defined by different characteristics which the Council would seek to protect. Chelmsford's City Centre is shaped by the three river valleys of the Chelmer, Can and Wid and the green spaces created by these waterways. Exposed wide ridges, plateau landscapes and the Chelmer River Valley are some of the defining landscape features in the northern parts of Chelmsford. To the south, open, arable fields, low lying marshlands and the Crouch and Roach river estuaries are the prevailing landscape characteristics.

3.6 The policy sets out the general presumption against inappropriate development in the countryside, which in the case of the Metropolitan Green Belt is by definition any development that is harmful to its openness and function. Further qualitative environmental designations are defined by Policy CP9. The relevant Development Control Policies set out the criteria by which planning applications will be considered within the rural areas.

3.7 There is no specific notation for the Rural Area beyond the Metropolitan Green Belt on the adopted Proposals Map. However, for the avoidance of doubt the Metropolitan Green Belt is shown in green on the Map and the Rural Area is any countryside that lies beyond this.

Policy CP15 - Meeting the Housing Needs of our Communities

Objective of Amended Policy

3.8 To allow for the possible provision of market housing where it would facilitate the provision of significant additional affordable housing to meet local needs.

Amended Policy

Policy CP15 - Meeting the Housing Needs of our Communities

The City Council will require a mix of dwelling types, sizes and accommodation, to accommodate a balance of different household types and lifestyle choices to contribute to the creation of mixed and inclusive communities.

In new residential development the City Council will expect a proportion of new homes to be affordable on threshold sites and has allocated rural 'exception' sites adjacent to Defined Settlements for affordable housing for local needs in accordance with the criteria set out in Policies DC31 and DC32.

In reaching its decision on development proposals, the City Council will also take into account the latest assessment of local housing market conditions and housing needs, the nature, character and context of the site and any specific requirements of the proposal.

Specific site allocations will be made to meet the identified housing and accommodation needs of older persons and Gypsies and Travellers.

The relevant Development Control Policies set out the thresholds and percentages for affordable housing and the criteria for sites for housing and accommodation for older persons and Gypsies and Travellers.

Reasoned Justification (amendments to paragraph 2.110 of the Core Strategy and Development Control Policies DPD)

3.9 The City Council will expect that new residential development addresses the needs of different household types within the City for both market and affordable housing including the housing needs of groups such as older persons or Gypsies and Travellers. This includes the size of housing e.g. single households, families, communal living; and the type of housing e.g. flatted developments, terrace townhouses, houses with gardens, communal residential accommodation or caravans/static mobile homes. The appropriate mix of different household types will be identified by sub-regional, local

3 Policy Amendments

housing market assessments, Housing Needs Surveys and other relevant assessments. When considering the needs of different household types, the City Council will also have regard to the objective of creating balanced communities. The relevant Development Control Policies set out the threshold/site size criteria for affordable housing and the criteria for the consideration of sites and proposals for housing for older persons and Gypsy and Traveller accommodation.

Policy DCI - Controlling Development in the Metropolitan Green Belt

Objective of Amended Policy

3.10 To identify development that is considered appropriate within the Metropolitan Green Belt as defined in the NPPF.

Amended Policy (new title)

Policy DCI - Managing Development in the Metropolitan Green Belt

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping the land permanently open. All development proposals must preserve the openness of the Metropolitan Green Belt and not conflict with the purposes of including land within it.

Planning permission will be refused for development within the area shown as Metropolitan Green Belt on the Proposals Map, except where the proposed development is for either:

A. a new building, provided it is for;

i) purposes directly related to agriculture or forestry or is accommodation in connection with these uses in accordance with Policy DC33; or

ii) the provision of appropriate facilities for outdoor sport, outdoor recreation, nature conservation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it; or

iii) affordable housing for local needs in accordance with Policy DC32; or

iv) residential infilling in villages in accordance with Policy DC12; or

v) the replacement of an existing dwelling or building where it accords with Policy DC11; or

vi) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development; or

B. the following forms of development are also appropriate in the Metropolitan Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt:

vii) engineering or other operations: or

Policy Amendments 3

viii) local transport infrastructure which can demonstrate a requirement for a Green Belt location; or

ix) the extension or alteration of an existing dwelling or building in accordance with Policy DC47; or

x) the re-use of a building in accordance with Policy DC57; or

xi) development brought forward under a Community Right to Build Order.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Reasoned Justification (amendments to paragraph 3.5 of the Core Strategy and Development Control Policies DPD)

3.11 Over one third of the City Council's area falls within the Metropolitan Green Belt which has checked the unrestricted growth of London. In addition the Green Belt has also prevented the expansion of urban Chelmsford towards the south-west and protected the rural character of much of the countryside in the City Council's area to the south and west of the A130 and A1060 roads. The City Council recognises the role of the Metropolitan Green Belt policy in meeting the objectives of paragraph 80 of the National Planning Policy Framework and other objectives. These include:

- a) providing opportunities for access to the open countryside for everyone;
- b) providing opportunities for outdoor sport and recreation near urban areas;
- c) retaining and enhancing attractive landscapes near where people live;
- d) improving damaged and derelict land around towns;
- e) securing nature conservation interests; and
- f) keeping land in agriculture, forestry and related uses.

3.12 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, the City Council will ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by inappropriateness, and any other harm, is clearly outweighed by other considerations.

3.13 With regard to the broad landscape characteristics of the City Council's area, further details are given within the reasoned justification of Policy CP5.

3.14 A Community Right to Build Order is a type of Neighbourhood Development Order introduced by the Localism Act 2011. It enables local people to bring small-scale, site-specific, community led developments forward without the need to apply for planning permission. It requires members of a community to form a formal organisation and develop proposals for new homes or buildings they want to go ahead within their area. Further guidance can be found at:

<http://www.communities.gov.uk/communities/communityrights/righttobuild/>

3 Policy Amendments

Policy DC2 - Controlling Development in the Countryside Beyond the Metropolitan Green Belt

Objective of Amended Policy

3.15 To ease restrictions placed on development within the Rural Area beyond the Green Belt.

Amended Policy (new title)

Policy DC2 - Managing Development in the Countryside Beyond the Metropolitan Green Belt

The countryside within the Rural Area beyond the Metropolitan Green Belt as identified on the Proposals Map will be protected for its intrinsic character and beauty.

Planning permission for development will be granted within the Rural Area beyond the Metropolitan Green Belt provided that the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for:

A. a new building, that:

- i) supports the sustainable growth and expansion of an existing, authorised and viable rural business or enterprise where it can be demonstrated that there is a justified need and there is no adverse impact upon the character, appearance and visual amenities of the countryside; or
- ii) promotes the development and diversification of agricultural and other appropriate land-based rural businesses or is accommodation in connection with such uses in accordance with Policy DC33; or
- iii) is for affordable housing for local needs in accordance with Policy DC32; or
- iv) is for the replacement of an existing dwelling or building in accordance with Policy DC11; or
- v) is for local transport infrastructure which can demonstrate a requirement for a Rural Area location; or
- vi) is for residential infilling in villages in accordance with Policy DC12.

B. the extension or re-use of an existing dwelling or building in accordance with Policies DC47 or DC57.

- C. the carrying out of an engineering or other operations, or the making of a material change to the use of land, where the works or use concerned would have no material effect on the appearance and character of the countryside in the Rural Area beyond the Metropolitan Green Belt.

Reasoned Justification (amendments to paragraph 3.6 of the Core Strategy and Development Control Policies DPD)

3.16 The majority of the City Council's area falls outside the Urban Areas and Defined Settlements as defined on the Proposals Map and consists predominantly of countryside. This policy applies to the countryside beyond the Metropolitan Green Belt and seeks to protect the intrinsic character and beauty of the countryside whilst allowing rural communities and economies to thrive and prosper. This includes the sustainable growth and expansion of rural businesses and enterprises, including local shops and community facilities and services which support the rural community and serve their day-to-day needs. Further details of the broad landscape characteristics of the City Council's area are given within the reasoned justification of Policy CP5.

Policy DC6 - Criteria for Transport Assessments

Objective of Amended Policy

3.17 To set appropriate thresholds in accordance with Essex County Council standards for the submission of Transport Assessments for developments that would generate significant amounts of movement. The current policy is too onerous and does not reflect current practices adopted by Essex County Council.

Amended Policy (new title)

Policy DC6 - Transport Assessments

All developments which are likely to generate significant amounts of vehicle movement or fall within the thresholds set out in Appendix E will be required to submit a Transport Assessment. Transport Assessments should identify opportunities for sustainable transport and measures to manage the existing network and mitigate any impacts identified.

Development will be refused on transport grounds where the residual cumulative impacts of development are severe and no appropriate mitigation measures can be achieved.

Reasoned Justification (amendments to paragraph 3.12 of the Core Strategy and Development Control Policies DPD)

3.18 All developments will have their own transport requirements, and a potential impact upon the transport network. The extent of these requirements and impacts needs to be assessed for every development proposal; this must include both passenger and freight movements. Such assessments will not be limited to the impact of generated traffic upon the highway network, although this remains an important component. Appraisals must include an examination of accessibility to the site by all modes and the likely modal split of journeys to and from the site. This includes ensuring accessibility

3 Policy Amendments

by more sustainable modes, i.e. public transport, walking, and cycling and smaller powered two wheelers, reducing the need for parking associated with the development, and proposing measures to mitigate transport impacts.

Policy DC7 - Vehicle Parking Standards at Developments

Objective of Amended Policy

3.19 To remove the requirement for developments to comply with maximum standards. The word 'maximum' is removed, however the standards set in Appendix C remain the same.

Amended Policy

Policy DC7 - Vehicle Parking Standards at Developments

All development will be required to comply with the vehicle parking standards set out at Appendix C. These comprise a set of vehicle parking standards for residential and non-residential uses, for cycle parking, powered two wheeler parking, guidance on disabled parking provision, plus design and layout of parking areas.

Public transport accessibility levels may also be used to further refine appropriate levels of parking provisions, with less parking provision in areas of high levels of public transport accessibility.

Reasoned Justification (amendments to paragraph 3.13 of the Core Strategy and Development Control Policies DPD)

3.20 All new development will be subject to the car parking standards set out in Appendix C. It is intended that these standards will be applied flexibly to ensure that the appropriate level of parking is secured for each development proposal in accordance with the mix, type and location of the development. Lower off-street car parking standards may be permitted at high density residential developments in high accessibility areas such as town centres, subject to safeguarding of the character and appearance of the area. The availability of public transport will also guide parking provisions. It is expected, that where possible, restraint is applied to parking provisions. Sustainability should be placed at the heart of any development proposal through the encouragement of alternative modes of transport. However, it is recognised that to apply standards too rigidly in existing and new residential areas could result in on-street parking, raising such issues as pedestrian safety and possible obstruction for emergency services and adverse impacts on living environments. These factors will thus be taken into account when considering relevant planning applications.

Policy DC11 - Replacement Dwellings in the Countryside

Objective of Amended Policy

3.21 To include references to buildings and to recognise that the character and appearance of the countryside varies between the different locations within the City.

Amended Policy (new title)

Policy DC11 - Replacement Dwellings and Buildings in the Countryside

Planning permission will be granted for the replacement or rebuilding of an existing dwelling or building outside the Urban Areas and Defined Settlements provided:

- i) the proposed dwelling or building is of the same use and the position, volume and scale of the proposed dwelling or building is appropriate to the site; and
- ii) the dwelling or building being replaced is substantially intact; is served by a metalled or otherwise suitable access; is of a size commensurate to a permanent dwelling or building and is constructed of materials appropriate to a permanent dwelling or building; and
- iii) the proposed replacement or rebuild is acceptable in its setting by virtue of its siting, form, scale, architecture, landscape design and materials and would not adversely affect the character, appearance or visual amenities of the area and the intrinsic character and beauty of the countryside; and
- iv) the original dwelling or building is demolished upon completion of its replacement at the latest.

In addition to the above, for proposals within the Metropolitan Green Belt, the proposed dwelling or building should not be materially larger than the one it replaces.

Reasoned Justification (amendments to paragraphs 3.18 - 3.20 of the Core Strategy and Development Control Policies DPD)

3.22 Inappropriate replacement or rebuilding of existing dwellings and buildings in the countryside has a detrimental affect on the openness and rural character of the countryside. However, the City Council recognises that the character and landscape of the countryside varies across the different parts of the City. For example, in locations where there is a built up frontage of development, larger dwellings and buildings may be appropriate and in keeping with the development pattern. When assessing the appropriate size and scale of a replacement dwelling or building consideration must be given to the site's immediate context in terms of the characteristics of the locality and its setting within the wider landscape. Whether the replacement dwelling or building respects the character of the area and its visual prominence are key considerations.

3.23 For sites within the Metropolitan Green Belt, appropriate weight must be attached to the harm caused to openness.

3.24 For applications to replace a dwelling, the original dwelling must be lawful to avoid the replacements of shacks, caravans, railway carriages and other such structures.

Policy DC12 - Infilling in the Countryside

Objective of Amended Policy

3.25 To allowed for limited residential infilling in the Countryside including the Metropolitan Green Belt.

3 Policy Amendments

Amended Policy

Policy DC12 - Infilling in the Countryside

Planning permission will be granted for residential infilling outside the Urban Areas or Defined Settlements provided that:

- i) the site is a small gap in an otherwise built up frontage; and
- ii) the development does not detract from the intrinsic character and beauty of the surrounding countryside; and
- iii) the proposal does not consolidate existing development in remote areas or served by unsatisfactory roads.

Reasoned Justification (amendments to paragraphs 3.21 - 3.22 of the Core Strategy and Development Control Policies DPD)

3.26 Infilling is defined as filling the small gaps within existing groups of dwellings. For the purposes of this policy a gap is normally regarded as ‘small’ if it is capable of accommodating no more than one property. However, in assessing the number of properties that could be accommodated within these small gaps, the City Council will have regard to the character and context of the development pattern of the immediate area. Additionally, where a site lies within the Metropolitan Green Belt, the development must not conflict with the purposes of including land within the Green Belt. The City Council will carefully assess the impact of any proposals for residential infilling to ensure that gaps in the development pattern which positively contribute to the existing setting of a hamlet or group of dwellings are not lost.

3.27 In many cases these gaps are remote from services or served by unsatisfactory roads and infilling in these locations will be resisted. Furthermore, such proposals can lead to the consolidation of development which can detract from the rural character and appearance of an area.

Policy DC23 - Renewable Energy

Objective of Amended Policy

3.28 To update the policy to reflect recent legislation, including the Climate Change Act 2008 and to actively promote renewable and low carbon energy generating sources.

Amended Policy (new title)

Policy DC23 - Promoting Renewable and Low Carbon Energy Generating Projects

Planning permission will be granted for renewable and low carbon energy generating projects provided they:

- i) do not cause demonstrable harm to local wildlife and their habitats or residential amenities through pollution, noise generation, vibration or shadow flicker; and

- ii) are not unacceptably visually prominent within their setting and/or do not have a significant visual impact upon the surrounding landscape; and
- iii) will not adversely impact upon internationally, nationally and locally designated sites and the character or appearance of the countryside; and
- iv) will not have a detrimental impact on highway safety.

When located in the Metropolitan Green Belt, elements of many renewable and low carbon energy generating projects will comprise inappropriate development. In such cases very special circumstances will need to be demonstrated if such projects are to proceed.

Reasoned Justification (amendments to paragraphs 3.46 - 3.48 of the Core Strategy and Development Control Policies DPD)

3.29 The City Council wishes to reduce the consumption of fossil fuels and the subsequent generation of pollution and waste. The development of renewable and low carbon energy schemes, including decentralised energy projects have, therefore, a key role to play in promoting more sustainable forms of development and reducing the production of greenhouse gases. At present, the Council has not specifically identified suitable areas within the City for renewable and low carbon projects and therefore each scheme will be considered on a site by site basis. However, the Council will seek to support, where possible, such projects, including community-led initiatives, and will balance their immediate impact on the amenities of the local environment with their wider contribution to reducing the emission of greenhouse gases.

3.30 For all new development proposals, the Council would encourage the use of decentralised energy projects. Decentralised energy can reduce the environmental footprint of producing energy and can be a cost effective means of helping reduce greenhouse gas emissions.

3.31 For the purpose of this policy, the means of generating renewable or low carbon energy may include (but is not restricted to) onshore wind generation, photovoltaic cells, solar thermal, biomass, air and ground source heat pumps and district/community heating systems such as combined heat and power systems. Further guidance is set out in the Supplementary Planning Document 'Building for Tomorrow' adopted in 2013.

Policy DC24 - Energy Efficient Design and Use of Materials

Objective of Amended Policy

3.32 To update the policy so it is in accordance with current national standards and legislation, including the Climate Change Act 2008 and current sustainability practices and technology.

3 Policy Amendments

Policy DC24, criteria (ii).

Please note that the Code for Sustainable Homes has now been withdrawn. Transitional arrangements allow existing schemes with a planning requirement for a Code for Sustainable Homes assessment to be progressed as normal should you so wish. Alternatively you can submit an application to the Council to have the condition removed, although it is unlikely that the Council will pursue enforcement action if the condition is not complied with.

A national voluntary standard called the Home Quality Mark was launched in March 2015. Please visit <http://www.homequalitymark.com/> for more information.

Amended Policy

Policy DC24 - Energy Efficient Design and Use of Materials

To ensure the delivery of sustainable development, the City Council will require all new dwellings and non-residential buildings to incorporate sustainable design features to reduce carbon emissions and the consumption of natural resources where they fall within the following thresholds:

- i) development of five or more dwellings and non-residential developments of 1,000 sq. m. or more are required to achieve a 10% reduction or more in carbon dioxide emissions above the requirements of current Building Regulations through such means as improvements to the building fabric or connection to a decentralised energy supply or use of on-site low carbon and renewable energy technology. For all developments falling within this threshold a statement must be submitted with any application for planning permission specifying how this will be achieved.
- ii) all new dwellings are required to achieve a minimum rating of Level 3 of the Code for Sustainable Homes (or its successor).
- iii) Non – residential buildings shall have a minimum BREEAM rating (or its successor) of 'Very Good'.
- iv) All new buildings are required, where possible, to utilise a minimum of 20% of sustainable building materials and/or re-use of recycled materials in the construction of the development.

Reasoned Justification (amendments to paragraphs 3.49 - 3.51 of the Core Strategy and Development Control Policies DPD)

3.33 The Climate Change Act 2008 is a demonstration of the Government's commitment to reducing greenhouse gas emissions. A legally binding target for a 35% reduction in emissions by 2020 and an 80% reduction by 2050 has been set. To help meet these targets, local authorities are required to adopt proactive strategies to reduce the consumption of fossil fuels and the subsequent generation of pollution and waste. The City Council considers that the design and construction of buildings can directly affect the environment in terms of energy use and the generation of greenhouse gases and the subsequent impact on climate change through global warming. This will also affect the consumption of non-renewable natural materials. The implementation of appropriate measures to reduce the consumption of energy and natural resources will achieve the City Council's wider objective of securing more sustainable forms of development.

3.34 Building Regulations are statutory instruments that set standards for design and construction that applies to most new buildings whether domestic, commercial or industrial. In the 2006 Building Regulations, a dwelling's 'carbon dioxide emission rate per m² of floor area' was introduced as a means of measuring energy efficiency. In 2013, Building Regulations are set to be strengthened and by 2016, residential buildings are expected to be zero carbon. Non-residential buildings are expected to be zero carbon from 2019. Policy DC24 expects all developments that fall within criterion i) to go beyond the requirements of current Building Regulations by reducing the predicted carbon dioxide

Policy Amendments 3

emissions by an additional 10%. The reasoning behind this requirement is to drive energy efficiency in new developments in preparation for the introduction of the zero carbon requirements in 2016 and 2019 respectively when the criteria will no longer be applicable.

3.35 The City Council supports two independent environmental assessment methods that can be used to assess the environmental performance of a development's design and construction across a range of design categories. BREEAM is the Building Research Establishment's Environmental Assessment Method for non-residential buildings, the Code for Sustainable Homes is the equivalent standard for new homes. Both assessment methods seek to minimise the adverse effects of new buildings on the environment at global and local scales, whilst promoting healthy indoor conditions for the occupants.

3.36 To encourage energy and resource efficient sustainable design and construction techniques, the City Council has adopted a Supplementary Planning Document 'Building for Tomorrow'. This provides appropriate detailed guidance on these issues.

3.37 For the purposes of criterion ii) for this policy, the Code for Sustainable Homes applies to one or more dwellings.

Policy DC30 - Protecting Existing Housing

Objective of Amended Policy

3.38 To allow changes of use to community facilities or a use that adds benefit and value to the community.

Amended Policy

Policy DC30 - Protecting Existing Housing

In Urban Areas and Defined Settlements, planning permission may be granted for the change of use or redevelopment involving the loss of existing housing and all units capable of residential use where:

- i) the proposal is for redevelopment for housing; or
- ii) the proposal is for a use that would serve the needs of the community and would fall within Classes A1, A2, C1, C2 and D1 of the Use Classes 1987 (as amended); or
- iii) the continuation of the residential use is environmentally unacceptable; or
- iv) it is the only way of ensuring the retention of a listed building; or
- v) the use is complementary to the residential character of the area; or
- vi) the site is part of a comprehensive redevelopment.

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Reasoned Justification (amendments to paragraph 3.58 of the Core Strategy and Development Control Policies DPD)

3.39 The existing housing throughout the City is an important element in meeting housing needs. The majority of older housing is either in good condition or is capable of being refurbished. The City Council wishes to ensure that the existing housing stock is retained in the appropriate manner whilst allowing some flexibility to the redevelopment or change of use of residential units where a valued local service or facility can be provided. Examples include day nurseries, dental and medical surgeries, hairdressers, educational facilities, training centres etc.

Policy DC31 - The Provision of Affordable Housing

Objective of Amended Policy

3.40 Amendments to reflect the changes to housing tenures and to allow flexibility where there may be concerns regarding viability.

Amended Policy

Policy DC31 - The Provision of Affordable Housing

The City Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential development sites which:

- have a capacity of 15 or more dwellings; or
- comprise an area of 0.5 ha or larger; or
- lie within a small rural Defined Settlement and have a capacity for 5 or more dwellings.

Where a site falls under the site/size threshold, the City Council will take into consideration the existence of other sites which are adjacent to and which have or are likely to come forward for residential development within the life of the Development Plan Document in order to ensure that the effect of the proposal would not result in the development of allocated or windfall sites in a piecemeal or uncoordinated manner. In such circumstances the City Council will aggregate such developments for the purpose of calculating the affordable housing provision. Proposals that would under-develop sites in order to avoid making the affordable housing contribution will be refused planning permission.

Additionally in the rural areas where justified by the local housing need the development of affordable housing will be allowed on 'exception' sites. These are allocated in the Site Allocations DPD and North Chelmsford Area Action Plan. Other sites may come forward as windfall sites which may be permitted subject to the criteria set out in Policy DC32.

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In considering the suitability of affordable housing the City Council will require that:

- i) the mix, size, the type and tenure of affordable homes will meet the identified housing need of the City as established by housing need assessments (as updated from time to time) reported in the current Strategic Housing Market Assessment and be appropriately weighted to ensure that the provision makes at least a proportionate contribution to the categories of greatest housing need; and
- ii) the affordable housing is integrated into residential layouts so as to avoid the over-concentration of affordable housing in any particular location within the development site and in order to achieve seamless design; and
- iii) developers and owners enter into planning obligations in order to provide the affordable housing and to ensure its availability for initial and successive occupiers or for the subsidy to be recycled for alternative affordable housing.

The 35% requirement may only be reduced where it is demonstrated to the satisfaction of the City Council that the scale of the obligation and other policy burdens would result in a proposed development not being financially viable.

Reasoned Justification (amendments to paragraphs 3.59 - 3.69 of the Core Strategy and Development Control Policies DPD)

3.41 The City Council has assessed housing need through an independent housing needs survey for the City conducted by Fordham Research in 2002. This examined the number of households currently in need and those projected to fall into housing need in the future along with the projected affordable housing supply to estimate the total requirement for additional affordable housing to meet housing need. The survey identified a total annual affordable housing need would arise for 1,657 households. The estimated annual supply of affordable housing was calculated to be 610 units per annum, resulting in a net affordable housing requirement of 1,047 units per annum.

3.42 The City Council commissioned Fordham Research to undertake an update of this survey in 2004 to take account of changes in house prices and rents, changes in supply and re-base figures taking into account Census and Housing Investment Programme Information. Methodological changes were applied to reflect revised Government guidance on how to conduct local housing needs assessments and to arrive at a minimum estimate of the requirement for additional affordable housing to meet housing need.

3.43 The 2004 Housing Needs Survey Update identified a total annual affordable housing need amounting to 1,268 households. It estimated an annual supply of affordable housing of 484 units per annum, which results in a minimum estimate shortfall of 784 affordable units per annum. As this minimum estimate is just below the target completions rate for all new dwellings in the City the study concludes that a target up to 40% of all new dwellings units on suitable sites should be affordable.

3.44 The City Council appreciates that a realistic target level has to be set whilst making significant progress towards meeting identified housing need. Therefore, the policy requires 35% affordable housing provision in suitable new residential sites.

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3.45 Given that, even at 35% provision the identified need will not be met, it is crucial that all suitable sites contribute to the identified requirement. A key component of the Spatial Strategy is that a significant proportion of the overall housing requirement within the City will be located within the existing built up areas, which are normally, by their very nature, smaller sites. This is particularly relevant within the villages of the City Council's rural areas therefore the policy will apply to all sites of 15 dwellings or more or residential sites of 0.5 hectare or more and in the small Rural Defined Settlements the threshold is 5 dwellings.

3.46 The City Council will seek to ensure that sites are not developed piecemeal or in an uncoordinated way which has the consequence of keeping individual developments below the threshold for the provision of affordable housing on a single grant of planning permission, to ensure that affordable housing provision is made across the City. Proposals that would under-develop sites in order to avoid making the affordable housing contribution will be refused planning permission.

3.47 For the application of this policy, small rural settlements are those Defined Settlements that are designated for enfranchisement and right to acquire purposes (under section 17 of the Housing Act 1996) by Statutory Instruments 1997 No.623 and 2009 No. 2098. The lower threshold in the small rural Defined Settlements forms part of the City Council's approach to affordable rural housing that reflects national objectives to sustain mixed and sustainable rural communities.

3.48 In order to meet housing needs, the affordable housing will be required to be of a size (e.g. 1 bedroom, 2 bedroom, 3 bedroom +), type (e.g. houses, flats or other residential developments) and housing costs which reflect current and future occupiers housing needs and their ability to pay for affordable housing. The mix of affordable housing will be appropriately weighted to ensure the categories of housing which are required to meet the greatest need are provided for. For the interpretation of this policy, the categories of affordable housing are those stated in national planning guidance. In order to meet the majority of identified housing need there is a presumption that social rented and affordable rented housing will form the majority of affordable housing within the mix.

3.49 In order to create mixed, inclusive and sustainable communities, the City Council will require that the affordable housing is distributed across the site rather than provided in one single parcel. Affordable housing should be designed in such a way that aids visual integration between the market and affordable housing elements of a scheme.

3.50 Only where it is demonstrated to the satisfaction of the City Council that the scale of the affordable housing obligation and other policy burdens would result in a proposed development not being financially viable will the City Council consider a lower contribution or a contribution that does not make an appropriate contribution to the identified categories of greatest housing need.

3.51 Affordable housing is an integral element of any market-led residential or mixed use development and is expected to be provided in-kind and on-site. In exceptional circumstances only, the City Council may consider off-site provision or a financial contribution, if robustly justified.

3.52 Further detailed guidance on the application of this policy, including the City Council's process and procedure when dealing with affordable housing, is contained within the Supplementary Planning Document "Affordable Housing".

Policy DC32 - Rural Housing Need

Objective of Amended Policy

3.53 To allow for the possible provision of market housing where it would facilitate the provision of significant additional affordable housing to meet local need.

Amended Policy

Policy DC32 - Rural Housing Need

Planning permission may be granted for affordable housing on small sites within or adjoining small rural Defined Settlements, which would not otherwise be released for housing, in order to meet local rural housing need where:

- i) the City Council is satisfied that there is a clearly evidenced local need for the number and type of housing proposed; and
- ii) the site is accessible to local services and facilities; and
- iii) the site does not fall within an area defined as a Green Wedge on the Proposals Map and is not subject to any other overriding environmental or other planning constraint; and
- iv) the appropriate legal agreements are entered into for the affordable housing with the Local Planning Authority to ensure that all dwellings will remain available for affordable housing, and exclusively for local need, in perpetuity and that the necessary management of the scheme can be permanently secured. Details will be needed of the legal mechanisms proposed to achieve these requirements.

A proportion of market housing may be appropriate only where it can be demonstrated to the City Council that the market housing is essential to cross-subsidise the delivery of the affordable housing and that the development would not be viable without this cross-subsidy.

At the scheme level, the number of market houses can never exceed the number of affordable and the plot size, scale and general design of the homes should be comparable regardless of tenure within a single integrated development layout.

Reasoned Justification (amendments to paragraphs 3.70 - 3.72 of the Core Strategy and Development Control Policies DPD)

3.54 In certain circumstances small, predominantly affordable housing developments to meet local need will be permitted outside but adjoining Defined Settlement boundaries if it can be demonstrated that there is a proven need for the number and type of dwellings proposed, which cannot be met in any other way, and the City Council is satisfied that the affordable housing will remain affordable and exclusively available for local needs in perpetuity.

3.55 For the application of this policy, small rural settlements are those Defined Settlements that are designated for enfranchisement and right to acquire purposes (under Section 17 of the Housing Act 1996) by Statutory Instruments 1997 No. 623 and 2009 No. 2098.

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3.56 The City Council expects all rural affordable housing proposals submitted under Policy DC32 to be accompanied by a local housing need survey conducted at a Parish-wide level that provides information on the number of households that are currently and likely to be in housing need in the next five years, their incomes and the type of accommodation required to meet their housing need. When a proportion of market housing is also proposed, the local housing needs survey must identify the type of market housing that is required and why. By their very nature the size of 'exceptions sites' would be dependent on local housing need which can include specialist housing such as accommodation for Gypsies and Travellers.

3.57 Any proposal submitted under Policy DC32 that includes market housing must include a robust, independently prepared and audited viability assessment of the proposed development, prepared on an open book basis, for the City Council to assess whether the market element of the proposal is justified. The extent of the funding gap to be bridged in order for the proposal to be viable, including the income from cross-subsidy generated through open-market sales that will assist in creating the additional scheme revenue that can fund the affordable housing on the site without requiring additional subsidy from either the City Council or the Homes and Communities Agency, should be clearly set out.

3.58 Because the central role of the market housing is to cross-subsidise the affordable housing, the ratio of market to affordable housing is likely to vary from site to site. The general approach in negotiating the inclusion of market housing should be to begin by appraising a 100% affordable housing scheme and then working back until the appropriate mix of affordable housing (tenure, type and size) can be delivered on a site without reliance on public subsidy.

3.59 The City Council will seek to ensure that the dwelling and tenure mix is aligned with local need and provides a visually consistent and seamless design.

Policy DC33 - Agricultural Worker Dwellings

Objective of Amended Policy

3.60 Annex A of Planning Policy Statement 7 (PPS7) - '*Sustainable Development in Rural Areas*' set out stringent tests for the provision of dwellings for agricultural, forestry and other rural-based workers. This Policy Statement has been cancelled. The objective of the amended policy is to include the tests previously set out in Annex A of PPS7.

Amended Policy (new title)

Policy DC33 - Agricultural/Rural Workers Dwellings

A. New Dwellings

Planning permission will only be granted for a new agricultural/rural worker's dwelling where it meets all of the following criteria:

- i) evidence has been submitted to the satisfaction of the City Council that there is an existing functional need for a permanent dwelling in that location; and
- ii) the need relates to a full-time worker or one who is primarily employed in agriculture or other rural-based enterprise considered acceptable by the City Council; and

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iii) the size of, and the accommodation to be included in the proposed dwelling, is commensurate with the needs of the enterprise, rather than those of the owner or occupier; and

iv) the unit and the agricultural/rural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and

v) the need could not be fulfilled by another existing dwelling or accommodation on the unit, or any other existing accommodation in the locality which is suitable and available for occupation; and

vi) the development is in all other respects acceptable against other relevant policies in the plan.

Conditions will be attached to any permission removing permitted development rights and limiting the occupancy to that required for the holding concerned or other agricultural/rural use nearby.

In the context of this policy, the need relates to traditional rural activities such as agriculture, horticulture, forestry, fisheries, rural estate management, conservation etc.

B. Removal of Occupancy Conditions on Existing Dwellings

Planning permission will be granted for the removal of restrictive agricultural/rural worker occupancy condition on a dwelling only where;

i) it can be evidenced that there is no long-term need for an agricultural/rural workers dwelling in the locality; and

ii) in accordance with criterion i), comprehensive evidence is submitted with the application that shows to the satisfaction of the City Council that the property has been publicised for sale and let to other relevant interests in the locality at a price to reflect the occupancy condition, and confirmation of a lack of interest.

The occupancy condition will not be removed within 10 years of the completion of the dwelling.

Reasoned Justification (amendments to paragraphs 3.73 - 3.75 of the Core Strategy and Development Control Policies DPD)

3.61 One of the few circumstances where a new dwelling within the countryside may be justified is when accommodation is required to enable agricultural or rural workers to live at or in the immediate vicinity of their place of work. However, such a need must be essential and to prevent the misuse of policy the City Council requires any proposal for a new agricultural/rural workers dwelling to meet all the criteria set out within the policy.

3.62 The City Council recognises that changes in the scale and character of agricultural and forestry activities may well affect the longer-term requirement for dwellings in the countryside where these were made subject to an “agricultural worker occupancy” condition at the time of granting planning permission. In such cases, the City Council recognises that it would fulfil no purpose to keep such dwellings vacant, or that existing occupiers should be obliged to remain in occupation simply by virtue

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of a planning condition that has outlived its usefulness. Nevertheless, the City Council will expect applications for the removal of an occupancy condition to demonstrate convincingly that there is no long-term need for an agricultural dwelling in the locality.

3.63 Furthermore, the City Council will also bear in mind that such dwellings could well be used by agricultural and forestry workers seeking accommodation within the wider surrounding area. In this regard, it will need to be properly assured that the availability of a dwelling tied to an occupancy condition has been effectively marketed to likely interested parties in the area concerned, and that no real interest has been shown regarding purchase or occupation of the dwelling by the local agricultural community. As part of the evidence required, the applicant will be expected to provide details of their instructions to estate agents, and the response to that advertising, that:-

- i. the property has been on the market for rent or sale for at least 18 months and advertised continuously in that period at a price that reflects the occupancy condition. The advertising should be within both local newspapers and at least two national farmer magazines e.g. Farmers Weekly;
- ii. the property has been offered both for sale and to rent on the same basis as above to all farmers and horticulturalists in the locality (i.e. having holdings within a two mile radius of the dwelling).

3.64 In addition, the policy will be applied to applications for removal of occupancy conditions from dwellings associated with stables or other rural dwellings which are subject to occupancy conditions.

Policy DC47 - Extensions to Dwellings or Buildings

Objective of Amended Policy

1. To allow for extensions to both dwellings and buildings.
2. To be more flexible by recognising that the character and appearance of the countryside varies between the different locations within the City.

Amended Policy (new title)

Policy DC47 - Extensions to Dwellings or Buildings

- A. Planning permission will be granted for the extension of an existing dwelling or building in the Urban Areas and Defined Settlements where:
 - i) the proposed 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
 - ii) the extension would not adversely prejudice outlook, privacy or light enjoyed by the occupiers of nearby residential properties; and

iii) off-street car parking spaces are already provided in accordance with the City Council's Parking Standards.

B. In addition to the above criteria, outside the Urban Areas and Defined Settlements planning permission will be granted for the extension to an existing dwelling or building which is substantially intact and has a reasonable remaining life where:

i) the proposed extension together with any previous additions to the original dwelling or building is acceptable in size, scale and proportions such that the form and appearance of the extension and/or the enlarged dwelling or building is acceptable and in keeping with its context and surroundings and would not adversely affect the intrinsic character and beauty of the countryside.

Reasoned Justification (amendments to paragraphs 3.108 - 3.110 of the Core Strategy and Development Control Policies DPD)

3.65 Both individually and collectively, extensions to existing dwellings or buildings have an effect on the character of an area. It is important, in the interests of good design and to safeguard the character of areas, that such extensions are well designed in themselves, in relation to the host building and the general streetscene.

3.66 Inappropriate extensions to dwellings or buildings in the countryside can have an adverse effect both on the host building and the wider character of the countryside. However, the City Council recognises that the character and landscape of the countryside varies across the different parts of the City. A different set of planning considerations are likely to apply for sites within built up frontages of development compared to sites that are located in more isolated positions in the countryside. When assessing applications for development, the site's immediate context and landscape features and the form and appearance of the original dwelling or building are contributing factors. Development proposals will be considered on a site by site basis.

3.67 For the application of this policy, the original dwelling or building means that as built at 1st April 1974, or if built after this date, as originally built.

Policy DC48 - Employment Areas

Objective of Amended Policy

3.68 To give greater flexibility to alternative uses and economic trends.

Amended Policy

Policy DC48 - Employment Areas

In the Employment Areas shown on the Proposals Map, the City Council will seek to retain Class B uses as defined by the Use Classes Order 1987 (as amended) or other 'sui generis' uses of a similar employment nature.

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Planning permission will be granted for the redevelopment or change of use for non-Class B uses where:

- i) it can be demonstrated that there is no reasonable prospect of the site concerned being used for Class B purposes; and
- ii) it can be demonstrated that the alternative use cannot be reasonably located elsewhere within the area it serves; and
- iii) the use is compatible and/or will not impact upon the existing character and function of the Employment Area; and
- iv) the use will not give rise to unacceptable traffic generation, noise, smells or vehicle parking.

Reasoned Justification (amendments to paragraphs 3.111 - 3.114 of the Core Strategy and Development Control Policies DPD)

3.69 A thriving and entrepreneurial business community is critical for driving wealth creation and employment in the local and regional economy. The Employment Areas provide an important contribution to the Chelmsford City economy with approximately 20% of the City's workforce generated from these areas and 10% of the City's businesses operating from them. Through the East of England Economic Strategy, the Region sets the priority for building a more enterprising culture whether it is applied to existing businesses or new enterprises. It is recognised that the Regional Economic Strategy has now been revoked. However, notwithstanding that the Strategy has been revoked, the policies conform with current national policy and provide a sound basis for encouraging economic development within the City Council's area. The Employment Areas shown on the Proposals Map provide an arena in which Chelmsford's business community can develop and compete at a local, regional, national and international level. The City Council will work with businesses within these areas to encourage them to adapt and respond to changing economic conditions in order to support business growth and ensure the economic viability of local communities.

3.70 The East of England Economic Strategy states that employment sites are under increasing pressure to be developed for housing and other uses but it is important to retain existing employment sites where possible and appropriate. Employment site retention and provision is particularly necessary to enable balanced job and housing growth, provide choices and reduce dependency on London. Furthermore these Employment Areas contain a range of sites and premises that meet the needs of the business community as identified within the Chelmsford Borough Employment Land Review 2006 which is monitored from time to time. However, the National Planning Policy Framework advises local authorities to take a pragmatic approach to the protection of employment sites where there are high vacancy rates and/or where there is no reasonable prospect of a site being used for the allocated employment use. To build a strong, responsive and competitive economy, policies need to be flexible whilst ensuring that the needs of the community are met. To this end, the City Council will, where possible, seek to retain Class B uses at employment sites whilst at the same time seek to prevent the long-term vacancy of units where other non-Class B uses may be appropriate.

3.71 There is pressure to change commercial space into residential space every time a company closes or relocates. Businesses are dynamic but if an employment site was lost to housing every time a unit or parcel of land becomes vacant then there runs the risk of a declining stock of employment

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premises that would hamper the ability of the City to maintain and increase employment growth. The loss of commercial space to housing development could also lead to future social problems such as increased unemployment and increased commuting distances.

3.72 For the purposes of criterion ii) of this policy, the City Council will make a judgement about the extent of the area based upon the site concerned and the proposed use.

Policy DC59 - Primary Frontages in Chelmsford and South Woodham Ferrers

Objective of Amended Policy

3.73 To allow for a wider range of uses that support the existing shopping function of primary frontages but do not necessarily fall within Class A1 of the Use Classes Order 1987 (as amended).

Amended Policy

Policy DC59 - Primary Frontages in Chelmsford and South Woodham Ferrers

Within the Primary Frontages in Chelmsford and South Woodham Ferrers Town Centres as defined on the Proposals Map, proposals for retail use will be supported. The change of use of ground floor Class A1 units to other Class A uses of the Use Classes Order 1987 (as amended) or 'sui generis' uses of a retail nature will only be permitted if the balance of retail vitality and viability is not likely to be significantly harmed, and if all of the following criteria are met:

- i) the number, frontage lengths and distribution of other Class A uses or sui generis uses in the frontage do not create an over-concentration of uses detracting from its established retail character; and
- ii) the proposed use will provide a direct service to visiting members of the general public and generate sufficient daytime and evening pedestrian activity to avoid creating an area of relative inactivity in the shopping frontage; and
- iii) the sub-division of any unit should not create small 'token' retail units; and
- iv) the proposal does not prejudice the effective use of upper floors, retaining any existing separate access to upper floors; and
- v) the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and to the streetscene and its setting, in terms of materials, form and proportion.

Within Primary Frontages, proposals for office, tourism, leisure, cultural, community or residential accommodation on upper floors will be supported.

Reasoned Justification (amendments to paragraphs 3.137 - 3.138 of the Core Strategy and Development Control Policies DPD)

3.74 Within the two Town Centre shopping areas of Chelmsford and South Woodham Ferrers, the Primary Frontages contain the main shopping uses and this policy seeks to prevent the erosion of retail use which is important for public service and local economic vitality. The diversity of retail

3 Policy Amendments

uses is also important in maintaining healthy communities by offering a variety of choice and preventing the concentration of uses which could undermine quality of life or community cohesion. The Proposals Map defines the Primary Frontages within the shopping areas of the two Town Centres. In considering change of use applications, the City Council will make a judgement about the relevant length of retail frontage on which a decision will be based.

Policy DC60 - Secondary Frontages in Chelmsford and South Woodham Ferrers

Objective of Amended Policy

3.75 To allow for a wider range of uses that support the existing shopping function of primary frontages but do not necessarily fall within Class A1 of the Use Classes Order 1987 (as amended).

Amended Policy

Policy DC60 - Secondary Frontages in Chelmsford and South Woodham Ferrers

Within the Secondary Frontages in Chelmsford and South Woodham Ferrers Town Centres as defined on the Proposals Map, proposals for retail, leisure and cultural uses will be supported. The change of use of ground floor Class A1 uses to other Class A, B1(a) and D1 uses of the Use Classes Order 1987 (as amended) or 'sui generis' uses of a retail nature will only be permitted if the balance of retail vitality and viability is not likely to be significantly harmed, and if all of the following criteria are met:

- i) the number, frontage lengths and distribution of other Class A, B1(a), D1 or sui generis uses in the frontage do not create an over-concentration of uses detracting from its established retail character; and
- ii) the sub-division of any unit should not create small 'token' retail units; and
- iii) the proposal does not prejudice the effective use of upper floors, retaining any existing separate access to upper floors; and
- iv) the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and to the street scene and its setting, in terms of its materials, form and proportion.

Within Secondary Frontages, proposals for office, tourism, leisure, cultural, community or residential accommodation on upper floors will be supported.

Reasoned Justification (amendments to paragraphs 3.139 - 3.140 of the Core Strategy and Development Control Policies DPD)

3.76 Secondary Frontages contain mainly retail uses but also a greater diversity of other business uses that offer services to town centre users. However, the City Council will seek to ensure that this does not result in a concentration of uses that undermine community cohesion or engender unsafe and inaccessible environments. The Proposals Map defines the Secondary Frontages within the shopping areas of the two Town Centres. In considering change of use applications, the City Council will make a judgement about the relevant length of the retail frontage on which a decision will be made.

Position Statement - Gypsy and Traveller Accommodation 4

4 Position Statement - Gypsy and Traveller Accommodation

The following text is to be inserted before Policy DC34 of the Core Strategy and Development Control Policies Development Plan Document, adopted 2008.

4.1 Following the Government's publication of Planning Policy for Traveller Sites in March 2012, the Essex Planning Officers' Association (EPOA) has commissioned on behalf of all Essex Local Planning Authorities a new Gypsy and Traveller Accommodation Assessment (GTAA) for the period 2013-2033. This new assessment is anticipated to be completed in the Autumn of 2013 and will provide an up-to-date evidence base to inform a Full Review of the Chelmsford City Council's adopted development plans.

4.2 In the intervening period up to the adoption of a new Local Plan, the City Council will use the National Planning Policy for Traveller Sites and the National Planning Policy Framework as material considerations in the determination of planning applications for Traveller accommodation.

Appendices

Appendices

APPENDIX C - Vehicle Parking Standards (Amended)

The following revised Appendix C - Vehicle Parking Standards replaces that in the Core Strategy and Development Control Policies Development Plan Document, adopted 2008.

Basis of Standards

The Parking Standards set out in the schedule below are based on the Town & Country Planning (Use Classes) Order 1987 (as amended). All standards relate to the gross floorspace of new or extended development unless otherwise stated.

Spatial Aspects

The application of standards should relate to the location of proposed development. Minimal private parking provision should be applied to locations such as town centres, where access to public car parking facilities and alternative forms of transport is good. Conversely development which is proposed in more rural or isolated areas may be permitted to include greater levels of parking where the car is the only realistic means of travel.

Operational and Non-operational Parking

Operational parking space is defined as the space required for vehicles regularly and necessarily involved in the operation of the business for which the premises are used. This includes space for commercial vehicles and for loading and unloading goods, but does not include space for vehicles to be stored, except where this is necessary as part of the business being carried on in the building. Non-operational parking space is reserved for vehicles which do not need to park on site.

The standards do not distinguish between operational and non-operational parking requirements. They distinguish instead between car parking provision and provision for service vehicles delivering goods to premises or removing goods there from. These standards thus include reference to the provision of space for the loading and unloading of service vehicles for each Use Class where applicable.

Calculation of Parking Requirements

Most of the standards are related to floorspace area. Thus, where the standard is for example one car parking space for every 4m² of floorspace, and a development has a relevant floorspace of 19m², a calculation of 4 into 19 gives 4.75 spaces. This is rounded down to the nearest whole number to give a total requirement of 4 spaces.

Where a development incorporates two or more land uses to which different parking standards are applicable, the standards appropriate for each use should be simultaneously applied in proportion to the extent of the respective use. For example, where a development incorporates housing and offices each use should be assessed separately according to the appropriate standard and the aggregated number of resulting parking spaces reflects the number of spaces that should be provided.

Shared Use Provision

Where shared use of parking areas can be achieved without conflict (i.e. where uses are clearly separated in terms of time of day or day of the week) this is highly desirable, provided that the provision is within the standard applicable for any one use. This may result in a reduction of the number of parking spaces which a developer provides.

Service Vehicles

Service vehicles are regarded as those vehicles delivering goods to or removing goods from a premise. It is recognised that servicing requirements may be unique to a particular site. Service traffic varies with the type of enterprise within a given Use Class (e.g. the traffic serving a furniture shop may be very different in frequency and character from that supplying a supermarket). For this reason, no standard dimensions are provided for parking and turning spaces for service vehicles. It is considered that commercial enterprises should analyse their own requirements in terms of the size, numbers and types of commercial vehicles visiting their premises and should demonstrate to the local authority that any development proposal includes sufficient service vehicle provision to meet normal requirements. Such service provision should be clearly signed and marked to avoid being utilised as an overflow parking area.

Mention is made of the need for provision for service vehicles under relevant Use Classes within the car parking standards, but this need should be assumed to exist in all developments visited by service vehicles. The onus is placed on applicants/developers to demonstrate that adequate provision has been made on site for loading, unloading and turning of service vehicles.

Provision for Cycle and Motorcycle Parking

Parking standards for cycle and motorcycles are set out in these standards. These are expressed as minimum standards to reflect the sustainable nature of these modes of travel. Guidance on the application of these standards is provided.

Appendices

VEHICLE PARKING STANDARDS

USE CLASS A1 - Shops

Standard: 1 space per 20sqm.

Note:

In all cases adequate provision shall be made for the parking and turning of service vehicles delivering goods to the premises and, where appropriate, delivery vehicles operating from the premises. For Cash and Carry and other Retail Warehouses including Garden Centres, see Other Standards. A Transport Assessment may also be required.

USE CLASS A2 - Financial and Professional services

Standard: 1 space per 20sqm.

USE CLASS A3 - Food and Drink Restaurants, Snack Bars and Cafes

Standard:

Restaurants	1 space per 5sqm
Roadside restaurants	1 space per 5sqm
Transport cafes	1 space per 5sqm

Note:

1. A lower provision may be appropriate in town centre locations where there is good access to alternative forms of transport and existing car parking facilities.
2. 'Drive-through' outlets should be considered under the heading of Roadside restaurants.

USE CLASS A4 - Drinking Establishments

Standard: Pubs and Clubs 1 space per 5sqm

Note:

A lower provision may be appropriate in town centre locations where there is good access to alternative forms of transport and existing car parking facilities.

USE CLASS A5 - Hot Food Take-Aways

Standard: Take-Away outlets 1 space per 20sqm

Note:

A lower provision may be appropriate in town centre locations where there is good access to alternative forms of transport and existing car parking facilities.

USE CLASS B1 - Business

Standard: 1 space per 30sqm. A Transport Assessment (including a Travel Plan) will be required for new or extended development of 2,500sqm or above.

Note:

In all cases adequate provision shall be made for the parking and turning of service vehicles delivering goods to the premises and, where appropriate, delivery vehicles operating from the premises.

USE CLASS B2 - General Industrial

Standard: 1 space per 50sqm. A Transport Assessment will be required for developments of 5,000sqm or above.

Note:

In all cases adequate provision shall be made for the parking and turning of service vehicles delivering goods to the premises and, where appropriate, delivery vehicles operating from the premises.

USE CLASS B8 - Storage and Distribution, Wholesale Warehouse and Distribution Centres

Standard: 1 space per 150sqm. A Transport Assessment will be required for developments of 10,000sqm or above.

Note:

In all cases adequate provision shall be made for the parking and turning of service vehicles delivering goods to the premises and, where appropriate, delivery vehicles operating from the premises.

Appendices

USE CLASS C1 - Hotels, Boarding Houses and Guest Houses

Standard: 1 space per bedroom (guest or staff)

Note:

A lower provision may be appropriate in town centre locations where there is good access to alternative forms of transport and existing car parking facilities.

For hostels, see Standards outside Use Classes Order.

USE CLASS C2 - Residential Institutions, Residential Schools, Colleges, Training Centres, Hospital and Nursing Homes

Standard: Residential care home

1 space per resident staff + 1 space per 3 bed spaces/dwelling units

Hospitals

1 space per 4 staff + 1 space per 3 daily visitors

Residential education establishments

1 space per resident staff + 1 space per 2 other staff (any parking for students with vehicles should be provided within this figure)

Note:

A Transport Assessment may be required for new or extended development of 2,500sqm or above.

USE CLASS C3 - Dwelling Houses, Small Businesses at Home, Communal Housing of Elderly and Disabled People

Standard: For main urban areas and locations where access to public transport is good, 1 space per dwelling is appropriate. Where an urban location has poor peak public transport services, 2 spaces per dwelling is appropriate.

In rural or suburban locations where services are poor, one space for one or two bedroom properties, two spaces for three bedroom properties and three spaces for four bedroom properties is appropriate.

USE CLASS D1 - Non-Residential Institutions	
Standard:	
Medical centres	1 space per full-time staff + 2 spaces per consulting room
Day care centres	1 space per full-time staff + 1 space per 4 persons + an area reserved for collection and delivery of clients
Crèches/Nurseries	1 space per full-time staff + waiting facilities where appropriate
Schools	On merit, but as a general guide: 1 space per 2 daytime teaching staff
(Primary and Secondary education)	Consideration also to be given to public/school transport waiting facilities if appropriate
Schools (Further and Higher education)	On merit, but as a general guide: 1 space per 2 daytime teaching staff (any parking for should be provided within this overall figure). Waiting facilities where appropriate, including priority area for public/school transport
Art Galleries/Museums/ Public or Exhibitions	1 space per 25sqm
Places of Worship/Libraries/ Reading rooms	1 space per 10sqm

Appendices

Note regarding Schools:

Developments in urban locations are expected to achieve a lower provision in order to promote more sustainable ways of travelling to school. Transport Assessments and Travel Plans (including Safer Journeys To School) are likely to be required for most applications for development.

USE CLASS D2 - Assembly & Leisure	
Standard:	
Cinemas	1 space per 5 seats
Other uses	1 space per 22sq m

Note:

Conference facilities and Stadia are included in other Standards outside Use Class Order - see OTHER STANDARDS, page 186 of the Core Strategy and Development Control Policies Development Plan Document, 2008.

APPENDIX E - Transport Assessment Guideline Thresholds

The following Appendix E is to be inserted after Appendix D in the Core Strategy and Development Control Policies Development Plan Document, adopted 2008.

Table I

Use	Thresholds for Transport Assessments
A	
A1 Food Retail	>800sqm
A2 Non-food retail	>1500sqm
A2 Financial and professional services	>2,500sqm
A3 Restaurant and cafes	>2,500sqm
A4 Drinking establishments	>600sqm
A5 Hot food takeaway	>500sqm
B	
B1 Business	>2,500sqm
B2 General industry	>4,000sqm
B8 Storage and distribution	>5,000sqm
C	
C1 Hotels	>100 bedrooms
C2 Residential - hospital, nursing homes	>50 beds
C2 Residential - education	>150 students
C2 Residential - institution, hostel	>400 residents
C3 Residential	>50 units
D	
D1 Non-residential institutions	>1000sqm
Primary and secondary education	Any new school
Higher and further education	>50 passenger car units (pcus)
D2 Leisure and assembly	>1500sqm

Appendices

Use	Thresholds for Transport Assessments
Others	Discuss with the local planning authority

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