

17 June 2025 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor R. Lee (Chair)

and Councillors

J. Armstrong, H. Clark, S. Dobson, J. Frasca, S. Hall, R. Hyland,
J. Lardge,
V. Pappa, E. Sampson, A. Thorpe-Apps, C. Tron, and P. Wilson

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please email committees@chelmsford.gov.uk or phone 01245 606480

PLANNING COMMITTEE

17 June 2025

AGENDA

1. Chair's Announcements

2. Apologies for Absence

3. Declarations of Interest

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Minutes

To consider the minutes of the meeting on 29 April 2025.

5. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting, provided that they have submitted their question or statement in writing in advance. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Where an application is returning to the Committee that has been deferred for a site visit, for further information or to consider detailed reasons for refusal, no further public questions or statements may be submitted.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

6. 24/01735/FUL – Unit and Yard 8 at Five Tree Works, Bakers Lane, Galleywood, Chelmsford

7. 25/00229/FUL – 71 Ash Grove, Chelmsford, CM2 9JT

8. 24/00695/FUL – Land South East of Banters Lane Business Park, Banters Lane, Great Leighs, Chelmsford

9. Planning Appeals

MINUTES
of the
PLANNING COMMITTEE
held on 29 April 2025 at 7pm

Present:

Councillor J. Sosin (Chair)
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, H. Clark, S. Hall, J. Lardge, R. Lee, A. Thorpe-Apps, N. Walsh and
P. Wilson

1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting.

2. Apologies for Absence

Apologies for absence were received from Cllrs J. Frascona, R. Hyland and C. Tron. Cllrs H. Clark and Cllr N. Walsh substituted for Cllrs Frascona and Tron respectively.

3. Declarations of Interest

All Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 4 March 2025 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

[Two public questions had been submitted in advance for Item 6 and four public questions had been submitted in advance for Item 7, which were summarised under the relevant items and can be viewed via this link.](#)

6. 24/01546/FUL – Unit 2 & Unit 3, 37 Beehive Lane, Great Baddow, Chelmsford, CM2 9TQ

Declarations of Interest – Cllr Sosin declared a non-registrable interest for Item 6 and left the meeting. Cllr Dobson took the Chair for Item 6.

The Committee were asked to consider a planning application for the change of use of units 2 and 3 at 37 Beehive Lane, from office to place of worship (use class F1), community services and religious instruction classes (use class F2). The Committee heard that the application had been brought to the committee due to the applicant being the chairperson of the Chelmsford Hindu Society also being a City Councillor, and an adverse representation or comment had been received.

The Committee were informed that there were no specific days of worship, and the use of the premises would be various times throughout the day, seven days a week. The report included a travel plan which would allow off-site parking, at the Church of the Latter-day Saints along Baddow Road, for days of specific Hindu festivals. The Committee was informed that officers deemed the impact on the existing employment area as minimal.

The Committee heard from a member of the public in support of the application who shared that the current arrangements for worship required the Hindu community in Chelmsford to travel long distances and that this property would be an ideal place to celebrate Hindu festivals.

In response to questions from the Committee, officers confirmed that the number of people attending weekly rituals outside of celebration days was ten and that had been scrutinised and was adequately in line with the details of the travel plan. Officers also stated that noise levels within the building would be addressed by public health should a complaint be made. In response to the maximum number of people that would be permitted to use the building at one time it was shared that this was not a planning issue, and that the applicant would need to ensure that fire regulations were complied with.

RESOLVED that application 24/01546/FUL be approved, subject to the conditions detailed in the report.

(7.03pm to 7.21pm)

[7. 24/01773/FUL – Shop, Horseshoe Farm, Main Road, Bicknacre, Chelmsford, Essex, CM3 4EX](#)

Cllr Sosin returned to the Chair for this item and Cllr Dobson stepped away from the debate for this item as the Member who called-in the application.

The Committee were asked to consider a planning application to demolish the existing building and to construct a single storey building to be used as a retail unit along with two parking areas for the new retail unit and an existing childcare facility on an adjacent site.

The Committee were informed that there would be a new vehicle access from the main road with 25 parking spaces, 20 for the new retail unit and five for the adjacent childcare facility. a new pedestrian refuge island has been proposed to be installed on Main Road to provide easy and safe access. The Highways authority was satisfied that there would not be any safety impact. An additional acoustic fence would be constructed along the southwest boundary with the residential house.

[The Committee also noted the green sheet of amendments.](#)

The Committee heard from a member of the public in support of the application who shared that this application would allow for 15 full-time jobs and would serve all those living in the area and provided local convenience. Work had been undertaken with planning officers to ensure that opening and delivery times were similar to that of other local stores in nearby villages.

The Committee heard from a parish councillor who spoke against the application who raised concerns regarding the suitability of the road crossing to access the site, as no pedestrian crossing was considered. The parish councillor disagreed with the road safety audit that was undertaken stating that it lasted for 20 minutes with the outcome that it was a "light traffic area".

The Committee heard from a ward Councillor who called the item in, who expressed that they had brought this item to the Committee following concerns from local residents and the parish council. The councillor expressed that this application site, if approved, would create a bottleneck and would increase traffic and the carbon footprint. Concerns were raised around delivery vehicles, which would need to block the road to manoeuvre onto the site. The councillor suggested that the opening hours should be restricted on Sundays and bank holidays. Lastly, the proposed acoustic fence would not prevent overlookers onto the residential property attached to the site and that the fumes would also affect the resident.

The Committee heard from a member of the public who spoke against of the application who shared concerns that the delivery lorries would be able to see into the property despite the acoustic fence and that fumes would also be an issue. Other concerns included the safety issues of the proposed refugee island, the increased traffic due to other local developments and the foundations of their property due to reverberations from HGV's.

In response to questions from the Committee, officers confirmed that the transport statement that had been completed was separate from the audit and assessed the traffic in the worst-case scenario. Other crossings were considered but on consideration it was decided that the refugee island would be sufficient for the level of pedestrian crossing in that area. Officers agreed to add an additional condition to reduce delivery times to before 6pm.

RESOLVED that application 24/01773/FUL be approved, subject to the conditions detailed in the report and the additional condition for deliveries to be restricted to before 6pm.

(7.22pm to 8.02pm)

The meeting closed at 8.03pm.

Chair

PLANNING POLICY BACKGROUND INFORMATION

The Chelmsford Local Plan 2013 – 2016 was adopted by Chelmsford City Council on 27th May 2020. The Local Plan guides growth and development across Chelmsford City Council's area as well as containing policies for determining planning applications. The policies are prefixed by 'S' for a Strategic Policy or 'DM' for a Development Management policy and are applied across the whole of the Chelmsford City Council Area where they are relevant. The Chelmsford Local Plan 2013-3036 carries full weight in the consideration of planning applications.

Local Plan review

The Council is currently reviewing the adopted Chelmsford Local Plan 2020. A Pre-Submission (Regulation 19) Local Plan and accompanying Integrated Impact Assessment was presented to Chelmsford Policy Board on 16th January 2025 with a recommendation to publish for public consultation. This recommendation was agreed by Chelmsford Policy Board, the content of the Pre-Submission (Regulation 19) Local Plan continues to have limited weight for the purposes of decision-making on planning applications.

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

- MPSPD** The Making Places Supplementary Planning Document was adopted in January 2021 and sets out detailed guidance for the implementation of the policy requirements set out in the Local Plan. It seeks to promote and secure high-quality sustainable new development. It is aimed at all forms of development, from large strategic developments, public spaces and places, to small extensions to individual homes.
- DM1** Policy DM1 - Size & Type of Housing - The Council will protect existing housing from redevelopment to other uses and will require an appropriate mix of dwelling types that contribute to current and future housing needs and create mixed communities. For developments of 10 or more dwellings, 50% of the new dwelling shall be constructed to meet requirement M4 (2) of the Building Regulations. On sites of 30 or more dwellings 5% off the affordable units shall also be provided as wheelchair user dwellings. Sites of 100 dwellings or more will need to comply with A i), A ii) and B i) and provide 5 % self-build homes which can include custom housebuilding; and provision of Specialist Residential Accommodation taking account of local housing needs.
- DM2A** Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.
- DM8** Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- DM13** Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.
- DM14** Policy DM14 - Non-Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.

- DM15** Policy DM15 - Archaeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
- DM16** Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
- DM17** Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
- DM18** Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.
- DM19** Policy DM19 - Renewable & Low Carbon Energy - Planning permission will be granted for renewable or low carbon energy developments subject to their impact on residential amenity, the historic and natural environment, visual impact and highway safety.
- DM21** Policy DM21 - Protecting Community Facilities - The change of use of premises or redevelopment of sites that provide valued community facilities will only be permitted where the site cannot be used for an alternative community facility or where there is already an adequate supply of that type of facility in the locality or settlement concerned. Existing open spaces, sports and recreational buildings and land will also be protected.
- DM23** Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.
- DM24** Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.
- DM25** Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.

- DM26** Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.
- DM27** Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications. The relevant standards are contained in the 2024 Essex Parking Guidance which were adopted by Chelmsford City Council in 2025.
- DM29** Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.
- DM30** Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.
- SPS1** Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
- SPS2** Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.
- SPS3** Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.
- SPS4** Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SPS5** Strategic Policy S5 Protecting & Enhancing Community Assets - The Council recognises the important role that community facilities have in existing communities and that they are also an integral part of any proposals for new residential and employment development. Existing community assets will be protected from inappropriate changes of use or redevelopment.

- SPS6** Strategic Policy S6 Housing & Employment Requirements - In order to meet the full objectively assessed housing need in the period 2013-2036 provision is made for a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per year. A minimum of 55,000sqm of business employment floorspace (Use Classes B1-B8) will also be allocated in the Local Plan for the period up to 2036.
- SPS7** Strategic Policy S7 The Spatial Strategy - New housing and employment growth will be focussed to the most sustainable locations by making the best use of previously developed land in Chelmsford Urban Area; sustainable urban extensions around Chelmsford and South Woodham Ferrers and development around Key Service Settlements outside of the Green Belt in accordance with the Settlement Hierarchy. New development allocations will be focused on the three Growth Areas of Central and Urban Chelmsford, North Chelmsford, and South and East Chelmsford. Where there are large and established mainly institutional uses within the countryside, Special Policy Area will be used to support their necessary functional and operational requirements.
- SPS8** Strategic Policy S8 Delivering Economic Growth - The Council will make provision for flexible and market-responsive allocations of employment land which will allow further diversification of Chelmsford's economy. The Council will encourage links between business and the significant education sector in Chelmsford.
- SPS9** Strategic Policy S9 Infrastructure Requirements - New development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. New development must be supported by sustainable means of transport, safe from all types of flooding, provide a range of community infrastructure, provide green infrastructure and utilities. Necessary infrastructure must seek to preserve or enhance the historic environment.
- SPS10** Strategic Policy S10 Securing Infrastructure & Impact Mitigation - Infrastructure must be provided in a timely, and where appropriate, phased manner to serve the occupants and users of the development. Infrastructure will be secured through planning conditions and/or obligations or through the Community Infrastructure Levy or its successor.
- SPS11** Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.
- POSPD** The Planning Obligations Supplementary Planning Document was adopted in January 2021 and sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.
- APPB** Appendix B forms part of the adopted Local Plan and provides information about standards that apply to all new residential developments in Chelmsford including conversions, apartments, houses, Houses in Multiple Occupation (HMO's) and extensions, unless it can be demonstrated that the particular site circumstances require a different design approach. The standards seek to ensure new developments will meet the needs of their occupiers, minimise the impact of new developments on surrounding occupiers and encourage higher rates of recycling.

VILLAGE DESIGN STATEMENTS

VDS: Sets out the local community's view on the character and design of the local area. New development should respect its setting and contribute to its environment.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was updated in December 2024. It sets out the Government's planning policies for England and how these should be applied.

Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and should be read as a whole.

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

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



Planning Committee
17th June 2025

Application No	:	24/01735/FUL Full Application
Location	:	Unit and Yard 8 at Five Tree Works, Bakers Lane, Galleywood, Chelmsford
Proposal	:	Retrospective change of use from open storage and business administration to a mixed-use comprising the storage and distribution of vehicle-mounted mobile cranes, the siting of office and storage containers, and the provision of education/training for the operation of vehicle-mounted mobile cranes.
Applicant	:	Luke c.o. Agent Nationwide Training Solutions
Agent	:	Mr Luke Thrumble
Date Valid	:	16th December 2024

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Appendices:

Appendix 1 – Drawing no(s)

Appendix 2 – Consultation responses

1. Executive summary

- 1.1. Application 24/01735/FUL ('the Proposal') is referred to the Planning Committee at the request of a local ward member. Concerns are raised as to the visual impact of two vehicle-mounted mobile cranes ('mobile cranes') on the surrounding landscape and built environment, including the A12 to the north. The mobile cranes are operated on-site for training purposes.
- 1.2. The application site ('the Site') comprises one of several units at Five Tree Works, an established industrial site in the Green Belt, south of Galleywood. The surrounding area is largely rural in character, though this is disrupted by significant developments and infrastructure, including the A12, the Junction 16 Interchange, two Existing Employment Areas, and two caravan sites. Several 'natural environment assets', varyingly designated as Ancient Woodlands, Local Wildlife Sites, Priority Habitats, and Open Spaces, also lie within a 1km radius of the Site, including Galleywood Common (also a Local Nature Reserve).
- 1.3. The previous and lawful use of the Site is as a landscaping contractors' yard.
- 1.4. The Proposal follows planning application 23/01653/FUL ('the original proposal'), which sought retrospective permission for a similar scheme, including the permanent siting of a tower crane. The original proposal was refused due to the spatial and visual impacts of the tower crane. The impacts of the mobile cranes were found to be acceptable, although at the time they formed a less prominent part of the scheme.
- 1.5. Following the refusal, the Council issued a planning enforcement notice requiring the removal of the tower crane, which was ultimately complied with.
- 1.6. Since the refusal, relevant paragraphs of the National Planning Policy Framework ('NPPF') have been amended. As a consequence, the revised proposal, which constitutes the redevelopment of previously developed land ('PDL'), would comply with Green Belt policy provided it does not result in 'substantial' harm to openness. A second route to compliance with Green Belt policy has also been added, which requires such development to utilise 'Grey Belt' land, meet a demonstrable unmet development need, and be sustainably located.
- 1.7. Objections to the Proposal have mainly flowed from the visibility of the mobile cranes' telescopic booms/arms. When operated for educational/training purposes, these booms can extend linearly up to 24 metres in height and are visible from surrounding vantage points.
- 1.8. In terms of education/training provision, the operator delivers a maximum of three courses per week (run concurrently), benefitting up to 18 pupils/trainees.
- 1.9. When not in use for educational/training purposes, the mobile cranes are stored on and distributed from the Site for use in construction works.
- 1.10. The enterprise as a whole provides six full-time equivalent employment opportunities as well as part-time opportunities for three external testers.
- 1.11. West Hanningfield and Galleywood Parish Councils have objected to the Proposal, as well as seven members of the public. These objections relate primarily to visual impacts, highway network impacts, and the operator's planning compliance record. The Council's Economic Development Team support the Proposal, and also supported the original proposal. The local

highway authority considers the Proposal acceptable subject to the imposition of planning conditions.

1.12. The main issues in considering the application are as follows:

(a) Whether the Proposal conflicts with local and national Green Belt policy.

(b) Whether the visual impacts of the mobile cranes on the surrounding area (including the A12) amounts to conflict with the development plan.

(c) Whether the planning balance, taking account of material considerations, indicates that planning permission should be granted.

1.13. As regards main issue (a), it is concluded that the Proposal complies with local and national Green Belt policy.

1.14. As regards main issue (b), it is concluded that the Proposal represents a minor conflict with CLP policies relating to impacts on the character and appearance of the area, but not those relating to impacts on residential amenity or highway safety.

1.15. As regards main issue (c), it is concluded that the Proposal's economic benefits outweigh its limited harm to the character and appearance of the area, and that material considerations further weigh in its favour.

1.16. With consideration to the above, it is recommended that planning permission is **GRANTED** subject to the imposition of prescriptive and prohibitive planning conditions controlling the facility's hours of operation, the maximum number of visitors at any one time, the frequency and magnitude of the mobile cranes' visibility, the arrangement of storage and office containers, the maintenance of boundary landscaping, and the arrangement of parking provision.

2. Preliminary matters

Previous application

2.1. The Proposal follows planning application 23/01653/FUL ('the original proposal'), which sought part-retrospective permission for the storage and distribution of cranes and the provision of education for the operation of cranes, inclusive of the permanent siting of a tower crane.

2.2. The original proposal was refused planning permission using delegated powers on 3 April 2024. Three reasons for refusal are cited in the Decision Notice – the first relating to harm to the Green Belt arising specifically from the permanent siting of the tower crane; the second relating to harm to the character and appearance of the area arising again from the siting of the tower crane; and the third relating to the unsustainability of the proposal due to the harms identified in reasons one and two.

2.3. In all other respects, the original proposal was found to be acceptable, including – subject to the imposition of planning conditions – the operation of vehicle-mounted mobile cranes ('mobile cranes') on-site. The impacts of the mobile cranes were considered in the context of the tower crane, which dominated the scheme.

- 2.4. The revised proposal seeks to overcome the 23/01653/FUL reasons for refusal by omitting the tower crane entirely and founding its education element on the on-site operation of two mobile cranes. Since the removal of the tower crane from the application site ('the Site'), the frequency of the mobile cranes' operation (and their attendant visual impacts) has increased, attracting opposition to the revised proposal.
- 2.5. Following the original refusal, the operator reached out to the Council's Economic Development Team to discuss suitable, alternative sites. Unfortunately, despite assisting with a search, the Team were ultimately unable to identify such a site. In their consultation response, the Team had supported the proposal.
- 2.6. An appeal against the original refusal was not made.

National Planning Policy Framework (2024) ('NPPF') changes

- 2.7. Since the original refusal, applicable paragraphs of the NPPF have been amended (in December 2024).
- 2.8. Most significantly, paragraph 154, which provides for the redevelopment of previously developed land ('PDL') in the Green Belt, has been amended to increase the scope for such development. At the time of the original refusal, the test for such development to form an exception to 'inappropriate development' in the Green Belt was for it to 'not have a greater impact on the openness of the Green Belt than the existing development'. Now, the test is for the proposed development to 'not cause substantial harm to the openness of the Green Belt.'
- 2.9. Another significant change is to be found in the addition of paragraph 155, which creates an additional path to constituting an 'exception' where development utilises 'Grey Belt' land, meets a demonstrable unmet development need, and is sustainably located.
- 2.10. Green Belt guidance published in the government's National Planning Practice Guidance ('NPPG') on 27 February 2025 now also directs decision-makers to discount any harm to the openness of the Green Belt where development is found to constitute an exception to 'inappropriate development'.

Enforcement history

- 2.11. Both the present and original proposals arose from a planning enforcement investigation into the ongoing use of the Site, which commenced at the beginning of 2023.
- 2.12. Following the original refusal, due to the operator's failure to then permanently dismantle the tower crane, the Council issued a Planning Enforcement Notice (ref: 23/00184/FUL) ('the Notice'), ultimately securing the removal of the tower crane.
- 2.13. The Notice did not require the cessation of the activity included within the revised proposal as the original proposal had only been refused for reasons relating to the tower crane. Government guidance discourages the use of formal enforcement action where development is acceptable on its planning merits or could be made so via the imposition of planning conditions.
- 2.14. Following the removal of the tower crane, the two mobile cranes on the Site assumed a more central role in the operation.

3. Description of Site

- 3.1. The Site comprises a concrete yard in the northeast corner of Five Tree Works, an established industrial site of several units in a mix of commercial and other uses.
- 3.2. The Site is located in the Green Belt.
- 3.3. Access is achieved through the Five Tree Works industrial site via an existing access off Bakers Lane, which narrows to a single-track road in proximity of the industrial site.
- 3.4. Public Rights of Way lie nearby to the north and west, with others crossing the countryside further to the north, east, and south.
- 3.5. The A12 (a strategic trunk road) is located nearby to the north, with the Junction 16 Interchange some 700m to the west.
- 3.6. Two Existing Employment Areas (Temple Farm and Temple Wood Industrial Estate) lie nearby to the southwest.
- 3.7. Several dwellings lie nearby to the east, with Templeton Park and Temple Grove Park (caravan sites) to the southwest along Bakers Lane.
- 3.8. Land uses in the wider surrounding area are largely agricultural.
- 3.9. Several 'natural environment assets', varyingly designated as Ancient (and preserved) Woodlands, Local Wildlife Sites, Priority Habitats, and Open Spaces, lie within a 1km radius of the Site. These include Galleywood Common (also a Local Nature Reserve) some 700m to the northwest.
- 3.10. There are no heritage assets within close proximity. Parklands Farmhouse, a Grade II listed building, lies some 860m to the northeast. West Hanningfield Lane, a Protected Lane and locally designated heritage asset, lies approximately 1km to the east.
- 3.11. The Site lies within Flood Zone 1, denoting the lowest level of flood risk. The access road through Five Tree Works is recorded at a low risk of surface water flooding.
- 3.12. The Site lies within the Blackwater Zone of Influence.
- 3.13. The lawful use of the Site remains as a landscape contractors' yard, pursuant to planning permission 97/05703/FUL.

4. Details of the proposal

- 4.1. The proposal comprises three core elements: the storage and distribution of two mobile cranes, the siting of office and storage containers, and the provision of on-site education/training for the operation of two mobile cranes.
- 4.2. During the application's lifetime, the description of the Proposal was amended slightly to more clearly reflect the scheme and take explicit account of the sited office and storage containers, as well as the centrality of the mobile cranes to the education element.

- 4.3. Additional supporting documents comprising an Operational Statement ('OS') and a Visual Impact and Green Belt Assessment ('VIGBA') were also submitted during the lifetime of the application to clarify outstanding details and address the visual impacts of the mobile cranes. Where any conflict is found between the contents of the original 'Transport Note' and the OS, those of the latter submission are taken as superseding.

Site layout and contents

- 4.4. The proposed layout of the Site includes an open area for mobile crane storage and operation, a blind lift training enclosure, a pedestrian walkway, and a visitor parking area (with a provisional ten bays for motor vehicles and one bay (providing six spaces) for cycles). Movable fixtures include seven office containers, three general storage containers, and the two mobile cranes.
- 4.5. The office containers, positioned in a group adjacent to the Site's entrance and stacked up to two containers high, form a classroom-based education and testing facility. The facility includes three testing/training rooms, an office, a canteen, changing rooms, and toilets.
- 4.6. The maximum height of each mobile crane, with its boom fully extended, is stated as 24 metres. The length of the mobile cranes in road travel position is stated as 3.8m. Mobile cranes are not stored overnight in an upright position, and beyond the two currently sited, no others are expected to be added to the Site for storage or operation.

Nature of the operation

- 4.7. The education/training element centres on the operation of the two mobile cranes. The Proposal also allows for associated classroom-based learning with no on-site practical operation element.
- 4.8. On-site training takes place from 7:30am to 5:30pm, with classes generally running during the week (Monday to Friday). Occasional testing is also said to take place at the weekend. A maximum of three training courses run per week, which may run concurrently, and of these, two may involve the operation of a mobile crane. On average, each course runs for four days.

Personnel

- 4.9. The operation provides six full-time equivalent employment opportunities in a variety of roles, as well as part-time opportunities for external testers. A maximum of nine employees could be present on-site at any one time.
- 4.10. Approximately 40 pupils (ranging in age from 17 to 60) visit the training centre per month, 50% of whom are said to be local residents. Six pupils typically join each training course, resulting in a maximum of 18 pupils attending the Site at any one time.
- 4.11. Accounting for both staff and pupils, a maximum of 27 personnel may attend the Site at any one time.
- 4.12. Travel modes for visitors include personal vehicles/car sharing, public transport via a bus stop at the entrance to Bakers Lane (a walk of some 800m away from the Site), a pre-arranged train station collection service operated by the business, and personal cycles.

5. Other relevant applications

5.1. 23/01653/FUL – Refused 3 April 2024

Part-retrospective change of use from open storage and business to mixed-use storage, distribution, and the provision of education for crane operation training, inclusive of the siting of a tower crane.

5.2. 97/05703/FUL – Approved 30 June 1997

Change of use to open storage and office for landscaping business including new portacabin. (Plan nos FTW//1, /2, /3, /4 & /5)

Condition 7 of permission 97/05703/FUL restricts the use of the Site to its operation as a landscape contractors' yard only.

5.3. 78/1691 – Approved 20 February 1979

Retention of the layout of that portion of the site to the east of the existing factory and offices.

6. Summary of consultations

6.1. West Hanningfield Parish Council: Objection made, with comments summarised as follows:

- The Site is not an appropriate location for the Proposal.
- The Proposal is visually intrusive.
- The Proposal could be a distraction to users of the A12.
- Bakers Lane is already in a state of disrepair and is not suitable for increased vehicular movements.

6.2. Galleywood Parish Council: Objection made, with comments summarised as follows:

- The Site, being in the Green Belt, is not an appropriate location for the development. There are no very special circumstances to justify the Proposal.
- The two mobile cranes, in view of their colour (one yellow and the other black), mobility, and height, are visually harmful.
- The mobile cranes are visible from Galleywood Common, which benefits from protection by the Secretary of State. Other developments adjacent to Galleywood Common have had planning conditions imposed to limit their visibility.
- The Proposal does not include any facilities (i.e. toilets, a catering unit, or classrooms) to support education/training. The Site is also unsuitable for such purposes and is located adjacent to children's education facilities.
- The Proposal gives rise to distraction to users of the A12, who have not been consulted on the application.
- The Proposal will increase motor traffic to an area that is already congested.
- Planning conditions should be imposed on the Site prohibiting the erection of any structures, whether permanent or temporary, to reduce visual impact to nil.

6.3. Ramblers Association – No objections raised, and comments made noting the omission of the tower crane and the proximity of Footpaths 50 and 59 Galleywood to the north and west of the Site.

- 6.4. Public Health & Protection Services – No comments made.
- 6.5. Economic Development & Implementation – Comments made in support of the Proposal, which is considered to contribute to wider economic growth through specialist training for the construction sector.
- 6.6. Essex County Council Highways – Considers the Proposal acceptable subject to the imposition of planning conditions. Comments are summarised as follows:
- The proposed use of the site is already carrying on.
 - The operation includes parking impact mitigation measures comprising a train station collection service, car sharing, and drop-off/collection space.
 - The Operational Statement indicates that the maximum number of people on-site at any one time could rise to 26.
 - Proposed Site Plan 3542 PL02B show provision for 10no. parking spaces. This area likely does not accommodate all on-site vehicles during times of operation, however there is sufficient space within the site for overspill parking.
 - Swept path analyses within the submitted Transport Note demonstrate that vehicles can manoeuvre into the proposed parking bays.
 - Planning conditions should be imposed requiring the proposed vehicle parking bays to be secured and marked, the vehicle turning area to be retained, and the proposed cycle parking spaces to be secured, accessible, and covered. A planning condition should also be imposed requiring the submission of a site layout plan showing space within the site for an additional 8no. parking bays.
- 6.7. Members of the public – Objections received from seven individual contributors. Concerns relate primarily to visual impacts, highway network impacts, and the operator's planning compliance record. Objections are summarised at Appendix 2.

7. Planning considerations

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates the making of a decision in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. In this case, the development plan comprises the Chelmsford Local Plan (adopted May 2020) ('CLP'). Case law has firmly established that the development plan should be read as a whole in decision-making.

Main issues

- 7.3. The main issues in considering the proposed development ('the Proposal') are as follows:
- (a) Whether the Proposal conflicts with local and national Green Belt policy.**
 - (b) Whether the visual impacts of the mobile cranes on the surrounding area (including the A12) amounts to conflict with the development plan.**
 - (c) Whether the planning balance, taking account of material considerations, indicates that planning permission should be granted.**

7.4. These main issues are considered in turn below.

(a) Green Belt policy conformity

Green Belt policy

- 7.5. Strategic Policy S1 (Spatial Principles) of the CLP requires all new development to optimise the use of suitable previously developed land ('PDL'), be located at well-connected and sustainable locations, and protect the Green Belt.
- 7.6. Strategic Policy S11 (The Role of the Countryside), Part A (Green Belt) of the CLP states that the openness and permanence of the Green Belt will be protected, that opportunities for its beneficial use will be supported where consistent with its purposes, and that 'inappropriate development' will not be approved except in very special circumstances.
- 7.7. Paragraph 154 of the National Planning Policy Framework ('NPPF') provides for a number of exceptions to 'inappropriate development'. Part g) relates to 'the partial or complete redevelopment of previously developed land [...] which would not cause substantial harm to the openness of the Green Belt.'
- 7.8. Since the December 2024 amendments to the NPPF, the harm to openness test in the case of PDL redevelopment has been relaxed from 'greater impact' to 'substantial impact'.
- 7.9. Paragraph 231 of the NPPF states that the policies of the Framework should be taken into account in dealing with applications from the day of its publication. Accordingly, as a material consideration in determining the application, the current paragraph 154, part g) test is the relevant test against which to assess the 'inappropriateness' of the Proposal.
- 7.10. Green Belt guidance published in the government's National Planning Practice Guidance ('NPPG') directs decision-makers to discount any harm to the openness of the Green Belt, as well as any conflict with the purposes of including land within it, where development is found to constitute an exception to 'inappropriate development'. It confirms that 'very special circumstances' are not necessary to justify exceptions to 'inappropriate development'.
- 7.11. The Green Belt guidance also sets out a number of factors which might be taken into account in considering potential impacts on openness. These include spatial and visual impacts, the longevity and remediability of the development, and the degree of activity likely to be generated.

Green Belt assessment – the Proposal

- 7.12. The Proposal constitutes the redevelopment of PDL in the form of a material change of use of the land. (The proposed containers and mobile cranes, individually or collectively, do not amount to operational development in planning terms). Street view images also indicate that a number of large mobile administrative units were removed from the Site prior to the commencement of the crane training operation, with a portion of fencing also erected adjacent to the Site's entrance.

Green Belt assessment – the impacts

- 7.13. In the context of impacts upon openness, the applicant has submitted a Visual Impact and Green Belt Assessment ('VIGBA') as part of the Proposal. This assesses the impact of a single mobile crane on the Green Belt and surrounding landscape.
- 7.14. As a summary level, as regards Green Belt impacts specifically, the VIGBA concludes that the Proposal would not conflict with any of the purposes of including land within the Green Belt, that the impact on openness would be negligible and insignificant, and that, as a result, the Proposal would constitute an exception to 'inappropriate development', with reference to the provisions of the NPPF.
- 7.15. As to the Council's assessment of the impact of the proposed mobile cranes, the five aforementioned openness factors are first considered in turn:
- 7.15.1. [Spatial manifestation]: The two mobile cranes sited on the land present effectively as heavy goods vehicles with operator cabins and telescopic booms loaded onto their flatbeds. Excepting their telescopic booms, the mobile cranes are comparable in their spatial imposition to commercial distribution vehicles, which would have been a regular presence on the Site throughout its previous use as a landscape contractors' yard. In contrast, the telescopic booms, when vertically extended, introduce solid form to the Site where previously there was none. The booms are said to be extendable up to 24 metres, however in purely volumetric terms, their physical imposition is not significant. As compared with the previous tower crane – which, despite its tubular construction, presented as boxy and bulky – the telescopic booms are linear, slender projections. Unlike the tower crane, a significant mitigating factor also exists in the ability to retract the telescopic booms and lower them to a near-horizontal position. Considered in the round, subject to the retraction of the telescopic booms outside of operation hours (which may be controlled via planning condition), the spatial manifestation of the mobile cranes is limited.
- 7.15.2. [Visual manifestation]: During the lifetime of the application, a planning officer attempted to obtain surrounding views of the mobile cranes without prior notice. The visits were conducted mid-week, but on each occasion the mobile cranes were not in operation and their telescopic booms were not visible from surrounding vantage points. Nevertheless, as proposed, the mobile cranes are capable of extending to a maximum height (24 metres) equal to the tower section of the previous tower crane. Accordingly, having obtained extensive views of the tower crane during the determination of the original proposal, it is possible to gauge the visual manifestation of the mobile cranes with due accuracy. This assessment is aided also by observations made of the mobile cranes in their retracted position on-site, as well as a photograph of an extended boom provided by a contributor. (This photograph is taken with a zoomed lens, however a juxtaposition with comparable photographs of the tower crane enables an accurate representation to be gauged.) This comparative analysis is consistent with the representation of views set out in the submitted VIGBA (which depicts 'baseline' and 'proposal' views from a range of surrounding vantage points selected from a zone of theoretical visibility). The representation of views set out in the VIGBA may therefore be looked to for an illustration of the mobile cranes' visual manifestation.
- 7.15.3. [Visual manifestation cont.]: Accordingly, as per the VIGBA, views of the extended telescopic booms would be attainable from Stock Road south of Galleywood, various points along Lower Green Road, and various points along the Public Rights of Way network south of Lower Green Road and in closer proximity to the Site. Views not specifically assessed in the VIGBA would also be attainable from various points along Baker's Lane, from Galleywood Common Car Park (South), and from the A12 while driving in proximity to the Site.

- 7.15.4. [Visual manifestation cont.]: In visual openness terms, the impacts of the telescopic booms must be considered in their visual contexts. Locally, the Site forms part (approximately 15%) of an established industrial site comprising a mix of commercial and other uses. Built form, external storage, and industrial activity and machinery is characteristic of the industrial site, all of which is relatively contained and screened by a perimeter of trees and hedging. Farther afield, notwithstanding the presence of significant urbanising developments/infrastructure, the surrounding landscape remains predominantly rural in nature, comprising a patchwork of agricultural fields punctuated by several 'natural environment assets'.
- 7.15.5. [Visual manifestation cont.]: In the above visual context and with regard to the views achievable from distant public vantage points, the impacts of the mobile cranes on openness are taken as follows: The lower, vehicular portions of the mobile cranes are characteristic of and compatible with their setting; they are also visually contained and screened within this setting. Any adverse impact to visual openness is therefore held in the manifestation of the telescopic booms. Locally, the projections would rise above the perimeter landscaping during operation, piercing its relative containment. The resulting incursion, however, when considering all viewpoints collectively, is not significant. Locally, therefore, the impact of the booms on visual openness is modest. In distant views from open, undeveloped areas of the Green Belt, the booms would appear unfamiliar and mechanical during operation. However, with regard to their form, colour, height, motion, and scale, their imposition in these views would not be significant. In distant views from urbanised areas of the Green Belt, the booms would appear vaguely unfamiliar, imposing a limited degree of visual harm.
- 7.15.6. [Visual manifestation cont.]: Considered in the round, the unmitigated impact of the mobile cranes on visual openness is modest. With the mitigating retraction of the telescopic booms outside of operation hours, this impact can be reduced to limited-modest. The introduction of replacement or additional mobile cranes with telescopic booms extending beyond the current 24 metres would increase the Proposal's impact on visual openness, however such potential impacts are able to be neutralised by the imposition of planning conditions controlling maximum boom height as well as the maximum number of mobile cranes permitted to operate on-site at any one time.
- 7.15.7. [Longevity]: Within the scope of the Proposal, it is reasonable to assume that the presence and operation of the mobile cranes will continue for as long as the business occupies the Site. To date, the business has occupied the Site for over two years. The previous landscaping business appears to have occupied the Site for some 25 years. Comments made on the original proposal by the Economic Development Team advise that the construction sector is a key and growing sector in Essex, playing an important role in supporting the delivery of essential infrastructure across the region. In view of all these factors collectively therefore, it is reasonable to assume that the presence and operation of the mobile cranes will continue for a significant period measured in years.
- 7.15.8. [Remediability]: The mobile cranes are moveable chattels that would be removed from the Site when the business eventually vacates. The Proposal in this regard is therefore fully remediable. Again, the retraction of the telescopic booms would also offer periods of remediability outside of operation hours.
- 7.15.9. [Activity generated]: Beyond the motion of the telescopic booms, which is taken into consideration above, the storage and distribution of the mobile cranes would generate additional activity in the form of vehicle movements to and from the Site. The mobile cranes

are likely larger than the vehicles operated by the previous landscaping business, resulting in a slightly greater air of industrial/commercial activity in proximity to the Site during transit. However, in view of the educational need for the mobile cranes on-site, it is unlikely that the frequency of mobile crane movements would be significant. Considered in the round, the impact of the activity generated beyond the telescopic boom movements is limited.

- 7.15.10. [Other impacting features]: The Proposal also comprises the siting of storage and office containers and will generate, as a result of its education element, private vehicle movements (including those of the collection service vehicle) to and from the Site. The impacts of these aspects of the Proposal are as follows:
- 7.15.11. [Other impacting features cont.]: The storage and office containers currently sited, in view of their form, positioning, arrangement, and containment, as well as the Site's context and previous arrangement, do not result in spatial or visual harm to openness. Like the mobile cranes, the containers are likely to endure for a significant number of years before being removed from the Site when the business vacates. During the lifetime of the business operation, it is possible that additional storage and office containers could be brought onto the Site, or those currently sited rearranged. Stacking the containers in excess of 'two containers high' in any part of the Site would result in additional impacts on spatial and visual openness. Incidentally, as would any removal or cutting back of the perimeter landscaping within the Site. These potential impacts are able to be neutralised by planning conditions, offsetting any harm to openness which may flow from the siting of the containers.
- 7.15.12. [Other impacting features cont.]: As to the additional vehicle movements flowing from the education element, impacts are unlikely to represent a significant increase above those of the previous landscaping business, or those of an alternative business which might occupy the Site. These impacts would also endure for as long as the operation carries on and would be fully remediable. Cumulatively, the impacts on openness flowing from the additional vehicle movements would not amount to harm.
- 7.16. In summary, subject to the imposition of planning conditions stipulating the retraction and lowering of telescopic booms outside of operation hours and the retention of all perimeter landscaping within the site, as well as the prohibition of telescopic boom projections above 24 metres in height, container stacking in excess of 'two containers high', and the simultaneous operation of more than two mobile cranes on-site, the Proposal as a whole would result in a limited spatial manifestation, a limited-moderate visual manifestation, significant longevity, and limited activity, all of which would be fully remediable.
- 7.17. On balance, these impacts result in limited harm to the openness of the Green Belt.

Green Belt assessment – whether inappropriate development

- 7.18. As the harm to openness is limited, with reference to paragraph 154, part g) of the NPPF, the proposed development constitutes an exception to inappropriate development.
- 7.19. In turn, with reference to the Green Belt guidance contained within the NPPG, any residual impacts on openness or conflict with the purposes of including land within the Green Belt are considered to have been resolved, carrying no further weight in the planning balance.

Green Belt assessment – fallback position

- 7.20. In the interests of completeness, if the harm to openness were taken to be substantial, it is also worthwhile to consider whether the Proposal might constitute an exception to ‘inappropriate development’ via the new paragraph 155 of the NPPF.
- 7.21. Accordingly, the Proposal performs against the three relevant criteria of paragraph 155 as follows:
- 7.21.1. [Utilisation of ‘Grey Belt’ land]: the Glossary of the NPPF defines ‘Grey Belt’ land in part as land within the Green Belt comprising PDL. Accordingly, the Site comprises ‘Grey Belt’ land.
- 7.21.2. [Meeting of a demonstrable unmet need]: a definition of ‘unmet need’ in the context of paragraph 155 is not provided in either the NPPF or NPPG. Nevertheless, Planning Inspectors’ comments in recent appeal decisions may serve as a barometer against which to test the merits of the Proposal:
- i. In Appeal APP/V4630/W/24/3347424, a 49.35MW battery energy storage facility was taken to meet an unmet need in view of ‘the imperative of mitigating climate change and achieving net-zero’ despite the Appellant providing no ‘quantifiable evidence’.
 - ii. Similarly, in Appeal APP/B3438/W/24/3351328, a temporary 49.35MW battery energy storage facility was taken to meet an unmet need in view of the Government’s statutory commitments to reduce carbon emissions, as well as support derived from national planning policy and statements. The offer of a grid connection was taken as weighing in favour, despite there being other permitted facilities in the area.
 - iii. In Appeal APP/H2265/W/24/3347410, a 24-hour truck stop facility for up to 200 HGVs (inclusive of a fuel station, 1100sqm amenity building, new access, and other associated works) was taken to meet an unmet need in view of national policy documents recognising the importance of overnight lorry parking provision and a local shortage of such near the strategic road network.
 - iv. In called-in Appeal APP/R0660/V/24/3345318, a motorway service area was taken to meet an unmet need in view of the lack of existing provision, the lack of a suitable alternative site, and the safety benefits provided to the strategic road network.
 - v. In called-in Appeal APP/P1940/W/24/3346061, redevelopment comprising the demolition of buildings and the construction of an 84,000sqm data centre (with a country park) was taken to meet an unmet need in view of a pressing need for data centre capacity in the region, a lack of suitable alternative sites, and a risk of investment being lost to markets outside of the UK.
- 7.21.3. [Meeting of a demonstrable unmet need cont.]: The commonality between the above appeals might be taken as an assessed importance and urgency for the development, underpinned by national messaging and policy. Assessments are also not confined to any particular domain (those above comprising energy transition, logistics, economic growth, and highway safety), and the availability of suitable alternative sites is also factored into the equation.

- 7.21.4. [Meeting of a demonstrable unmet need cont.]: In view of the above inferred test, while there is an apparent lack of national messaging and/or policy on the specific need for crane operation training facilities, it is noted that the Government cites economic growth as their number one mission (as per the Government's 'Plan for Change'), and within the scope of this mission commits to the delivery of 1.5 million homes and associated infrastructure at a rate of construction 'not seen in over 50 years'. Another mission in the 'Plan for Change' is to establish 'strong foundations', within which the Government commits to addressing an unspecified 'skills shortage'. Separately, the Government's 'Occupations in demand' data for 2024 lists 'crane drivers' as one of 39 occupations in critical demand (the highest level), from a total of 336 occupations analysed. Further, in this context, paragraph 87 of the NPPF supports the expansion of industries of local, regional, or national importance which support economic growth.
- 7.21.5. [Meeting of a demonstrable unmet need cont.]: With consideration to the above, it would be reasonable to conclude that a facility which provides the necessary training to meet a critical occupation demand closely associated with the Government's 'number one mission' is a facility which meets an unmet need. Additionally, in view of the previous unsuccessful efforts of the Economic Development Team to assist in identifying a suitable alternative site, it does not appear at present that a such a site exists within the district. Accordingly, in the case at hand, the Proposal complies with paragraph 155's second criterion.
- 7.21.6. [Sustainable location]: Notwithstanding the lack of pavement along a short stretch of the approaching road, the Site is safety accessible by private vehicle (including the collection service), cycle, and on foot. The Site is also served by a bus stop marginally within walking distance which connects to nearby settlements, including Chelmsford, as well as the convenience of the nearby Junction 16 Interchange. Taking into account the Site's rural location, and in view of the support (with conditions) of the local highway authority, the proposed location is sustainable for the type of development proposed, for the purposes of paragraph 155.
- 7.22. With consideration to the above, in complying with the three relevant criteria, the Proposal would also constitute an exception to 'inappropriate development' via paragraph 155 of the NPPF.

Green Belt assessment – conclusion

- 7.23. The Proposal's impact on the openness of the Green Belt, taking into account the factors set out in the NPPG and subject to the imposition of planning conditions, is limited.
- 7.24. As per paragraph 154, part g) of the NPPF, the Proposal therefore constitutes an exception to 'inappropriate development' in the Green Belt.
- 7.25. In utilising 'Grey Belt' land, meeting a demonstrable unmet development need, and being sustainably located for the type of development proposed, the Proposal also constitutes an 'exception' via paragraph 155 of the NPPF.
- 7.26. In turn, as per national planning guidance and policy, impacts on the openness of the Green Belt and any conflict with its purposes is discounted in the planning balance.
- 7.27. 'Very special circumstances' are not required to justify a grant of planning permission in this instance.

- 7.28. With consideration to the above, the Proposal complies with Strategic Policies S1 and S11 of the CLP (as well as Chapter 13 (Protecting Green Belt land) of the NPPF).

(b) Visual impact of the mobile cranes

Impacts – character and appearance

- 7.29. Strategic Policy S1 (Spatial Principles) of the CLP requires new development to respect the character and appearance of landscapes and the built environment.
- 7.30. Policy DM23 (High Quality and Inclusive Design) of the CLP requires new development to respect the character and appearance of the area in which it is located and be compatible with its surroundings, having regard, among other characteristics, to scale, siting, and form.
- 7.31. The visual impacts of the Proposal on the character and appearance of the area are not dissimilar in this case to those impacts on the visual openness of the Green Belt, as set out in paragraphs 7.15.2 to 7.15.6 of the above section titled '*Green Belt assessment – the impacts*'.
- 7.32. The submitted VIGBA assesses the visual impacts of the mobile crane photographed as negligible on the majority of viewpoints and minor on a single viewpoint along Footpath 59 Galleywood to the northeast of the Site (viewpoint no. 3 of the VIGBA). Effects are considered to be insignificant, except the Footpath 59 effect, which is taken to be of low significance. It is noted that the assessment was undertaken in February, when nearby leaf cover was at a minimum. The retraction of the telescopic booms outside of operation hours is taken as a primary form of mitigation.
- 7.33. The Council's assessment in the context of Policies S1 and DM23 specifically, in brief, is as follows: The telescopic booms of the mobile cranes are visible from some distant publicly accessible vantage points in the surrounding area. The impacts of this visibility vary depending on the context from which the projections are viewed. Locally, in view of the telescopic booms' piercing of the relative containment of the Five Tree Works industrial site, the impact is modestly adverse. In surrounding rural views, due to the unfamiliar, urbanising appearance of the telescopic booms, the impact is also modestly adverse. In surrounding urbanised views, the impact is of a lesser degree. On balance, the 'operational' impact on the character and appearance of the local and surrounding area is modestly adverse.
- 7.34. However, with the imposition of the aforementioned prescriptive and prohibitive planning conditions, the impacts would be reduced to limited-modest.
- 7.35. Additional impacts on the character and appearance of the local area flowing from vehicle movements (inclusive of conveyed mobile cranes and private vehicles) would also be limited.
- 7.36. The tests in Policies S1 and DM23 are for the development to respect character and appearance and be compatible with its surroundings. These tests do not require development to have a neutral or zero impact on the character and appearance of the area.
- 7.37. With consideration to the above, while the policy position provides scope for some impact, the projection of the telescopic booms into rural views from surrounding vantage points in particular results in a limited degree of harm which is not consistent with the requirements of

Policies S1 and DM23. The mitigative planning conditions would not entirely eliminate this conflict.

- 7.38. The conflict, however, is not significant and must be factored into the planning balance (considered further below).

Impacts – ‘natural environment assets’

- 7.39. A number of ‘natural environment assets’ lie within a 1km radius of the Site, including preserved and Ancient Woodlands, Local Wildlife Sites, Priority Habitats, Designated Open Spaces, and a Local Nature Reserve (Galleywood Common).
- 7.40. Several policies of the CLP include provisions to protect these sites, including S1 (to preserve or enhance biodiversity), S4 (to protect designated sites and species), S5 (to protect green spaces from inappropriate redevelopment), DM16 (to ensure that any adverse effects on locally designated sites, including their features and functions, are clearly outweighed by the benefits of the development), DM17 (to prevent unacceptable harm to both preserved and Ancient Woodlands and important natural landscape features), and DM21 (to prevent the unjustified redevelopment of existing open space).
- 7.41. As stated already, views of the telescopic booms of the mobile cranes are achievable from distant vantage points in the surrounding area. This includes some of the sites described in this report as ‘natural environment assets’.
- 7.42. The above policies of the CLP seek to prevent direct harm to these sites. They do not seek to preserve or make sacrosanct the distant views attainable from vantage points within these sites. Such an interpretation would be unreasonably prohibitive, and the visual impacts flowing from the visibility of the telescopic booms at varying distances have already been accounted for in the context of impacts on the character and appearance of the area.
- 7.43. The Proposal does not represent direct harm to any ‘natural environment assets’. It therefore does not conflict with the above-listed local policies.

Impacts – residential amenity

- 7.44. In terms of visual impacts, Policy DM29 of the CLP restricts development that is overbearing or generative of unacceptable levels of overshadowing.
- 7.45. The Site does not lie immediately adjacent to any dwellinghouses. The closest, Paddy’s Cottage, stands at a distance of some 70 metres to the south with two other Five Tree Works industrial units and a significant amount of screening vegetation intervening. With the imposition of the aforementioned planning conditions, the relationship is not such that the telescopic booms of the mobile cranes would appear overbearing. The projections are also not of such a volumetric scale as to cause unacceptable levels of overshadowing.
- 7.46. By extension, the Proposal would also not result in either of these harms to dwellinghouses at a greater distance.
- 7.47. Beyond an assessment of ‘overbearingness’, planning policy does not provide for a ‘right to a view’. The visibility of the mobile cranes from the private land of properties along Lower Green does not therefore constitute a conflict with Policy DM29.

Impacts – users of the A12

- 7.48. In terms of local policy, visual impacts on users of the A12 would fall under consideration of the Proposal against Policy DM23 (relating to character and appearance). Again, these impacts have already been accounted for, representing limited harm in pre-urbanised views.
- 7.49. Paragraphs of the NPPF address the highway safety impacts of development. In relation to ‘distractions’ to users of the highway network, paragraph 115, part d) requires developments to cost-effectively mitigate any significant impacts on highway safety. Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 7.50. The local highways authority has raised no concerns regarding the impact of the Proposal on highway safety. There is no clear justification to deviate from this position – the visibility of the telescopic booms to users of the A12 would constitute neither a significant nor unacceptable impact on safety.
- 7.51. Pursuant to paragraph 116 of the NPPF, permission should therefore not be refused on the grounds of visibility-derived impacts on highway safety.

(c) The planning balance and material considerations

Development plan

- 7.52. The planning considerations above have illustrated the Proposal’s compliance with the relevant Green Belt policies and identified a minor conflict with those relating to impacts on the character and appearance of the area (Policies S1 and DM23).
- 7.53. As the development plan must be read as a whole, it is necessary also to take account of policies which may lend support to the Proposal.
- 7.54. Strategic Policy S8 (Delivering Economic Growth) of the CLP bears relevance in this regard, prioritising the use of PDL in sustainable locations, focusing new employment at locations well-served by existing public transport provision, and supporting the sustainable growth and expansion of rural businesses. Paragraph 6.49 of the policy’s reasoned justification also lends support to new economic growth and local employment opportunities.
- 7.55. The Proposal supports six full-time equivalent employment opportunities in a variety of roles and an additional three part-time opportunities for external testers. It also facilitates economic development by supporting the local construction industry.
- 7.56. The Council’s Economic Development Team also support the Proposal.
- 7.57. The economic benefits flowing from the Proposal are significant and remain to be factored into the planning balance, weighed against the limited degree of harm caused to the character and appearance of the area. There are no other harms identified within the scope of local planning policy (other relevant matters in this regard are considered below).

7.58. It is clear in this equation that the Proposal's benefits outweigh the harms. Accordingly, subject to the imposition of the aforementioned planning conditions, the Proposal complies with the development plan read as a whole.

7.59. As per paragraph 11 of the NPPF, the Proposal should therefore be approved.

Material considerations

7.60. It is also necessary to take any material considerations into account which have not been accounted for within the context of the development plan.

7.61. Here, chapters of the NPPF which have not already served to expand on local policies are of relevance.

7.62. Chapters 2 (Achieving sustainable development), 6 (Building a strong, competitive economy), 8 (Promoting health and safe communities), 9 (Promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), and 16 (Conserving and enhancing the natural environment) are particularly relevant.

7.63. Of these, planning considerations relating to all but Chapters 2 and 9 have already been factored into the planning balance (above in 'Main issues' or below in 'Other matters') within the scope of the development plan. However, a number of paragraphs within these chapters warrant additional consideration:

7.63.1. Paragraph 87 of Chapter 6 supports provisions for the expansion of industries of local, regional, or national importance to support economic growth; and paragraph 128 of Chapter 11 supports material changes in the use of unallocated sites where this would help to meet identified development needs. As per paragraphs 7.21.2 to 7.21.5 of the above 'demonstrable unmet need assessment', there exists national support for types of development proposed in connection with economic growth. As the Proposal constitutes an exception to 'inappropriate development' via paragraph 154, part g) of the NPPF (relating to the redevelopment of PDL), the positive weight of this consideration has not yet been factored into the planning balance.

7.63.2. Paragraph 89 of Chapter 6 recognises a potential need to locate sites in rural areas and in such cases encourages the use of PDL. While Strategic Policy S1 of the CLP requires new development to optimise the use of PDL, paragraph 89 encourages such, lending an additional degree of support for the Proposal.

7.63.3. Paragraph 100 of Chapter 8 attaches 'great weight' to the need to create post-16 education places. As the Proposal delivers ongoing training opportunities in the form of up to three courses per week, each attended by up to six pupils, it derives positive weight from this paragraph which has not yet been factored into the planning balance.

7.64. As to Chapters 2 (Achieving sustainable development) and 9 (Promoting sustainable transport), whose requirements have not yet been directly addressed, a brief assessment of the Proposal indicates the following:

7.64.1. [Chapter 2]: The Proposal's economic and educational benefits, site accessibility, and choice in travel modes outweighs its limited adverse impact on the character and appearance of the area, thereby amounting to sustainable development.

7.64.2. [Chapter 9]: Besides the visual impacts of the Proposal in views from the A12 (which is already accounted for), the Site is located in a sustainable, accessible location for the type of development proposed, and the Proposal includes provisions to safeguard visitors from vehicle movements. Impacts on the highway network in terms of capacity, congestion, and safety are not significant and, in view of swept path analysis detailed within the submitted Transport Note, the local highway authority has raised no objections in this regard (subject to the imposition of planning conditions).

7.65. In summary, with consideration to the above, the Proposal attracts additional positive weight from the NPPF due to its use of PDL, its creation of post-16 training opportunities, and its support of an industry of national importance which contributes to economic growth.

7.66. Accordingly, material considerations do not indicate that a decision other than in accordance with the development plan ought to be taken. Rather, material considerations reinforce the making of a decision in accordance with the development plan – that being to grant planning permission.

Other matters

7.67. The following paragraphs address planning considerations which fall within the scope of the CLP (and are therefore already accounted for in the planning balance), but which did not relate to the main issues at hand.

Parking

7.68. The Site carries sufficient space to provide for the requisite number of vehicle and cycle parking spaces, taking into account any potential overspill. The required parking provision can be secured via planning conditions, and a separate condition can control the number of attendees visiting the Site at any one time.

Residential amenity

7.69. In view of the site context and the lawful use of the land, and subject to a planning condition controlling hours of operation, the Proposal would not give rise to any excessive noise, activity, or vehicle movements. The Proposal is compatible with existing uses immediately adjacent and, in view of boundary treatments and separation distances, is compatible with existing uses in the vicinity.

Heritage

7.70. Parklands Farmhouse, a Grade II listed building, lies some 860m to the northeast of the Site and West Hanningfield Lane, a Protected Lane and locally designated heritage asset, lies approx. 1km to the east. With the imposition of the aforementioned planning conditions and in view of the separation distances, any achievable views of the telescopic booms would not be such as to amount to harm.

Flood risk

7.71. The Site is not subject to any significant flood risk and the Proposal would not increase flood risk elsewhere.

Biodiversity and Essex RAMS

- 7.72. The Proposal is retrospective and the Site comprises only PDL. The Proposal is therefore exempt from biodiversity net gain regulations. With regard to Section 40 of the Natural Environment and Rural Communities Act (as amended by the Environment Act 2021), the Proposal does not conflict with the draft Essex Local Nature Recovery Strategy. In addition, in not comprising a residential element, the Proposal would have no material impact on the Blackwater Estuary.

Residual matters

- 7.73. Comments below address matters not already addressed, and in particular those raised in public representations:
- 7.73.1. Notwithstanding potential inaccuracies in the submitted Application Form, the Council is satisfied that all relevant facts are in hand and that all relevant matters have been taken into account.
- 7.73.2. The units at Five Tree Works are not specifically reserved for light industrial uses. In any case, the Proposal does not comprise the carrying out of industrial processes.
- 7.73.3. The mobile cranes do not include elevated cabins and would therefore have no impact on residential privacy.
- 7.73.4. Impacts on the integrity of the road surface along Bakers Lane cannot be isolated to the Proposal, and impacts flowing from the conveyance of the mobile cranes would likely not be materially greater than other large vehicles accessing units at Five Tree Works. The local highway authority has not raised any objections in this regard and the test for refusing planning permission on the grounds of road network impacts (as per paragraph 116 of the NPPF) is for those impacts to be severe. In this case, the test has not been met, and it would therefore not be reasonable to refuse planning permission on this basis.
- 7.73.5. Intentional Unauthorised Development is a material consideration. However, in view of the site context, extant planning permission, and other available facts, the initial breach of planning control in this instance was not clearly intentional. Enforcement matters relating to the tower crane have now been resolved and are not a material consideration in determining the application. The future erection of a tower crane on the Site would also require a separate grant of planning permission.
- 7.73.6. The imposition of planning conditions to prohibit the extension of telescopic booms above the treeline or the operation of more than one mobile crane would not meet the test of reasonableness and would make the permission largely redundant. The imposition of a planning condition prohibiting the operation of mobile cranes which cannot be retracted/lowered in 30 minutes would not meet the tests of enforceability or reasonableness. Finally, the imposition of a planning condition requiring the repainting of the telescopic booms (from the current yellow, with some parts faded) would not meet the tests of necessity or reasonableness.
- 7.73.7. In view of the site context and the degree of separation, the proposed use is not incompatible with the nearby nursery.
- 7.73.8. It would be neither necessary nor reasonable to specifically consult users of the A12 on the Proposal.

7.73.9. Refusing planning permission on the basis that the Proposal gives rise to visual impacts that are greater than nil is not a position supported by either local or national planning policy.

7.73.10. Course offerings on the operator's website do not override the requirements of restrictive planning conditions. The Proposal as described also relates solely to mobile cranes.

Conclusion

7.74. The Site is located in the Green Belt and the Proposal constitutes the redevelopment of PDL.

7.75. The Proposal's impact on the openness of the Green Belt, subject to the imposition of prescriptive and prohibitive planning conditions, is limited.

7.76. As per paragraph 154, part g) of the NPPF, the Proposal therefore constitutes an exception to 'inappropriate development' in the Green Belt.

7.77. In utilising 'Grey Belt' land, meeting a demonstrable unmet development need, and being sustainably located, the Proposal also constitutes an exception to 'inappropriate development' via paragraph 155 of the NPPF.

7.78. As the Proposal constitutes an exception to 'inappropriate development', its impacts on the openness of the Green Belt are discounted in the planning balance.

7.79. As regards other impacts, the projection of the telescopic booms into rural views from surrounding vantage points results in a limited degree of harm to the character and appearance of the area.

7.80. Subject to the imposition of planning conditions, the Proposal does not give rise to adverse impacts on proximate 'natural environment assets', residential amenity, highway safety, heritage assets, or biodiversity.

7.81. On the other hand, the Proposal gives rise to significant economic benefits. These benefits outweigh the limited harm caused to the character and appearance of the area.

7.82. For the reasons given above and having regard to all other matters raised, it is concluded, with the imposition of planning conditions, that the Proposal is acceptable and in accordance with adopted Local Plan policies.

7.83. Further, due to its use of PDL, its creation of post-16 training opportunities, and its support of an industry of national importance which contributes to economic growth, the Proposal also attracts positive weight from paragraphs of the NPPF.

7.84. Material considerations therefore reinforce the making of a decision in accordance with the Local Plan – that being to grant planning permission.

8. Community Infrastructure Levy (CIL)

8.1. The application is not CIL liable.

9. Recommendation

9.1. That the application be **APPROVED** subject to the following conditions:

Condition 1

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

Reason:

In order to achieve the satisfactory development of the site.

Condition 2

The use of the site for the provision of classroom-based education/training for the operation of vehicle-mounted mobile cranes hereby permitted shall only take place between the following hours:

07:30 – 17:30 Mondays to Fridays

07:30 - 13:00 Saturdays

The use of the site for the provision of education/training for the operation of vehicle-mounted mobile cranes hereby permitted shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason:

To mitigate impacts on the character and appearance of the area, and to protect the living environment of occupiers of nearby dwellings in accordance with Policies DM23 and DM29 of the Chelmsford Local Plan.

Condition 3

The conveyance of vehicle-mounted mobile cranes to and from the site (in association with the storage and distribution use hereby permitted) shall only take place between the following hours:

07:30 – 17:30 Mondays to Fridays

07:30 - 13:00 Saturdays

The conveyance of vehicle-mounted mobile cranes to and from the site (in association with the storage and distribution use hereby permitted) shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason:

To mitigate impacts on the character and appearance of the area, and to protect the living environment of occupiers of nearby dwellings in accordance with Policies DM23 and DM29 of the Chelmsford Local Plan.

Condition 4

The operation of vehicle-mounted mobile cranes on the land, except for the purpose of conveyance to and from the site (controlled separately by Condition 3 above), shall only take place between the following hours:

07:30 – 17:30 Mondays to Fridays

The operation of vehicle-mounted mobile cranes on the land, except for the purpose of conveyance to and from the site (controlled separately by Condition 3 above), shall not take place at any time on Saturdays, Sundays, or on Bank or Public Holidays.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area, and to protect the living environment of occupiers of nearby dwellings, in accordance with Policies S1, S11, DM23, and DM29 of the Chelmsford Local Plan.

Condition 5

All parts of any vehicle-mounted mobile crane sited on the land that are capable of being extended, elevated, or raised shall be: a) retracted entirely, and b) lowered as close as reasonably practicable to a horizontal plane outside of the following hours:

07:30 – 17:30 Mondays to Fridays

All parts of any vehicle-mounted mobile crane sited on the land that are capable of being extended, elevated, or raised shall be: a) retracted entirely and b) lowered as close as reasonably practicable to a horizontal plane at all times on Saturdays, Sundays, and Bank and Public Holidays.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area in accordance with Policies S1, S11, and DM23 of the Chelmsford Local Plan.

Condition 6

At no time shall any part of any vehicle-mounted mobile crane sited on the land exceed a height of 24 metres as measured from the existing ground level.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area in accordance with Policies S1, S11, and DM23 of the Chelmsford Local Plan.

Condition 7

At no time shall any cranes other than vehicle-mounted mobile cranes be erected or operated on the site.

At no time shall more than two vehicle-mounted mobile cranes be erected or operated on the site simultaneously.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area in accordance with Policies S1, S11, and DM23 of the Chelmsford Local Plan.

Condition 8

At no time shall any storage, office, or other similar containers be stacked in excess of two containers high on any part of the site (the maximum external height of one such container not exceeding 2.6 metres). Stacked containers shall provide no more than a single accessible storey/level above ground-floor level.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area in accordance with Policies S1, S11, and DM23 of the Chelmsford Local Plan.

Condition 9

No trees or hedges along the boundary of the site shall be felled, uprooted, damaged, disturbed, or removed for the duration that any part of the mixed use hereby permitted carries on and until such a time as the mixed use hereby permitted permanently ceases.

If any such tree or hedge is felled, uprooted, damaged, disturbed, or removed, or otherwise dies, another shall be planted in its place within the next available planting season. The location, size, and species of replacement plantings shall be as agreed in advance in writing by the Local Planning Authority.

Reason:

For the purpose of mitigating adverse impacts on the openness of the Green Belt and the character and appearance of the area in accordance with Policies S1, S11, and DM23 of the Chelmsford Local Plan.

Condition 10

Within two months of the date of this decision, the pedestrian walkway and 10no. vehicle parking bays represented on approved Site Plan 3543 *PL02B* shall be provided and marked out on the site. A further 8no. vehicle parking bays shall also be provided and marked out on the site in addition to these.

The total 18no. vehicle parking bays shall not be used for any purposes other than the parking of vehicles related to the use of the site hereby permitted.

In addition, within the same timeframe, space within the site for vehicles to turn and exit in a forward gear shall be provided. The pedestrian walkway and vehicle turning area shall be retained free from obstruction at all times.

Reason:

To ensure that the site remains accessible to all users and that the on-street parking of vehicles along Bakers Lane does not occur, in the interests of highway safety; and to ensure that appropriate parking is provided in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 11

Within two months of the date of this decision, a facility comprising 6no. cycle spaces (capable of accommodating either manual or powered two-wheeler cycles) shall be provided on the site in the location shaded green on approved Site Plan 3543 *PL02B*. The facility shall be provided in accordance with the EPOA Parking Guidance (2024) and shall be secure, accessible, and covered. The facility shall remain in this form, free from obstruction at all times. The facility shall not be used for any purpose other than the parking of cycles and powered two-wheelers associated with the use of the site hereby permitted.

Reason:

To ensure that appropriate cycle and powered two-wheeler parking is provided in the interests of highway safety and sustainability, and in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 12

At no time shall there be any more than 18no. vehicle-mounted mobile crane operation pupils/students/trainees present on the site simultaneously.

Reason: To ensure that the on-street parking of vehicles along Bakers Lane does not occur, in the interests of highway safety.

Notes to Applicant

- 1 The annotation relating to the proposed use of the site on approved site plan drawing 3543 *PL02B* does not in any way supersede or interfere with the use of land hereby permitted, as per the proposal's description stated at the top of this Decision Notice.
- 2 This permission is subject to a number of prescriptive and prohibitive planning conditions. You are encouraged to review these to ensure you do not inadvertently breach a planning condition.
- 3 The site is currently subject to an ongoing planning enforcement investigation. The Planning Enforcement Team will contact you shortly to advise as to the investigation's status following the grant of planning permission.
- 4 Planning permission granted for development is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions apply.

Positive and Proactive Statement

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

Appendix 1 – Drawing no(s)

Plans to be listed on any Decision Notice:

3543 L08;
3543 PL02B;
Operational Statement (April 2025)/Rev 1;

Appendix 2 – Consultation responses

West Hanningfield Parish Council

Comments
<p>14.01.2025</p> <p>The Parish Council strongly objects to this application on the grounds that it is not an appropriate location for this type of operation and is visually intrusive. It could also be a distraction for motorists on the A12.</p> <p>Additionally, Bakers Lane is not a suitable Highway for the increased vehicle movement and is already in a poor state of repair.</p>

Economic Development & Implementation

Comments
<p>16.01.2025</p> <p>Economic development would support this application in respect of the training provision provided which contributes to wider economic growth through specialist training for the construction sector.</p>

Public Health & Protection Services

Comments
<p>03.01.2025</p> <p>No PH&PS comments with regard to this application.</p>

Essex County Council Highways

Comments
<p>22.05.2025 [update to an initial response on 27.01.2025]</p> <p>Application No. CHL/24/1735</p> <p>Applicant Luke Thrumble – Dovetail Architects Ltd</p> <p>Site Location Unit and Yard 8 at Five Tree Works, Bakers Lane, Galleywood, Chelmsford</p>

Proposal Change of use from mixed-use storage and distribution (Use Class B8) and provision of education (Use Class F1(a))

I Note this retrospective application is for Planning Uses already taking place. Notwithstanding the Educational Travel Plan measures identified in the Transport Note – March 2024 to mitigate the parking impact:

- A collection service provided to the train station (arrangements made in advance), for those not travelling by bus, cycle or on foot.
- Car sharing.
- There is adequate space for drop-off/collection, for those student/trainees transported by car to the site.

II The additional “Operational Statement Rev 1 April 2025” has been considered. It sets out more clearly the maximum number of people likely to be at the site, at any one time. It identifies there could be up to:

- i. 18no. pupil/trainees.
- ii. 8no. instructors/staff.

III The Proposed Site Plan, drawing no. 3543 PL02B, shows 10no. parking spaces. This area likely does not accommodate all of the vehicles parked on-site when the site is operating. There is space within the site that can accommodate more vehicle parking spaces than are shown in the Proposed Site Plan:

- The site appears to operate without vehicles associated with the Planning Uses proposed, being displaced from the site, and parking in Bakers Lane.
- Supporting swept path drawings demonstrate vehicles can manoeuvre into the parking spaces shown.

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

1. The 10no. vehicle space parking area shown in the Amended Proposed Site Plan, drawing no. 3543 PL02B shall be hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development: The “Operational Statement Rev 1 April 2025” identifies a need for additional on-site parking, which is likely already accommodated within the site. It is recommended additional overflow parking space provision for 8no. vehicles is provided. These must be shown on a Site Layout Plan.

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

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

Reason: To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and NPPF 2024.

Ramblers Association

Comments
<p>06.01.2025</p> <p>Dear Sir/Madam</p> <p>Thank you for advising the Ramblers of this planning application. On behalf of the Ramblers Association we wish to make the following comments:-</p> <p>Footpaths 59 and 50 Galleywood run to the North and West of the overall site at Five Tree Works. Since the visual impact of the tower crane is/has been removed we have no comments to raise.</p> <p>Simon Polley</p> <p>Chelmer and Blackwater Ramblers - Planning Monitor</p> <p>email: candbplanning@gmail.com</p>

Galleywood Parish Council

Comments
<p>05.02.2025</p> <p>Galleywood Parish Council strongly objects to this application.</p> <p>The covering letter from Dovedale Architects, provided with the application states:</p> <p>'The education / training element of the Proposed Development focuses on the training of small, mobile, machinery / equipment (importantly, there would be no visible tower crane on Site). The tower crane is due to be removed, on the 16th December and the Proposed Development would have no visual impact (from short or long views).</p> <p>The Parish Council strongly disagree with this statement by the developer, Following the removal of the</p>

crane in December - two cranes are currently visible, one yellow and one black. These can be seen from the A12 and The Heritage Centre in Galleywood. Both have Visible impact

The Parish council has continued to raise concerns about the appearance of cranes at this site since the initial planning application was submitted. Particularly the colour and mobility of the crane(s) and their height on the site.

In addition the Parish Council notes that:

1. No provisions for services provided for training or staff on site e.g., toilets, catering facilities, or classrooms to support the education/training activities. i.e. the site is not suitable for education. It is also adjacent to childrens educational facilities.
2. The erection of the tower crane(s) and other cranes on the ridgeline/horizon adjacent to the A12 is considered by this council a hazard (distraction) for the sightline of drivers and its visibility from the adjacent Galleywood Common nature reserve.
3. The tower crane(s) on site is inappropriate for the green belt area. There are no special circumstances to allow this. The site is remarkably close to Galleywood Common, which is protected by the secretary of state. Other developments adjacent to The Common have had their structures controlled by their relevant planning conditions, severely restricting the visibility.
4. The silent majority and car drivers using the A12 have not been consulted on this planning application.
5. It is recognised that this site is now proposed to be a national training facility that will increase the motor traffic in an already congested area.
6. This council supports the resident's objections presented at the meeting and on the portal without reservation.

The council, while encouraging employment and training opportunities, does not feel that a tower crane(s) or crane training facility at this location is appropriate, nor suitable for the environment and too small for the provision of suitable facilities. The Parish Council also objects to the erection of any permanent or temporary tower or telescopic crane structure at this site.

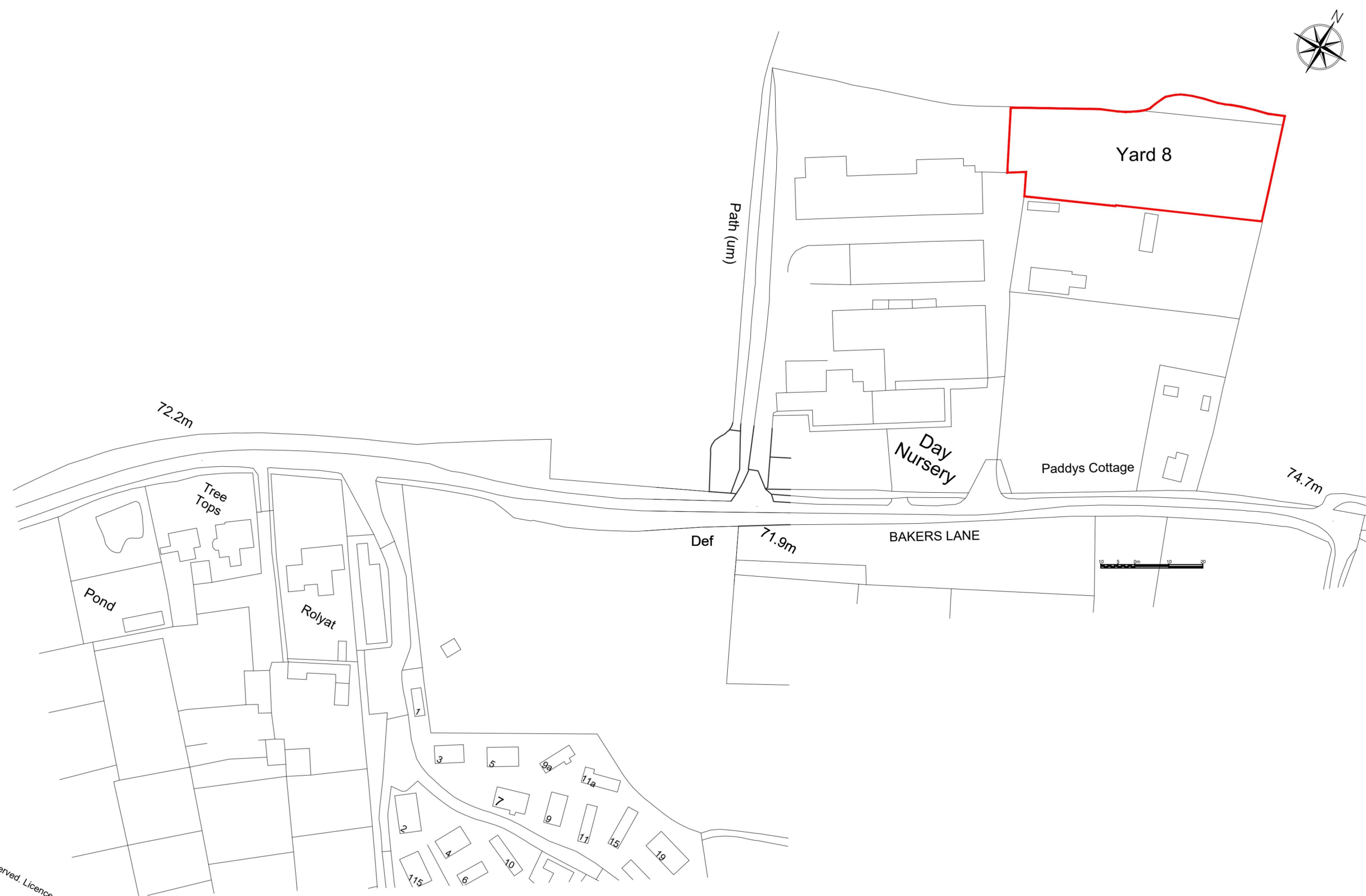
The Parish Council requests that planning conditions be listed and enforced for this site preventing the erection of any structures, permanent or temporary, that are visible. i.e. NO VISIBLE Impact.

Local Residents

Comments

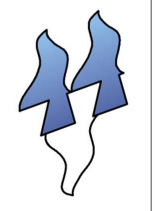
Representations in objection to the Proposal have been received from 8 local residents (1 from Bakers Lane, 4 from Lower Green, and 3 from south Galleywood). Comments are summarised as follows:

- [Submission documents]: The application documents contain inaccuracies relating to the significance of the educational element to the Proposal, the operation's commencement date, the proximity to the Site of important landscape features, and the visual impacts of the Proposal following the removal of the tower crane. The submitted Visual Impact and Green Belt Assessment fails to assess truly representative views of the mobile cranes. The submitted Operational Statement fails to take account of the offering of courses on the operator's website.
- [Green Belt impacts]: The Proposal is inappropriate in this rural, Green Belt location. The mobile cranes intrude into the Green Belt and impose on walkers and visitors in the area. The existing industrial units are for light industrial use only.
- [Other visual impacts]: The visual impact of the mobile cranes is not acceptable. The mobile cranes are visible from Galleywood Common, a SSSI, and Lower Green, which is approx. 1 mile to the north of the Site. The mobile cranes are 30m to 40m tall, brightly coloured, and very conspicuous. Mobile cranes have been operated daily and on a Saturday morning. [Photographs have been provided showing the visibility of the mobile cranes from Lower Green, rising above the treeline].
- [Landscape feature impacts]: Trees and hedges adjacent to the Site are intrinsic to the local landscape. Damage to this vegetation by the mobile cranes would severely impact on the character of the landscape.
- [Residential amenity impacts]: The mobile cranes have a significant visual impact on nearby dwellings and are an invasion of privacy.
- [Highway impacts]: The mobile cranes overlook the A12 and impose on users of the A12. The Site is accessed via a narrow road which lacks the width and robustness to tolerate the types of vehicles proposed. Bakers Lane was damaged by similar vehicles from a previous company.
- [Planning balance]: Crane training is a valuable activity and such training for small mobile machinery is not objectionable. However, the benefits do not outweigh the harms.
- [Enforcement matters]: The operator has established a standard of non-compliance with planning control. The removal of the tower crane was only achieved after the issue of a Planning Enforcement Notice. The operator should have applied for planning permission in advance and been directed to a more suitable site. If planning permission is granted, the operator will extend their agreement to include tower cranes. The Council should ban the operator to prevent further harm moving forwards.
- [Planning conditions]: If planning permission is granted, conditions should be imposed to: prohibit crane operation outside the hours of 8am to 6pm, Monday to Friday; stipulate the lowering of the mobile cranes outside hours of operation; prohibit mobile cranes extending above the treeline; prohibit the operation of more than one crane; prohibit the operation of cranes that are not swiftly dismantlable; and require the painting of any cranes operated for training purposes in dull colours.



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YARD 8 , FIVE TREES WORKS IND EST, BAKERS LANE, WEST HANNINGFIELD CM2 8LD
 3543 L08 1:1250 @ A3



Path (um)



PROPOSED SITE PLAN

YARD 8 , FIVE TREES WORKS IND EST, BAKERS LANE, WEST HANNINGFIELD CM2 8LD

3543 PL02B

1:500 @ A3

1:500 PAPER SPACE



DATE

REVISIONS

INITIAL



Our Ref: 4444
09 December 2024
luke@dovetail-architects.co.uk

Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
CM1 1JE

Dear Sirs / Madam,

**FULL PLANNING APPLICATION (RELATING TO USE OF THE SITE)
YARD 8, FIVE TREE WORKS, BAKERS LANE, WEST HANNINGFIELD**

Please find enclosed a full planning application for the use of Yard 8, Five Tree Works, Bakers Lane, West Hanningfield (the "Site"). The planning application has been submitted via the Planning Portal accordingly.

The application is made on behalf of Nationwide Training Solutions (the "Applicant").

Planning permission is sought for the following proposals (the "Proposed Development"):

"Use of the Site for mixed-use storage and distribution (Use Class B8) and provision of education (Use Class F1(a))".

Existing Site

The Site is one yard within the broader Five Trees Works Site. The Five Trees Works Site, which comprises a variety of commercial uses, is located at West Hanningfield within the planning jurisdiction of Chelmsford City Council ("CCC").

The Site is located to the south of the A12 with good transport access including well serviced bus stops located within a short distance of the Site, located on Stock Road, the B1007 to the west of the Site.

There are no heritage assets, i.e., statutorily listed buildings, or conservation areas, at the Site, or in the vicinity of the Site.

In terms of Planning Policy, CCC adopted their "Local Plan" on 27 May 2020. The Site is not designated for any particular use.

Existing Use

The Site has, most recently, been in use as mixed-use storage and distribution (Use Class B8) and tower crane training facility (Use Class F1(a)).

The storage element currently comprises open storage for several mobile vehicles / machinery, for when they are not in use off site.



The educational element of the Site comprises a training facility to educate and train people how to safely operate tower cranes. The tower crane is, effectively, a 'permanent structure' however it is due to be removed on the 16th of December 2024.

Planning History

A planning application at the Site (reference 23/01653/FUL), for the following proposed development, was refused planning permission, by CCC, in April 2024 (referred to, herein, as the "Refused Development"):

"Part-retrospective change of use from open storage and business to mixed-use storage, distribution, and the provision of education for crane operation training, inclusive of the siting of a tower crane".

The Refused Development was refused based on the visual impact of the tower crane. This was the sole reasoning for refusing the proposals.

The proposed land use (mixed use storage and education), and associated car parking and transport / highways arrangements were deemed acceptable within the case officer's associated "Delegated Report".

Proposed Development

The Proposed Development addresses the previous reason for refusal and now seek consent for:

"Use of the Site for mixed-use storage and distribution (Use Class B8) and provision of education (Use Class F1(a))".

The education / training element of the Proposed Development focuses on the training of small, mobile, machinery / equipment (importantly, there would be no visible tower crane on Site). The tower crane is due to be removed, on the 16th December and the Proposed Development would have no visual impact (from short or long views).

The Proposed Development would be operated by Nationwide Training Solutions (their credentials are set out at Appendix 1 of this letter accordingly).

As such, the Proposed Development would deliver the education and economic benefits associated with the Refused Development and would remove the only contentious item (the tower crane).

Planning Considerations

Visual Impacts

The visual impacts of the tower crane on the immediate surroundings and broader greenbelt were the key reason for refusal of the Refused Development.

The Proposed Development no longer includes a visible tower crane. The training / education element of the Proposed Development will focus on the training of small, mobile vehicles / machinery.



There would no longer be any fixed, tall and visible element, such as a tower crane. As such, the Proposed Development has fully addressed the previous visual impact assessment reasons for refusal of the Refused Development.

Land Use

The education / training element of the Proposed Development is in accordance with Strategic Objective (at paragraph 2.16) of the CCC Local Plan. The Strategic Objective places an emphasis on the delivery of training initiatives and facilities linked to local job opportunities.

It is considered that the proposed use – i.e., mixed use storage and distribution (Use Class B8) along with an element of education / training facilities (Use Class F1(a)) will create an uplift in employment opportunities, both on-Site (in the form of staff) and off-site in the form of upskilled local people.

The Delegated Report agrees with this position and states that *“the proposal represents economic benefits in the form of job creation and the apparent filling of a gap in the training market. These benefits weigh in favour of the scheme”*.

Given the above, the Proposed Development, as per the Refused Development, continues to remain wholly acceptable, in land use terms, and delivers important, and sought after, economic and education benefits to the local area.

Transport

As explained within the Delegated Report, during the lifetime of the application for the Refused Development, a Transport Note was submitted to CCC to address parking provision, access, hours of operation, travel modes, and the volume of students. The information contained within the Transport Note satisfied previous queries raised by the local highways authority, who in a consultation response thereafter supported the application.

The Delegated Report notes that, in summary, the Site provides adequate parking provision for students and employees alike and a marked route for pedestrians within the site. Swept path analyses demonstrate the adequacy of vehicular access arrangements and implemented travel measures – i.e. the operation of a collection service and a practice of car sharing – appropriately mitigate impacts on the highway.

The Proposed Development is as per the Refused Developments in all respects, with the exception of the absence of a visible tower crane. As such, the transport and highways matters remain acceptable for the Proposed Development as they were for the Refused Development.

Given the above, the Proposed Development, as per the Refused Development, continues to remain wholly acceptable in transport and highways terms.

Application Deliverables

Please find enclosed the following planning application documents in accordance with LBE's planning application validation requirements:

- **Planning Application Form** prepared by Dovetail;
- **Planning Statement (this letter)** prepared by Dovetail;
- **Site Location Plan** prepared by Dovetail Architects;
- **Existing Site Plan** prepared by Dovetail Architects;
- **Proposed Site Plan** prepared by Dovetail Architects;



- **Transport Note** prepared by Icenit*

*it should be noted that the enclosed Transport Note was prepared in conjunction with the refused scheme. The details set out within the note are, however, consistent with the proposed use for storage and mobile vehicle training (rather than tower crane training).

Conclusions

The Refused Development was refused on the sole grounds of visual impact (by virtue of the impact of the, soon to be removed, tower crane).

Land use and highways matters were not deemed reasons for refusal and, in fact, the land use was recognised, in the Delegated Report, as providing valuable education / economic benefits.

The Proposed Development continues to deliver these education and economic benefits and, unlike the Refused Scheme, no longer has visual impacts (due to the removal of the tower crane).

As such, we consider that the enclosed planning application should be determined positively, without delay.

We trust that the enclosed is all in order and look forward to receiving confirmation that the planning application is validated.

Should you have any queries please do not hesitate to contact Luke Thrumble of this office.

Yours sincerely,

Luke Thrumble MRTPI

For and on behalf of Dovetail Architects



APPENDIX 1: SUMMARY OF NATIONWIDE TRAINING SOLUTIONS

The Site is currently operated by Nationwide Training Solutions (the “Applicant”).

www.nationwidetrainingsolutions.org

Nationwide Training Solutions is the training division of the ‘The Nationwide Group’ which has a proven track record and employs a workforce of around 140 individuals.

The Nationwide Group has four strategically located crane storage depots to service the needs of their customers’ requirements in the Southeast, London, Suffolk and Essex areas.

The Hanningfield depot (i.e. the Site) is used to store vehicles / machinery whilst they are not actively undertaking construction related work off-site.

The Hanningfield depot (i.e. the Site) is also intended to be utilised, alongside the storage of the fleet of vehicles / machinery, as a location to train the Nationwide Training Solutions vehicle / machinery operatives, along with the public assisting with job opportunities and career paths.

The Site offers important employment opportunities across the storage and training uses. The Site will have circa 10 full time locally employed staff, at any one time, and furthermore, the valuable training provided will lead to the upskilling and, therefore, employment opportunities of circa 40 individuals per month with circa 50% of these likely to be local residents. In the past successful candidates have been employed by the Nationwide Group, directly, following the successful completion of training courses.

The Nationwide Group, and training division, Nationwide Training Solutions, are a professional body with the following accreditations:

- CPCS Accredited Training Provider (this is the leading awarding body within the construction industry sector);
- NPORS Accredited Training Provider;
- NOCN Accredited Training Provider (NOCN are the largest NVQ provider in the construction sector);
- ISO Accredited;
- CPA Accredited



OPERATIONAL STATEMENT

Rev 1 April 2025

YARD 8, FIVE TREE WORKS, BAKERS LANE, WEST HANNINGFIELD

Prepared for:
NATIONWIDE TRAINING SOLUTIONS

This Operational Statement sets out how the proposed use of the Site will continue to, successfully, operate and deliver socio-economic benefits for local communities.

Queries raised by the Local Planning Authority are set out in black text, below, with responses, against each query, set out in red text.

i) *How many staff are employed at the site and what are their roles?*

The Site generates valuable employment opportunities in the form of six full-time equivalent employees acting in the following roles:

- Assessors;
- Testers;
- Trainers; and
- Centre management.

Part time employment opportunities, including 'external testers', will be provided in addition to the 6 full-time equivalent employees.

ii) *What is the maximum number of staff present on the site at any one time?*

A Maximum of 8 members of staff, providing important local employment opportunities, would be on Site at any one time. Part time employment opportunities, including 'external testers', will be provided in addition to the 6 full-time equivalent employees.

iii) *On average, how many training classes are run per day and per week?*

Important and valuable training courses, to upskill local communities, are run on a weekly with a maximum of three courses per week.

iv) *What is the maximum number of training classes run per day and per week?*

A maximum of three valuable training courses, to upskill local communities, will be held at any one point (with no more than three courses per week).

v) *How long does a single training class run for?*

On average a training class, to upskill local communities, would last circa four days. The duration does, however, depend upon the specific nature of the course and, also, the respective candidates' experience.

No more than three training courses will be held per week.

vi) *What time do training classes start and end at the site each day?*

Typically the upskilling education classes would start no earlier than 07:30am and finish no later than 5.30pm.

vii) *On which days of the week do classes run at the site?*

Typically, the upskilling education classes take place during the working week (Monday – Friday, inclusive). On occasion testing is undertaken on a weekend day if necessary to ensure that courses, and upskilling, can be completed / concluded swiftly.

viii) *On average, how many pupils are in attendance for a training class?*

Typically, six pupils (which is the maximum number) attend each education upskilling training course. As such, no more than 18 pupils would attend the Site per week, or at any one time.

ix) *What is the maximum number of pupils in attendance for a training class?*

See above.

x) *What is the maximum number of training classes run simultaneously (it is noted there are three training classroom containers located at the site)?*

Three

xi) *Beyond the two vehicle-mounted telescopic cranes currently sited, are any other cranes currently stored or operated at the site?*

No

xii) *Beyond the two vehicle-mounted telescopic cranes currently sited, are any other cranes expected to be stored or operated at the site moving forwards?*

No

xiii) *What is the maximum height of the vehicle-mounted telescopic cranes currently sited?*

3.8 metres in road travel and 24 metres when boom extended.

xiv) *On average, how many training classes per day and per week involve the operation of one of the vehicle-mounted telescopic cranes?*

Two. The third course relates to NVQs where no mechanical plant is required. This course is 100% classroom based.

xv) *Are the vehicle-mounted telescopic cranes ever stored overnight in an upright/extended position? If so, approximately how often and for what reason?*

No

- xvi) *Is it correct that the seven office containers located at the entrance to the site comprise three training rooms, an office, a canteen, a changing room, and toilets?*

And testing rooms.



TRANSPORT NOTE

To: **Essex County Council (Highways)**
From: **Iceni Projects (Transport)**
Date: **March 2024**
Title: **Response to Highway Officer Comments**

a. Introduction

1. Iceni Projects have been appointed by Nationwide Plant Solutions Limited (the Applicant) to provide transportation advice regarding their development proposals on Unit and Yard 8, Five Tree Works, Bakers Lane, Galleywood, Chelmsford (the site). A planning application was submitted to Chelmsford City Council (CCC) in November 2023 (Application Reference: 23/01653/FUL) for the following:

Retrospective change of use from open storage and business to mixed-use storage, distribution, and the provision of education for crane operation training, inclusive of the siting of a tower crane.

2. Following the submission of this application, Essex County Council (ECC), as highway authority, have provided consultee comments which are referenced within this letter.
3. This Transport Note has therefore been prepared to respond to the five matters raised.
4. Extracts from the ECC highway response are provided in *blue italics*, followed by Iceni Projects' comments in standard text. For ease, the responses are set out in the same order that comments were provided within the letter.
5. The Transport Note should be read in conjunction with the following Appendices:
 - **Appendix A1** – Proposed Parking Layout
 - **Appendix A2** – Swept Path Analysis

b. Response to comments

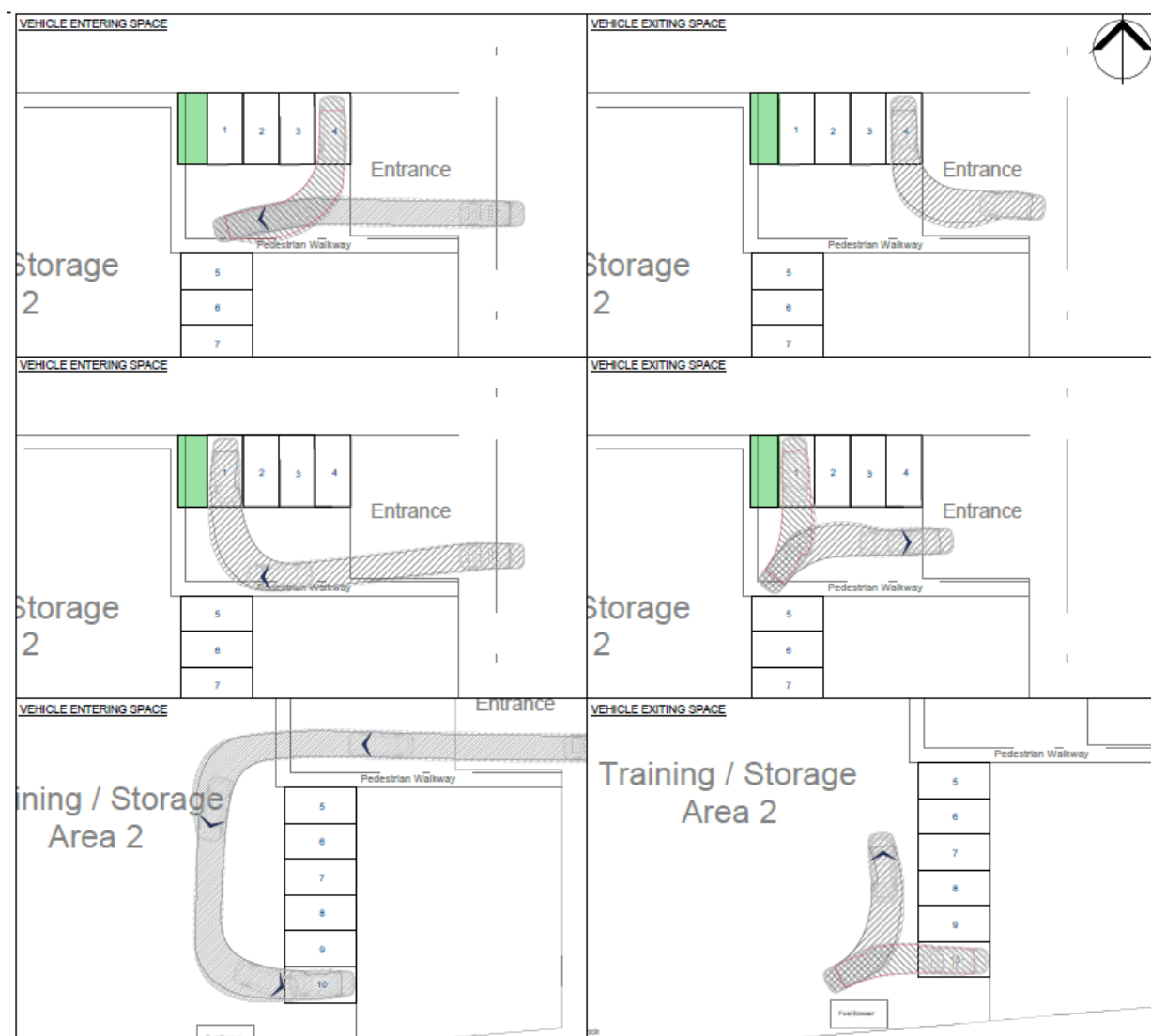
1. *Notwithstanding the information provided in the covering letter Ref: 4444, 11 October 2023, provided by Luke Thrumble at Dovetail Architects Ltd, for this retrospective proposal, the Highway Authority has concerns regarding on-site parking provision. Therefore, additional supporting information please regarding the retrospective training element and associated parking provision requirement.*
6. The information contained within this Transport Note seeks to address the points raised by ECC as Highway Authority.
2. *Parking provision for the operation must be appropriate and accommodate all associated parking, as parking displaced to the Bakers Lane carriageway cannot be safely accommodated. Vehicles parked inappropriately in the Bakers Lane, which is single carriageway width in the vicinity of the site, would present unacceptable hazard and risk detrimental to the safety of highway users.*
7. Given the unit is already being used as an education facility for crane operation training (i.e. the proposed use), information with regards to how the facility operates is already known, one matter being the parking demand.
8. There are currently no formal bays marked within the parking area, however staff and visitors who drive to the facility are currently accommodated within the site and this has not resulted in any overspill parking. As part of this application, it is proposed to provide formal parking to ensure vehicles are parked appropriately and efficiently. The proposed car parking arrangement can be seen at **Figure 1** below and the full plan is included at **Appendix A1**.

Figure 1 – Proposed Parking Layout



9. As can be seen from the proposed layout, 10 spaces have been incorporated. There is also opportunity to provide additional hatching for disabled users if required in the future. The applicant has confirmed that this level of parking is sufficient for the known existing requirements for the facility.
10. A pedestrian walkway has been shown within the car park layout. The intention for this is to be lined markings on the ground to guide pedestrians through the parking area.
11. In order to ensure the proposed parking layout is accessible, Swept Path Analysis (SPA) has been undertaken. A plan showing the SPA is included at **Appendix A2**, which demonstrates a standard sized car enter and exit the proposed car parking spaces. A snapshot of the plan can be seen at **Figure 2**.

Figure 2 – SPA



3. *The nearest regular public transport bus stop is located on Stock Road B1007. This is a 800 metre walk from the proposed use, this would be a 20 minute walk. From the site entrance in Bakers Lane, to the west, there is no footway or lighting for 100 metres. It is therefore very likely that some or all of the pupils/trainees attending, would drive or be driven to the site.*
12. Firstly, it should be noted that it is generally accepted that 400m is considered to be a 5-minute walk; as such, 800m would only be 10 minutes, not 20 minutes as stated in the comments. Either way, this is considered to be a reasonable walking distance to a bus stop in a rural setting. Bakers Lane is lightly trafficked and a footpath is provided along the southern side of the road, with the exception of the final 180m up to the site access junction.
13. The training facility offer a collection service from the train station and bus stops should visitors not wish to walk / cycle. The pick-up service is pre-planned with staff of the facility and is known to be regularly used by a high portion of visitors.

14. In addition, it is known that users travel via different modes, including driving, car-sharing, cycling and use of public transport. In addition,

15. It is recognised that a footway does not exist along the full extent of Bakers Lane and therefore users may choose to drive at certain times of the year, although it is only the final 180m up to the site access where no footway is provided, meaning that this is unlikely to be a key factor influencing peoples' travel choices to the site. Nevertheless, additional car parking spaces have been accounted for within the proposed car parking layout to ensure no overspill car parking occurs.

4. The operator has 10no. employees and the Proposed Site Plan drawing no. 3543 PL02A shows 10no. parking spaces. With 10no. employees and visitor provision, parking provision for the education element has not been provided.

16. Whilst there are a total of 10 employees at the facility, it has been confirmed by the applicant that a maximum of six employees are on site at any one time. The number of visitors per day ranges between 10-15 and therefore the absolute maximum number of staff & visitors travelling to the site could be 21.

17. However, as already outlined, it is known that not all users (staff and visitors) currently drive to the site, with a portion of visitors travelling together (car sharing), using public transport with the pick-up service or by cycling. It has also been confirmed that the parking area can be extended to provide more spaces if necessary, however the 10 spaces shown is already considered to be a greater number than required based on existing activity and therefore the 'overflow' parking area is unlikely to be used.

18. With regards to cycle parking provision, the following standards have been considered based on the worst-case scenario (Use Class F1(a). Provision of education).

- 1 space per 5 staff plus 1 space per 3 students

19. It should be noted that ECC parking standards are still based upon the older use classes, therefore standards for D1 have been provided, which include 'Non-Residential Education and Training Centres'.

20. It has been confirmed that six employees are on site at any one time, and up to 15 (maximum) students at any one time. As such, a total of six cycle parking spaces are required which can be accommodated in the area shown within the site layout plan at **Appendix A1**.

5. It is stated there are 40no. pupils/trainees per month. This could equate to 10no. pupils per week. The training proposal is retrospective, therefore the operator should be able to provide the following additional information:

21. The applicant has confirmed answers to the questions below:

- i. Details of how many pupils would attend per day (operating hours).*
The number of pupils per day range from 10 – 15.
- ii. The duration of the training and the start and finish times.*
08:00 to 17:30
- iii. The age of the pupils/trainees.*
Range from 17 to 60.
- iv. How the currently travel to the site for their training.*
As already set out, it is known that current methods of travel to the site for the training are driving, car sharing, use of public transport or cycling.

22. In summary, it is considered that the points raised have been adequately addressed and there are no transport related reasons why the application scheme should not be approved.

A1. PROPOSED CAR PARKING ARRANGEMENT

Pedestrian Walkway

CYCLE PARKING TO
BE RELOCATED

1

2

3

4

Entrance

Pedestrian Walkway

ning / Storage
Area 2

5

6

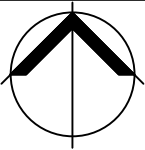
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8

9

10

Fuel Bowser



NOTES:
1. THIS DRAWING IS INDICATIVE AND SUBJECT TO DISCUSSIONS WITH LOCAL & NATIONAL HIGHWAY AUTHORITIES. THIS DESIGN IS ALSO SUBJECT TO CONFIRMATION OF LAND OWNERSHIP, TOPOGRAPHY, LOCATION OF STATUTORY SERVICES, DETAILED DESIGN AND TRAFFIC MODELLING.
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CLIENT

DOVETAIL ARCHITECTS

PROJECT

UNIT 8, FIVE TREE WORKS

TITLE

PROPOSED PARKING ARRANGEMENT

DRAWN BY RB	CHECKED BY SP 16/02/2024	APPROVED BY SP 16/02/2024
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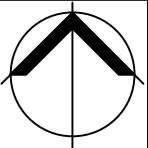
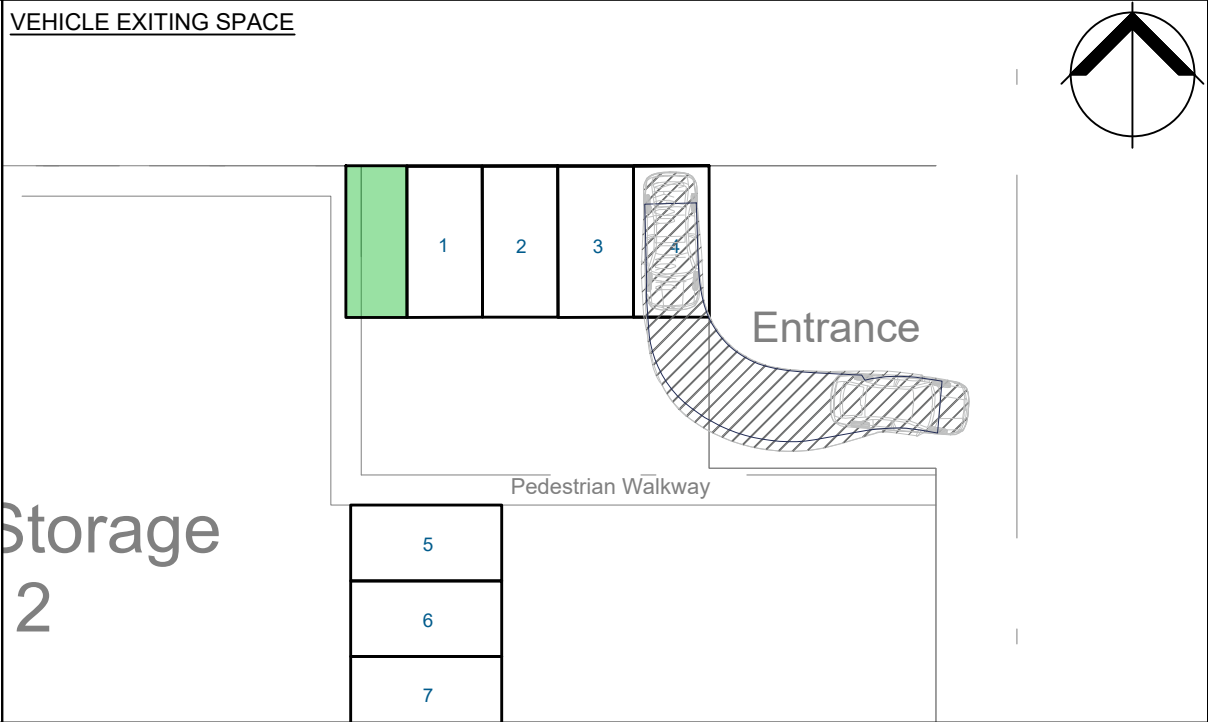
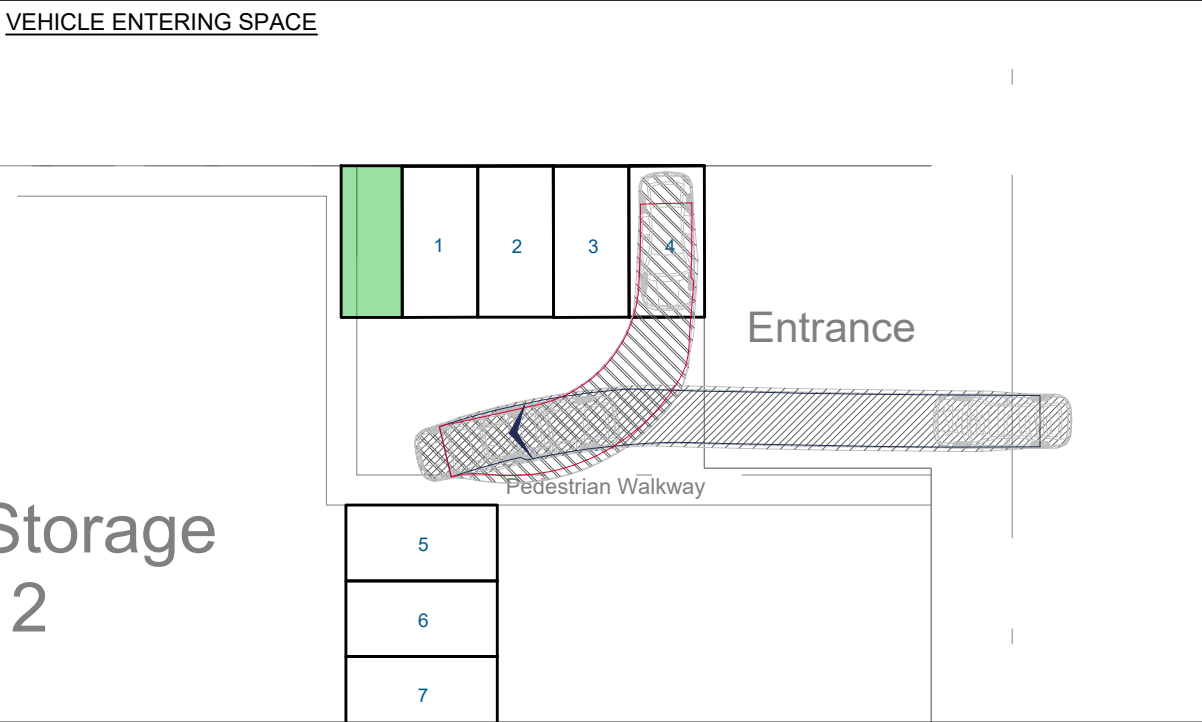
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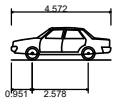
A2. SWEPT PATH ANALYSIS



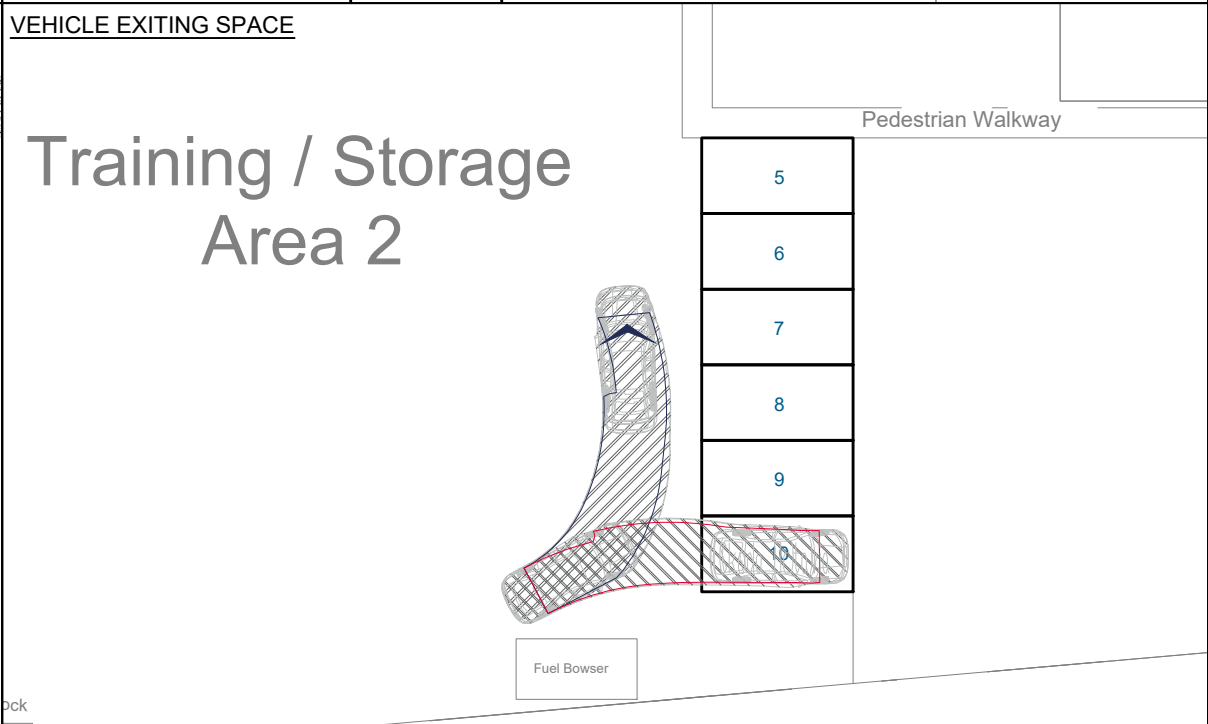
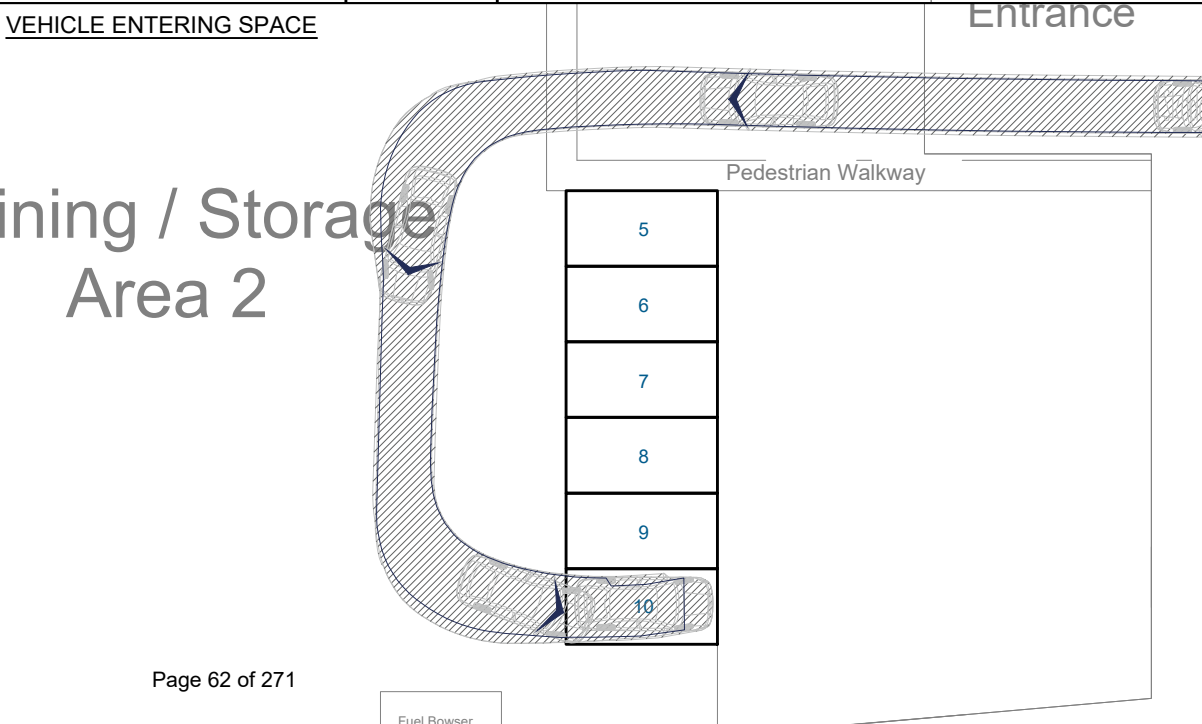
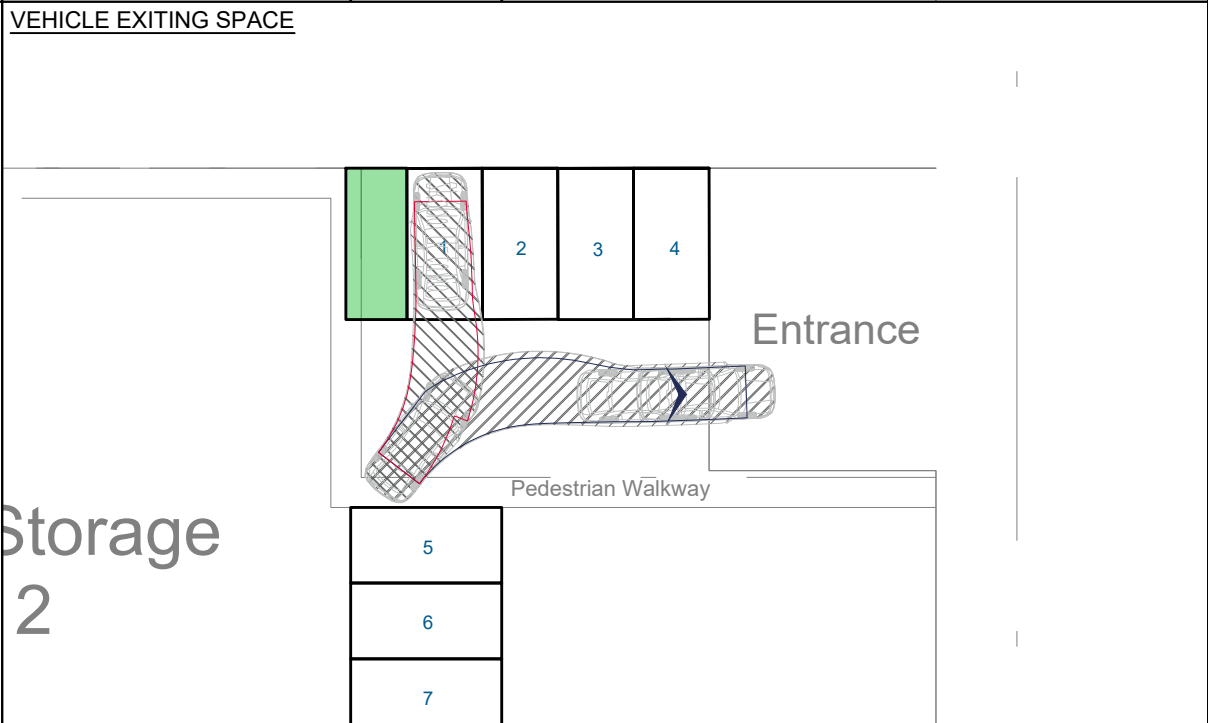
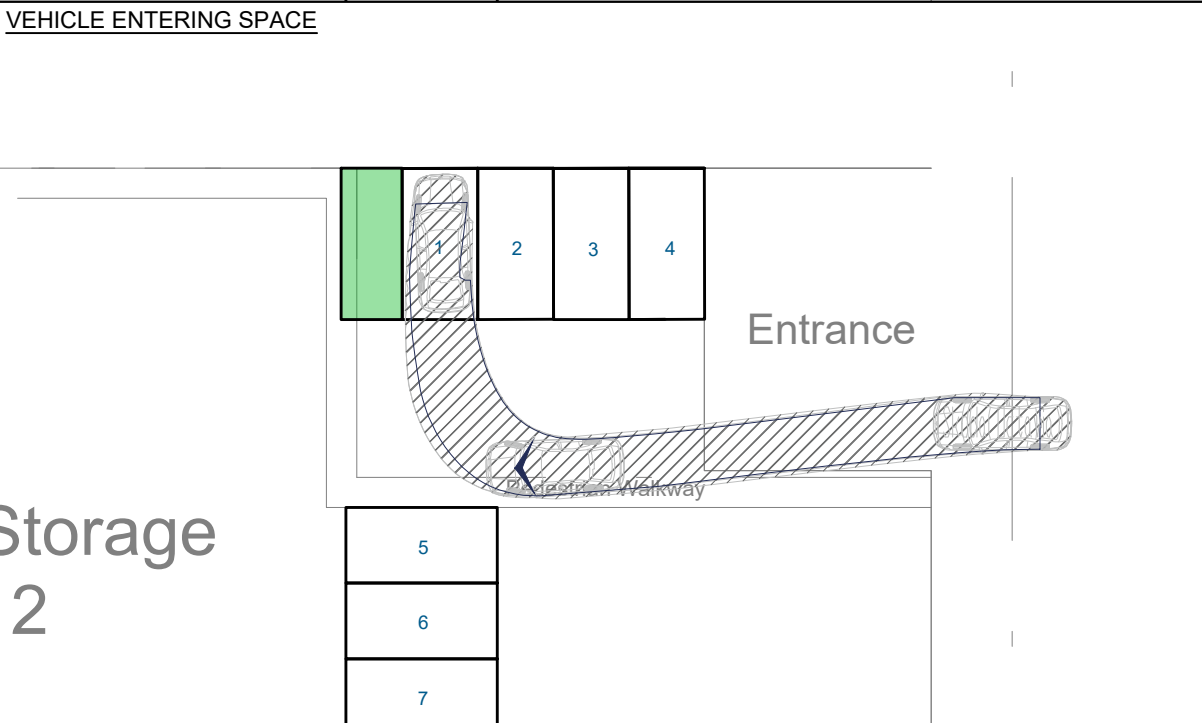
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Skoda Octavia
Overall Length 4.572m
Overall Width 1.769m
Overall Body Height 1.488m
Min Body Ground Clearance 0.249m
Max Track Width 1.713m
Lock to lock time 4.00s
Kerb to Kerb Turning Radius 5.100m



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PROJECT

UNIT 8, FIVE TREE WORKS

TITLE

SWEPT PATH ANALYSIS
(SKODA OCTAVIA)

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PROJECT NO. 24-T011	DRAWING NO. 04	REV. -
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VISUAL IMPACT AND GREENBELT ASSESSMENT

WEST HANNINGFIELD TRAINING CENTRE, BAKERS LANE, CHELMSFORD

DPLC/415/VIA

19th MARCH 2025



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Overview

- 1
- This Visual Impact and Green Belt Assessment assesses the effects on visual amenity and Green Belt arising from a mobile crane used for training at West Hanningfield Training Centre at Five Tree Works,Bakers Lane, near Chelmsford.
- 2
- The assessment has been carried out by David Parfitt MA MSc CMLI, a chartered landscape architect who specializes in the assessment of effects upon landscape character and visual amenity. The assessment follows the guidelines published by the Landscape Institute and Institute of Environmental Management and Assessment.
- 3
- The VIA considers the visual effects likely to occur and considers the scope for mitigation measures to reduce any significant adverse effects.

Effects upon Visual Amenity

- 4
- The proposal would have a *Negligible* effect on the majority of the assessment views, with a single location close to the site where the proposal would be more clearly visible (View 3). This effect would be Minor. The effect is considered to be *Insignificant* on most views, as the boom is dark and not eye-catching and generally seen amongst or beyond tree canopies. The effect on View 3 is considered to be of Low Significance.
- 5
- The visual survey was carried out in February during the trees' dormant season. When trees are in leaf the effects would be reduced.
- 6
- The crane is to be lowered outside of training hours. This would result in no effect at weekends and seasonal holidays, which would be beneficial at times when there could be an increased number of recreational receptors on footpaths.
- 7
- Overall the effect of the proposal is assessed as *Negligible* and *Insignificant*.

Effects upon Purposes of Green Belt

- 8
- The effect of the proposal is considered against each of the five purposes of the Green Belt as follows:

To check the unrestricted sprawl of large built up areas.
- 9
- The proposal is located on previously developed land, which is not adjacent to any built up area. The proposal would not therefore affect the sprawl of any large built up areas.

To prevent neighbouring towns merging into one another.
- 10
- The proposal is located on previously developed land, located distant from any towns. The proposal would not have any effect on the merging of towns.

To assist in safeguarding the countryside from encroachment.

- 11
- The proposal is located on previously developed land and the proposal would therefore not affect encroachment upon the countryside.

To preserve the setting and special character of historic towns.
- 12
- The proposal site does not comprise the setting of an historic town. The nearest conservation area is at Stock, over 3km to the south west of the proposal site.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 13
- The proposal is located on previously developed land, and represents a viable reuse of developed land, reducing the pressure for the proposal to be on any other land within the Green Belt.

Conclusion

- 14
- The proposal does not conflict with any of the purposes of the Green Belt.

Effect on Openness of Green Belt

- 15
- A number of matters may need to be taken into account in making this assessment. These include:

openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;

the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and

*the degree of activity likely to be generated, such as traffic generation.*¹

Openness

- 16
- The boom comprises a single armature which spatially is of very low impact. The narrow mobile boom extends a little more than most trees canopies present in the site setting.
- 17
- The crane would be lowered outside of training hours, resulting in a small mass being present for some of the time.
- 18
- The effect of the proposal on openness is Negligible and its effect is considered to be Insignificant.

Duration and Remediability

- 19
- The crane would be lowered outside of training hours. The proposal is entirely and instantaneously remediable.
- 20
- The proposal is likely to continue only as long as the business is viable.
- 21
- The proposal can be quickly dismantled and the proposal is completely remediable. This is considered to be a Negligible effect, which would be Insignificant.

Activity generated

- 22
- The proposal generates a limited amount of activity during the working day. The level of activity is considered to be of a low level and not necessarily any greater than other commercial operations which could currently use the site. The proposal would result in no increase in activity.

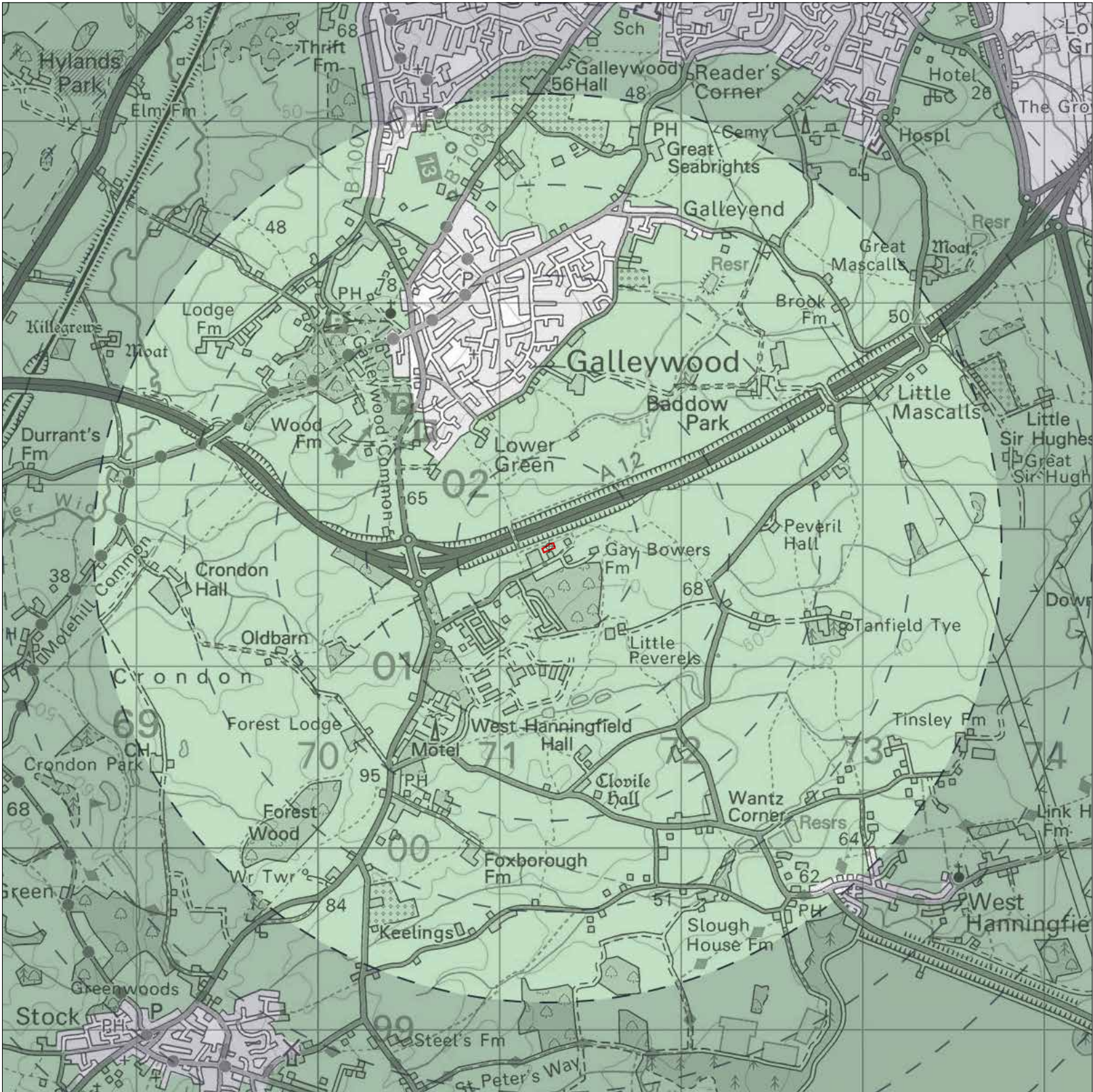
Conclusion

- 23
- The effect of the proposal upon visual amenity is assessed as *Negligible* and *Insignificant*.
- 24
- The proposal would result in a *Negligible* and *Insignificant* effect upon the openness of the Green Belt.
- 25
- This allows the conclusion to be drawn that the proposal, comprising an engineering operation, is not inappropriate, in accordance with Paragraph 154 (h, ii) of the NPPF, as it would result in openness generally being preserved; the proposal does not conflict with the purposes of including land within the Green Belt, as shown.
- 26
- In addition, as made clear in footnote 55 of Paragraph 153 of the NPPF, any harm to openness should not be given substantial weight when determining planning applications on previously developed land within the Green Belt.

¹ <https://www.gov.uk/guidance/green-belt> Paragraph: 001 Reference ID: 64-001-20190722



Green Belt



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Purposes of the Green Belt

- 27 The proposal site is situated within the Green Belt.
- 28 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 29 The 5 purposes of Green Belt designation are:
 - To check the unrestricted sprawl of large built up areas.
 - To prevent neighbouring towns merging into one another.
 - To assist in safeguarding the countryside from encroachment.
 - To preserve the setting and special character of historic towns.
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.²

Development in the Green Belt

- 30 The NPPF, in Para 154, states that development in the Green Belt is inappropriate unless one of the following exceptions applies:
- 31 g) limited infilling of the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 32 h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including

² NPPF Para. 143 (MHCLG 2024)

KEY

- Green Belt
- Radii at 500m intervals

land within it. These are:

- 33 ii) engineering operations.
- 34 As the site consists of previously developed land, not only is the engineering operation not inappropriate, but the effect upon openness should not be afforded substantial weight, as made stated in Para 153 of the NPPF and footnote 55.
- 35 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness - other than in the case of development on previously developed land or prey belt land, where development is not inappropriate.

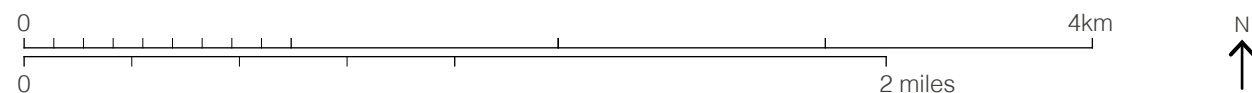


 30m mast theoretically visible

 Mast location

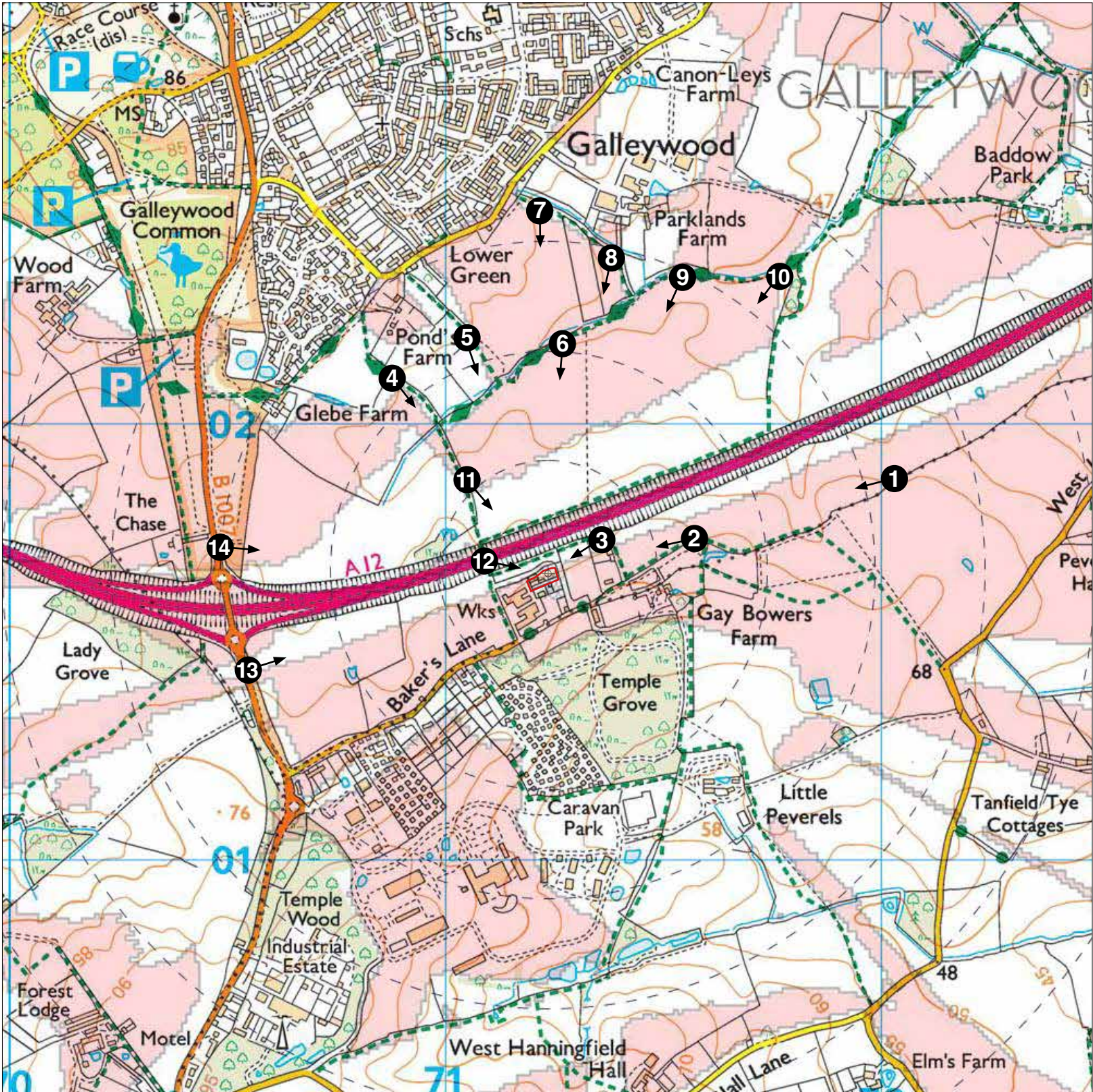
 Radii at 500m intervals

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- 36 A theoretical analysis of the potential for visibility of the proposal was carried out using OS terrain data and a geographic information system.
- 37 The zone of theoretical visibility (ZTV) is established using topographical data with a theoretical mast of 30 metres, approximating to the height of the crane tower at its proposed location within the site.
- 38 The ZTV shows the maximum anticipated extent of the location of visual receptors. There are likely to be additional trees and buildings which would obstruct views such as a line of trees at the north boundary of the site which have a screening effect, and dwelling south of the proposal site.
- 39 The ZTV provides a guide for field assessment when further examination of potential receptor views is carried out and representative viewpoints are selected.

Receptor Viewpoint Locations



Receptor Viewpoint Locations

- 40 Viewpoints were selected to represent the experience of visual receptors from potentially susceptible locations within the Zone of Theoretical Visibility.
- 41 Assessment views were captured using a tripod mounted camera from a height of 1.5 metres to represent the approximate eye-height of a person.

Assessment of Views

- 42 The baseline sensitivity of each view is presented with a panoramic image gained from the receptor viewpoint. The susceptibility of the receptor and the value of the view are combined to determine the sensitivity of the view.
- 43 The magnitude of the anticipated effect is assessed and the resulting significance of effect immediately post-development is stated.
- 44 A summary of the sensitivity and effect of each view is listed on the table following the presentation of views.
- 45 The single frame view of the centre of each panorama is shown in Appendix A. The images in Appendix A can be held at arm's length to provide an indication of the actual viewing experience of visual receptors.

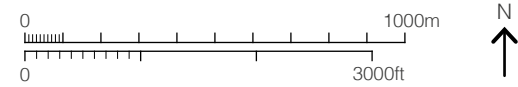
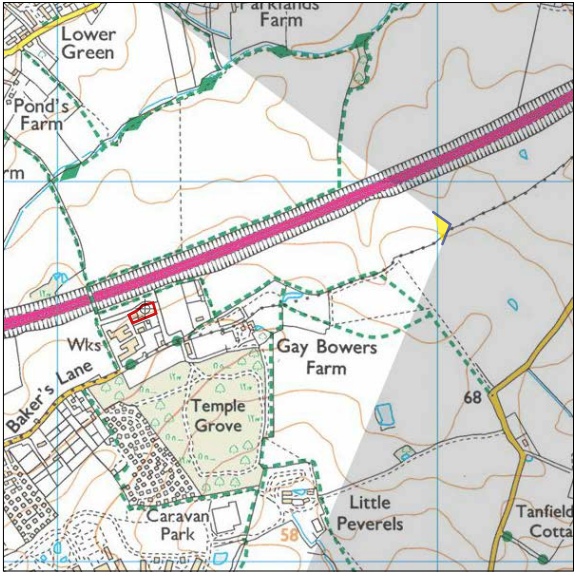
KEY

- Assessment Viewpoint
- Radii at 250m intervals

VIEW 1 - Parklands Horse Riding Track



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data

Date: 13.02.2024
Time: 11:20
Bearing: 254°
Distance to Site Cen: 836m
Viewpoint Elevation: 65m
Camera Height: 1.5m
Grid Reference: TL 72033 01891

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information

HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility

The view would be gained by pedestrians and horse riders using the footpath for several minutes. The susceptibility of the view is considered to be High.

Features

The foreground comprises arable fields with hedgerow boundaries. The value of the view is considered to be Moderate.

Sensitivity

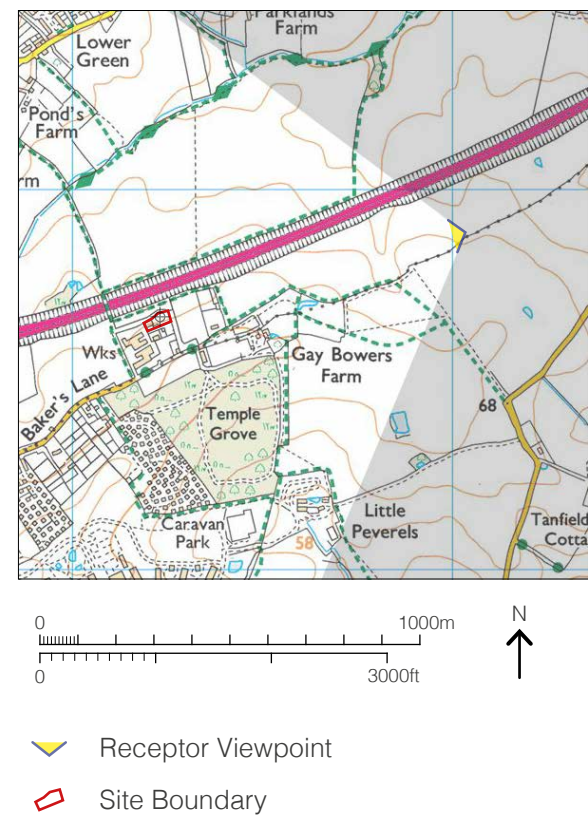
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
	LOW	MODERATE	HIGH	
				VALUE

VIEW 1 - Parklands Horse Riding Track



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 11:20
Bearing: 254°
Distance to Site Cen: 836m
Viewpoint Elevation: 65m
Camera Height: 1.5m
Grid Reference: TL 72033 01891

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HFoV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible through tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

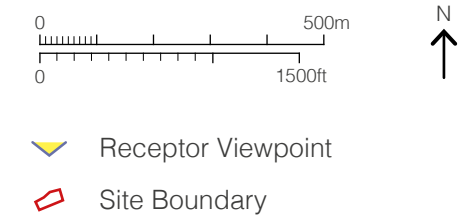
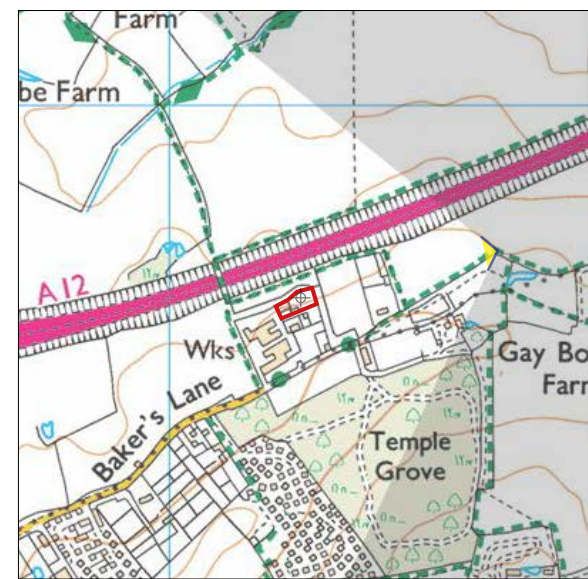
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 2 - Public Footpath 57 Galleywood



Panoramic Image: BASELINE VIEW



Viewpoint Data
Date: 13.02.2024
Time: 11:31
Bearing: 255°
Distance to Site Cen: 361m
Viewpoint Elevation: 72m
Camera Height: 1.5m
Grid Reference: TL 71577 01757

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be Moderate.

Features
The foreground comprises an arable field. Hedgerows and wooded bank of the dual carriageway enclose the view. The value of the view is considered to be Moderate.

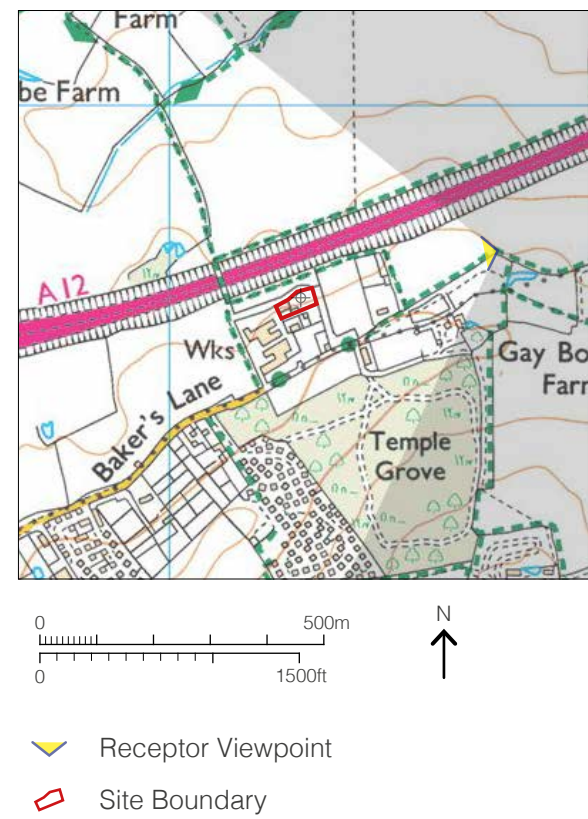
Sensitivity
The sensitivity of the view is assessed as *Medium*.

SENSITIVITY OF VIEW			
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH
	LOW	LOW to MEDIUM	MEDIUM to HIGH
	MODERATE	MEDIUM	MEDIUM to HIGH
	LOW	LOW to MEDIUM	MEDIUM
VALUE			

VIEW 2 - Public Footpath 57 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 11:31
Bearing: 255°
Distance to Site Cen: 361m
Viewpoint Elevation: 72m
Camera Height: 1.5m
Grid Reference: TL 71577 01757

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible through tree canopies during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

Significance of Effect
The effect would be Insignificant.

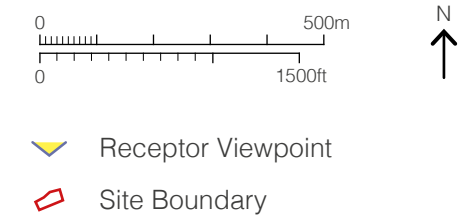
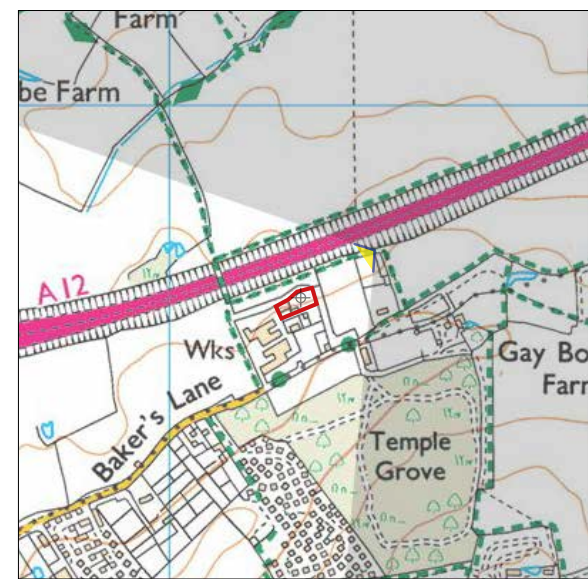
SIGNIFICANCE OF EFFECT				
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE	SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT	LOW SIGNIFICANCE
		LOW	MEDIUM	HIGH
SENSITIVITY OF RECEPTOR				

- Receptor Viewpoint
- Site Boundary

VIEW 3 - Public Footpath 59 Galleywood



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data
Date: 13.02.2024
Time: 11:43
Bearing: 232°
Distance to Site Cen: 176m
Viewpoint Elevation: 69m
Camera Height: 1.5m
Grid Reference: TL 71367 01770

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/250
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be Moderate.

Features
The foreground comprises paddocks. The wooded bank of the dual carriageway is visible to the right of the view. The value of the view is considered to be Moderate.

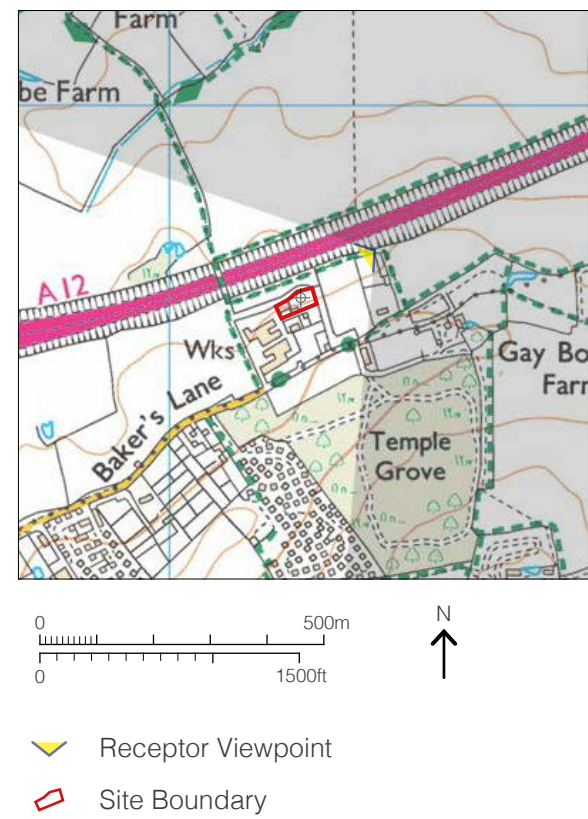
Sensitivity
The sensitivity of the view is assessed as *Medium*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 3 - Public Footpath 59 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 11:43
Bearing: 232°
Distance to Site Cen: 176m
Viewpoint Elevation: 69m
Camera Height: 1.5m
Grid Reference: TL 71367 01770

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/250
Focal Length: 50mm
ISO Speed: 2000

Image Information
HFoV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be visible beyond the paddocks in the foreground during training hours.

Magnitude of Effect
The magnitude of the effect would be Minor and slightly adverse.

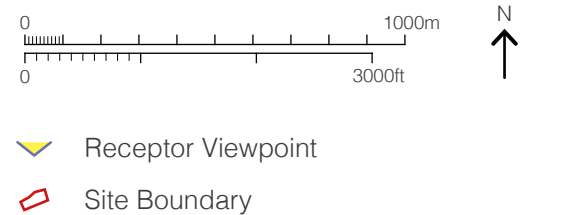
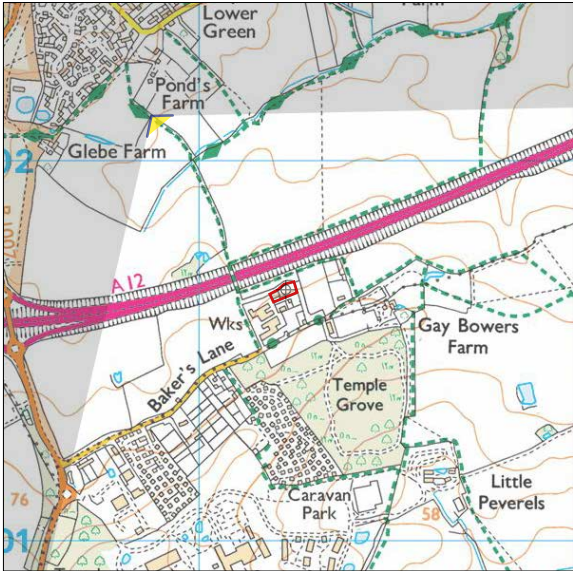
Significance of Effect
The effect is considered to be of Low Significance.

SIGNIFICANCE OF EFFECT				
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE	SIGNIFICANT
	NEGIGIBLE	INSIGNIFICANT	INSIGNIFICANT	LOW SIGNIFICANCE
		LOW	MEDIUM	HIGH
SENSITIVITY OF RECEPTOR				

VIEW 4 - Public Footpath 50 Galleywood



Panoramic Image: BASELINE VIEW



Viewpoint Data

Date: 13.02.2024
Time: 12:01
Bearing: 144°
Distance to Site Cen: 570m
Viewpoint Elevation: 62m
Camera Height: 1.5m
Grid Reference: TL 70889 02122

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information

HfOV 104°
Projection Cylindrical

Receptor Susceptibility

The view would be gained by pedestrians using the footpath, which is a recreational route, for several moments. The susceptibility of the view is considered to be High.

Features

The foreground comprises undulating arable fields. The value of the view is considered to be High.

Sensitivity

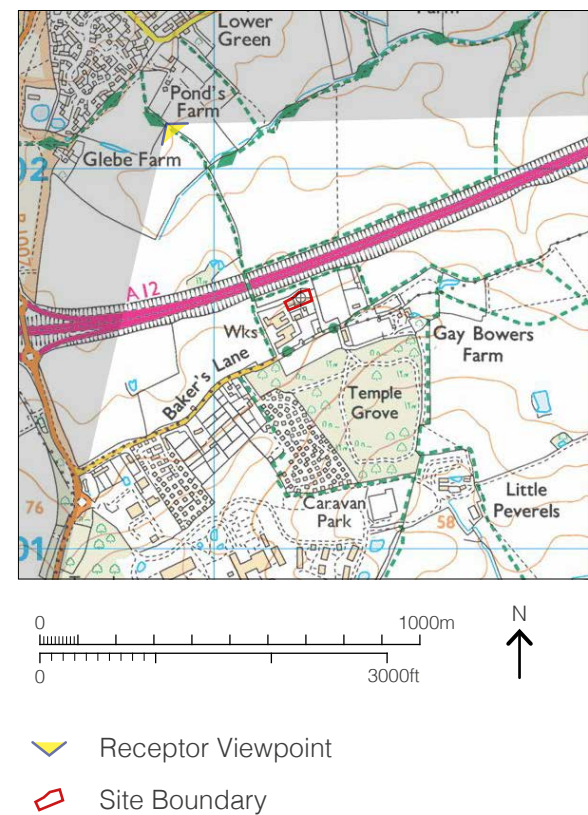
The sensitivity of the view is assessed as *High*.

SENSITIVITY OF VIEW			
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH
	LOW	LOW to MEDIUM	MEDIUM
	MODERATE	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM
VALUE			

VIEW 4 - Public Footpath 50 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:01
Bearing: 144°
Distance to Site Cen: 570m
Viewpoint Elevation: 62m
Camera Height: 1.5m
Grid Reference: TL 70889 02122

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HFoV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

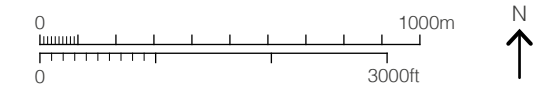
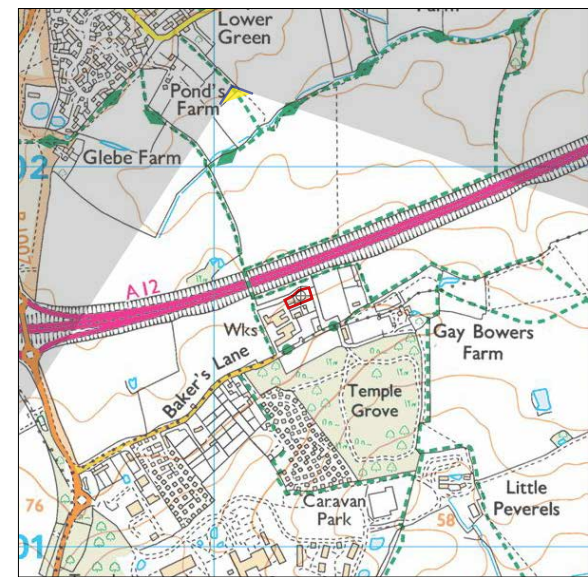
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 5 - Public Footpath 52 Galleywood



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data
Date: 13.02.2024
Time: 12:11
Bearing: 164°
Distance to Site Cen: 574m
Viewpoint Elevation: 61m
Camera Height: 1.5m
Grid Reference: TL 71072 02215

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be High.

Features
The foreground comprises undulating arable fields. The value of the view is considered to be High.

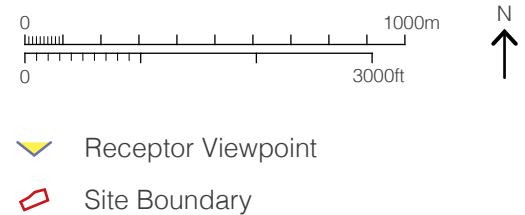
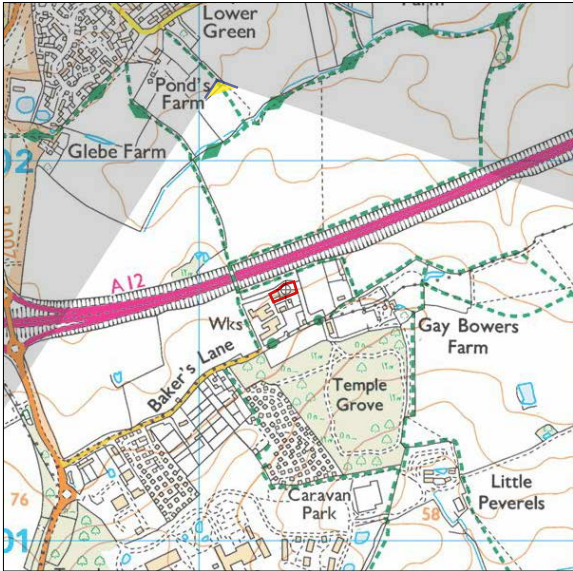
Sensitivity
The sensitivity of the view is assessed as *High*.

SENSITIVITY OF VIEW			
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH
	LOW	MEDIUM	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM to HIGH
	MODERATE	LOW to MEDIUM	MEDIUM
VALUE			

VIEW 5 - Public Footpath 52 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:11
Bearing: 164°
Distance to Site Cen: 574m
Viewpoint Elevation: 61m
Camera Height: 1.5m
Grid Reference: TL 71072 02215

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Anticipated Effect upon View
The crane would be just discernible beyond tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

Significance of Effect
The effect would be Insignificant.

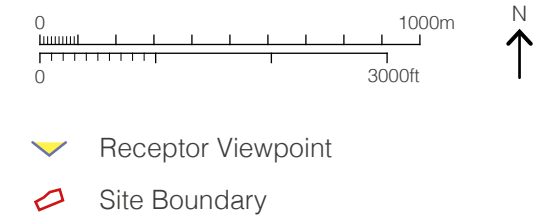
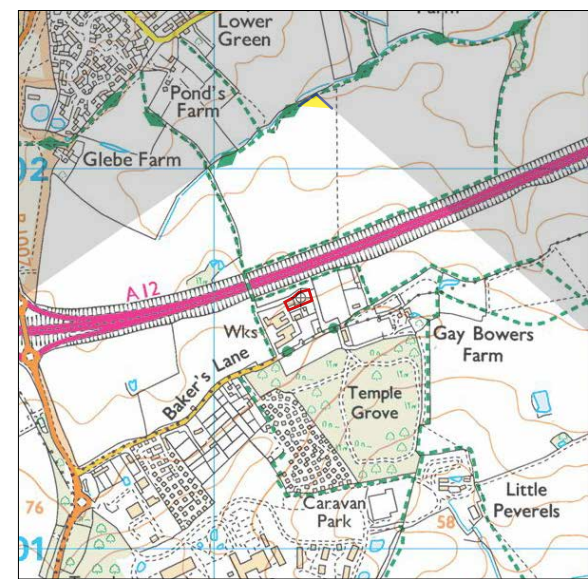
SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

- Receptor Viewpoint
- Site Boundary

VIEW 6 - Public Footpath 54 Galleywood



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data
Date: 13.02.2024
Time: 12:16
Bearing: 184°
Distance to Site Cen: 542m
Viewpoint Elevation: 57m
Camera Height: 1.5m
Grid Reference: TL 71264 02203

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath, which is a recreational route, for several moments. The susceptibility of the view is considered to be High.

Features
The foreground comprises arable fields with woodland in the distance. The value of the view is considered to be Moderate.

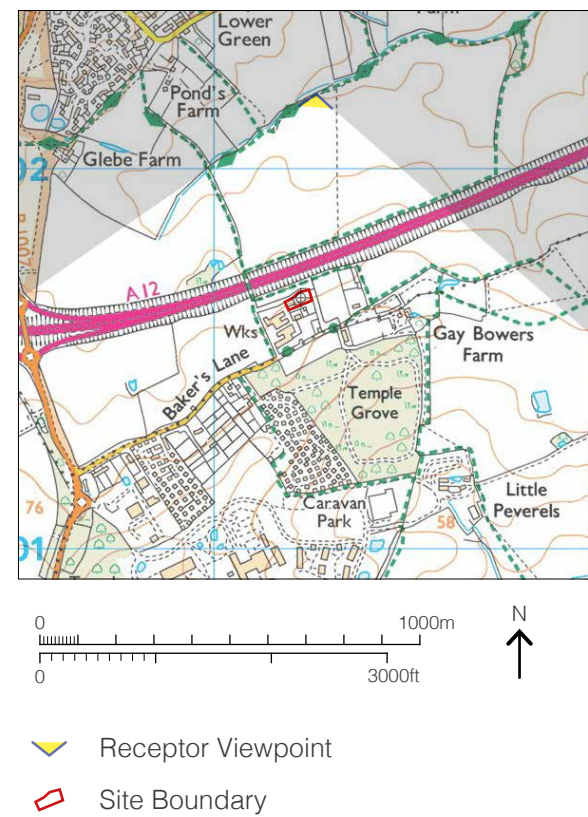
Sensitivity
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 6 - Public Footpath 54 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:16
Bearing: 184°
Distance to Site Cen: 542m
Viewpoint Elevation: 57m
Camera Height: 1.5m
Grid Reference: TL 71264 02203

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HFoV: 104°
Projection: Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

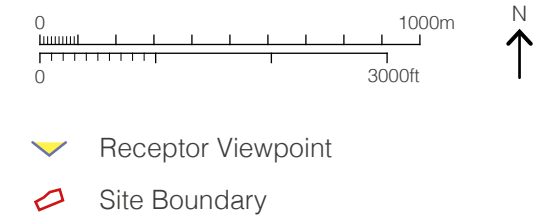
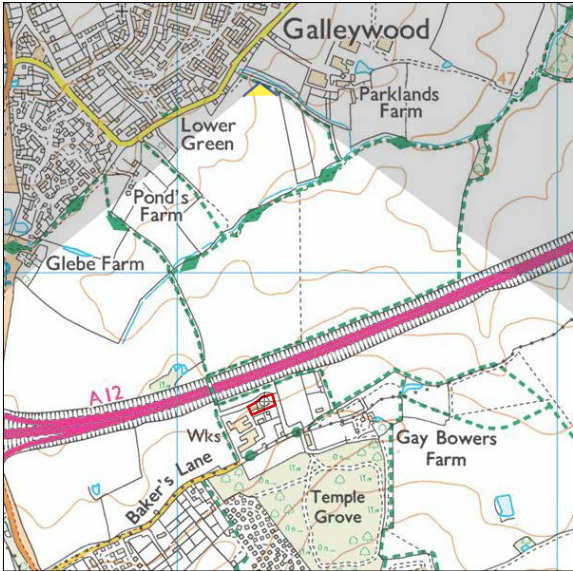
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 7 - Public Footpath 56 Galleywood



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data

Date: 13.02.2024
Time: 12:25
Bearing: 180°
Distance to Site Cen: 852m
Viewpoint Elevation: 61m
Camera Height: 1.5m
Grid Reference: TL 71227 02514

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/640
Focal Length: 50mm
ISO Speed: 2000

Image Information

HFoV: 104°
Projection: Cylindrical

Receptor Susceptibility

The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be High.

Features

The foreground comprises arable fields with woodland in the distance. Overhead cables detract slightly. The value of the view is considered to be Moderate.

Sensitivity

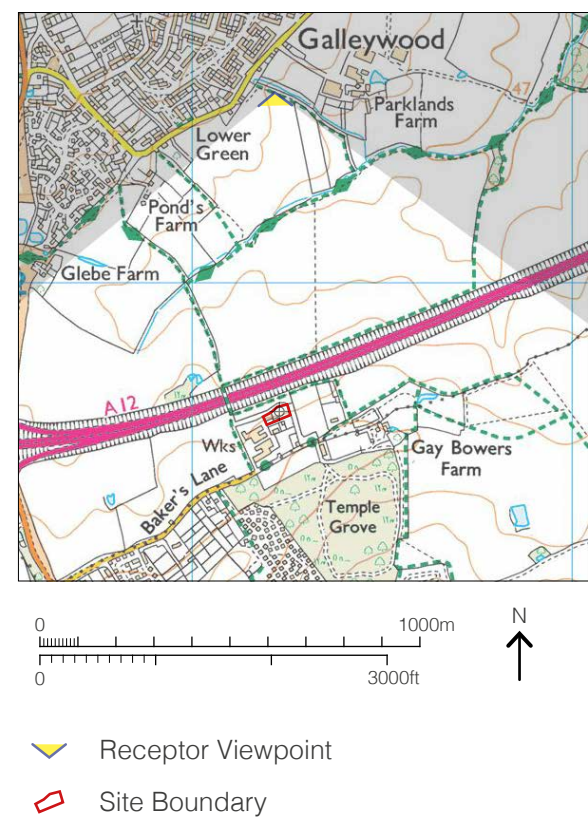
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 7 - Public Footpath 56 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:25
Bearing: 180°
Distance to Site Cen: 852m
Viewpoint Elevation: 61m
Camera Height: 1.5m
Grid Reference: TL 71227 02514

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/640
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

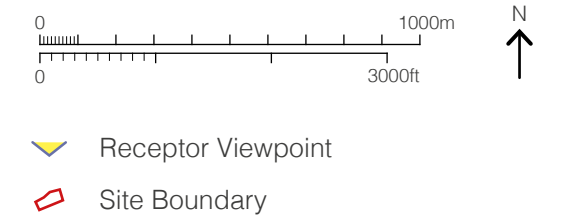
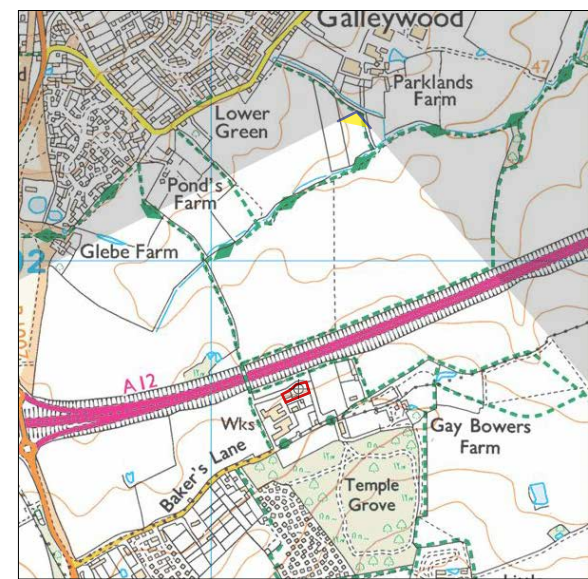
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 8 - Public Footpath 56 Galleywood



Panoramic Image: BASELINE VIEW



Viewpoint Data
Date: 13.02.2024
Time: 12:29
Bearing: 193°
Distance to Site Cen: 760m
Viewpoint Elevation: 55m
Camera Height: 1.5m
Grid Reference: TL 71394 02404

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be High.

Features
The foreground comprises paddocks fields with arable fields and woodland in the distance. The value of the view is considered to be Moderate.

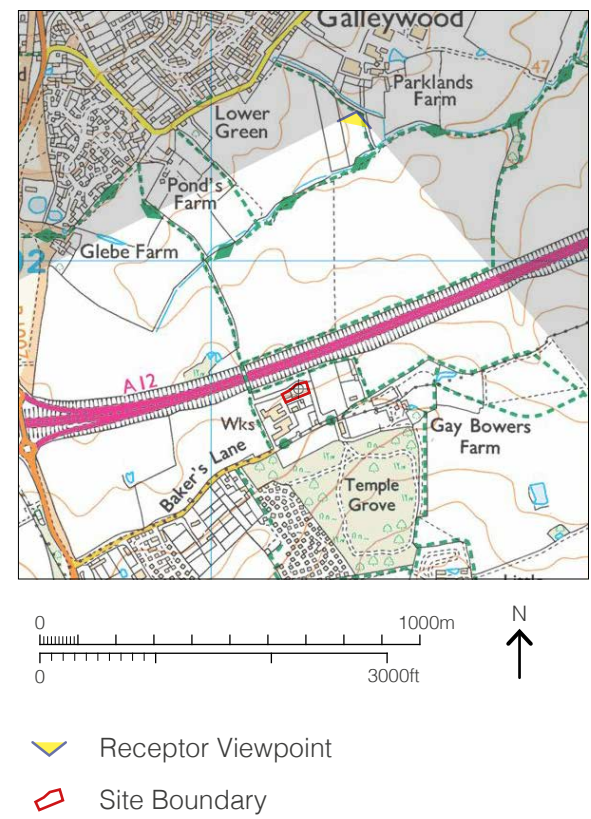
Sensitivity
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
				VALUE

VIEW 8 - Public Footpath 56 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:29
Bearing: 193°
Distance to Site Cen: 760m
Viewpoint Elevation: 55m
Camera Height: 1.5m
Grid Reference: TL 71394 02404

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

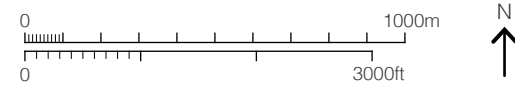
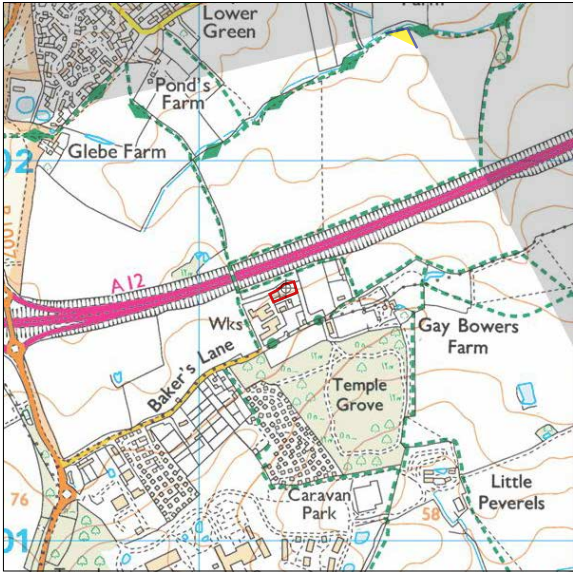
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 9 - Public Footpath 54 Galleywood



Panoramic Image: BASELINE VIEW



- Receptor Viewpoint
- Site Boundary

Viewpoint Data

Date: 13.02.2024
Time: 12:34
Bearing: 205°
Distance to Site Cen: 769m
Viewpoint Elevation: 53m
Camera Height: 1.5m
Grid Reference: TL 71553 02359

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information

HFoV: 104°
Projection: Cylindrical

Receptor Susceptibility

The view would be gained by pedestrians using the footpath, which is a recreational route, for several moments. The susceptibility of the view is considered to be High.

Features

The foreground comprises arable fields with woodland in the distance. The value of the view is considered to be Moderate.

Sensitivity

The sensitivity of the view is assessed as *Medium to High*.

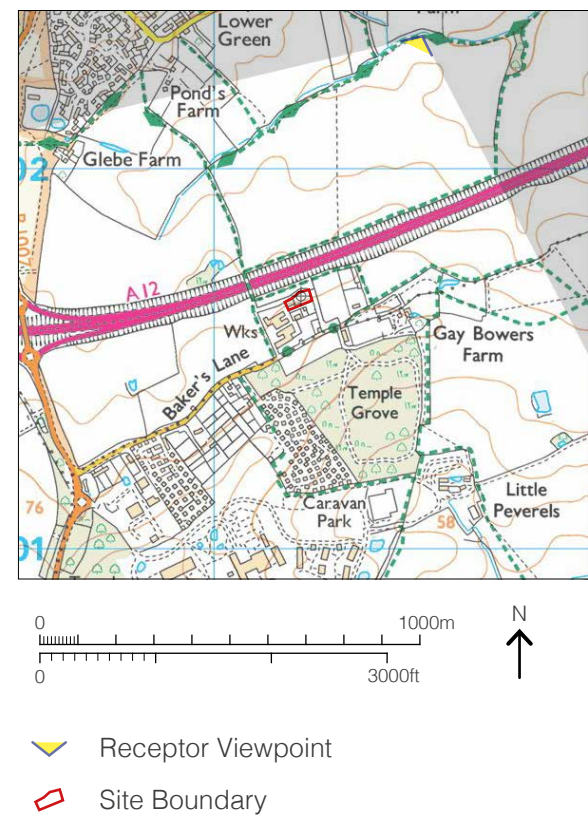
SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
				VALUE



VIEW 9 - Public Footpath 54 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:34
Bearing: 205°
Distance to Site Cen: 769m
Viewpoint Elevation: 53m
Camera Height: 1.5m
Grid Reference: TL 71553 02359

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

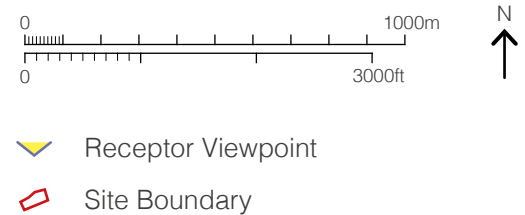
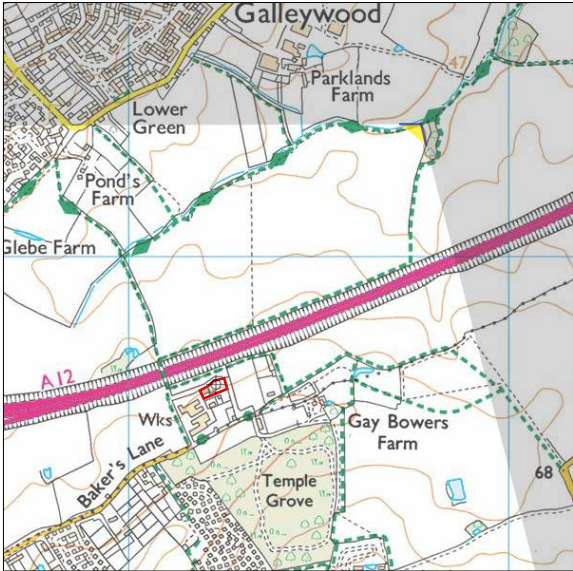
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 10 - Public Footpath 54 Galleywood



Panoramic Image: BASELINE VIEW



Viewpoint Data

Date: 13.02.2024
Time: 12:39
Bearing: 218°
Distance to Site Cen: 885m
Viewpoint Elevation: 51m
Camera Height: 1.5m
Grid Reference: TL 71777 02357

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information

HfOV 104°
Projection Cylindrical

Receptor Susceptibility

The view would be gained by pedestrians using the footpath, which is a recreational route, for several moments. The susceptibility of the view is considered to be High.

Features

The foreground comprises arable fields with woodland in the distance. The value of the view is considered to be Moderate.

Sensitivity

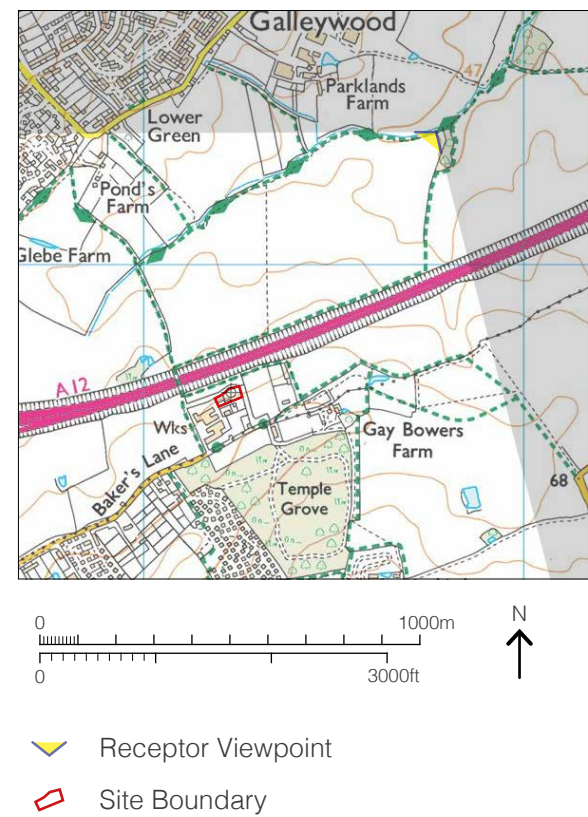
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 10 - Public Footpath 54 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 12:39
Bearing: 218°
Distance to Site Cen: 885m
Viewpoint Elevation: 51m
Camera Height: 1.5m
Grid Reference: TL 71777 02357

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/500
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be just discernible above tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

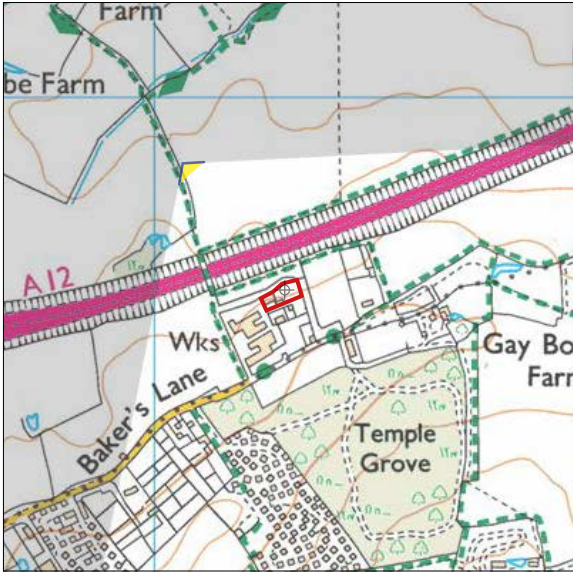
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 11 - Public Footpath 50 Galleywood



Panoramic Image: BASELINE VIEW



0500m

01500ft

N

↑

Receptor Viewpoint

Site Boundary

Viewpoint Data
Date: 13.02.2024
Time: 13:06
Bearing: 144°
Distance to Site Cen: 277m
Viewpoint Elevation: 63m
Camera Height: 1.5m
Grid Reference: TL 71062 01885

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath for several moments. The susceptibility of the view is considered to be High.

Features
The foreground comprises an arable field with a hedgerow to the right of the view and woodland in the near distance. The value of the view is considered to be Moderate.

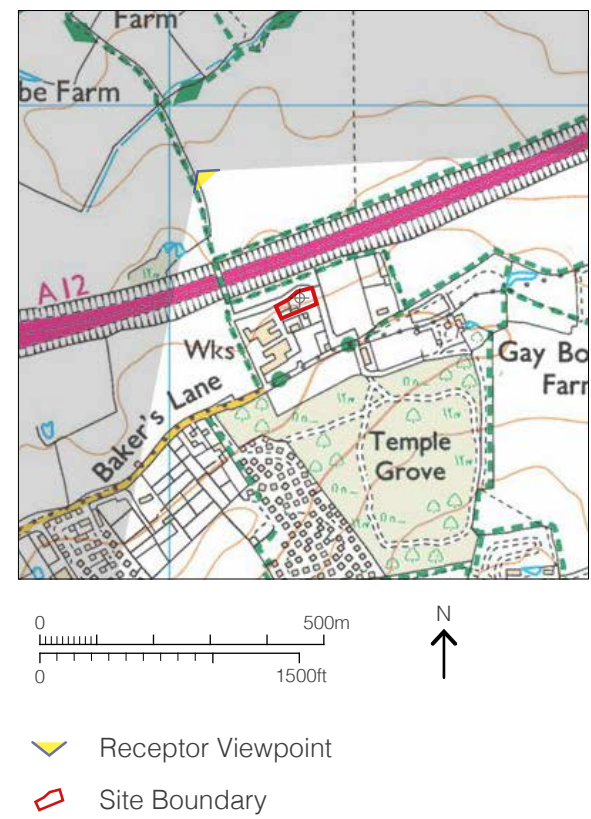
Sensitivity
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 11 - Public Footpath 50 Galleywood



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 13:06
Bearing: 144°
Distance to Site Cen: 277m
Viewpoint Elevation: 63m
Camera Height: 1.5m
Grid Reference: TL 71062 01885

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be discernible beyond tree canopies at the far side of the field during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

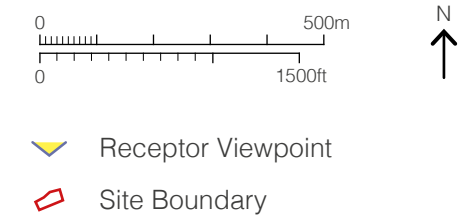
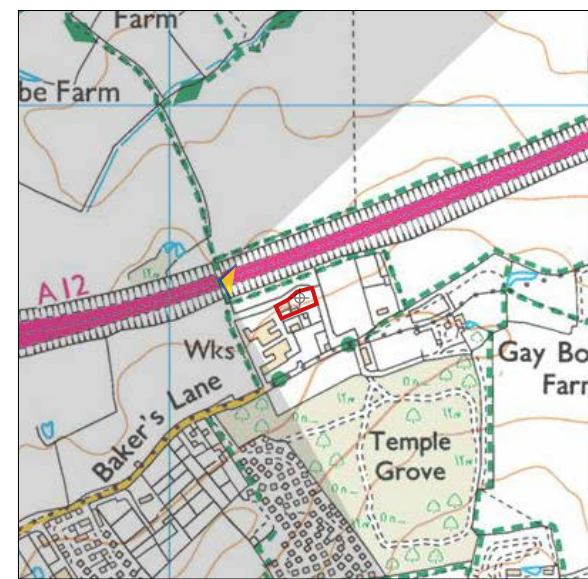
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

VIEW 12 - Public Footpath 50 Galleywood



Panoramic Image: BASELINE VIEW



Viewpoint Data
Date: 13.02.2024
Time: 13:11
Bearing: 111°
Distance to Site Cen: 139m
Viewpoint Elevation: 67m
Camera Height: 1.5m
Grid Reference: TL 71097 01713

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility
The view would be gained by pedestrians using the footpath briefly. The susceptibility of the view is considered to be Moderate.

Features
The dual carriageway and wooded verges comprise the foreground. Structures on the industrial estate can be seen and detract from the view. The value of the view is considered to be Moderate.

Sensitivity
The sensitivity of the view is assessed as *Medium*.

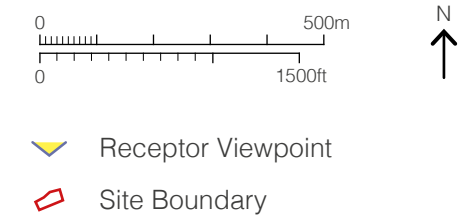
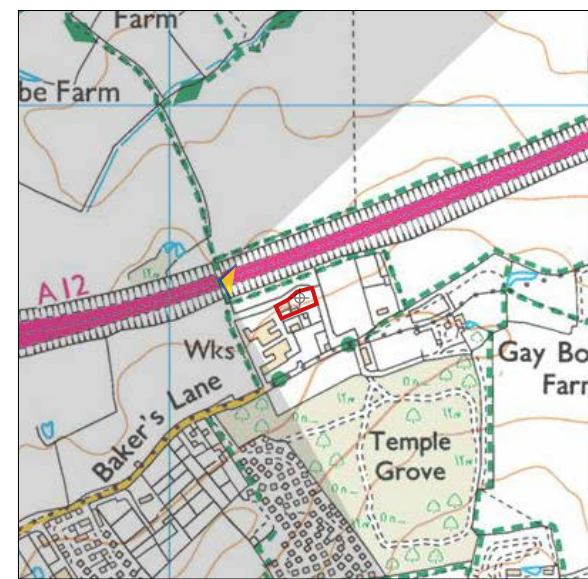
SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
				VALUE



VIEW 12 - Public Footpath 50 Galleywood



Panoramic Image: PROPOSAL SHOWN



- Receptor Viewpoint
- Site Boundary

Viewpoint Data
Date: 13.02.2024
Time: 13:11
Bearing: 111°
Distance to Site Cen: 139m
Viewpoint Elevation: 67m
Camera Height: 1.5m
Grid Reference: TL 71097 01713

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Anticipated Effect upon View
The crane would be visible beyond trees in the foreground during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible and slightly adverse.

Significance of Effect
The effect is considered to be Insignificant.

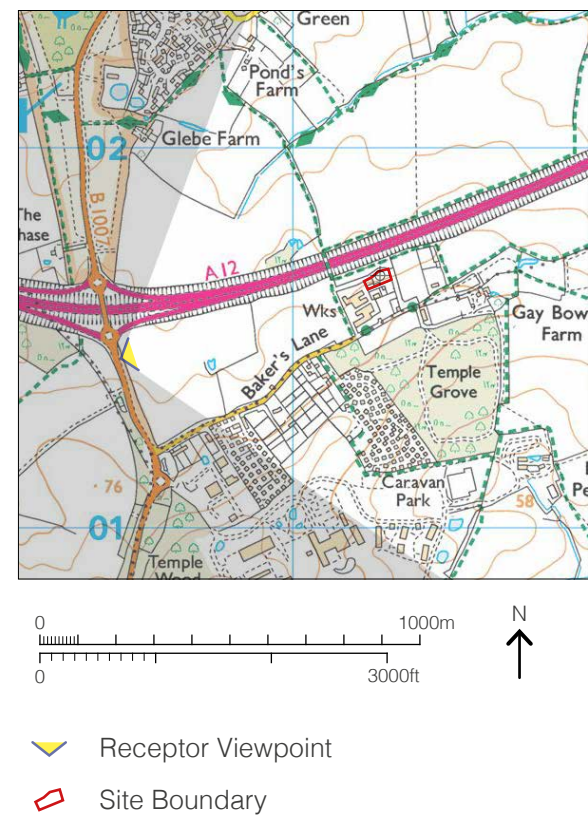
SIGNIFICANCE OF EFFECT				
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE	SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT	LOW SIGNIFICANCE
		LOW	MEDIUM	HIGH
SENSITIVITY OF RECEPTOR				



VIEW 13 - Stock Road



Panoramic Image: BASELINE VIEW



Viewpoint Data
Date: 13.02.2024
Time: 14:05
Bearing: 72°
Distance to Site Cen: 705m
Viewpoint Elevation: 70m
Camera Height: 1.5m
Grid Reference: TL 70554 01450

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility
The view would be gained by road users briefly. The susceptibility of the view is considered to be Moderate.

Features
The foreground comprises an arable field and woodland in the near distance. Some Parts of the industrial estate are visible. The value of the view is considered to be Moderate.

Sensitivity
The sensitivity of the view is assessed as *Medium*.

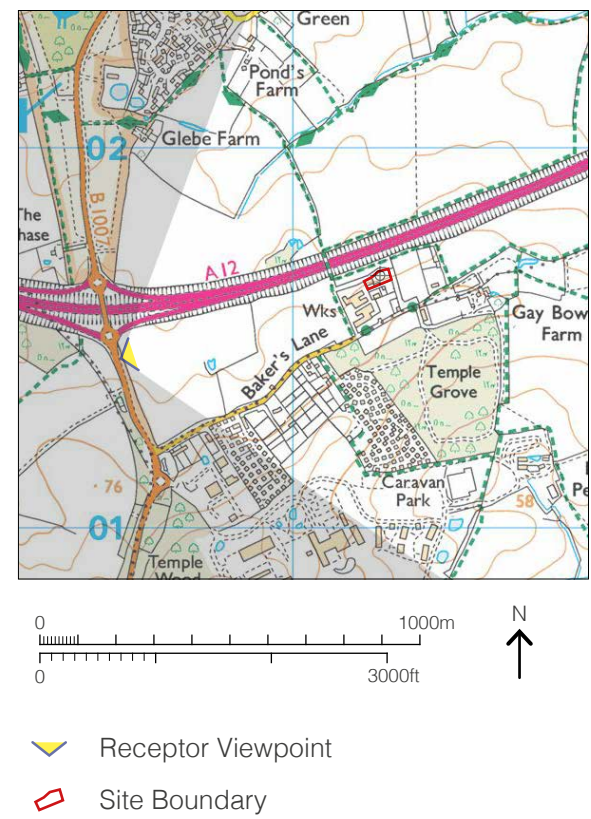
SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				



VIEW 13 - Stock Road



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data
Date: 13.02.2024
Time: 14:05
Bearing: 72°
Distance to Site Cen: 705m
Viewpoint Elevation: 70m
Camera Height: 1.5m
Grid Reference: TL 70554 01450

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/400
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be barely discernible through tree canopies during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

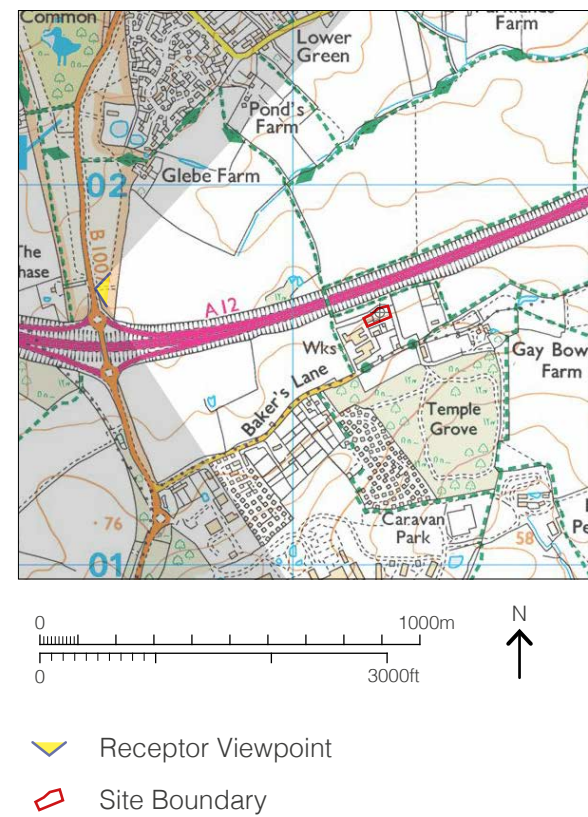
Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT				
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE	SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT	LOW SIGNIFICANCE
		LOW	MEDIUM	HIGH
SENSITIVITY OF RECEPTOR				

VIEW 14 - Stock Road



Panoramic Image: BASELINE VIEW



Viewpoint Data
Date: 13.02.2024
Time: 14:09
Bearing: 95°
Distance to Site Cen: 739m
Viewpoint Elevation: 65m
Camera Height: 1.5m
Grid Reference: TL 70489 01730

Camera Settings
Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information
HfOV: 104°
Projection: Cylindrical

Receptor Susceptibility
The view would be gained by road users and pedestrians for several moments. The susceptibility of the view is considered to be Moderate.

Features
The foreground comprises grassland with hedgerows and scrub with woodland in the distance. There are no detractors. The value of the view is considered to be High.

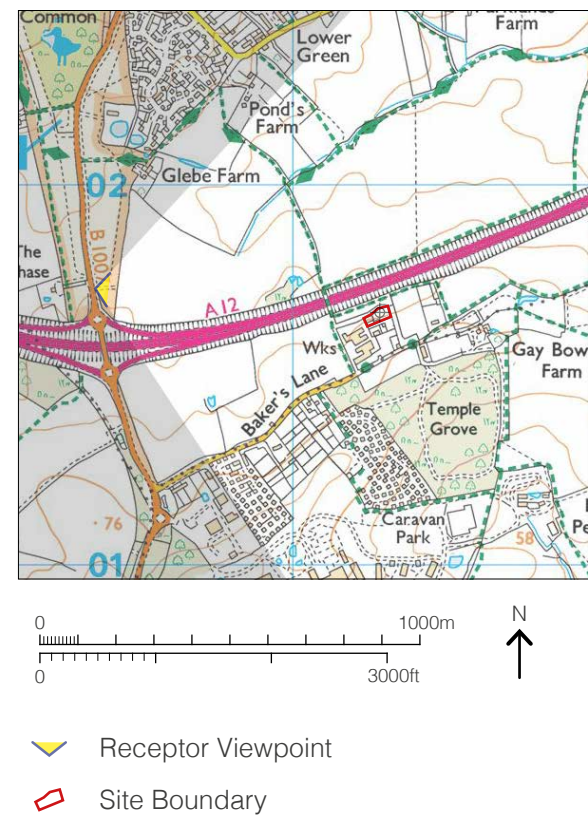
Sensitivity
The sensitivity of the view is assessed as *Medium to High*.

SENSITIVITY OF VIEW				
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH	HIGH
	MODERATE	LOW to MEDIUM	MEDIUM	MEDIUM to HIGH
	LOW	LOW	LOW to MEDIUM	MEDIUM
		LOW	MODERATE	HIGH
VALUE				

VIEW 14 - Stock Road



Panoramic Image: PROPOSAL SHOWN



Viewpoint Data

Date: 13.02.2024
Time: 14:09
Bearing: 95°
Distance to Site Cen: 739m
Viewpoint Elevation: 65m
Camera Height: 1.5m
Grid Reference: TL 70489 01730

Camera Settings

Device: Canon EOS 6D
Lens: EF50mm f/1.4
Aperture: f/22
Exposure Time: 1/320
Focal Length: 50mm
ISO Speed: 2000

Image Information

HfOV 104°
Projection Cylindrical

Anticipated Effect upon View
The crane would be barely discernible beyond tree canopies in the distance during training hours.

Magnitude of Effect
The magnitude of the effect would be Negligible.

Significance of Effect
The effect would be Insignificant.

SIGNIFICANCE OF EFFECT			
MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLECTIBLE	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		SENSITIVITY OF RECEPTOR	
		LOW	HIGH

Effects upon Receptor Views

Reference	View Location	Distance	Sensitivity	Description of Effect	Magnitude of Effect	Significance of Effect
1	Parklands Horse Riding Track	836m	Medium to High	The crane would be just discernible through tree canopies in the distance during training hours.	Negligible	Insignificant
2	Public Footpath 57 Galleywood	361m	Medium	The crane would be just discernible through tree canopies during training hours.	Negligible	Insignificant
3	Public Footpath 59 Galleywood	176m	Medium	The crane would be visible beyond the paddocks in the foreground during training hours.	Minor	Low Significance
4	Public Footpath 50 Galleywood	570m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
5	Public Footpath 52 Galleywood	574m	High	The crane would be just discernible beyond tree canopies in the distance during training hours.	Negligible	Insignificant
6	Public Footpath 54 Galleywood	542m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
7	Public Footpath 56 Galleywood	852m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
8	Public Footpath 56 Galleywood	760m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
9	Public Footpath 54 Galleywood	769m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
10	Public Footpath 54 Galleywood	885m	Medium to High	The crane would be just discernible above tree canopies in the distance during training hours.	Negligible	Insignificant
11	Public Footpath 50 Galleywood	277m	Medium	The crane would be discernible beyond tree canopies at the far side of the field during training hours.	Negligible	Insignificant
12	Public Footpath 50 Galleywood	139m	Medium	The crane would be visible beyond trees in the foreground during training hours.	Negligible	Insignificant
13	Stock Road	705m	Medium	The crane would be barely discernible through tree canopies during training hours.	Negligible	Insignificant
14	Stock Road	739m	Medium to High	The crane would be barely discernible beyond tree canopies in the distance during training hours.	Negligible	Insignificant



Summary of Effects on Visual Receptors

- 46 The proposal would have a *Negligible* effect on the majority of the assessment views, with a single location close to the site where the proposal would be more clearly visible (View 3) where the effect is considered to be Minor. The effect is considered to be *Insignificant* on most views, as the boom is dark and not eye-catching and generally seen amongst or beyond tree canopies. The effect on View 3 is considered to be of Low Significance.
- 47 The visual survey was carried out in February during the trees' dormant season. When trees are in leaf the effects would be further reduced.
- 48 In addition the crane is to be lowered outside of training hours. This would result in no effect at weekends and seasonal holidays, which would be beneficial at times when there could be an increased number of recreational receptors on footpaths.
- 49 Overall the effect of the proposal is assessed as *Negligible* and *Insignificant*.



Effect of the Proposal on the Purposes of the Green Belt

50 The effect of the proposal is considered against each of the five purposes of the Green Belt as follows:

To check the unrestricted sprawl of large built up areas.

51 The proposal is located on previously developed land, which is not adjacent to any built up area. The proposal would not therefore affect the sprawl of any large built up areas.

To prevent neighbouring towns merging into one another.

52 The proposal is located on previously developed land, located distant from any towns. The proposal would not have any effect on the merging of towns.

To assist in safeguarding the countryside from encroachment.

53 The proposal is located on previously developed land and the proposal would therefore not affect encroachment upon the countryside.

To preserve the setting and special character of historic towns.

54 The proposal site does not comprise the setting of an historic town. The nearest conservation area is at Stock, over 3km to the south west of the proposal site.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

55 The proposal is located on previously developed land, and represents a viable reuse of developed land, reducing the pressure for the proposal to be on any other land within the Green Belt.

Conclusion

56 The proposal does not conflict with any of the purposes of the Green Belt.

Effect on Openness of the Green Belt

57 A number of matters may need to be taken into account in making this assessment. These include:

openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;

the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of

openness; and

the degree of activity likely to be generated, such as traffic generation.³

Openness

58 The boom comprises a single armature which spatially is of very low impact. The narrow mobile boom extends a little more than most trees canopies present in the site setting.

59 The crane would be lowered outside of training hours, resulting in a small mass being present for some of the time.

60 The effect of the proposal on openness is Negligible and its effect is considered to be Insignificant.

Duration and Remediability

61 The crane would be lowered outside of training hours. The proposal is entirely and instantaneously remediable.

62 The proposal is likely to continue only as long as the business is viable.

63 The proposal can be quickly dismantled and the proposal is completely remediable. This is considered to be a Negligible effect which would be Insignificant.

Activity generated

64 The proposal generates a limited amount of activity during the working day. The level of activity is considered to be of a low level and not necessarily any greater than other commercial operations which could use the site. The proposal would result in no increase in activity.

Conclusion

65 The proposal would result in a *Negligible* and *Insignificant* effect upon the openness of the Green Belt.

66 This allows the conclusion to be drawn that the proposal, comprising an engineering operation, is not inappropriate, in accordance with Paragraph 154 (h, ii) of the NPPF, as it would result in openness generally being preserved; and the proposal does not conflict with the purposes of including land within the Green Belt, as shown.

67 In addition, as made clear in footnote 55 of Paragraph 153 of the NPPF, any harm to openness should not be given substantial weight when determining planning applications on previously developed land within the Green Belt.

³ <https://www.gov.uk/guidance/green-belt> Paragraph: 001 Reference ID: 64-001-20190722



APPENDIX A - SINGLE FRAME IMAGES



VIEW 1 - PARKLANDS HORSE RIDING TRACK - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 1 - PARKLANDS HORSE RIDING TRACK - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 2 - PUBLIC FOOTPATH 57 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 2 - PUBLIC FOOTPATH 57 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 3 - PUBLIC FOOTPATH 59 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 3 - PUBLIC FOOTPATH 59 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 4 - PUBLIC FOOTPATH 50 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 4 - PUBLIC FOOTPATH 50 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 5 - PUBLIC FOOTPATH 52 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 5 - PUBLIC FOOTPATH 52 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 6 - PUBLIC FOOTPATH 54 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 6 - PUBLIC FOOTPATH 54 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 7 - PUBLIC FOOTPATH 56 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 7 - PUBLIC FOOTPATH 56 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 8 - PUBLIC FOOTPATH 56 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 8 - PUBLIC FOOTPATH 56 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 9 - PUBLIC FOOTPATH 54 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 9 - PUBLIC FOOTPATH 54 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 10 - PUBLIC FOOTPATH 54 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 10 - PUBLIC FOOTPATH 54 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 11 - PUBLIC FOOTPATH 50 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 11 - PUBLIC FOOTPATH 50 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 12 - PUBLIC FOOTPATH 50 GALLEYWOOD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 12 - PUBLIC FOOTPATH 50 GALLEYWOOD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 13 - STOCK ROAD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 13 - STOCK ROAD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length



VIEW 14 - STOCK ROAD - VISUAL BASELINE (CRANE REMOVED)

Represents actual scale of viewing experience when A3 at arms length



VIEW 14 - STOCK ROAD - PROPOSAL SHOWN

Represents actual scale of viewing experience when A3 at arms length

APPENDIX B - DEVELOPMENT PROPOSAL



APPENDIX C - METHODOLOGY

Objectives of the VIA

- 68 This report is a Visual Impact Assessment (VIA) and follows the Guidelines for Landscape and Visual Impact Assessment (3rd ed. 2013) published by the Landscape Institute and the Institute of Environmental Management and Assessment.
- 69 The purpose of this assessment is to evaluate the likely impacts of the development proposal upon visual amenity. The report concludes with mitigation measures to prevent, reduce or offset effects that arise from the proposed development.
- 70 The assessment of visual effects should inform the iterative design process, identify residual effects and provide guidance on strategies for enhancement thereby resulting in effective primary mitigation as an integral part of the design proposal.
- 71 Where the requirement for assessment does not have scope for inclusion within the design process, assessment is carried out at the end of the design process. The proposal may then be revised to include recommendations and mitigation strategies as set out in the VIA as secondary mitigation.
- 72 In both situations the VIA provides objective assessment of baseline sensitivity and effects of the development proposal upon visual amenity to inform planning decisions.
- 73 The baseline sensitivity of each receptor is established. The magnitude of the change likely to occur is described and the resulting significance of the anticipated effect determined.

LVIA Guidance

- 74 This Visual Impact Assessment has been carried out by qualified, trained and experienced landscape professionals using techniques and best practice in accordance with the following guidance:
- Guidelines for Landscape and Visual Impact Assessment, 3rd ed. 2013, published by the Landscape Institute and the Institute of Environmental Management and Assessment.
 - Landscape Character Assessment, Guidance for England and Scotland; Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity, published by The Countryside Agency and Scottish Natural Heritage.
 - Landscape Institute Advice Note 01/11. Photography and Photo-montage in Landscape and Visual Impact Assessment.
 - Landscape Institute Advice Note 02/17. Visual representation of development proposals.
- 75 Planning guidance and informing this report includes:
- The National Planning Policy Framework, Department

for Communities and Local Government, Revised, July 2021.

- MAGIC Interactive mapping, Natural England (magic.defra.gov.uk)

Visual Amenity Baseline

- 76 Assessment of visual effects deals with the effects of change and development on the views experienced by individuals or groups of people. Changes can occur in the content and character of views and as a result of the change or loss of existing elements and/or introduction of new elements.
- 77 The area in which views are likely to be changed is established at an early stage usually through the creation of a Zone of Theoretical Visibility (ZTV) using a Geographic Information System (GIS).
- 78 The area in which the development may be visible, the different groups of people, who may experience views of the development, the viewpoints where they will be affected and the nature of the views at those points are identified.
- 79 Development proposal may have visual effects on the setting of heritage assets, including important views to and from those assets. In urban areas there may be strategic views relating to heritage assets, landmarks and other key views and vistas.
- 80 The types of viewers who will be affected and the places where they will be affected are identified. Viewpoints are selected for inclusion in the assessment and for the illustration of visual effects to represent the range of receptor views gained. Receptor viewpoints are usually located in publicly accessible locations only, however in some situations it may be appropriate to consider views from private property.
- 81 Baseline photos record the existing views at selected receptor viewpoints. Each image is captured with a full-frame-sensor 50mm optical length lens, tripod mounted with a levelling head, at a height of 1.5m, to best represent the viewing experience of a pedestrian. Photographs are digitally merged to create panoramic views centred on the site which represent a wider field of view and convey an holistic viewing experience, and provide contextual information for assessment. Annotations may be added to photographs to emphasize important components of each view.

Visual Effects

- 82 The likely effects on visual receptors are identified with the assistance of wireframe photomontages of the proposal. Changes in views and visual amenity may arise from built forms and/or from soft landscape elements of the development. The effects are considered in terms of: the nature of the view of the development, whether there is a full or partial view, or only a glimpse;

the proportion of the development or particular features that would be visible; the distance of the viewpoint from the development; and, whether the view is stationary or transient or one of a sequence of views, as from a footpath or moving vehicle, and the nature of the changes.

- 83 An informed professional judgement is made as to whether the visual effects are beneficial or adverse, or in some cases neutral, based upon a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes, given the nature of the existing views.
- 84 Wireframe photomontages of the proposed dwelling are depicted on baseline photography to assist with the assessment of visual effects.

Assessing the Significance of Visual Effects

- 85 The visual effects may be assessed to determine their significance by considering the nature of the visual receptor and the nature of the effect on views and visual amenity.
- 86 The sensitivity of each visual receptor (person or group of people) is assessed in terms of both their susceptibility to change in views and visual amenity and the value attached to particular views.
- 87 The susceptibility of different visual receptors is a function of: (1) the occupation of people experiencing the view at particular locations; and, (2) the extent to which their attention or interest is focused on the views and the visual amenity they experience at particular locations.
- 88 The value attached to views takes account of: (1) recognition of the value attached to particular views, for example in relation to heritage assets or planning designations; and, (2) indicators of the value attached to views by visitors, for example references in guidebooks or on tourist maps, provision of facilities for enjoyment, or references to them in art or literature.
- 89 Each of the visual effects identified is evaluated in terms of its size or scale, the geographical extent of the area influenced and its duration and reversibility.
- 90 The magnitude of the visual effect takes account of: the scale of the change in the view with respect to the loss or addition of features in the views and changes in its composition; the degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture; and, the nature of the view of the proposed development, in terms of the relative amount of time over which it will be experienced and whether views will be full,

partial or glimpses.

- 91 The geographic extent of a visual effect considers the angle of the view in relation to the main activity of the receptor, the distance of the viewpoint from the proposed development and the extent of the area over which the changes would be visible.
- 92 The duration of the visual effect is likely to be permanent and irreversible for the development of most buildings. Some developments may be temporary which would have an effect on their significance. The effect of integrated landscape proposals will develop and judgements are made in this regard.
- 93 The sensitivity of the visual receptor and the magnitude of the visual effects are combined to form a judgement about the significance of each effect.
- 94 Where visual effects are judged to be significant and adverse, mitigation measures for preventing/avoiding, reducing, or offsetting or compensating for them are set out and residual effects identified.

Wireframe Photomontage

- 95 Wireframe photomontages of the proposed dwelling are depicted on baseline photography to assist with the assessment of visual effects following guidance set out in Visual Representation of Development Proposals Technical Guidance Note 06/19 (LI TGN 06/19), issued by the Landscape Institute which was prepared to help landscape professionals, planning officers and other stakeholders in the selection, production and presentation of types of visualisation appropriate to the circumstances in which they will be used.
- 96 The London View Management Framework (2012) proposes four levels of 'Accurate Visual Representation' (AVR), based on the degree of sophistication of the imagery representing the proposed development.
- 97 Level 1 Views show the location, size and degree of visibility of a proposal. This shows the massing of the proposal within a 3D context represented by the photograph.
- 98 Reference markers such as adjacent buildings and trees were located within the 3D model of the proposals. This allowed the proposal to be accurately superimposed upon each baseline image.
- 99 Images of the proposal from each receptor viewpoint were exported from the modelling software and superimposed upon baseline imagery using reference markers for correct alignment.
- 100 The outline of the proposal is shown with a red line. Where the proposal would not be directly visible it is outlined with a dashed line.



Visual Representation of Development Proposals
Technical Guidance Note

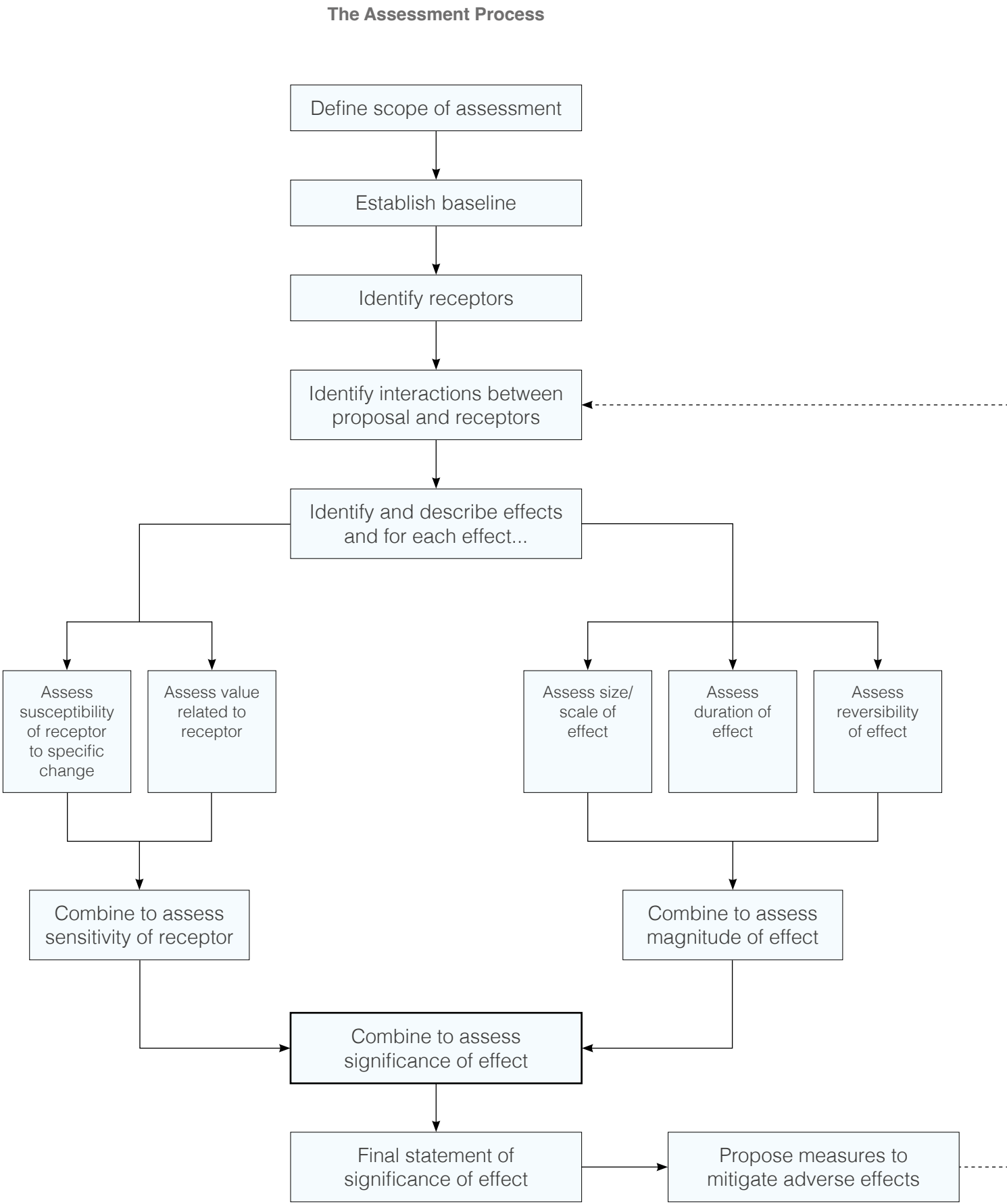


Table 1. Sensitivity of Landscape Character

SENSITIVITY	DEFINITION
HIGH	E.g. AONB / National Park / Conservation Area with characteristic features. Good examples of natural / man-made features / geological features / buildings / monuments. Good levels of landscape stewardship, strong literary / cultural associations. No detractors (pylons, roads, industrial buildings / fencing).
MEDIUM	E.g. Reasonable levels of landscape / townscape stewardship. Some common but good quality natural / man-made features / woodland / fields / characteristic buildings / hedgerows. Few detractors (pylons, roads, industrial buildings / fencing).
LOW	E.g. Common natural / man-made features / nondescript landscape / townscape. Detractors present (pylons, roads, industrial buildings / fencing).

Table 2. Sensitivity of Visual Receptor Matrix

SENSITIVITY OF VIEW			
SUSCEPTIBILITY	HIGH	MEDIUM	MEDIUM to HIGH
	MODERATE	LOW to MEDIUM	MEDIUM
	LOW	LOW	LOW to MEDIUM
		LOW	MODERATE
VALUE			

Table 3. Sensitivity of Visual Receptor

SENSITIVITY	DEFINITION
HIGH	E.g. Receptors in AONB / National Park / Conservation Area or other valued landscape with characteristic features clearly evident. Receptors who may gain views for moderate or prolonged periods from prominent or elevated positions. Receptors who view good examples of natural / man-made features (extended views of horizon / seascape, geological features / buildings / monuments, good examples of landscape stewardship, strong literary / cultural associations) with no detractors (pylons, roads, industrial buildings / fencing).
MEDIUM	E.g. Receptors with views of reasonable levels of landscape / townscape stewardship. Receptors who may be able to gain views for moderate or prolonged periods with some common but good quality natural / man-made features in view (long distance views / woodland / fields / characteristic buildings / hedgerows) and few detractors (pylons, roads, industrial buildings / fencing).
LOW	E.g. Receptors with views of common natural / man-made features (foreshortened views, nondescript landscape / townscape). Receptors with views likely to be obstructed or foreshortened with detractors present (pylons, roads, industrial buildings / fencing).

Table 4. Magnitude of Effect: Size/scale, extent, duration

MAGNITUDE		DEFINITION
ADVERSE	MAJOR	Extensive development resulting in considerable irreversible loss of existing characteristic features/visual amenity and no conservation of existing character/visual amenity.
	MODERATE	Development resulting in moderate amounts of irreversible adverse change to existing characteristic features/visual amenity and little conservation of existing character/visual amenity.
	MINOR	Development resulting in small detractions from existing characteristic features/visual amenity, with some conservation or enhancement of existing character/visual amenity.
	NEGLIGIBLE	Little or no change. Very small amount of loss of characteristic features/visual amenity.
BENEFICIAL	NEGLIGIBLE	Little or no change. Very small amount of enhancement of characteristic features/visual amenity.
	MINOR	Development resulting in small enhancements to characteristic features/visual amenity and conservation of existing character/visual amenity.
	MODERATE	Development resulting in moderate enhancement to characteristic features/visual amenity and conservation of existing character/visual amenity.
	MAJOR	Extensive enhancements to characteristic features/visual amenity and conservation of existing character/visual amenity.

Table 5. Significance of Effect Matrix

MAGNITUDE OF EFFECT	MAJOR	SIGNIFICANT	SIGNIFICANT	SIGNIFICANT
	MODERATE	LOW SIGNIFICANCE	SIGNIFICANT	SIGNIFICANT
	MINOR	INSIGNIFICANT	LOW SIGNIFICANCE	LOW SIGNIFICANCE / SIGNIFICANT
	NEGLIGIBLE	INSIGNIFICANT	INSIGNIFICANT	INSIGNIFICANT / LOW SIGNIFICANCE
		LOW	MEDIUM	HIGH
SENSITIVITY OF RECEPTOR				



0 5 10 20 Metres

1:800



Planning Committee
24/01735/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

Telephone: 01245 606826

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Planning Committee
17th June 2025

Application No	:	25/00229/FUL Full Application
Location	:	71 Ash Grove Chelmsford CM2 9JT
Proposal	:	Proposed ground floor infill and first floor rear extension
Applicant	:	Mr Dababrata & Joyita Chowdhury
Agent	:	Mr Asad Durrani
Date Valid	:	11th February 2025

Contents

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2. Description of site	2
3. Details of the proposal	2
4. Summary of consultations.....	3
5. Planning considerations	3
6. Community Infrastructure Levy (CIL)	5

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application has been referred to the Planning Committee at the request of a local ward councillor because of their concern that the flank elevations of the proposed extension would cause harm to the character of the street scene, due to its scale, siting and design.
- 1.2. The site is an end terrace two-storey property located within Moulsham Lodge. As the site is within Urban Area, the principle of development is acceptable.
- 1.3. The scheme is for a part single, part two storey rear extension.
- 1.4. The site is visible from the South entrance to Ash Grove when approaching from Lucas Avenue. The extension would be visible but would be constructed of matching materials and be of a similar design to other existing extensions close by.
- 1.5. Due to the location of the extension and existing additions in the street scene, the scale, form and design of the proposal would suitably relate to the existing dwelling and the character of the area.
- 1.6. The extension would safeguard the amenity of all neighbouring properties.
- 1.7. The application is recommended for approval, subject to the conditions set out at the end of this report.

2. Description of site

- 2.1. No. 71 is an end terrace property located on the south side of Ash Grove, which is a crescent shaped road, close to its junction with Lucas Avenue.
- 2.2. Ash Grove is made up of runs of terraced properties, with similar character and design. Many properties already benefit from extensions.
- 2.3. No. 71 benefits from existing extensions and alterations including a single storey rear and two-storey side extension.
- 2.4. Due to the orientation of the property the rear elevation faces towards a garage block accessed from Lucas Avenue. The side of the house and rear garden adjoins the rear garden boundaries of Nos. 57 to 61 Lucas Avenue.
- 2.5. A brick-built substation lies adjacent to the property, between its flank wall and the end of the garden of No.57 Lucas Avenue.

3. Details of the proposal

- 3.1. The application seeks consent for a part single, part two storey rear extension.
- 3.2. The single storey element would replace a canopy structure that sits between the existing single storey rear extension and the western boundary. It would project 5m from the existing rear wall, an additional 1m deeper than the canopy structure. The roof would be flat with a maximum height of 2.7m to match the existing ground floor extension.

- 3.3. The two-storey element would extend above the new ground floor addition and would project 3m from the existing rear wall. The extension would be subservient and set down from the ridge. The roof would be hipped, with a maximum height of 6.7m.
- 3.4. The existing brick boundary wall would be removed, and the extension wall would be sited in its place. The remaining area of brick boundary wall would be replaced with timber fencing.
- 3.5. No windows would be included in the flank wall of the extensions or added to the existing flank wall and the views from the rear would not be materially altered.
- 3.6. The materials to be used in the construction of the extension would match the existing property.

4. Summary of consultations

- Public Health & Protection Services – No comments regarding this application
- Ramblers Association – No comments
- UK Power Networks (Network Planner) –
Comments received neither objecting to or supporting: -
Requirements of UK Power Networks if permission is granted
- Local residents – 3 x objections received from neighbouring properties concerning the following:
 - intrusion on privacy to property/garden
 - overlooking
 - reduction of natural light
 - overdevelopment of site
 - design and character not in keeping
 - flank elevation lacks articulation
 - drawings and description are misleading
 - condition request to re-instate the brick-built boundary wall in lieu of timber fence proposed

5. Planning considerations

Main Issues

- 5.1. Impact of the development on neighbouring properties.
- 5.2. The design of the proposed extension.

Impact on neighbouring properties

- 5.3. No 57 Lucas Avenue lies to the west and its rear garden boundary abuts both the substation and the rear garden of No. 71.

Relationship with No.57 Lucas Avenue

- 5.4. The two storey extension would project 3m back beyond the existing two storey elevation. The minimum back-to-flank wall distance set out in Appendix B of the Chelmsford Local Plan is 12.5m. The extension would not extend forward of the existing flank wall which lies approximately

15m from the rear of No.57. The existing and proposed relationship exceeds the privacy and proximity standards required of the Local Plan.

- 5.5. It is acknowledged that the development would be clearly visible from the neighbour's property however while a development may be visible from certain vantage points, the key consideration is whether the proposal results in harm to the amenity of neighbours.
- 5.6. The extension would be orientated to the east of the neighbour. The brick substation sits between the majority of the two storey part of the proposal and the neighbour's property. The extension would not result in an unacceptable loss of light due to its orientation and would not be materially overbearing to the occupiers of the neighbouring property due to the separation distance.
- 5.7. No windows are proposed in the flank wall which ensures no harmful overlooking would occur.
- 5.8. The relationship between the proposed development and No. 57 would be acceptable.

No.59 and 61 Lucas Avenue

- 5.9. The outlook from No 71 as a result of the extension would not be significantly altered. The views would not materially change from the first-floor bedroom window which currently faces towards the neighbouring gardens. This mutual overlooking is typical in a residential setting.
- 5.10. The extension would be suitably set away from the neighbours not to appear overbearing or create overshadowing. The neighbour relationships would remain acceptable.

No.69 Ash Grove

- 5.11. No 69 is attached to the east side of No 71. The extension would lie beyond the existing ground floor projection and therefore would not have a material impact on the relationship shared with the attached property. This relationship would remain acceptable.

Design

- 5.12. The proposed extension would be finished in matching materials which is appropriate in the context.
- 5.13. The ground floor element would only be partially seen due to its siting to the rear beyond the existing substation.
- 5.14. The first-floor element would be clearly visible from the approach from Lucas Avenue. The hipped roof would appear in keeping when viewed in the context particularly against the existing neighbouring two storey projections at Nos. 52a and 57 Lucas Avenue.
- 5.15. Extensions and alterations are typical in the Urban Area and the proposed extension would be set back from the road and would not be unduly prominent or intrusive and would not cause harm to the character of the area.
- 5.16. The existing flank wall does not benefit from any side windows and currently lacks articulation. The extension would not materially alter the external appearance of the dwelling.

- 5.17. Overall, the scale, form and design of the proposal would suitably relate to the existing dwelling and the character of Ash Grove and Lucas Avenue.

Other Matters

- 5.18. Concerns were raised regarding the accuracy of the drawings supplied amended plans were received during the lifetime of the application which are sufficient for the development to be understood and assessed against planning policies.
- 5.19. The applicant's description of the proposed development is sufficient, together with the planning drawings, for the development to be understood and assessed against planning policies.
- 5.20. UK Power Networks responded to the application confirming their requirements for the development if approved and constructed. An informative has been added so the Applicant is aware of their requirements.

6. Community Infrastructure Levy (CIL)

- 6.1. The application is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

Notwithstanding the annotations shown on the approved plans, details of the proposed boundary treatments along the boundary with Nos.57 to 61 Lucas Avenue shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved boundary treatment details prior to first occupation of the development.

Reason:

To ensure that the development provides a visually acceptable boundary treatment in accordance with Policy DM23 and maintains an appropriate relationship with adjoining properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Notes to Applicant

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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

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

An explanatory booklet is available on the Department for Communities and Local Government website at

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 3 There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from the Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Party Wall etc. Act 1996. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to UK Power Networks Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

- 4 Many planning permissions are required by The Environment Act 2021 to provide Biodiversity Net Gain (BNG) and are subject to a statutory condition that requires a Final BNG plan to be submitted and approved by the local planning authority before work commences.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions apply.

Positive and Proactive Statement

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

Plans to be listed on any Decision Notice:

- PL01 A – Location Map and Block Plan
- PL05 B – Proposed Ground Floor Plan
- PL06 B – Proposed First Floor Plan
- PL07 B – Proposed Roof Plan
- PL08 B – Proposed Rear Elevation
- PL09 B – Proposed Front and Flank Elevations
- PL10 B – Proposed Section

Appendix 2 – Consultations

Public Health & Protection Services

Comments
28.04.2025 - No further comments. 24.02.2025 - No PH&PS comments with regard to this application.

Ramblers Association

Comments
30.04.2025 - No Comment 04.03.2025 - No Comment

UK Power Networks (Network Planner)

Comments
<p>If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.</p> <p>Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause</p>

annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.
2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.
3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation. Minimum distance for this should be at least 10m.
4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

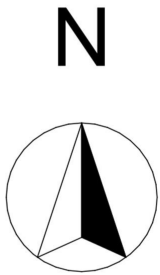
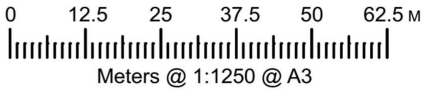
Other points to note:

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.
7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.
8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

Local Residents

Comments
<p>Representations received: – first floor extension is obtrusive and visually impacting, height and position directly on the boundary. Overbearing and oppressive structure that would create a 'hemmed in' sense of enclosure in part of the garden of our property. Materially harmful to the outlook enjoyed from the rear and garden. Overshadowing could limit the potential for trees to flourish and grow. Possible intrusion on privacy into my property/garden and reduction of natural light. Not in line with any other development in the immediate neighbourhood. Acceptance of inaccurate application drawings. Misleading description of development.</p> <p>Full copies of neighbour letters are available to read on the Council's website.</p>



LOCATION MAP scale 1:1250



BLOCK PLAN scale 1:500

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PLANNING ISSUE

Scale: 1:1250, 1:500@A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:

**LOCATION MAP
& BLOCK PLAN**

Project no:

2411016

Drawing no:

PL01

Revision:

A

Revision Detail Date:

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All proposed materials to match existing materials by colour and texture

Any Side Window to be obscure glazing and, non openable below 1.7m



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PLANNING ISSUE

Scale: @A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:

PROPOSED 3D

Project no:

2411016

Drawing no:

PL11

Revision:

B

Revision Detail Date:

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Proposed Rear Elevation 1:50

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PLANNING ISSUE

Scale: 1:50@A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:
**PROPOSED
ELEVATION**

Project no:

2411016

Drawing no:

PL08

Revision:

B

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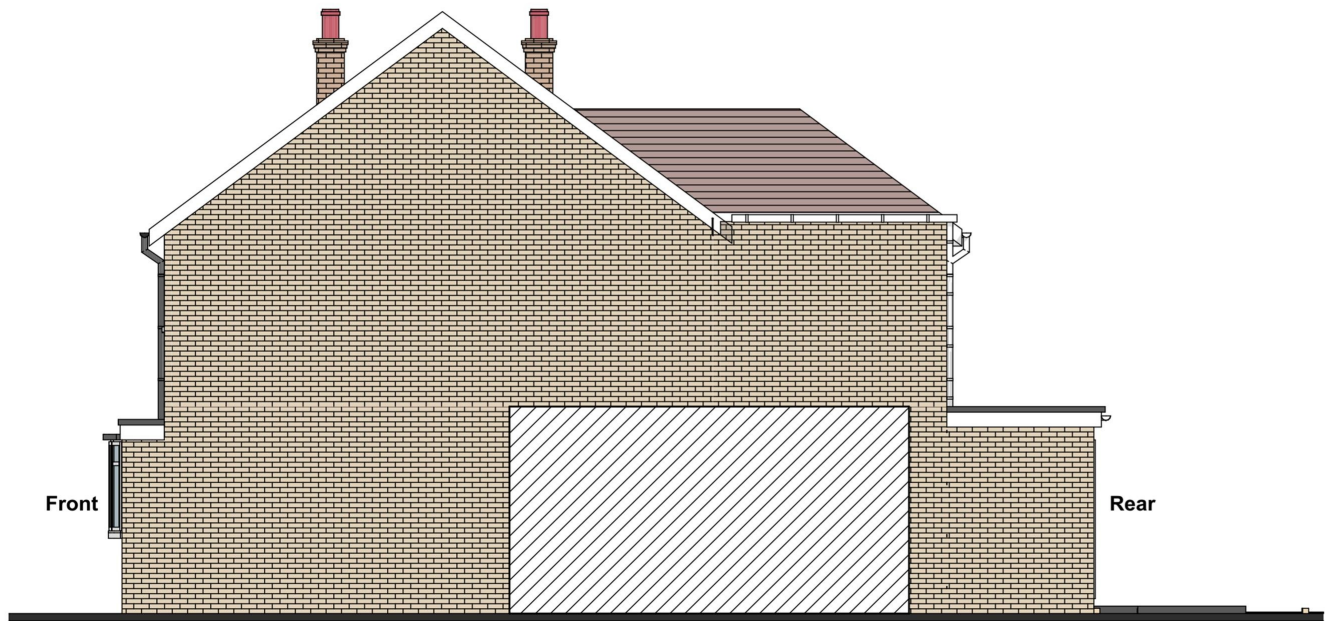
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All proposed materials to match existing materials by colour and texture

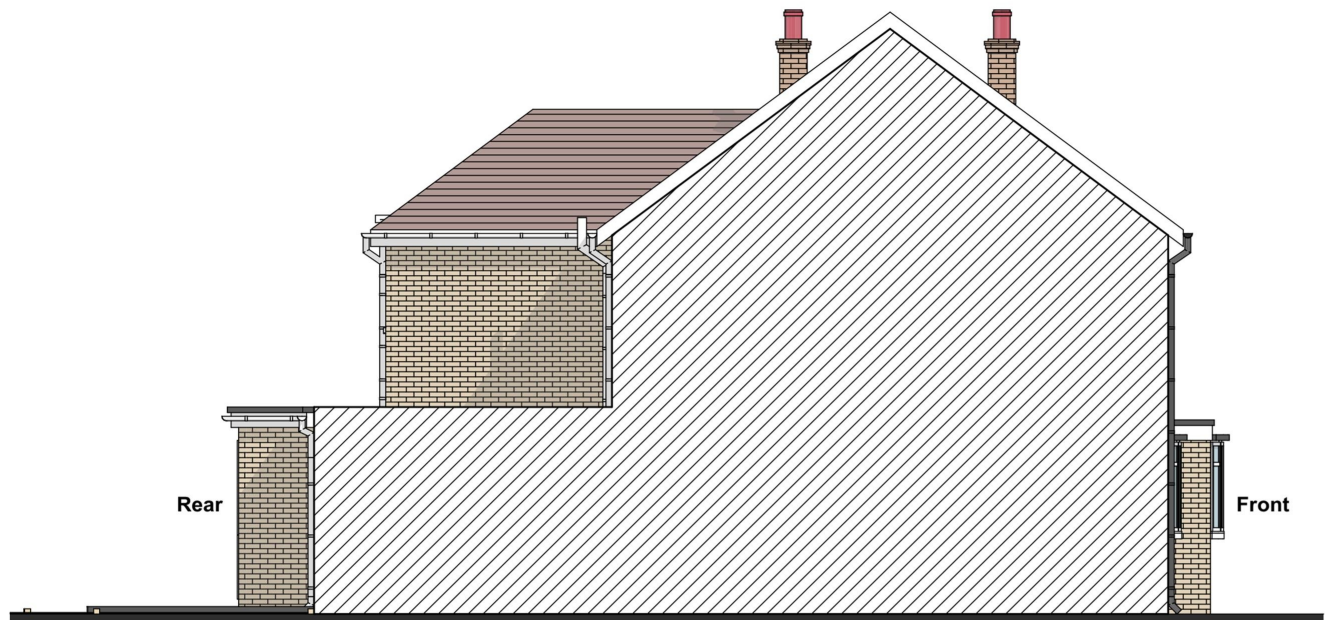
Any Side Window to be obscure glazing and, non openable below 1.7m



Front Elevation 1:100
(No changes Proposed)



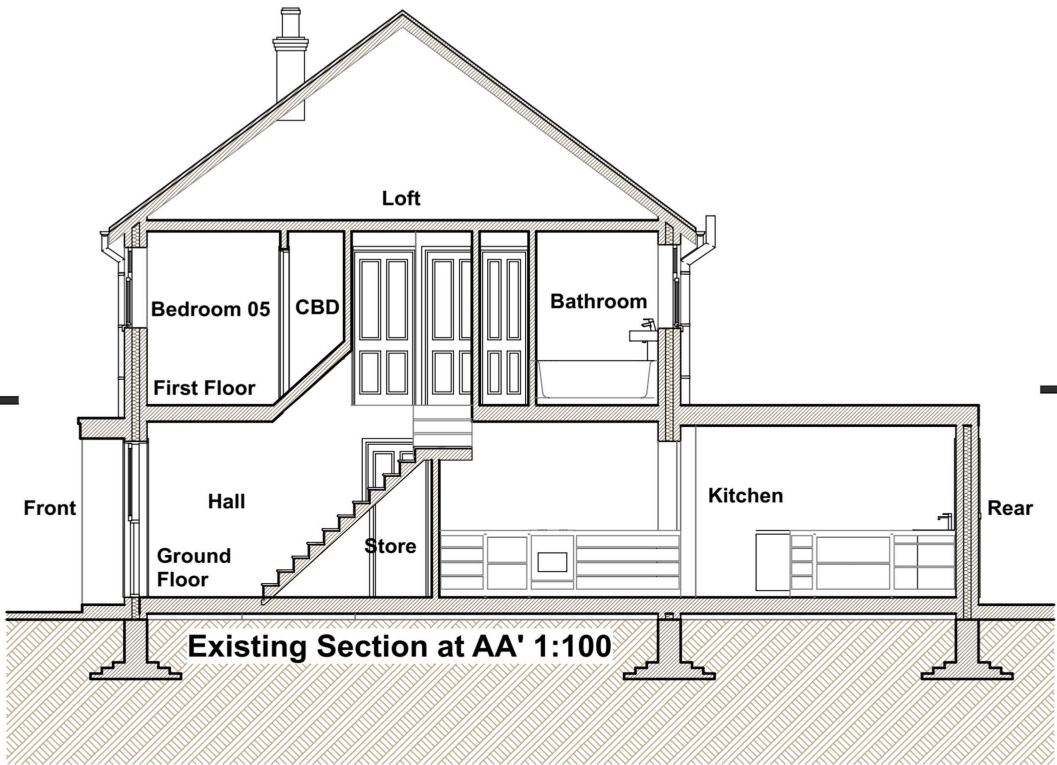
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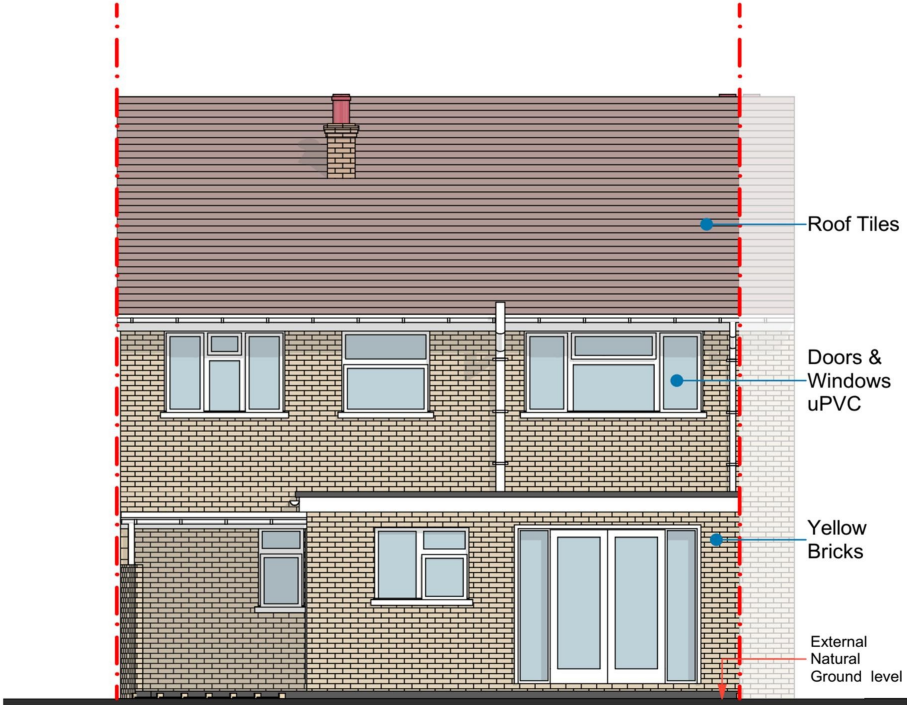
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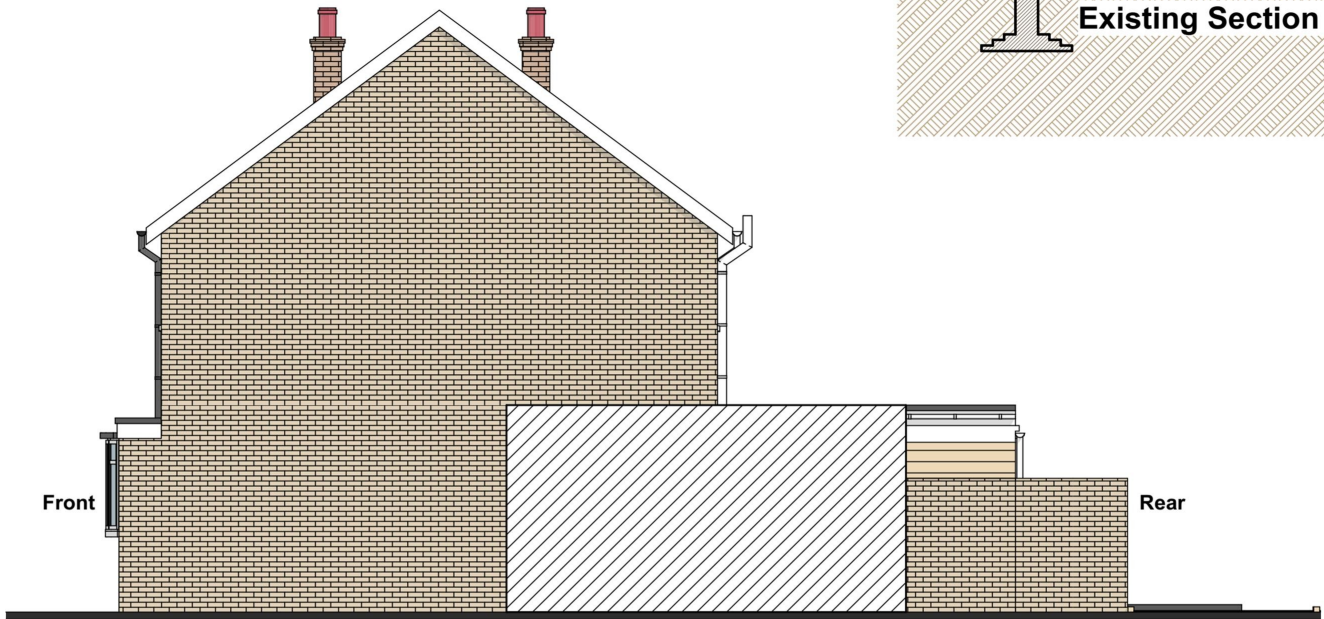
Existing Front Elevation 1:100



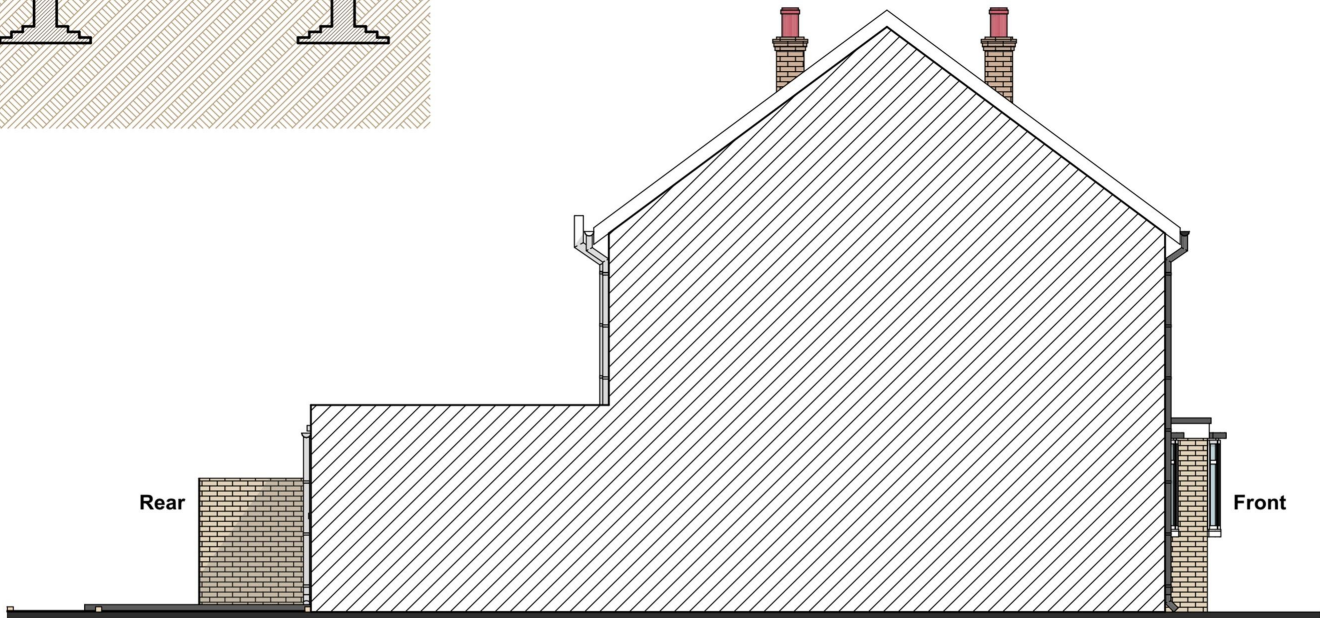
Existing Section at AA' 1:100



Existing Rear Elevation 1:100



Existing Flank Elevation 1:100



Existing Flank Elevation 1:100

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PLANNING ISSUE

Scale: 1:100@A3

Date: NOV 2024

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:
**EXISTING SECTION
& ELEVATIONS**

Project no:

2411016

Drawing no:

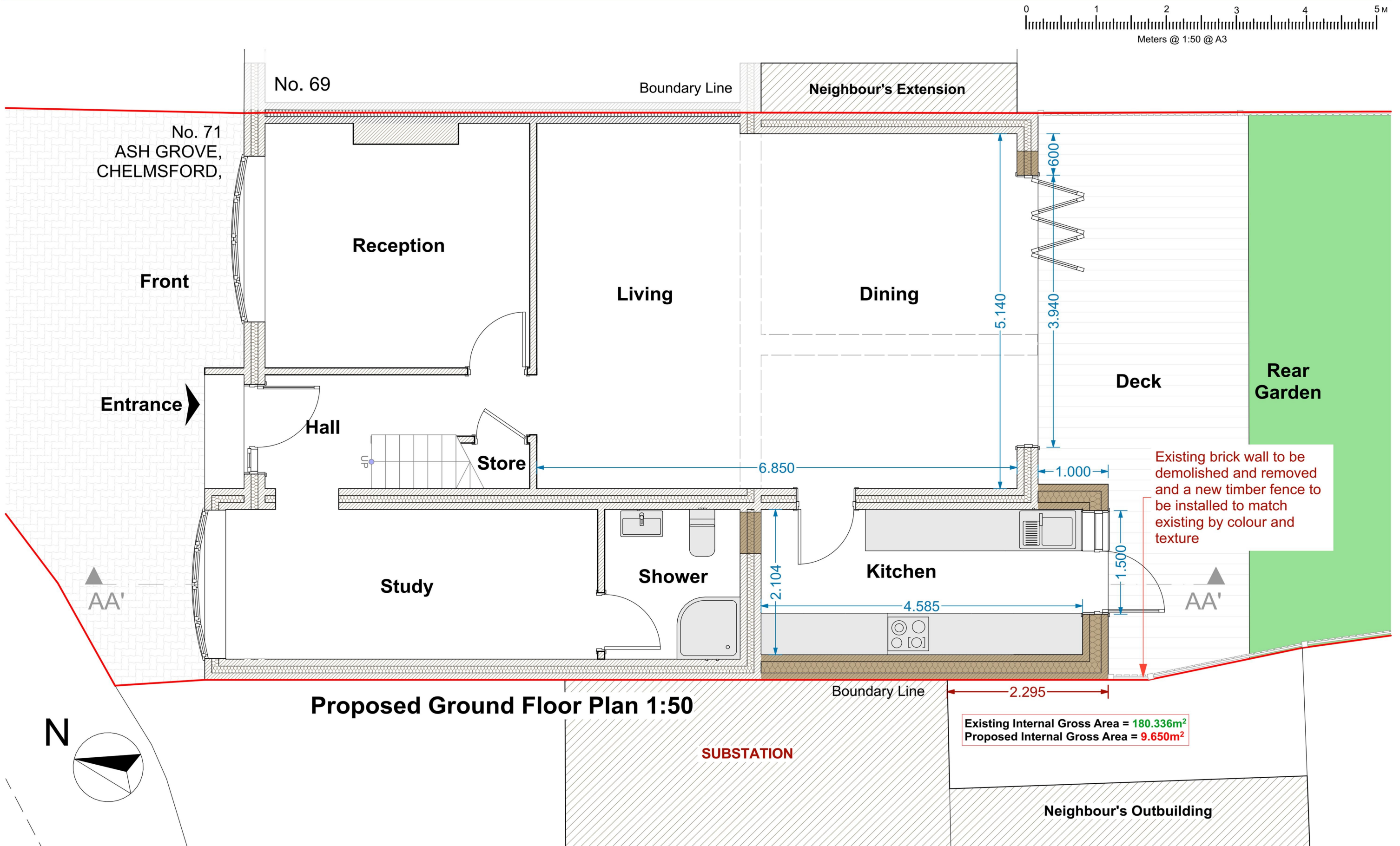
PL03

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PLANNING ISSUE

Scale: 1:50@A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:

PROPOSED PLAN

Project no:

2411016

Drawing no:

PL05

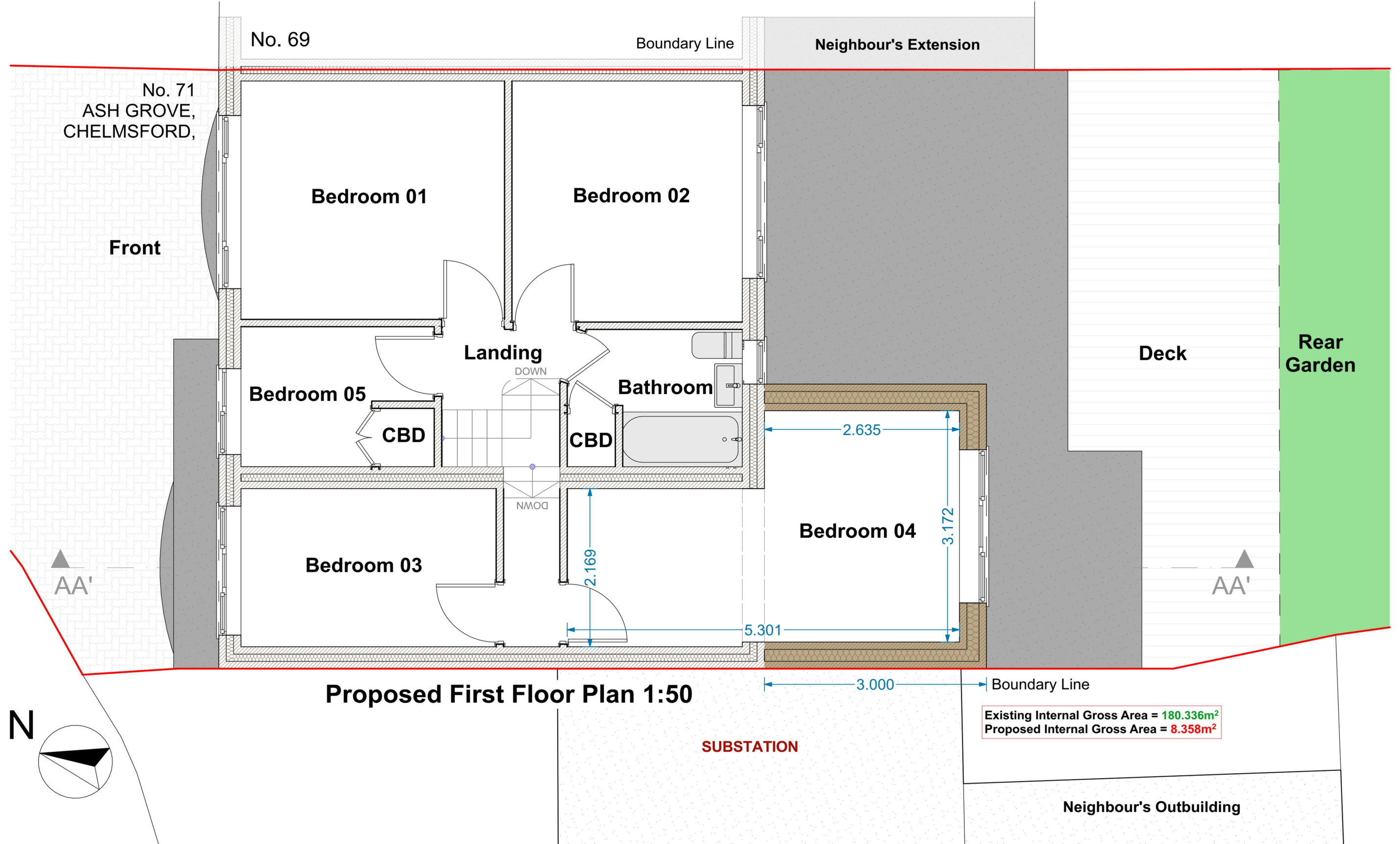
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PLANNING ISSUE

Scale: 1:50@A3

Date: APR 2025

Project Title:
PROPOSED DEVELOPMENT AT
71 ASH GROVE, CHELMSFORD,
CM2 9JT

Drawing Title:

PROPOSED PLAN

Project no:

2411016

Drawing no:

PL06

Revision:

B

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0 5 10 20 Metres

1:600



Planning Committee
25/00229/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

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Planning Committee
17th June 2025

Application No	:	24/00695/FUL Full Application
Location	:	Land South East Of Banters Lane Business Park Banters Lane Great Leighs Chelmsford
Proposal	:	Construction of 105 residential dwellings including affordable housing and custom build housing (Use Class C3) and principal means of site access, provision of resident's and visitor car parking, open space including children's play space, a new shared pedestrian/cycle route, enhancements to existing routes, hard and soft landscaping, highways works, new drainage basin, and all associated infrastructure works.
Applicant	:	C Williams Bellway Homes Limited (Essex)
Agent	:	Mr J Daniels
Date Valid	:	14th May 2024

Contents

1. Executive summary	2
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Appendices:

Appendix 1	Drawings
Appendix 2	Adopted Policies Map – Great Leighs - Extract
Appendix 3	Consultations

1. Executive summary

- 1.1. This application proposes the development of the largest portion of Strategic Growth Site Policy 7c – Land North and South of Banters Lane. The scheme would provide 105 dwellings.
- 1.2. The development would deliver 35% affordable homes and five custom built homes.
- 1.3. The proposal delivers 105 dwellings, in addition to the other requirements of the Strategic Growth Site Policy, in a manner consistent with the previously approved masterplan for the site.
- 1.4. The proposal demonstrates conformity with the Local Plan. It is therefore recommended that the application should be approved by the Director of Sustainable Communities subject to conditions and the completion of the s.106 legal agreement.

2. Site and context

- 2.1. Within the site policy, the Strategic Site 7 allocations are described as follows:
 - 7a: Great Leighs – Land at Moulsham Hall
 - 7b: Great Leighs – Land East of London Road
 - 7c: Great Leighs – Land North and South of Banters Lane
 - 7d: Great Leighs – Land East of Main Road
- 2.2. The allocation sites are generally located to the west, north and east of Great Leighs village. The largest allocation site is 7a and is located northwest of the village. 7b is located north of the existing village envelope. 7c adjoins the south side of 7b and crosses Banters Lane southwards. 7c is split by Banters Lane, with the larger segment being to its south. 7d is effectively an extension of the existing village and all houses are built following the grant of planning permission in 2016. See Policy Map extract for Great Leighs at Appendix 1.
- 2.3. The application relates to the largest portion of 7c, on the south side of Banters Lane. Vehicle access would be achieved from Main Road through Radcliffe Way. Radcliffe Way and associative dwellings were built following outline (14/01791/OUT) and reserved matters consents (17/01949/REM) for site 7d in 2016 and 2018 respectively. There is an existing Public Right of Way (footpath 14 – Great and Little Leighs) (PROW), providing pedestrian access from Main Road through the site, running close and parallel with the southern boundary, exiting to the southeastern corner. The southeastern corner adjoins Sandylay and Moat Woods Local Wildlife Site.
- 2.4. The application site is an open field enclosed by hedgerows, trees and other vegetation. A ditch runs close to, and parallel with, the rear boundary of existing dwellings facing Main Road. The site abuts to the north Banters Lane, to the south new housing in 7d and a field, and to the east a field. To the west the site abuts dwellings facing onto Main Road, dwellings at the end of Greengates Close, the rear of Banters Lane Industrial Estate, and to the northwest a small field parcel. This parcel is part of the 7c allocation and is subject to a planning application for eight dwellings (23/01637/FUL), currently pending consideration.
- 2.5. Apple Tree Cottage, Brenswood Cottage and Champions are Grade II listed buildings which front onto Main Road backing onto the application site. On the other side of Main Road sits Walnut Tree Cottage, a Grade II listed building. To the east sits Gubbions Hall, a Grade II listed building and Scheduled Ancient Monument. Beyond Gubbions Hall further to the east sits Blue Barnes

Farmhouse, The Cottage, Jasmine Cottage, Millers Cottage and Rose Cottage, all Grade II listed buildings.

3. Details of the proposal

- 3.1. Full planning permission is sought for 105 dwellings, including affordable and custom build homes. The principal means of site access is from the development to the south.
- 3.2. The proposal would provide open space along the southern, western and northern parts of the site including a children's play space, a new shared pedestrian/cycle route and a new drainage basin. The proposal would upgrade and divert part of the existing PROW (footpath 14 – Great and Little Leighs) to a pedestrian/cycle route. The proposal would undertake highway works with the creation of new roads, private drives and improvements to Main Road.
- 3.3. The scheme has been amended during the lifetime of the application, reducing the number of dwellings from 115 to 105, introducing five custom build homes, altering the layout and thickening of the landscaping.

4. Other relevant applications

- 4.1. The below lists applications relevant to Sites 7a, b, c and d, with a short explanatory note.

Strategic Growth Site 7d – 14/01791/OUT – allowed at appeal 26 September 2016

Outline application for the phased development of up to 100 dwellings with associated infrastructure, open space and landscaping with all matters reserved except for access

- 4.2. Planning permission was sought for a new access onto Main Road and for the principle to develop the site for up to 100 dwellings. The application was submitted prior to the adoption of the current Local Plan. At the time of consideration, the site was outside the Defined Settlement of Great Leighs within the Rural Area. Consultation was underway on the current Local Plan through the Issues and Options document, where Great Leighs was identified as a location for housing growth. An appeal was lodged against non-determination of the application within the statutory period. The appeal was allowed subject to conditions and a legal agreement.

Strategic Growth Site 7d – 17/01949/REM – approved 15 March 2018

Reserved matters (layout, scale, appearance and landscaping) for development of 100 dwellings including 35 affordable dwellings, and associated works

- 4.3. Planning permission was sought for the details of 100 dwellings with 35% affordable housing. The application proposed a mix of two, three and four bed properties varying in scale between 2 storey (houses) and 2.5 storeys (apartment blocks). The layout consists of a main access road winding through the site cumulating into a dead end by the northern boundary, with side spur roads. The scheme included a playground and attenuation pond and landscaping.

Strategic Growth Site 7 – Great Leighs

22/00002/MAS – approved 14 March 2023

- 4.4. The masterplan was subject to negotiation and revision. One of the substantive points to evolve from its consideration was the removal of the requirement for a bus priority measure through 7c. Further landscaping was also requested along the eastern boundary to mitigate the impact on the Scheduled Monument / listed building.

- 4.5. The approved masterplan is a material planning consideration in the determination of the application.

Strategic Growth Site 7a – 23/01583/OUT and 23/01583/FUL – resolution to approve subject to legal agreement

Hybrid planning application for EIA (Environmental Impact Assessment) development to include:

- 1. Outline application with all matters reserved for residential development of up to 750 homes (Use Class C3) including affordable and self/custom-build homes; a Neighbourhood Centre comprising commercial, business and service (Use Class E) of which the anchor retail store is not more than 500 sqm (GIA); medical services (Use Class E(e)), a children's nursery (Use Class E(f)) and a residential care home (Use Class C2) of up to 80 beds; a new primary school (Use Class F1) with co-located early years and childcare facility; landscaping works, provision of strategic and local open space; biodiversity enhancements, all associated highways infrastructure, pedestrian, cycle, PROW and bridleway routes; drainage infrastructure and all associated ancillary works including services and utilities.*
- 2. Full application for the principal means of vehicular access to the site, on site highways works, surface water attenuation basins and associated ancillary works including services and utilities.*

- 4.6. Hybrid planning application, consisting of outline application for up to 750 homes (Use Class C3), a neighbourhood centre comprising commercial, business and service (Use Class E), medical services (Use Class E(e)), children's nursery (Use Class E(f)), residential care home for up to 80 beds and a new primary school (Use Class F1) with co-located early years and childcare facility. The full application consisted of the principle means of vehicular access, on site highway works, surface water attenuation basins and associated ancillary works. This application was presented to Committee in March 2025. The Committee resolved that the application be approved, subject to legal agreement.

Strategic Growth Site 7a - 23/01769/FUL – approved 23 May 2025

Construction of spine road and formation of new road access junction with associated realignment of Moulsham Hall Lane to serve future development at Strategic Growth Site 7a (Land at Moulsham Hall), including provision for cyclists, pedestrians and equestrians, and all associated highways infrastructure works including drainage features, lighting and landscaping

- 4.7. Planning permission sought for construction of spine road and formation of new road access junction with associated realignment of Moulsham Hall Lane to serve future development at Strategic Growth Site 7a (Land at Moulsham Hall). The application would effectively act as a separate standalone permission to the main hybrid application, in theory facilitating earlier commencement on site if approved.

21/02475/FUL – resolution to approve subject to legal agreement

Provision of 5 fully serviced travelling showperson plots each containing a workshop for maintenance/storage, space for large vehicles and siting of 10 static and touring caravans. Formation of access points along London Road. Ancillary development including electricity substation, pumping station, drainage works, bin stores, fire point structures, fencing and landscaping.

- 4.8. Planning application for five travelling showperson plots situated on a strip of land between A131 and London Road. This application was presented to Committee in April 2024. The Committee resolved that the application be approved, subject to legal agreement.

Strategic Growth Site 7b - 21/02490/OUT – resolution to approve subject to legal agreement Application for outline planning permission for the development of an integrated retirement community comprising up to 190 units (C2 use) with all matters reserved except for access

- 4.9. This application was presented to Committee in January 2025. The Committee resolved that the application be approved, subject to legal agreement.

Strategic Growth Site 7b - 21/02491/FUL – pending consideration

Proposed infrastructure for the location and design of the various junctions to serve the proposed development on Banters Field. Works to London Road to provide a new footpath/cycle way.

- 4.10. This application includes works to London Road and within the southern segment of 7b to detail works for a proposed cycleway and footway. The details are being finalised.

Strategic Growth Site 7c 23/01637/FUL – pending consideration

Application for Full Planning Permission for the construction of 8no. dwellings (Use Class C3), access, car parking, landscaping and associated works.

- 4.11. Planning permission is sought for residential development on a small segment of 7c which sits to the south side of Banters Lane. Pending consideration following submission of amended plans

5. Summary of consultations

- 5.1. Below is a summary of the responses from consultees. More detailed summary to be found in Appendix 3.

- Ramblers Association – Footpath will be retained, and site access will cross the footpath, and assume this crossing point will comply with ECC Highways street guidance.
- Essex County Council Highways – No objection subject to conditions and mitigation
- Public Health & Protection Services – request for conditions on internal noise, contamination and EV charging points
- ECC Lead Local Flood Authority – Initial objection overcome subject to conditions
- Parks & Open Spaces – Suggest whole play area is set on bonded mulch/bonded safety mulch for accessibility, play are ok and suitable for the location, SuDS pond cannot be included as useable open space contribution, contribution for outdoor sports facility at Melbourne Park, and contribution for allotments.
- ECC Historic Environment Branch – Potential to contain archaeological remains ranging in date from the prehistoric to the post medieval period. Recommends condition.
- ECC Major Development & New Communities – A net zero target for buildings, setting of embodied carbon targets and suggestions relating to green infrastructure provision
- ECC Infrastructure Delivery Team – requests financial contribution towards early years and childcare, primary and secondary education, primary school land, secondary school transport, library provision and SEND capacity and an employment and skills plan.
- South Essex Parking Partnership – No comment
- ECC Minerals & Waste Planning – No objection and accept that it is not practical to prior extract. A Mineral and Waste Infrastructure Impact Assessments are not required.
- ECC Travel Plan Team – Happy with the travel plan
- Natural England – Initial objection overcome and now satisfied that the identified impacts on international and nationally designated sites can be appropriately mitigated with measures secured via planning conditions or obligations.

- Essex Wildlife Trust – The development will bring increased recreational pressure and disturbance upon the Sandylay and Moat Woods Local Wildlife Site. Requests mitigation through education and financial contributions for habitat management and protection.
- Environment Agency – Not within remit
- Essex and Suffolk Water – No comments
- Anglian Water - Great Leighs WRC is within the acceptance parameters and can accommodate the waste water flows from the proposed growth.
- Essex County Fire & Rescue Service - comments on access, Building Regulations, water supplies and sprinkler systems.
- Sport England Eastern Region – Will generate demand for sport. If existing facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured.
- Historic England – Acknowledge some mitigation with open and green landscape buffer to Gubbions Hall, but none of the recommended measures regarding production of landscape management plan, additional planting, adequate interpretation and presentation of heritage have been incorporated. The changes to the scheme are welcomed. There will be some harm resulting from urbanisation effect and change of character of the land from open rural to residential. If satisfied the compensatory measures proposed are enough to mitigate the harm resulting from the development recommends conditions.
- Essex Bridleways Association – Comments on wider allocation to ensure retention of Bridleway routed through the underpass is retained, and concerning a Pegasus crossing. Request circular bridleway route be provided around the perimeter of the development.
- Cycling Action Group – No comment
- Essex Police – No concern with the layout subject to finer detail such as lighting, boundary treatments and physical security measures. Comments on wider allocation to ensure safe access to 7a. Welcome opportunity to assist developer to achieve Secured by Design Homes award.
- National Highways – No objection
- Chelmsford Garden Community Parish - impact on traffic flow by generating more trips along the A131 and Essex Regiment Way. Requests development should not proceed until such time as the Chelmsford North East Bypass and the Northern Radial Distributor Road have been completed
- Felsted Parish Council – No comment
- Braintree District Council – No comment
- Recycling & Waste Collection Services – No issues
- Great & Little Leighs Parish Council - Concerns over construction traffic and also the plans for sewage for all the new homes.
- Active Travel England – Refer to standing advice
- Mid And South Essex Integrated Care Board - The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. A financial contribution is required towards increasing healthcare capacity to mitigate this impact.

5.2. Below is a summary of responses from representations. There were 12 contributions. Comments summarised as follows:

- Access – HGV using existing quiet winding road, Radcliffe Way not capable of having additional vehicles, entrance/exit restricted as cars parked in Main Road
- Traffic – increased safety risk to pedestrians, cyclists and drivers, damage to road, debris on road, heavy existing traffic, Banters Lane not designed for heavy traffic, need traffic calming, congestion, harm to existing playground close to road
- Disturbance – traffic, noise, dust, footfall, harm to mental health and wellbeing
- Infrastructure – playgrounds, bins, drainage, doctors and dentists struggling, poor existing water pressure, lacks medical facilities, previous development hasn't contributed

- Character – destroy peaceful and quiet area, street lighting would affect rural setting, removal of green fields, cumulative impact of development
- Residential amenity – overbearing, loss of enjoyment, overlooking, overshadowing, affect quality of light, loss of privacy
- Wildlife – lighting effects, affect Ancient Woodland, and local wildlife; deer, red kites, barn and tawny owls
- Footpath – keep open and protected
- Green space – loss of
- Plans – inaccuracies
- Construction – noise not monitoring during construction of adjacent development, no noise pollution over existing, gravel/mud/debris, harm to foundations of older properties on Main Road, affect sleep of night worker
- Health Impact Study – vary, dust particle analysis needs to be carried out and on-going monitoring
- Alternative – leave south part of field to increase proximity due to rural nature
- Maintenance – overflowing dog waste and litter bins not managed
- Flooding – drainage basin not sufficient to mitigate surface water run-off, flooding risks

5.3. The following sections will deal with a number of planning matters, some issues raised through representations are not material planning considerations or issues covered through other legislation (i.e. Environmental Health). This report will not comment on requests for amendments or further information, as the application is considered on its submitted details and appraised on its individual merits. Plans have been checked for inaccuracies and addressed where appropriate.

6. Planning considerations

Principle of Development

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

Local Plan Strategic Policies: S1, S6, S7. Site Policies: Growth Site Policy 7c, Local Plan Policy: DM10

- 6.1. Strategic Priority 2 of the Chelmsford Local Plan is 'meeting the needs for new homes'. The Local Plan will need to ensure the provision of sufficient and appropriate housing to meet objectively assessed housing needs.
- 6.2. Strategic Policy S7 sets out the spatial strategy (i.e., the scale and distribution) for new development over the period of the Local Plan. The Spatial Strategy applies the Spatial Principles to focus new housing and employment growth to the most sustainable locations, which includes sustainable urban extensions around Chelmsford and South Woodham Ferrers. In allocating sites for strategic growth, this policy confirms that Strategic Growth Sites will be delivered in accordance with masterplans to be approved by the Council.
- 6.3. The application site relates to Strategic Growth Site Policy 7c – Land North and South of Banter's Lane. This site policy requires around 100 new homes of mixed size and type to include affordable housing.
- 6.4. This application follows the approval of a masterplan for the wider site allocation. The development of the masterplan began in 2018 and was brought forward by a consortium of developers, namely Moulsham Hall Estates, Bellway, Redrow / Harrow and Landvest Developments Ltd. Community and technical stakeholder workshops were held in April and May 2022. Public consultation in March 2022 and July 2022 with a further consultation following a

revised masterplan in December 2022. The masterplan was considered by Chelmsford Policy Board on 12 January 2023 and then 28 February 2023. The masterplan was approved by Cabinet on 14 March 2023. It is a material planning consideration.

- 6.5. The application submission is in accordance with the masterplan. The development therefore contributes to fulfilling the Council's strategic priorities for housing growth and is in accordance with the Spatial Strategy.
- 6.6. In terms of land use, the proposed development meets the requirements of Strategic Growth Policy 7c. The land was allocated in the Chelmsford Local Plan as part of a strategic growth site, with the intention that the development would be a sustainable extension to the existing settlement of Great Leighs. The principle of the development is acceptable.
- 6.7. The site policy allows for 'around 100 dwellings' and includes three parcels of land - the application site, an attached small portion of land fronting Banters Lane and a small field parcel on the northern side of Banters Lane which adjoins site 7b. The proposal would provide 105 dwellings, and in combination with the remaining parcels of 7c would provide dwelling numbers in excess of 100. The provision of additional dwellings, above the indicative figure, is not prohibited by the policy and is acceptable subject to the proposal meeting the remaining policy requirements of the Local Plan. The principle of the number dwellings is therefore acceptable, subject to the proposal complying with all relevant policies in the Local Plan. Other planning applications for sites within 7c will be considered on their merits.
- 6.8. There is a small portion of the application site which extends beyond the allocation (to the south) and this section falls outside the defined settlement. The extended limb simply facilitates drainage to an appropriate outfall point. The works would provide piping to a new headwall. Policy DM10 concerns engineering works within the Rural Area. Subject to appropriate landscaping once complete, these works would not adversely affect the intrinsic character, appearance and beauty of the Rural Area, and would comply with Policy DM10. This landscaping can be secured via suitably worded conditions.

Housing delivery

Strategic Priority 2 (new homes) Local Plan

Strategic Policy: S6, Local Plan Policies: DM1, DM2, DM3

Market Housing

- 6.9. The reasoned justification within Policy DM1 outlines an appropriate mix for market housing on strategic sites in order to address the Council's greatest need. The proposed revised policy within the Local Plan review provides an indicative market mix based on the latest Strategic Housing Needs Assessment (SHNA) 2024. The proposal would provide 68 market homes consisting of 4 x one bedroom, 17 x two bedroom, 33 x three bedroom and 14 x four bedroom units. Five of these four bedroom market homes would be provided as custom homes. The proposed mix of one and four bedroom homes broadly reflect the Local Plan mix, a higher proportion of three bedroom homes are proposed at the expense of two bedrooms. This is a percentage difference of only 2% compared with the adopted Local Plan mix and 5-8% under the latest SHNA. Whilst a greater number of two bedroom units would be preferable, the current mix is acceptable.
- 6.10. Policy DM1 requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). This can be achieved through planning condition.

Policy DM1 also requires 5% of the affordable units to meet requirement M4(3) of the Building Regulations 2015 (wheelchair user dwellings). This will be secured through legal agreement.

Affordable Housing

- 6.11. The application is for 105 dwellings. Policy DM2 (A) requires 35% of developments of 11 or more residential units to be provided as affordable housing. The proposal would provide 24 affordable rent units and 13 shared ownership units. This affordable housing split is compliant with Policy DM2 (A). The mix would be as follows and is acceptable.

	Affordable Rent	Shared Ownership	Total
1-bed	5	2	7
2-bed	12	5	17
3-bed	3	6	9
4-bed	4	0	4
Subtotal:	24	13	37

- 6.12. The affordable dwellings would provide maximum occupancy level for 26 units, the remainder would not achieve maximum occupancy level, as would not achieve the full number of bed spaces. The proposal would provide the appropriate 35% affordable housing, 22% affordable rent and the appropriate mix of size of dwellings. It is considered that the occupancy level is a minor deviation.

- 6.13. The affordable housing can be secured via a Section 106 legal agreement (s.106).

Custom Build and Specialist Residential Housing

- 6.14. Policy DM1 (C) states that within all developments of more than 100 dwellings the Council will require 5% self-build homes (5.25 homes in this case), which can include custom housebuilding. Where part numbers are provided, the POSPD requires these to be rounded up to whole numbers, resulting in a policy need for six dwellings on this site. The development would provide six custom build dwellings which represents 4.76%.
- 6.15. The scheme as originally submitted proposed no custom homes and has been amended to reduce the number of dwellings overall and provide five custom homes. The scheme is a single phase development with a single vehicular access via an existing residential estate, which will serve all necessary construction traffic. The increase in the number of custom dwellings could prolong the construction period. The custom dwellings are located together to enable build practicality and based on the proposed layout it is difficult to provide a sixth unit in the same location. The agent raises that custom homes are only required on schemes with 100 or more, and that of the dwellings over 100 they are all custom homes. Under these circumstances the number of custom builds is considered acceptable.
- 6.16. The scheme defines the location, layout, size and number of custom build plots, and sets out the parking and access to the plot. The submitted Custom House Delivery document sets out the design code for the custom build units and the options for customisation. The customised options are considered acceptable subject to a condition restricting the first floor side glazing to prevent overlooking between plots. The custom dwellings would be secured via a s.106 agreement.
- 6.17. Policy DM1 (C) also requires the provision of specialist residential accommodation, taking account of local housing needs. The Planning Obligations SPD states that at the time a formal application is submitted, the Council will consider the specialist residential accommodation needs identified

in the Council's Housing Strategy as well as the latest assessments of need. The Council has produced a Planning Advice Note relating to specialist residential accommodation (SRAPAN). This states that the latest assessment of housing need is contained within the Housing Strategy. The Planning Advice Note explains that obtaining a commuted sum in lieu of on-site specialist residential accommodation provision would enable flexibility in the location of units but also the ability to align revenue funds to match this capital contribution towards the identified housing needs. The financial contribution will be secured through a s.106 agreement.

Transport

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

Strategic Policies: S9, S10; Site Policies: Growth Site Policy 7c Local Plan Policy: DM24

- 6.18. The NPPF states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”(paragraph 116).
- 6.19. The Strategic Growth Site Policy for 7c sets out master planning principles for movement and access, namely main access from Banters Lane or through Site 7d via Main Road, pedestrian and cycle connections and a well-connected internal road layout allowing for bus priority measures.
- 6.20. The agreed masterplan shows a single access into the site from Radcliffe Way (the built 7d development) via Main Road and does not include bus priority measures.
- 6.21. The proposal would provide a vehicular access through Radcliffe Way (Site 7d) via Main Road by undertaking works to the existing turning head at the northern end of the built development. The proposed access is consistent with the masterplan and the Strategic Growth Policy. The details submitted demonstrate that, subject to conditions, the access would be safe to use.
- 6.22. Once entering the site, the access road would continue over the existing ditch and then provide a sinuous route through the site culminating in a private drive for plot 40 at the northern end of the site. A circular route would be achieved within the centre, and two further private drives would be provided. The layout does not allow for bus priority measures in accordance with the masterplan. The proposed road layout is considered acceptable.
- 6.23. The proposal would provide traffic measures such as build outs, raised platforms, shared surfaces and curves within the road layout to keep speed limits manageable within the site.
- 6.24. Access to the southern field (beyond the site) is shown on the submitted plans for maintenance purposes. It is important this is for maintenance only, so a condition is included to control access to the southern field.
- 6.25. The PROW (footpath 14 – Great and Little Leighs) to the south of the site would be partially upgraded to a pedestrian / cycle route. This route would be partially diverted and extended into the development and provided with a crossing over the new access road. At this point the route

would be split, providing a pedestrian cycle route through the development and a pedestrian footpath which would return to the route of the PROW along the southern boundary of the site exiting at the southeastern corner. The new pedestrian cycle route through the development would go through the landscaped space near and along the eastern boundary, exiting in the northwestern corner. This would allow the pedestrian cycle route to continue through to the adjoining 7c development and is included in the details of the planning application for the adjacent site (ref 23/01637/FUL) currently pending consideration. The position of the route is acceptable and would allow it to be connected to the adjacent development to the north, and Main Road to the west, consistent with the masterplan. These works will be secured via the s.106 agreement.

- 6.26. The site policy and masterplan do not propose the provision of a bridleway through the site. Whilst there is a bridleway which ends on the western side of Main Road, it would not be possible to bring this route through the site as the existing footpath access from Main Road would not allow sufficient width for pedestrians, cyclist and horse riders. Furthermore, a route into and through a residential development is unlikely to be attractive to horse riders.
- 6.27. The proposal would include a new crossing of Main Road, footway improvements to Main Road and improvements to the existing bus stops. These items would be supplemented with a travel information pack and a travel plan, along with financial contributions towards new bus services to encourage active travel to Great Leighs village and towards Great Notley. These matters will be secured through the s.106 agreement.
- 6.28. The submitted travel plan has been considered by ECC travel plan team, who deem the plan acceptable. Subject to the submission and approval of a final travel plan, the proposal would promote non-car modes of transportation.
- 6.29. The above promotion of active travel and the future provision of the North East bypass, which this scheme would contribute towards, would mitigate any increase in traffic experienced by the proposal. The submitted Transport Assessment has been considered acceptable (following additional work during the lifetime of the application). The Highway Authority is satisfied that the development will not have a significant or severe impact at this location, or on the wider highway network, subject to the securing of improvement works and financial contributions.

Parking

- 6.30. Under the adopted Parking Standards (2024) the development is located within a very low connectivity level. In such areas of connectivity one vehicle parking space is required for one bedroom properties, two for two and three bedroom properties, and three for four bedroom plus properties.
- 6.31. Parking is provided as a hard surfaced parking space on plot or in an allocated parking court, garage space and/or car port space. These are of adequate dimensions. All one bedroom, two bedroom and three bedroom properties have sufficient parking, with some provided with an extra parking space. The four-bedroom properties are provided with sufficient, or in excess of the Standards, except for plots 31, 32, 54, 55 and 103, which only provide two spaces. Given that

these five properties represent a minority, and that 13 properties are provided with an extra parking space, sufficient allocated/in plot parking is provided in accordance with the Standards.

- 6.32. Visitor parking is required at a rate of 0.25, equivalent to and rounded up to 27 spaces. The proposal would provide 26 visitor spaces, resulting in deficiency of one space. However, given the level of additional parking to individual properties, this is not considered significant.
- 6.33. The layout plan shows that each property would be provided with a shed or a garage which would be of sufficient capacity to provide adequate and secure cycle provision. No floor plans and elevations have been provided of the sheds; however, these specific details could be secured via condition. Subject to the provision and retention of the parking facilities, details of the cycle parking provided within the sheds, and the provision of EV charging points, the proposal would provide satisfactory parking.

Historic Environment

Strategic Priority 7 (Protecting and Enhancing the Natural and Historic Environment) Local Plan

Strategic Policy: S3 and Growth Site Policy 7c, Local Plan Policies DM13, DM14 and DM15

Heritage

- 6.34. The application site does not include any designated or non-designated heritage assets. There are numerous heritage assets adjacent to the site and within in the wider area. Listed buildings Gubbions Hall, Blue Barnes Farm, The Cottage, Jasmine Cottage, Millers Cottage and Rose Cottage are listed in the site policy along with Gubbions Hall Scheduled Monument.
- 6.35. Southeast of the application site lies Gubbions Hall, a seventeenth century timber framed house Grade II listed, set within a rectangular moated enclosure dating from c.1250-c.1350, designated as a scheduled monument. The application site forms part of a rural landscape and part of the setting of the designated heritage assets.
- 6.36. The development would extend the modern expansion of Great Leighs closer to Gubbions Hall, further eroding its rural setting. The existing hedge line on the southeastern boundary would be retained and reinforced with new hedging and tree planting and set within an area of open space. This hedging infill and tree planting has been thickened during the course of the application, at officer request. The scheme has also reduced the number of units from 115 to 105, reducing the intensity of the development along the southern frontage. The play provision has also been relocated further away from the Scheduled Monument. In time the additional landscaping would help to filter and screen views from Gubbions Hall. A heritage interpretation and presentation board would be provided on site. Nevertheless, the proposal would amount to a low level of less than substantial harm due to the urbanising effect within the rural setting of Gubbins Hall.
- 6.37. Blue Barnes Farm, The Cottage, Jasmine Cottage, Millers Cottage and Rose Cottage are located further east than Gubbions Hall. These listed buildings are a minimum of 480m from the proposed development. Due to the distance with these buildings, the proposal is not considered to form part of their respective settings.
- 6.38. On the east side of Main Road, adjacent to the application site, Champions, Apple Tree Cottage and Brenswood Cottage are a group of vernacular cottages dating from the seventeenth to the nineteenth centuries, each Grade II listed. They form part of the linear development along Main

Road, which has expanded in the twentieth century. The application site forms part of a rural landscape, which contributes to the setting of these listed buildings.

- 6.39. The proposal would alter this rural landscape to a more urban setting, due to the built form, lighting and modern estate character. This would amount to a low level of less than substantial harm.
- 6.40. Walnut Tree Cottage on the west side of Main Road, and a further group of non-designated and designated traditional buildings further south are well screened, set away from and have no apparent functional relationship with the application site. The site does not therefore form part of their settings.
- 6.41. Historic England has commented that there will be some harm resulting from the urbanisation effect and change of character of the land from open rural to residential. They note that if the compensatory measures proposed are enough to mitigate the harm resulting from the development, they recommend conditions to ensure mitigation is undertaken.
- 6.42. Overall, the scheme would amount to a low level of less than substantial harm to the aforementioned listed buildings and Scheduled Monument. However, this harm should be weighed against the public benefit of delivering an allocated site, the provision of the heritage board secured by s.106 agreement, and conditions to ensure that the proposed thickening is achieved through a detailed landscaping plan, maintained through a landscape management plan and external lighting is controlled is proposed as mitigation. These measures are sufficient compensatory measures to mitigate the harm resulting from the development and will be secured through legal agreement.

Archaeology

- 6.43. Essex County Council Historic Environment Branch advise that the proposed development has the potential to contain archaeological remains ranging in date from the prehistoric to the post medieval period. The results within the submitted geophysical survey report show potential historic land divisions within the proposed development site, and recent archaeological work to the south and west has uncovered evidence of prehistoric and Roman occupation which may extend into the proposed development site. A condition is included for archaeological excavation and evaluation.
- 6.44. Subject to a condition, the development would not result in any significant harmful impacts on archaeological deposits.

Natural Environment

Key Strategic Priority 7 (Protecting and enhancing the Natural and Historic and Environment) Local Plan Strategic Policy: S4, Local Plan Policies DM16 and DM17

Loss of agricultural land

- 6.45. The site currently comprises grade 2 (very good) agricultural land. This would be permanently lost. The land is allocated in the Local Plan – this loss has therefore previously been considered at a strategic level and deemed acceptable by the Council, and through Local Plan examination. The loss is deemed insignificant in the wider context and there is no material change in circumstances evident to form an alternative conclusion.

Minerals

- 6.46. The site exceeds the 5ha threshold for sites within a sand and gravel Minerals Safeguarding Area. A Mineral Resource Assessment has been submitted. ECC Minerals do not consider extraction to be practical or reasonable. No conflict with the Essex Minerals Plan is identified.

Ecology - Designated Sites

- 6.47. The site lies within the Zone of Influence identified as part of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) for Blackwater Estuary Special Protection Area and Ramsar site, and the corresponding component of Essex Estuaries Special Area of Conservation (SAC). These sites have national, European and international importance. The Council have carried out an Appropriate Assessment. The Appropriate Assessment concludes that RAMS is deemed applicable and that a Construction Environmental Management Plan (CEMP) would reduce potential effects to a level which is not significant. A financial contribution in accordance with the requirements of the Essex Coast RAMS is to be secured through the s.106 agreement and CEMP secured by planning condition.
- 6.48. The site is north of the River Ter SSSI and within its catchment, a potential water quantity and quality impact therefore exists. Surface water would be attenuated before reaching the River Ter during operation and construction impacts can be mitigated through the CEMP. Subject to these being secured by conditions the proposal along with further details for the drainage strategy the proposal would mitigate the impact of surface water. In respect of foul water, Anglian Water has confirmed that there is adequate capacity to deal with foul water. The proposal would not adversely affect the water quality and quantity of the River Ter SSSI.
- 6.49. Sandylay and Moat Woods Local Wildlife Site directly adjoins the site at the southeastern corner. Both Natural England and the Essex Wildlife Trust initially raised concern with the impact of new residential development (due to proximity and increased usage, for example). This is reflected in the reasoned justification for the site policy, which refers to potential for mitigation (following such comments made through the Local Plan designations). The nearest construction activity would be 25m from the woodland edge, with a landscaped buffer to the reserve. This landscaping would be secured through conditions, along with a CEMP to ensure this part of the site is adequately protected during construction. The applicant is agreeable to a form of financial contribution or mitigation works, to be secured through the s.106 agreement to address the increased public access into the Reserve. During the lifetime of the application the applicant also demonstrated how a Suitable Alternative Natural Greenspace (SANG) could be created, with proposed and existing footpaths, to address concerns about population pressure on the nearby nature reserve. Promotion of this route along with dog bins and on-site signage is to be secured via a s.106 agreement.

Ecology – Biodiversity Net Gain

- 6.50. The application is supported by a draft Biodiversity Net Gain (BNG) Plan and completed metric which states that the baseline habit includes non-cereal crops, modified grassland and bramble scrub, which would all be lost. The proposal would create new habitat including modified grassland, other neutral grassland, mixed scrub, ponds, introduced shrub, rain garden, vegetated garden, reedbeds and urban trees.
- 6.51. There are existing habitats of greater value on the site boundaries, including native rich hedgerow with associated ditches, species rich native hedgerow and mature trees. It is intended that these

would be retained where possible, with new hedgerow and enhanced hedgerow to improve their condition. There is a discrepancy between the metric and the BNG Plan, which would be required to be clarified when the Final BNG Plan is submitted. The proposal would increase BNG on site by more than 10% which would be secured by the Final BNG Plan and a Habitat Maintenance and Management Plan (HMMP) conditions.

Ecology - on site

- 6.52. An Ecological Impact Assessment (EclA) has been undertaken and includes a mix direct surveys and desk study consisting of initial preliminary ecological appraisal and desk study have been undertaken, along with extended Phase 1 Habitat Surveys and Phase 2 Habitat and Species Surveys. These covered protected/priority species in respect of badgers, bats, birds, Great Crested Newts, dormice, invertebrates, reptiles and other notable species, including common toad, brown hare, polecat, harvest mouse and hedgehog. Comments have been sought on these matters from the Council's ecology consultant (ECC Place Services).
- 6.53. For badgers, the scoping survey found a single entrance disused/collapsed outlier sett on site. Precautionary mitigation measures will be detailed within a CEMP secured by condition. Loss of foraging habitat will be mitigated through reinforcement of existing boundary vegetation and planting of fruiting species. An updated badger survey will be required pre-construction and secured by condition.
- 6.54. For bats, the site contains a limited number of 'low suitability' for roosting bats, however there is potential for bats to be impacted by increased lighting levels around roosts. Mitigation and measures are proposed as part of the EclA this could be secured by condition along with submission of details on a wildlife friendly lighting scheme and biodiversity enhancements.
- 6.55. The EclA assessed the habitat suitability of the site for Great Crested Newts, and found it unlikely to be utilised as it is occupied almost wholly by unsuitable intensively managed arable land. Presence of Great Crested Newts has been confirmed in local ponds off site, but it is unlikely that they would utilise the sites minimal boundary habitats as their immediate surroundings comprise of optimal habitat. Mitigation during construction can be achieved through a CEMP, and enhancements through the provision of suitable grassland habitat, refuge opportunities in scrub and hedgerow and wildlife friendly SuDS basin, secured through conditions.
- 6.56. Breeding and wintering bird surveys were undertaken at this site. The species assemblage recorded across the survey area as a whole included five red-list and four amber list BoCC species during breeding and two red list and three amber list BoCC species during wintering. The EclA states the assemblage of birds recorded is of local importance. The EclA recommends bird boxes and habitat creation, mitigation of construction disturbance through a CEMP and enhancements to provide for habitat loss and disturbance during construction, which will be secured by conditions.
- 6.57. Favourable habitat in the wider local landscape for the Hazel dormouse. On site boundary habitats are poor in quality and do not form a strong link between local woodlands and considered unlikely that dormice would utilise boundary habitats on site during preliminary assessment. No evidence of dormouse was found on site and hence the EclA states that it is of negligible importance and requires no further action.
- 6.58. No species of conservation concern was recorded of invertebrates on site and in conjunction with the limited extent of semi-natural habit the site is only of local importance. Mitigation during

construction can be achieved through the CEMP along with the provision of suitable habitat and planting and minimising artificial lighting which will be secured by conditions.

- 6.59. A reptile presence/absence survey was completed on site and a single grass snake was recorded; however, none were recorded during update surveys. Common lizard has been recorded off site, with the closest being 0.3km. There is very limited suitable habitat confined to the minimal margins of the site for reptiles, nevertheless, the survey concludes that grass snake is still anticipated to be present locally at low density. The EcIA states that due to the low levels recorded, translocation is not an option, consequently clearance of suitable habitat would need to be undertaken sensitively. This can be achieved through a CEMP. New habitat creation and enhancements would be achieved through conditions.
- 6.60. No sightings of notable species were recorded during the other surveys, however the potential for brown hare, harvest mouse, hedgehog, polecat and common toad to be present on site. Precautionary measures and new planting would be sufficient mitigation, along with enhancements, which will be secured through conditions.
- 6.61. The Council's ecologist (ECC Place Services) confirms the need for compliance with the measures set out in the EcIA and the Designated Site Assessment, a CEMP to provide sufficient precaution during construction, the need for a badger walkover survey along with a wildlife sensitive lighting scheme and biodiversity enhancements. The habitats created through the final BNG plan and managed through the HMMP would benefit protected and Priority Species. Planning conditions can therefore ensure these necessary precautionary, mitigation and enhancement measures are protected to ensure that protected and Priority species are adequately conserved and enhanced.

Trees

- 6.62. The application is accompanied by an Arboricultural Impact Assessment (AIA) which contains the results of a tree survey and details relating to tree constraints and likely impacts resulting from the proposed development.
- 6.63. There are multiple Tree Preservation Orders on site, however no protected trees are to be felled. The proposal would remove eight individual trees - two groups and one shrub, and partially remove two hedgerows and three shrubs. These are all category C or U. The removal of these trees would facilitate the development and would be unlikely to impact upon the area due to their poor condition. Pruning works would occur, the details of which could be secured by condition.
- 6.64. All works within the root protection area would be carried out under arboricultural supervision. Minor roots found would be pruned but no dig cellular confinement would be used if significant roots are encountered. The protected methods detailed in the AIA include construction exclusion zones, ground protection, no dig methods and protective fencing which is shown on the Tree Protection Plan. Compliance with the AIA will be secured through condition.
- 6.65. Tree planting of three trees per residential unit will be achieved, through on site planting and financial contribution through the legal agreement.
- 6.66. The loss of trees is regrettable, but also essential; they will however be compensated through provision of new trees. Some tree loss was anticipated through the masterplan process. The allocation, and the necessary physical infrastructure that flows from such an allocation will facilitate and provide housing – any minor harm to the natural environment needs to be balanced against that provision.

Design and Layout

Local Plan Policies: DM23, DM24, DM26

- 6.67. Policy DM23 expects high quality and inclusive design and Policy DM24 sets out the design and place shaping principles of major developments.
- 6.68. The development has been amended during the lifetime of the application to improve the design and layout. This has resulted in a reduction of the dwelling units from 115 to 105. The improvements have resulted in a road layout which is more sinuous and reflective of the adjacent development, site 7d, and concludes at the northern part of the site with the private drive of plot 40. A circular route is created in the centre through secondary roads, and private drives are provided to the south and north. The private drive to the south is adjacent to the landscaped section and attenuation pond which provides separation between the built development and part of the 7d development. The landscaping continues eastwards, hugging the southeastern corner and runs the length of the eastern boundary and the northern edge of the site. A playground is proposed within the northern section. A public right of way enters the site from the southwestern corner and runs along the southern boundary. This would be partly upgraded to a pedestrian/cycle link and partially diverted to allow satisfactory crossing of the access road. Once across, the route would split to either join with the rest of the PROW or to provide a pedestrian cycle link through the landscaped area along the southern, eastern and northern edges. The houses within the centre of the development would access this route by a seated 'meeting place'.
- 6.69. The road layout has resulted in the creation of five distinct blocks of housing, one linear block running along the western boundary of the site and four other distinct groups of housing. The dwellings facing the outer edges of the eastern and northern sections of the development are detached or semi-detached separated by double parking spaces, which along with the landscaping creates an acceptable edge to the village. It also provides a link between the development of 7d and the more spacious development along Banters Lane. The central roads are fronted by tighter built forms with the detached and semi-detached dwellings mainly connected by carport structures. Two parking courts are provided within the linear block, which helps to break up the built form, along with the use of detached and semi-detached house types. The layout and built form help create character spaces to each street, providing legibility. There would be direct access from the parking courts to the dwellings they serve and they would be overlooked by adjoining properties. There would be visual shielding of cars by vegetation.
- 6.70. The proposal would create a range of green spaces, including a seating area by the play area, wildlife friendly attenuation pond, landscaped areas, a seated 'meeting place' and areas of greenery within the built development.
- 6.71. The proposed development would provide a variety of house types, these all vary in terms of footprint, roof shape and materials. The dwellings are single storey and two storey properties. There are twenty house types across the scheme. A mixture of gable and hipped roof forms are used, along with gabled attached carports and gabled set back detached garages. The design is generally reflective of the Essex Design Guide principles, with some of the corner properties having cross wings. Each dwelling has its own detailing, such as brick detailing above windows/doors, canopies to front entrances, bay windows, brick plinth and/or projecting gables. This provides interest to each property. They are well proportioned with visually coherent elevations and tend to provide active frontages to all public vantage points. This ensures that all public spaces are overlooked.

- 6.72. The materials specified on the materials layout plan are considered acceptable. However, the house type drawings are coloured and there are a few inconsistencies with materials indicated on the house type drawings and the materials plan. Therefore, a condition could be secured to ensure that there is no ambiguity over the materials for each dwelling.
- 6.73. Policy DM26 sets out the design specifications for all dwellings and requires suitable privacy, living environment, private amenity space, open space, internal space and recycling and waste storage in accordance with Appendix B of the Local Plan. All properties are provided with a suitable private garden. Apart from the custom build dwellings, there are minor deficiencies with the nationally described space standards, however these can be overcome with providing built in storage in bedrooms.
- 6.74. Appendix B sets out proximity distances to side boundaries (15m) and back-to-back distances (25m) to ensure that dwellings are provided with suitable privacy. Improvements to the layout have been provided during the lifetime of the application to increase the distance between dwellings. The scheme will achieve over 25m back-to-back distances in the majority of the scheme. Where this is not achieved, this is a minor deficiency only and applies to only five properties.
- 6.75. In respect of distances to side boundaries this is mainly achieved. Where this has not been achieved restrictive glazing, to non-habitable rooms or to secondary windows to habitable rooms, can be secured by condition to prevent overlooking. There are instances where this is not achieved - where obscure glazing is not appropriate, where a distance of between 11.8-14.5m is achieved. There are a few instances where overlooking would not occur due to the placement of garages.
- 6.76. There is an allowance in Appendix B for distances to side boundaries to be flexible. It states that for corner turning plots discretion will need to be applied. It also states that in new developments the standard could be reduced if the plot serves a positive design function in the layout as any new occupiers would be aware of the pre-existing relationship.
- 6.77. In this case, it would apply to nine corner turning properties and discretion is necessary to be applied. For two properties (plots 93 and 94) this has arisen from the design function of keeping built development away from the southern edge, for heritage design purposes. For one plot (plot 46), the dwelling is at an oblique angle and would not face the immediate rear section of the garden. For the remaining seven plots (plots 53, 54, 61, 62, 66, 67 and 68), a minimum of 12.8m would be achieved, and they would not be facing the immediate rear section of the gardens, except for one plot (plot 53) but that distance is 13.6m and unavoidable due to the layout. The reason for these deficiencies is to achieve a frontage to the blocks within the centre of the development, and any new occupiers would be aware of this deficiency upon purchase. On balance, the vast majority of the development will achieve satisfactory privacy distances and under these circumstances the inter-relationships are acceptable.
- 6.78. The proposal would achieve accessible open space in respect of amenity green space and play space for children, along with natural and semi-natural open space. There is a shortfall in the provision of strategic open space and allotments. A financial contribution is agreed to address these shortfalls as part of the s.106 agreement, in lieu of on-site provision.
- 6.79. A condition is proposed to secure public art for the scheme in accordance with Policy DM24.

Residential Amenity

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

Adjacent properties

- 6.80. Policy DM29 seeks to safeguard the living environment of the occupiers of any nearby residential property by ensuring that the development is not overbearing and does not result in unacceptable overlooking or overshadowing. Appendix B of the Chelmsford Local Plan sets out proximity and privacy distances of 15m back to boundary with existing residential properties and 25m back to back distances.
- 6.81. The western boundary of the site also forms the rear boundary for several residential properties along Main Road (Nos. 196 – 212) and Green Gates Close (Nos. 5, 6 and 7). A ditch runs alongside part of this boundary, within the application site, providing greater separation between the proposed dwellings and these neighbours. This means that 15m is generally achieved between the rear windows of these properties and the boundaries with the properties facing Main Road and Green Gates Close, and over 25m back-to-back overall. The only property which provides less than 15m is that to plot 14. In this case, 26.2m is provided back-to-back with no 7 Greengates Close, and there is vegetation between the two rear boundaries, so unacceptable overlooking will not occur.
- 6.82. There is currently a planning application being considered for eight dwellings onto Banters Lane as part of the 7c allocation, which will back on to the application site. Dwellings on plots 26 – 40 would back onto those proposed properties. Based on the submitted plans for these applications, the proposal would achieve between 14 and 15.3m back to boundary distance. While there is a deficiency with Appendix B, over 25m is achieved back-to-back for plots 26 - 39. Consequently, unacceptable overlooking would not occur.
- 6.83. Plots 1 and 40 include a rear elevation which is significantly below the 15m requirement from the boundary with existing properties, however, they provide no upper floor windows to overlook the neighbour. A condition could ensure that no upper floor windows are provided to this rear wall in the future.
- 6.84. The remaining neighbouring properties face onto the landscaped areas of the development, where sufficient proximity distances would be provided to prevent overlooking or any overbearing impact.

Noise

- 6.85. A noise assessment has been submitted as part of the application. Sources of noise include the A131, Blackley Quarry, Chelmsford City racecourse, Banters Lane Business Centre and construction of development.
- 6.86. Based on the noise survey results and the noise model, the majority of the site would be considered low risk. The northern boundary of the site would be closest to the A131 and Banters Lane and would be considered negligible to low risk of adverse noise impact. A suitably worded condition is proposed to secure acceptable noise levels for future occupants.
- 6.87. During operation, the proposed would not result in unacceptable levels of noise to nearby residents. During construction, noise levels can be controlled through a construction management plan which would be secured through a suitably worded condition.

- 6.88. The Council's Public Health and Protection Service have reviewed the content of the submitted noise report and raise no concerns subject to a condition to secure acceptable noise levels for future occupants.

Flood risk and Drainage

Local Policy DM18

Flood risk

- 6.89. The Environment Agency Flood Zone map indicates that the site lies within Flood Zone 1 'Low Probability', therefore not at risk from fluvial flooding (river/stream). The proposal does not fall within the remit of the Environment Agency.

Surface Water

- 6.90. Policy DM18 of the Chelmsford Local Plan states that all major development will be required to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. The principal method to do so should be the use of Sustainable Drainage Systems (SuDS).
- 6.91. A SuDS drainage strategy is included as part of the application. It is not the purpose of a planning application to resolve existing issues, the proposed development must not worsen the possibilities of surface water flooding. This must also take into account the impacts of climate change. The principle of the drainage strategy is to ensure that the water draining from the site would be no more than the existing situation.
- 6.92. The submitted SuDS scheme has been considered by the Lead Local Flood Authority at Essex County Council. They do not object to the granting of planning permission for this development and recommend conditions to secure the SuDS scheme, together with its management and maintenance.

Foul Water

- 6.93. Anglian Water has assessed the receiving water recycling centres and it is within the acceptable parameters and advises that it can accommodate the flows from the proposed growth. There is adequate foul water provisions in place subject to the provision of the proposed foul water infrastructure.

Sports provision

- 6.94. The allocation policy seeks provision of or financial contributions to sport, leisure and recreation facilities. Sport England have provided a calculation method for the development to mitigate the requirement for outdoor sports provision. This financial contribution is agreed as part of the s.106 agreement, in lieu of on-site provision.

Education and Heath

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

Local Plan Strategic Policies: S9, S10; Site Policies: Strategic Growth Policy 7c; Local Plan Policy: DM20

- 6.95. The application proposal would mitigate its impacts on education through contributions to Early Years, Primary Education, Secondary Education and Secondary School transport. A contribution

would also be provided to the Primary School land at Strategic Growth Site 7a. These would be secured through the s.106 agreement. A SEND contribution would not be sought, as the proposal is less than 1000 dwellings.

- 6.96. The submitted Health Impact Assessment concludes that the development would help promote good health and wellbeing through the delivery of M4 (2) (accessible or adaptable dwellings), areas of open space and encouraging active travel. These measures will be secured through conditions and s.106 agreement.
- 6.97. The application proposal would mitigate its impacts on healthcare provision through contributions which would be secured through the s.106 agreement.

Sustainable development

- 6.98. The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives to sustainable development; economic, social and environmental.

Economic

- 6.99. The proposal would generate jobs through the construction process and in the longer term through the occupation of the neighbourhood centre, on-site open space management and community facilities. The construction of up to 105 dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.100. The proposed development would provide a range of house types and sizes and would meet the City Council's identified growth needs. The development would provide affordable homes of varying type, self or custom build, wheelchair user homes and accessible or adaptable homes.
- 6.101. The scheme includes facilities that will improve physical connections with the existing village. The onsite facilities would include local open space and play spaces. The development would also be mitigating its own impacts in relation to education and healthcare through the provision of financial contributions.
- 6.102. The scheme has been designed to connect pedestrian and cycle links with the village to the southeast. The scheme would improve bus infrastructure and contribute to improved bus services. Active and sustainable modes of transport are a realistic prospect.
- 6.103. It is recognised that the development will result in additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of the additional traffic through local highways improvement.
- 6.104. The proposal provides social benefits, which weigh in favour of the development

Environmental

- 6.105. The scheme is landscape led with a landscaping buffer to the southeastern, eastern and northern sections of the site to reflect the edge of village location and to mitigate the impact of the

development upon the heritage assets to the southeast. It is acknowledged, however, that the development would result in a loss of open countryside and some loss of trees. The proposal seeks to retain most of the existing trees and hedgerows and would result in no harm to protected species subject to conditions. A biodiversity net gain will be achieved. Additional tree planting will be secured.

- 6.106. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure and by requiring water efficiency building regulations to be met.
- 6.107. Less than substantial harm would be caused to existing heritage assets in the area but such is outweighed by the public benefits of the scheme, as discussed earlier in the report. A condition is attached to ensure that the archaeology of the site is properly recorded, and the mitigation measures are carried out.
- 6.108. For the reasons outlined above the environmental impact can be considered as neutral.
- 6.109. Overall, with the provision of appropriate conditions and s.106 obligations, the proposal is considered to comply with the three strands and therefore represents sustainable development.

Legal Obligations

Key Strategic Priorities: 2 (new homes), 5 (strategic infrastructure), 6 (local infrastructure); Local Plan Strategic Policies: S6, S9, S10; Site Policies: Growth Site Policy 7c; Local Plan Policies: DM1, DM2, DM16, DM20

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

Housing

- 35% of total units to be provided as affordable housing – split 22% affordable rent (24 units), 13% shared ownership (13 units)
- Affordable rent and shared ownership tenure split, size, number and occupancy capacity, phasing, delivery, Registered Provider and restrictions
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes
- 5 custom build units, set out the amount, type, mix and priority mechanisms that the self build/custom build will achieve. Exception provisions on CIL - self-builder and custom housebuilder must remain as the occupant of the dwellings for a minimum of 3 years after completion in order. Providers to market serviced plots and ensure they remain available for at least 12 months at a price which is comparable to other serviced plots marketed in the administrative area of Chelmsford in the same 12-month period.
- Financial contribution for Specialist Residential Accommodation in accordance with the City Council's Specialist Residential Accommodation Planning Advice Note.

Other infrastructure

- Installation, management and maintenance of play space
- Financial contribution towards allotments
- Financial contribution towards outdoor sport

Transport/Infrastructure

- Footway improvements along Main Road
- Bus infrastructure improvements along Main Road
- Pedestrian and cycle connection from development to Main Road, via/adjacent to public footpath 14 (Gt and Lt Leighs) and with any necessary PROW alterations and conversion orders
- Signage on new/improved pedestrian and cycle routes to key destinations
- Cycle connection at the northern boundary
- Financial contribution towards road junction improvements
- Financial contribution towards passenger transport
- Financial contribution towards Chelmsford North East Bypass NE Chelmsford to Deres Bridge single carriageway section
- Provision and works to facilitate parallel crossing on Main Road, near Dog and Partridge underpass
- Pedestrian and cycle route within the site

Open Space / Recreation

- Open Space Maintenance bond where open space is maintained and managed by a management company appointed by the developer
- Open Space Phasing and Delivery Plan
- Financial contribution in lieu of shortfall for Strategic Open Space
- 3 trees per dwelling on site or financial contributions in lieu of on-site provision in accordance with the City Council's Tree Planting Planning Advice Note
- Heritage interpretation board

Education

- Financial contributions towards Early Years, Primary Education, Primary Education Land at 7a, Secondary Education and Secondary School transport
- Employment and Skills Plan

Health Care

- Financial contribution towards floorspace provision

Biodiversity / RAMS

- Financial contribution towards education and mitigation works for Essex Wildlife Trust Sandlay and Moat Woods Reserves
- RAMS financial contribution per dwelling
- Residential education; leaflets within welcome packs and on-site interpretation boards and dog bins

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

- 7.1. The development is CIL liable and CIL payments will be levied on the CIL chargeable elements of the scheme. Libraries are covered by CIL.

8. Conclusion

- 8.1. The site is allocated in the Chelmsford Local Plan as a sustainable extension to the settlement of Great Leighs. The application follows an approved masterplan for the Site 7 allocations, which has shaped both their form and detailing.
- 8.2. For reasons listed in Section 6, the development would be a positive contributor economically and socially. Any minor negative environmental impacts can be mitigated. All material considerations have formed part of the planning balance.
- 8.3. The development is required to meet the Council's identified growth needs and is a direct consequence of the plan-led system. The proposal is in accordance with the approved masterplan and any design and layout concerns will be addressed through reserved matters. The application would satisfactorily meet the requirements of Strategic Growth Site Policy 7c of the Chelmsford Local Plan.
- 8.4. The proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is acceptable, subject to conditions and the completion of the S106 agreement.

RECOMMENDATION

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

Procedure

Condition 1 – Time Limit

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

Reason:

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

Condition 2 – Compliance with approved plans

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

Reason:

In order to achieve satisfactory development of the site

Pre-commencement

Condition 3 – Levels

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

Reason:

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

Condition 4 - Construction Management Plan

No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. provision of a safe and suitable access to the site;
- ii. vehicle routing;
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. wheel and underbody washing facilities;
- vii. measures on site to control the deposition of dirt / mud on surrounding roads during the development;
- viii. treatment and protection of public rights of way during construction;
- ix. hours of deliveries;
- x. highway safety considerations;
- xi. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer

Reason:

This information is required prior to the commencement of the development as this is the only opportunity to ensure that on-street parking of these vehicles in the adjoining streets does not occur during construction and to ensure that loose materials and spoil associated with construction are not brought out onto the highway in the interests of highway safety.

Condition 5 – Construction Method Statement

No development all take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period.

Reason:

This information is required prior to the commencement of the development as this is the only opportunity to ensure that the disruption to the existing residents in Radcliffe Way and the residents adjoining the development is minimised in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 6 - Archaeology

1. No development or preliminary groundworks within any phase or sub-phase of the development shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has previously been submitted by the applicant and approved by the planning authority.

2. A mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to the local planning authority following the completion of this work.

3. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been previously approved by the local planning authority in consultation with its historic environment advisors.

4. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

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

Condition 6 – Surface water drainage scheme

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

- i. Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- ii. Limiting discharge rates to flow matching rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change and to discharge long term storage at 2l/s per ha.
- iii. Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- iv. Final modelling and calculations for all areas of the drainage system.
- v. The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- vi. Detailed engineering drawings of each component of the drainage scheme.
- vii. A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- viii. A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

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

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

Condition 7 – Minimise off-site flooding

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

Reason:

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

Condition 8 – Final BNG plan

No development shall take place until a final written Biodiversity Net Gain Plan (The BNG Plan) in the form of the national BNG Plan template, for the provision of a minimum 10% biodiversity net gain, has been submitted to and approved in writing by the local planning authority. The BNG Plan shall relate to the development for which planning permission is granted, and include:

- i. completed metric calculation tool;
- ii. pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale);
- iii. biodiversity net gain register reference numbers (if purchasing off-site units); and
- iv. proof of purchase if purchasing statutory biodiversity credits.

The development shall not be begun until such time that The Biodiversity Net Gain Plan (BNG Plan) has been approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with The BNG Plan.

Reason:

To ensure the statutory biodiversity gain condition of the Environment Act 2021 is met and to ensure the development accords with Policy DM16 of the Chelmsford Local Plan.

Condition 9 – Habitat Management and Monitoring Plan

No development shall take place on any part of the site until a written Habitat Management and Monitoring Plan (HMMP), in the form of the national Natural England and DEFRA template, for a minimum period of 30 years for the site has been submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- i. details setting out how the onsite or off-site gains will be managed;
- ii. Details of the persons responsible for the implementation, management and monitoring;
- iii. details of how habitats will be monitored (including specific details for each type of habitat);
- iv. details, including a schedule, of monitoring reports to be submitted to the local planning authority over at least a 30 year period;
- v. details of how management will be reviewed;
- vi. details of adaptive management to account for habitat restoration if the management plan is not working.

Reason:

To ensure the statutory biodiversity gain condition of the Environment Act 2021 is met and to ensure the development accords with Policy DM16 of the Chelmsford Local Plan.

Condition 10 – Construction Environmental Management Plan for Biodiversity

Prior to commencement of the development hereby permitted a construction environmental management plan Construction Environmental Management Plan for Biodiversity (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

- i. Risk assessment of potentially damaging construction activities.
- ii. Identification of “biodiversity protection zones”.
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- iv. The location and timing of sensitive works to avoid harm to biodiversity features.
- v. The times during construction when specialist ecologists need to be present on site to oversee works.
- vi. Responsible persons and lines of communication.
- vii. The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
- viii. Use of protective fences, exclusion barriers and warning signs.
- ix. Containment, control and removal of any invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason:

To ensure that the construction of the development does not result in harmful impacts on the biodiversity in accordance with Policy DM16 of the Chelmsford Local Plan. This is required prior to commencement as this is the only time to ensure that harmful impacts do not occur during construction on the biodiversity on site.

Condition 11 - Badgers

No development, including demolition, ground works or vegetation clearance, shall take place until the local planning authority has been provided with a badger walkover and/or monitoring survey including mitigation measures in the form of a method statement. The method statement shall set out the organisation or person responsible for implementing and supervising the method statement including whether a development licence will be required from Natural England for the closure of any sett(s). The scheme shall be implemented as approved.

Reason:

This information is needed prior to commencement of the development to ensure there is no harm caused to badgers in accordance with Policy DM16 of the Chelmsford Local Plan

Condition 12 - Contamination

- i) No development shall take place until a scheme to assess and deal with any contamination has been submitted to and approved in writing by the local planning authority.
- ii) Prior to the occupation or first use of the development, any remediation found necessary as a result of the scheme to be approved under part (i) of this condition shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

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

During Construction

Condition 13 - Compliance with Arboricultural Impact Assessment

In relation to tree protection, tree surgery and construction methods, the development shall only be carried out in accordance with the submitted arboricultural report entitled Arboricultural Impact Assessment REV B-Layout Update.

Reason:

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

Condition 14 – Details of pruning works

Details of the pruning works specified in the approved Arboricultural Impact Assessment shall be submitted to and approved by the Local Planning Authority prior to the commencement of any pruning works. Once approved the pruning works shall be undertaken in accordance with the approved details.

Reason:

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

Condition 15 – Tree retention

No trees or hedges within the development shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of development until the details submitted under condition of this permission have been approved in writing by the local planning authority. If any such tree is removed, uprooted, destroyed or dies prior to commencement of development or within a period of 5 years following commencement another tree shall be planted within the next available planting season. The location, size and species of replacement planting shall be as agreed in writing by the local planning authority.

Reason:

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

Condition 16 – Biodiversity Enhancement Strategy

Prior to any works above slab level, a Biodiversity Enhancement Strategy for biodiversity enhancements, prepared by a suitably qualified ecologist in line with the recommendations of the (Ecological Impact Assessment (SES, April 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason:

To enhance protected and Priority species & habitats and allow the local planning authority to discharge its duties under the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

Condition 17 - Building materials

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

Reason:

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

Condition 18 - Part M4 (2)

A minimum of 50% of the dwelling units as approved shall be constructed to comply with Building Regulations 2015 Approved Document Part M4(2) Category 2.

Reason:

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

Condition 19 - Noise insulation

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

Reason:

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

Condition 20 – Compliance with ecology report

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Ecological Impact Assessment December 2024 by Southern Ecological Solutions and Designated Sites Assessment December 2024 by Southern Ecological Solutions.

Reason:

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

Pre-Occupancy**Condition 21 – Site access**

Prior to first occupation of the development, the alterations to the existing turning head at the northern end of Radcliffe Way, as shown in principle on DWG no. 2107732-003 REV. B, shall be implemented to continue the footway and carriageway into the development site and remove the turning head and provision of two dropped kerb crossovers to the private drives, to provide access into the development site.

Reason:

To provide safe and suitable access, in the interests of highway safety.

Condition 22 – Visibility splays

Prior to the first occupation of the development hereby permitted all visibility splays shall be provided in accordance with the visibility splay shown to approved drawing 2107732-007 Rev E. These visibility splays shall be provided clear to ground and maintained free of any obstruction in perpetuity.

Reason:

To provide appropriate intervisibility for all users, in the interests of highway safety.

Condition 23 – Travel information packs

Prior to occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport. The packs should include;

- i. Information on walking and cycling routes and public rights of way in the vicinity of the site.
- ii. Details of travel websites which include real time bus timetable information for local services.
- iii. Bus and rail timetables and routes.
- iv. Promotion of car sharing,
- v. 6 x one day travel vouchers (or 12 x single journey) for use with the relevant local public transport operator.

Reason:

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

Condition 24 – Lighting design strategy for biodiversity and heritage

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

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

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

Reason:

To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and to mitigate the impact of the development upon the setting of designated heritage assets under Policy DM13 of the Chelmsford Local Plan.

Condition 25 – SuDS maintenance plan

Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements for SuDS features within the development, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and approved in

writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided.

Reason:

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

Condition 26 – Water efficiency

All new dwelling units as hereby approved shall be constructed to achieve water efficiency to a standard of no more than 110 litres of water per person per day.

Reason:

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

Condition 27 - Public Art

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

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

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

Reason:

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

Condition 28 – Broadband

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

Reason:

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

Condition 29 - Boundary treatments

Notwithstanding the boundary treatments shown on the approved drawing details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, shall be submitted to and approved in writing by the local planning authority. Each dwelling shall not be occupied until the boundary treatments for that dwelling have been provided in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area and to safeguard the residential living environment of the occupiers of the proposed dwellings and the existing neighbouring dwellings in accordance with Policy DM29 and Policy DM23 of the Chelmsford Local Plan.

Condition 30 - EV Charging

No dwelling or building shall be occupied until that dwelling or building has been provided with one electric vehicle charging point for a dwellinghouse with dedicated off-road parking or one electric vehicle charging point per 10 parking spaces where off-road parking is unallocated. Electric vehicle charging points shall be installed and retained in accordance with details that shall have been previously submitted to and agreed in writing by the local planning authority.

Reason:

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

Condition 31 - Vehicle Parking

No dwelling shall be occupied until such time as the approved vehicle parking spaces for that dwelling has been hard surfaced, sealed and made available for use. Parking spaces within parking courts shall also be marked out in parking bays. The spaces shall not thereafter be used for any purpose other than the parking of motor vehicles in conjunction with the dwelling which they serve.

Reason:

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

Condition 32 – Cycle parking

Details of the cycle sheds shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Once approved the cycle sheds shall be provided in accordance with the approved details prior to occupation and retained for cycle parking.

Reason:

To ensure that adequate safe and secure cycle parking is provided to meet the demands of the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 33 – Refuse and recycling

Each dwelling shall not be occupied until the facilities for the storage of refuse and recyclable materials for that dwelling have been provided in accordance with the approved details.

Reason:

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

Condition 34 – Landscaping plan details

Prior to first occupation of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The works shall be carried out

as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges or other soft features to be retained;
- c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- d) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
- e) Details of the planting of 156 trees within the site;

Reason:

In order to add character to the development, to integrate the development into the area, to promote biodiversity and for heritage reasons in accordance with Policies DM13, DM16 and Policy DM23 of the Chelmsford Local Plan and to ensure that three additional trees are planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change .

Condition 35 – Landscape management plan

A landscape management plan, including long term design objectives, management responsibilities and schedule of landscape maintenance for a minimum period of five years for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that the landscaping and planting is appropriately maintained in the interests of the character and appearance of the area and for heritage reasons in accordance with Policy DM13 and DM23 of the Chelmsford Local Plan.

Condition 36 - Visibility – street trees

Any proposed street trees shall be planted clear of any visibility splay and boundary planting shall be planted a minimum of 1 metre back from any visibility splay and highway.

Reason:

To ensure that the future outward growth of the planting does not encroach upon the visibility splays, to preserve the integrity of the highway and in the interests of highway safety.

Condition 37 – Fixed obscured windows

The windows specified below shall be (i) obscure glazed to a minimum of Level 3 obscurity level, and (ii) of a design not capable of being opened below a height of 1.7m above finished floor level, and shall remain so obscured and non-openable:

- Plot 46 – first floor eastern facing rear window serving bedroom two
- Plot 47 – first floor southeastern facing side windows to bedrooms one and two
- Plot 64 – first floor eastern facing side window to the stairs
- Plot 65 – first floor southeastern facing rear window to bedroom 1
- Plot 72 – first floor eastern facing side windows to bathroom and ensuite
- Plot 76 – first floor western facing side windows to bedroom two
- Plot 80 – first floor eastern facing side windows to bathroom and ensuite

- Plot 81 – first floor western facing side windows to bathroom and en-suite
- Plot 89 – first floor eastern facing side window to stairs
- Plot 90 – first floor western facing side windows to bathroom and ensuite
- Plot 91 – first floor eastern facing side windows to bathroom and ensuite
- Plot 93 – first floor level northern facing side window serving bedroom one
- Plot 102 – first floor level western facing side windows serving bedrooms one and two

Reason:

To safeguard the privacy of the occupiers of the neighbouring properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 38 – No additional upper floor windows

No above ground level windows, openings or rooflights shall be installed on the furthest western facing rear elevation of the dwellings hereby permitted to Plots 1 and 40 as shown on drawing no. BW276-HT-JELa-01/ REV B.

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 39 – Preventing access to the southern field

Prior to first occupation details of the measures to prevent access onto the maintenance access to the southern field shall be submitted to and approved in writing. Once approved these measures shall be implemented in their entirety prior to first occupation.

Reason

To prevent parking and control access to the southern field, except for maintenance, in the interests of maintaining satisfactory design and character and preventing unnecessary parking in accordance with Policy DM26 of the Chelmsford Local Plan.

Condition 37 - Travel Plan

A final residential travel plan shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development. This plan shall include the procedure for annual monitoring. Once approved the travel plan shall then be actively implemented for a minimum period from first occupation until 1 year after final occupation.

Reason:

To ensure that the residential travel plan is implemented and monitored to ensure that it meets the targets set out in the plan, in the interests of sustainable travel.

Post Occupancy monitoring and management

Condition 38 – SuDS maintenance logs

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

Reason:

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

Condition 39– Unbound material

No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

Notes to Applicant

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 More information about BREEAM and the Code for Sustainable Homes is available on the BRE website: www.breeam.org or contact the BREEAM office, Tel: 01923 664462. Information about the Code for Sustainable Homes is also available at the Department for Communities and Local Government's website: www.communities.gov.uk.
- 3 The visibility splays required by condition 22 must not form part of the adjacent dwelling's ownership.
- 4 The proposed development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended). A Liability Notice will be sent as soon as possible to the applicant and any other person who has an interest in the land. This will contain details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.chelmsford.gov.uk/cil, and further information can be requested by emailing cilenquiries@chelmsford.gov.uk. If the scheme involves demolition, for the purposes of the Regulations the development will be considered to have begun on commencement of the demolition works.
- 5 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.

- 6 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 7 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- 8 Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- 9 The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.
- 10 All highway works associated with the development are to be delivered fully at the applicant / developer's expense.
- 11 Any non-standard specification materials, signal equipment, lighting, or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction. To be provided prior to the works license / adoption of the relevant sections of Public Highway.
- 12 Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.
- 13 Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.

The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.
- 14 The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- 15 Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant

must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

- 16 In situations where retaining walls or other similar methods are required to support land directly adjacent to the highway, their design, construction or composition (in the case of embankments) should be agreed in advance with the Highway Authority.
- 17 The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 14 (Great and Little Leighs) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- 18 Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River. If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Planning permission does not negate the requirement for consent.
- 19 Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

- 20 Notes from the Lead Local Flood Authority:

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

- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

21 Notes from Anglian Water:

1. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 .
2. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
3. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.
4. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

- 22 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk

Background Papers

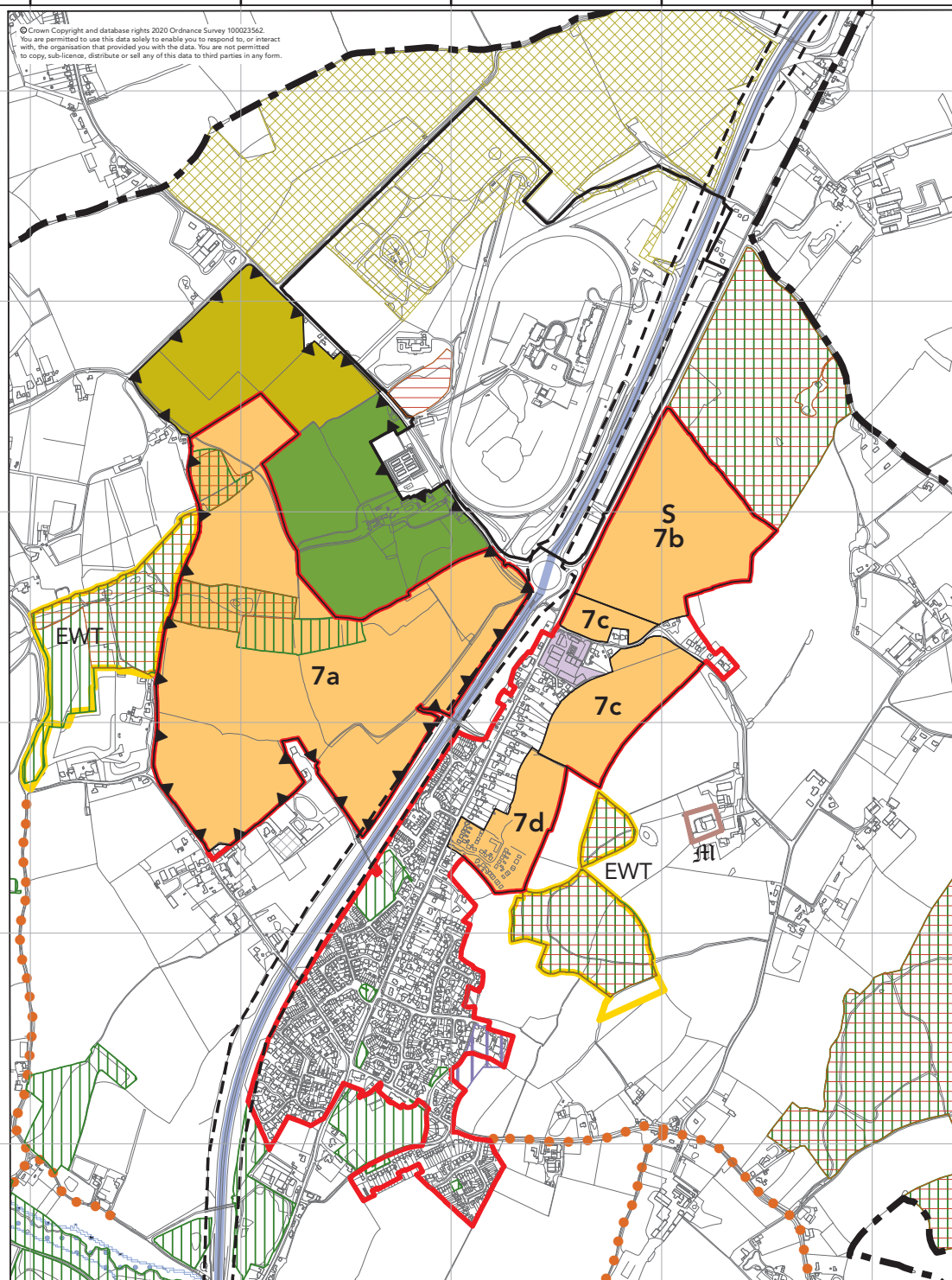
Case File

Plans to be listed on any Decision Notice:

Mineral Resource Assessment
Archaeological Desk Based Assessment
Geophysical Survey
2107732-010/Rev E
BW276-HT-CAb-01/Rev A
BW276-HT-CBLa-01/REV B
BW276-HT-CBLb-02/REV A
BW276-HT-COLa-01/REV A
BW276-HT-DRwc-01/REV B
BW276-HT-HA-WCB2-01/REV C
BW276-HT-PHLa-01/REV B
BW276-HT-RVLb-01/REV B
BW276-HT-RVLb-02/REV B
BW276-HT-WELa-01/REV B
CSA/5837/117/REV R
2107732-050/REV B
BW276-PL-01/REV D
BW276-PL-02/REV P
BW276-PL-03/REV M
BW276-PL-04/REV M
BW276-PL-05/REV K
BW276-PL-06/REV K
BW276-PL-07/REV O
BW276-PL-08/REV M
BW276-PL-09/REV M
BW276-PL-10/REV H
Figure 1 Walking Catchment Plan
Figure 2 Cycling Catchment Plan
BW276-HT-HA-P-PWLa-01/ REV A
Drainage Holding Objection Response
BW276-ST-02/REV E
BW276-ST-01/REV G
Built Heritage Assessment/ JAC27362
Planning Statement/December 2024
Addendum Document (to Design and Access Statement)/December 2024
Ecological Impact Assessment/December 2024
BW276-HT-HA-HLb-02/REV A
BW276-HT-HA-HLa-01/REV A
BW276-HT-HA-BALb-02/REV A
BW276-HT-HA-BALa-01/REV A
Transport Assessment Addendum-Additional Modelling/2107732-R06A
Residential Travel Plan/2107732-R05E
Transport Assessment/2107732-R04E

Flood Risk Assessment/2107732-R01G
2107732-007/REV F
2107732-004/REV G
CSA/5837/118/ REV D
BW276-GR-02/ REV A
BW276-GR-03/ REV A
BW276-GR-04/ REV A
BW276-HT-FELa-01/ REV A
BW276-HT-FELb-02/ REV 00
BW276-HT-FELc-03/ REV 00
BW276-HT-FULa-01/ REV A
BW276-HT-HA-CTLa-01/ REV 00
BW276-HT-HA-PWLb-01/ REV 00
BW276-HT-HA-TILa-01/ REV 00
BW276-HT-HA-TILb-02/ REV 00
BW276-HT-HA-WCB1-01/ REV 00
BW276-HT-HILa-01/ REV A
BW276-HT-HILb-02/ REV 00
BW276-HT-HLa-01/ REV 00
BW276-HT-JELa-01/ REV B
BW276-HT-MILa-01/ REV A
BW276-HT-PHLb-02/ REV 00
BW276-GR-01/REV B
BW276-HT-FULb-02/REV B
Designated Sites Assessment/December 2024
Energy Statement/March 2024 Revision 3
Health Impact Assessment/ Rev 04
Custom House Delivery/December 2024
Arboricultural Impact Assessment/REV B-Layout Update
Noise Assessment/2107732-03D

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Adopted Policies Map May 2020

18 Great Leighs (Great and Little Leighs Parish)

The Policies Map shows the spatial definition of policies. It includes Policy Areas proposed by the Chelmsford Local Plan.

For the application of relevant policies within the Local Plan, the designation of the Rural Area includes all those areas outside of Urban Areas, Defined Settlement Boundaries, Green Belt and specific allocations or Policy Areas. The Rural Area has no notation so appears as 'white land' on the Policies Map and its insets.

Important Note

This Policies Map shows areas at a higher risk of flooding. Areas at a higher risk from flooding are defined and regularly updated by the Environment Agency.

For further details please see the flood maps published on the Environment Agency's website at:

www.environment-agency.gov.uk

0 125 250 Metres



Spatial Planning Services
Directorate for Sustainable Communities

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Chelmsford Local Plan

Legend for Adopted Policies Map May 2020

Relevant Key Policy References are shown in brackets

	Chelmsford City Council Area		Open Space (S11, DM21)
	Inset		New Railway Station (S9)
	Chelmsford and South Woodham Ferrers Urban Areas (S7)		Railway Station Access Road (S9)
	Chelmsford City Centre (S1, S8, S12, DM5)		Radial Distributor Road (RDR1) (S9)
	South Woodham Ferrers Town Centre (S12, DM5)		Proposed RDR2 Detailed Design within New Garden Community Masterplan Area (S9, SGS6)
	Defined Settlement Boundary (S7, DM2)		Proposed Link Road (SGS3a, SPA5)
	Area for the former Runwell Hospital Major Developed Site (7.320)		Route Capacity Improvement (S9, SGS10)
	Boundary of Strategic Growth Site Allocations 2, 3a, 6 and 7		Proposed Cycle Route*
	New Housing Site (S7 and Relevant Site Policy)		Proposed Bridge (S9, SGS1a, SGS10)
	New Garden Community for Major Housing and Employment Development (SGS6)		Existing Park and Ride
	Specialist Residential Accommodation (SGS7b, GS12)		Park and Ride Area of Search (S9)
	New Gypsy and Traveller Site (GT1)		Proposed Chelmsford North East Bypass - Detailed Design within Masterplan Area (S9, SGS6)*
	Proposed Employment Area (S7, SGS6, SGS3b, DM4)		Proposed Chelmsford North East Bypass - Safeguarded Corridor (S9, SGS6)*
	Existing Employment Area (S8, DM4)		Route Based Strategy (S9)
	Rural Employment Area (S8, DM4)		Strategic Trunk Route
	Green Belt (S11, DM6, DM9, DM10, DM11, DM12)		Strategic Non-Trunk Route
	Special Area of Conservation (SAC) (S4, S9, DM16)*		Regional Route
	Special Protection Area and Ramsar Site (S4, S9, DM16)*		Location for Primary School
	Marine Conservation Zone (S2)*		Existing School, Further / Higher Education Establishment (DM22)
	Site of Special Scientific Interest (SSSI) (S4, DM16)*		Retail Allocation (SGS10)
	Scheduled Monument (S3, DM13)*		Primary Shopping Area (S12, DM5)
	Registered Park and Garden of Special Historic Interest (S3, DM13)*		Primary Frontage (S12, DM5)
	Local Nature Reserve (S4, DM16)*		Secondary Frontage (S12, DM5)
	Local Wildlife Site (LoWS) (S4, DM16)		Principal Neighbourhood Centre (S12, DM5)
	Essex Wildlife Trust Nature Reserve (S4, DM16)*		Retail Frontage of Principal and Local Neighbourhood Centres (S12, DM5)
	Green Wedge (S11, DM7, DM9, DM10, DM11, DM12)		Special Policy Area (S7, SPA1-SPA6)
	Protected Lane (S3, DM17)		Hazardous Substance Site Safeguarding Zone (DM30)*
	Conservation Area (S3, DM13)		Flood Zone 2 (S2, DM18)*
	Area for Conservation / Strategic Landscape Enhancement (SGS7a)		Flood Zone 3 (S2, DM18)*
	Country Park*		Flood Alleviation Scheme
	Proposed Country Park (SGS3, SGS6)		Air Quality Management Area (DM30)
	Land Allocated for Future Recreation Use and / or SUDS (SGS2, SGS7a)		Minerals and Waste Site*

*These notations are designated by third parties not Chelmsford City Council and are subject to change

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Appendix 3 Consultations

Ramblers Association

Comments
23.04.2025 The minor division of Footpath 14 is noted, NO further comments.
05.02.2025 1. Our previous comments confirmed that Footpath 14 - Great and Little Leighs runs to the South of the site, which is to be retained. 2. The proposed site access road will cross the PRoW. 3. We assume the crossing point will comply with Essex County Council Highways street guidance, this does not appear to have been verified. 4. Apart from this issue we have NO FURTHER COMMENTS
24.05.2024 Footpath 14 - Great and Little Leighs runs to the South of the site. This is being retained. Access to the proposed site will be from the recently completed Furlong housing estate where the access road will cross the PRoW. Crossing points are indicated on the Entrance Detailed Sketch, which we assume will comply with Essex County Council Highways street guidance. New pedestrian & cyclist routes are also proposed to the South East of the site, connecting to Banters Lane to the North. In the circumstances we have NO FURTHER COMMENTS to raise at this stage.

Essex County Council Highways

Comments
03.06.2025 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway. The application is for part of Strategic Growth Site Policy 7 – Great Leighs, an allocated site in Chelmsford City Council’s Local Plan, adopted May 2020. The assessment of the application was undertaken with reference to the National Planning Policy Framework 2024. The following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures. The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms, the application is not contrary to national and local highways and transportation policy and current safety criteria. The transport assessment (TA), subsequent addendum, and all additional information supplied by the applicant has been analysed. Jacobs, the Highway Authority’s modelling consultants, have reviewed the TA

and modelling information on behalf of the Highway Authority. Following extensive analysis, it has been concluded that the development will not have a significant or severe impact at this location, or on the wider highway network, subject to a package of highway works, sustainable transport measures and financial contributions, as set out in this recommendation.

The local plan includes an allocation directly to the north of the development (7c) and there is a requirement for the sites to provide a connected pedestrian and cycle route. The pedestrian and cycle route within this application site is therefore required to be constructed up to and abutting the northern site boundary, with no ransom, to allow for a future continued link into adjoining land. There is also a requirement to provide a shared pedestrian cycle route from the development site directly to Main Road by improving and converting the existing public footpath route. The mitigation includes a contribution towards a new bus service between the site and Chelmsford and/or Braintree to connect to local facilities and services.

Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity and efficiency. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

Construction Management Plan

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- i. provision of a safe and suitable access to the site,
- ii. vehicle routing,
- iii. the parking of vehicles of site operatives and visitors,
- iv. loading and unloading of plant and materials,
- v. storage of plant and materials used in constructing the development,
- vi. wheel and underbody washing facilities,
- vii. measures on site to control the deposition of dirt / mud on surrounding roads during the development;
- viii. treatment and protection of public rights of way during construction,
- ix. hours of deliveries,
- x. highway safety considerations,
- xi. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

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

Site access

2. Prior to first occupation of the development, the alterations to the existing turning head at the northern end of Radcliffe Way, as shown in principle on DWG no. 2107732-003 REV. B (Titled – Parcel 7C Entrance Detail Sketch, dated 18/12/2024), shall be implemented to continue the footway and carriageway into the development site and remove the turning head and provision of two dropped kerb crossovers to the private drives, to provide access into the development site.

Reason: To provide safe and suitable access, in the interests of highway safety.

Improvements to Main Road

3. Prior to first occupation, a parallel crossing on Main Road between Dog and Partridge underpass (public bridleway no. 12 Gt and Lt Leighs and public footpath no. 14 Gt and Lt Leighs, shall be provided, to include but not limited to;
- i. Widening of the footway on the western side of Main Road to provide a shared ped/cycle route, from Dog and Partridge underpass to parallel crossing.
 - ii. Widening of the footway on the eastern side of Main Road to provide a shared ped/cycle route, from parallel crossing to public footpath 14 Gt and Lt Leighs on eastern side of Main Road.
 - iii. Provision of cycle scoops onto Main Road, both sides of the carriageway.
 - iv. Carriageway narrowing in vicinity of parallel crossing, retaining a minimum carriageway width of 6 metres.
 - v. Associated signing and lining.
 - vi. Provision of wayfinding signage on Main Road, to direct pedestrians and cyclists to and from the development site and key destinations.

Details of the scheme to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards. The route to be fully implemented by the developer as part of the highway works, prior to first occupation. All associated costs shall be borne by the applicant.

Reason: To improve pedestrian and cycle connectivity, in the interests of highway safety.

Public Transport Contribution

4. Prior to first occupation, the developer to pay a contribution of £283,500 (index linked to April 2023) towards the provision of a new bus services between the site and Chelmsford and/or Braintree.

Reason: To provide sustainable travel routes to/from the site, in the interests of reducing the need to travel by car and promoting sustainable development and transport.

Bus stop infrastructure

5. Prior to first occupation, the existing bus stops on both sides of Main Road near to The Dog and Partridge Pub shall be upgraded/improved. The bus stop improvements shall comprise of, but not limited to, the provision of the following facilities: raised kerbs, a shelter with seating (if sufficient highway available), lighting and power connection, 23m bus cage with bus clearway markings and signage, a bus stop flag, timetable frame and real time information (if required).

Reason: To improve the bus stops to/from local services, in the interests of sustainable travel.

Pedestrian and cycle routes

6. Prior to first occupation, the section of public footpath no. 14 (Great and Little Leighs) from the development site to Main Road shall be formally converted to an adopted shared pedestrian cycle route, as shown in principle on 'Inset A' Cyclepath Link to Main Road' on DWG no. 2107732-007 REV. F, dated 13/05/2025 (Titled – Parcel 7C – Visibility Splays and Adoption Plan). The pedestrian cycle route shall have an effective width of 3.5 metres (or the maximum achievable) be hard surfaced and illuminated. Details of the scheme to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards, The route to be fully implemented by the developer as part of the

highway works, including securing the associated conversion orders, prior to first occupation. All associated costs shall be borne by the applicant.

Reason: To provide a good quality sustainable travel route for cyclists and pedestrians to/from the site.

7. The 3.5m pedestrian and cycle route within the site, travelling north/south along the eastern boundary from the spine road to the northern boundary, shall be hard surfaced and illuminated. The route shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason: In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car.

8. The 3.5m pedestrian and cycle route shall be constructed up to and abutting the northern site boundary, with no ransom, to allow for a future continued link into the adjoining land.

Reason: In the interests of pedestrian and cycle connectivity and accessibility.

9. Prior to first occupation a signing strategy for walking and cycling to, from and around the development site shall be submitted to the planning authority for approval in writing. The approved strategy shall be implemented prior to occupation and at the appropriate phase of the development.

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

Visibility

10. Prior to occupation, the junction, forward and pedestrian/cycle visibility splays as shown on DWG no. 2107732-007 REV. E, dated 13/05/2025 (Titled – Parcel 7C – Visibility splays and Adoption Plan), shall be provided clear to ground and maintained free of any obstruction in perpetuity. These visibility splays must not form part of the adjacent dwellings land ownership. Reason: To provide appropriate intervisibility for all users, in the interests of highway safety.

Travel plans and travel information packs

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

- i. Information on walking and cycling routes and public rights of way in the vicinity of the site.
- ii. Details of travel websites which include real time bus timetable information for local services.
- iii. Bus and rail timetables and routes.
- iv. Promotion of car sharing,
- v. 6 x one day travel vouchers (or 12 x single journey) for use with the relevant local public transport operator.

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

12. Prior to first occupation of the proposed development, the Developer to submit a residential travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation, with annual monitoring reports submitted to Essex County Council. It shall be accompanied by an annual Travel Plan monitoring fee of £1,817 per annum (index linked to April 2025) to be paid to Essex County Council.

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

Landscaping

13. Any proposed street trees shall be planted clear of any visibility splay and boundary planting shall be planted a minimum of 1 metre back from any visibility splay and highway.

Reason: To ensure that the future outward growth of the planting does not encroach upon the visibility splays, to preserve the integrity of the highway and in the interests of highway safety.

General conditions

14. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

Parking

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

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

16. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays (as necessary). The vehicle parking areas and turning areas shall be retained in this form at all times. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance, and the NPPF 2024.

Note:

- i. The contributions relating to Highways as set out in the Infrastructure Delivery Plan (IDP) for Great Leighs should be sought from the development, proportionate to the site, as required by CCC.
- ii. It is unlikely that the parallel crossing of the spine road will be required at implementation.
- iii. The formal orders relating to the diversion of and conversion of public footpath no. 14 (Great and Little Leighs), as shown on DWG no. 2107732-050 REV. A (Titled, Parcel 7C Public Right of Way Diversion Plan, dated - 13/05/2025) shall be secured at the appropriate timescale by the applicant, with all costs borne by the applicant.
- iv. The extent of the development's adoption will be determined and agreed during section 38 process. The extent of adoption shown on DWG no. 2107732-007 REV.F (Dated 13/05/2025) should not be considered definitive.

Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- ii. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the

- highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- iii. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.
 - iv. All highway works associated with the development are to be delivered fully at the applicant / developer's expense.
 - v. Any non-standard specification materials, signal equipment, lighting, or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction. To be provided prior to the works license / adoption of the relevant sections of Public Highway.
 - vi. Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.
 - vii. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority. The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.
 - viii. The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
 - ix. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
 - x. In situations where retaining walls or other similar methods are required to support land directly adjacent to the highway, their design, construction or composition (in the case of embankments) should be agreed in advance with the Highway Authority.
 - xi. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 14 (Great and Little Leighs) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed

with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- xii. Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River. If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Planning permission does not negate the requirement for consent.
- xiii. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

29.07.2024

Essex County Council (ECC) have requested Jacobs to provide a review of Chapter 4 Travel Demand, Chapter 7 Traffic Assessment Methodology and the local junction modelling included in Chapter 8 Traffic Assessment Reporting. ECC will provide additional comments around internal design layouts and external highway design matters.

18.06.2024

This is a Planning Application for a large development and there has been a significant quantity of information submitted in relation to the Highways and Transportation element of the scheme, which will take a substantial amount of time to fully assess. The Highway Authority is in the process of assessing the application, considering the impact of the proposal on the highway network in terms of safety and efficiency and ensuring opportunities for sustainable and active modes of transport are optimised. Therefore, it is request that the Highway Authority is granted additional time necessary to fully consider the application.

Public Health & Protection Services

Comments

17.04.2025 - No PH&PS comments with regard to this amended application however the previous consultation response still applies.

30.01.2025 - If permission is given the dwellings should be constructed so that the internal noise levels meet the standards of BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings. That

is, the internal noise levels in bedrooms at night (2300 hours - 0700 hours) with windows closed should not exceed 30dB(A) LAeq. The internal noise levels in habitable rooms during the day (0700hours - 2300hours) with windows closed should not exceed 35dB(A) LAeq. Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is not allocated). Please add ENV07 contaminated land condition.

Essex County Council (SUDS)

Comments
<p>28.05.2025 - Consultation Response - 24/00695/FUL - Land South East Of Banters Lane Business Park Banters Lane Great Leighs</p> <p>Thank you for your email received on 20 May 2025 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application. As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015. In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:</p> <ul style="list-style-type: none"> • Non-statutory technical standards for sustainable drainage systems • Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide • The CIRIA SuDS Manual (C753) • BS8582 Code of practice for surface water management for development sites. <p>Lead Local Flood Authority position</p> <p>Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:</p> <p>Condition 1</p> <p>No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:</p> <ul style="list-style-type: none"> • Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. • Limiting discharge rates to flow matching rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change and to discharge long term storage at 2l/s per ha. • Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event. • Final modelling and calculations for all areas of the drainage system. • The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. • Detailed engineering drawings of each component of the drainage scheme.

- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason

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

Condition 2

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

Reason

The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

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

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

Reason

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

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

Condition 4

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

Reason

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

We also have the following advisory comments :

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
- <https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures
- Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Connection to a ditch will require Section 23 Water Course Consent

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

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

Summary of Flood Risk Responsibilities for your Council

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

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

- Sustainability of the development.

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

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

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Appendix 1 - Flood Risk responsibilities for your Council

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

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements). You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions. We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures). We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing. Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the Department for Communities and Local Government publications 'Preparing for Floods' and 'Improving the flood performance of new buildings'.
- Sustainability of the development
The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

15.04.2025

Thank you for re-consulting us regarding the above application. Please advise the drainage consultant that with a development of 105 houses there is a possibility of well over 300 traffic movement per day, in which case two treatment trains will be required, however, if they are able to provide a traffic assessment which evidences less than the 300 traffic movements we would be happy to re-assess.

21.02.2025

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to place a holding objection to the granting of planning permission based on the following:

- The surface water from the spine road is not getting sufficient treatment.
- The Sewer Network Design should demonstrate that there is No Surcharging for the 1 in 1yr event.

We also have the following advisory comments:

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

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

- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Connection to a ditch will require Section 23 Water Course Consent

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

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

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

05.08.2024

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

Lead Local Flood Authority position

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

Condition 1

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

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 2l/s per ha for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- Sewer Network Design should demonstrate that there is No Surcharging for the 1 in 1yr RP, No Flooding for the 1 in 30yr RP.

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

Reason

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

Condition 2

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

Reason

The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

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

Reason

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

We also have the following advisory comments :

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below. <https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)
- Connection to a ditch will require Section 23 Water Course Consent

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

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

Parks & Open Spaces

Comments

Play area equipment

For play item 7 the accessible roundabout, this appears to be located within amenity grass and grass safety matting underneath. This is not an accessible safety surface and would make access from the pathway in adverse weather and ground conditions inaccessible. We would suggest that the whole play area is set on bonded mulch / bonded safety mulch as this would resolve accessibility.

Play area location

General the play area is ok and suitable for the location. However, the play area is located adjacent to the SUD, this raises concerns in terms of safety and risk assessment with regard to safety fencing to prevent accidental access.

SUD

The SUD given its position and configuration cannot be included as useable open space contribution.

Outdoor Sport

An off-site contribution should be sought, in this case a contribution to the nearest strategic outdoor sports facility at Melbourne Park.

Allotments:

It is our understanding that the local parish council provides allotments and off-site contribution to provide / enhance local allotments should be sought.

ECC Historic Environment Branch

Comments
<p>17.04.25</p> <p>Reviewed the amended submission and have found nothing to change the recommendations made in my previous correspondence.</p>
<p>29.05.24</p> <p>As attested by the submitted archaeological desk-based assessment and the Essex Historic Environment Record (EHER) the proposed development area has the potential to contain archaeological remains ranging in date from the prehistoric to the post-medieval period. The results within the submitted geophysical survey report show potential historic land divisions within the proposed development site, and recent archaeological work to the south and west has uncovered evidence of prehistoric and Roman occupation which may extend into the proposed development site. Accordingly, this office recommends that a programme of archaeological trial-trenching should be undertaken on the proposed development site in advance of any development works. This would determine the extent and survival of archaeological remains within the site and the impact of the proposed development's groundworks upon these remains.</p> <p>As a result, this office recommends that the following conditions are attached to any consent, in line with the National Planning Policy Framework paragraph 211 and Chelmsford Local Plan Policy DM15:</p> <p>RECOMMENDATION: Archaeological trial-trenching and open area excavation</p> <p>(i) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved in writing by the local planning authority.</p> <p>(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological trial-trenching evaluation as identified in the submitted Written Scheme of Investigation and confirmed by the local planning authorities archaeological advisors.</p> <p>(iii) A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority for approval following the completion of the archaeological evaluation.</p> <p>(iv) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.</p> <p>(v) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.</p> <p>The archaeological work should be carried out by a professional and accredited contractor and will initially comprise a programme of archaeological trial-trenching within the proposed development site. Following the completion and reporting of this work the applicant will submit an archaeological mitigation strategy for</p>

approval, detailing areas of in situ preservation of archaeological remains, open areas of archaeological excavation, and, if appropriate, archaeological monitoring, within the development area. All subsequent archaeological fieldwork, and measures by which in situ preservation will be ensured within the development, should be undertaken in accordance with the approved mitigation strategy. Following the completion of the archaeological works, an approved post-excavation assessment will be submitted to the local planning authority, in preparation for, if appropriate, a publication report.

ECC Major Development & New Communities

Comments
<p>21.02.2025</p> <p>Our comments in respect of the other service areas set out below remain as set per ECCs consultation response dated 13th June 2024</p> <ul style="list-style-type: none">- Public Health and Wellbeing- Adult Social Care and Independent Living- Country Parks- Broadband Connectivity <p>Climate and Planning (CaPU)</p> <p>The recommendations provided in this response are aligned with the findings of the studies carried out a part of ECCs Net Zero Evidence base which instructs the proposed Net Zero in Operation Policy currently in draft. The evidence base is available on the Essex Design Guide Website Net Zero Evidence webpage. Further comment has been provided to associate emerging local plan policy associated with the Chelmsford Local Plan regulation 19 consultation documents live as of the time of this submission.</p> <p>It is noted that the update to the sustainability statement does not take into account previous comments, therefore the applicant is advised to review the comments and submit and updated energy statement accounting for the recommendations made in the previous representation.</p> <p>In February 2025, Chelmsford City Council published their Pre-submission (Regulation 19) Document. This document identifies proposed changes to the current local plan policies. In relation to the Energy Statement, the following emerging policies are relevant, and the applicant is advised to adapt the energy statement to futureproof against the policies below.</p> <p>Green Infrastructure</p> <p>Based on the submitted revised information on 8, 15 and 28 January 2025, which includes the Addendum Design and Access Statement, Updated Biodiversity Gain Plan, Ecological Impact Assessment (EIA), Landscape Strategy and Play Area Plan, we do not object to the granting of 24/00695/FUL based on the following: The number of residential dwellings has been reduced from 115 to 105 compared to the original applications. Additionally, there have been changes to the proposed landscaping, including additional planting along the south-east boundary, soft verges indicated to 5.5m road edging the open space, the creation of gathering spaces in front of 4 plots along eastern edge and the play area relocated to the northeast green space area, providing access to those dwellings in the east, with the potential provision for natural play. This clarifies what is being proposed for the land to the northeast of the site, which was unclear in the previous application.</p>

The original proposals for retention of existing vegetation, new tree, hedgerow and scrub planting, tree lined streets, wildflower and native planting and that the multifunctional open space wraps around majority of the site, creating a green corridor connecting to the other sites within the Masterplan Framework remain unchanged.

Due to these changes, the Biodiversity Gain Plan has been updated. Habitat gains have significantly improved from 1.81 habitat Units (+15.43%) to 15.14 units (27.50%) and from 3.13 hedgerow units (61.84%) to 7.55 units (133.55%). Additionally, the Ecological Impact Assessment (EIA) recommend other ecological enhancements not captured by the metric, that supports our previous recommendations made on 22/05/2024 such as bird boxes and bricks, bat boxes, deadwood (log piles), hibernacula, pollinator and scented planting and hedgehog highways. These enhancement and mitigation measure identified are instrumental in producing quality GI therefore all these GI threads should be carried through to detail stages of the application and secured through suitably worded condition.

A Construction Environment Management Plan (CEMP): Biodiversity, and a Habitat Management and Monitoring Plan, is recommended to be produced, according to both the Biodiversity Gain Plan and EIA. The ECC GI Team maintains support for these recommendations to be included as a planning condition as stated in our previous comments and reiterated below under Condition 1 and Condition 4. The CEMP should explain how to protect existing GI during construction and how to add new GI in stages for early growth. The previous recommended conditions for a Landscape Ecological Management Plan (LEMP) remain applicable (Conditions 2 and 3). It is recommended that the LEMP will detail responsibilities for GI assets, timescales for implementing each aspect of GI within the development phase, maintenance activities and frequencies, and funding, management and monitoring of GI assets and green spaces for the development's lifetime.

To ensure delivery of the new GI components and retention of the existing, we would recommend the following conditions and additional considerations:

Condition 1

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a Construction Environmental Management Plan (CEMP). Ideally, strategic elements of the GI framework are brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a CEMP will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g., SSSI's etc.) will be protected during construction.

Reason: The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work.

Condition 2

No development shall take place until there has been submitted to and approved, in writing, by SuDS and landscape specialists at the Local Planning Authority a Landscape Ecological Management and Maintenance Plan (LEMP) and work schedule for a minimum of 10 years.

Details should include who is responsible for GI assets (including any surface water drainage system) and the maintenance activities/frequencies. Details of planting plans and the timescale for the implementation of each aspect of Green Infrastructure within that phase of development.

We would also expect details on how management company services for the maintenance of GI assets and green spaces shall be funded and managed for the lifetime of the development to be included.

Reason: To ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of the GI assets.

Failure to provide the above required information before commencement of works may result in reducing the value of the development, becoming an undesirable place to live that may increase the impacts from climate change, such as flood risk or air pollution from the site.

Condition 3

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

Reason: To ensure the GI are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure the high-quality and multi-functional benefits of GI assets.

Condition 4

Planning applications subject to mandatory BNG shall require a Habitat Management and Monitoring Plan to be submitted to and approved in writing by the local planning authority. To ensure that the net gain in biodiversity agreed upon in the Biodiversity Gain Plan/ Assessment shall be implemented in full within a 30-year period. The Biodiversity Net Gain Management and Maintenance Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. The Biodiversity Net Gain Management and Maintenance Plan should cover:

- Details of the management and maintenance operations, actions and work schedule for years 1 – 5 and with broader management aims for the lifetime of the BNG commitment of 30 years.
- Proposals for monitoring needed to measure the effectiveness of management, including methods, frequency and timing.
- Details of the roles and responsibilities for implementation and monitoring, as well as the legal, financial, and other resource requirements for BNG delivery, are secured.
- Including setting out the reporting procedures and options for remedial works and adaptive management to account for necessary changes in work schedule to achieve the required targets if needed.

Reason: In order to ensure measurable net gains are being delivered and effectively maintained and in accordance with LPA's BNG Policy, allowing the LPA to discharge its duties under the NPPF (2024).

New Tree Planting and their early establishment

ECC GI Team will expect that all new trees on new developments will have their establishment considered at the time of planting. This should include weeding, mulching and watering. All newly planted trees with a trunk diameter of 6cm or more will be watered for three years via a buried watering tube, irrigation bag or irrigation well; applying 60 litres per visit, at least 14 times between May and September. Mulch, stakes, ties and weed establishment will also be inspected and actioned as required. Stakes and ties should be removed 3 years after planting.

Other useful tools

The ECC GI team welcomes the application of the Urban Greening Factor and achieving an uplift from 0.31 to 0.50. Another useful tool to explore is Natural England's Environmental Benefits from Nature tool. It can be utilised to identify opportunities for enhancing broader benefits from nature while avoiding and minimising negative impacts. It is designed to complement the Biodiversity Metric. Please see Appendix 3 for Green Infrastructure Informatives.

13 June 2024

Public Health & Wellbeing

ECC consider that the Health Impact Assessment (HIA) submitted is satisfactory and has carried out an adequate assessment for assessing development impacts on health and wellbeing during and after construction. The HIA identifies additional mitigation and actions to respond to and address potentially significant health, wellbeing and equality impact. It would be good to understand how these will be taken forward and therefore it is recommended that the HIA is updated when further matters are determined and confirmed during detail design stage as noted within the assessment. With regards to Pg. 28 of the HIA for design accreditation, we recommended that the scheme proposal seeks to sign up to the Livewell Accreditation and further details can found on the Essex Design Guide:

<https://www.essexdesignguide.co.uk/supplementary-guidance/livewell-development-accreditation/>

It is also recommended that a record of changes made to development proposal as result of the HIA should be recorded within the assessment.

Climate and Planning Unit (CaPU)

The Climate and Planning Unit (CaPU) has been established following recommendations made by ECAC supporting achieving net zero development in Essex and to ensure targets needed to act upon climate change are met within the county. The aim of CaPU is to support a consistent policy approach across the county for net zero carbon in buildings, especially by supporting local authorities on environmental policy to go into local plans and to review and comment on planning proposals, striving for the best feasible carbon standards for the Essex built environment.

The recommendations provided in this response are aligned with the findings of the studies carried out as part of ECC's Net Zero Evidence base which instructs the Planning Policy Position for Net Zero in Operation Policy found here. The evidence base is available on the Essex Design Guide Website | Net Zero Evidence webpage. To complement this evidence, practical design advice is provided (and being added to) on the Essex Design Guide which focuses on how to design developments (of all scales and types) to meet the net zero carbon and energy standards, mitigate potential overheating risk and to address other inter-related sustainability issues. The following documents/parts of documents have been reviewed from the Environmental Impact Assessment Scoping Request to formulate the comments provided:

Executive Summary

We welcome consideration for a fabric first approach and the exploration of low carbon heating systems and renewable technology which might be suitable for the site. A circa positive 75-80% reduction in carbon from 2013 Part L baseline is excellent to state, however, this is a legislative building regulation that is required by law. We welcome sustainable discussion within the Energy Statement and a possible intention to utilise key sustainable technologies. Throughout this commentary, we will clarify our position on the meeting of net zero requirements in line with the Essex Net Zero Evidence base and Planning Policy position for Net Zero in Operation which is in strong alignment with the LETI Net Zero Targets.

Within CaPU at Essex County Council (ECC) we would advocate for the Great Leighs 7C site development to be a net zero development, minimising its impact on our climate. Climate change is happening now which is why it is important to prioritise low carbon construction. The IPCC report published in 2018 outlined several climate change impacts could be avoided by keeping global warming below or at 1.5 degrees Celsius. It concluded that limiting global warming to 1.5°C would require "rapid and far-reaching" changes in land, energy, industry, buildings, transport, and cities. By 2030, human-caused carbon dioxide (CO2) global emissions would need to decline by about 45 percent from 2010 levels to, reaching 'net zero' around 2050. Our stance on the significance of climate change issues is one shared by Chelmsford City Council, who declared a climate emergency in July 2019 and furthermore published their climate change action plan in January 2020. The action plan sets out some key strategic directives including "Improving home energy efficiency, affordability and encourage the use of renewable energy sources" and "Revising adopted planning policies to require all new dwellings to be built to zero-carbon standard." Chelmsford CC have also recently published in Many 2024 their Preferred Options Consultation Document of which Policy DM31: Net Zero Carbon Development (in operation) is in alignment with the Greater Essex Net Zero Planning Policy Position requirements. This policy states that all new buildings must be designed and built to be Net Zero Carbon in operation. Paragraphs 9.26 to 9.76 set out the reasoned justification for the policy. The National Planning Policy Framework (NPPF) also encourages the transition to a low carbon future within a changing climate and for development to take a 'proactive approach to mitigating and adapting to climate change'. In accordance with the Essex policy position, new development must mitigate, adapt, and be resilient to climate change. While the applicant outlines the development to align with the Future Homes Building Standards 2025, this standard has not been published and the standard consulted on in 2023/2024 is not a convincingly low carbon fabric first standard so to base design intentions on this is unclear. ECC recommends building to a standard which achieves 'net zero now', and ECC have evidenced that meeting net zero in operation has little to no cost implications from the proposed Future Homes Standard. Below the CaPU team at ECC has carried out page specific preliminary commentary on the Energy Statement as submitted within Section 1, and within Section 2, included commentary on achieving low carbon development for the site with recommendations.

Section 1: Sustainability Comments on the submitted Energy Statement

- Pg 5 1. 8 - Meeting the building regulations is not in line with the net zero operational policy position recommendation or Chelmsford's draft Policy DM31:Net Zero Carbon Development (in operation). Therefore it is suggested that there is a review of the design strategy to ensure the development goes further to limit impact on the climate.
- Pg 7 2.3 - It is recommended that within the Energy Statement, more detailed information is submitted to understand how Chelmsford City Council – Climate Emergency Action Plan is to be followed. This includes more detail how renewable energy will be definitively integrated into the development, as well as how the development will incorporate sustainable design features in order to reduce carbon dioxide and no2 emissions and the use of natural resources.
- Pg 9 2.12 - Note that in November 2023 a net zero in operation policy position was published for Greater Essex
- Pg 9 2.18 - building regulations are the minimum. To achieve low carbon standard, we would expect a commitment to exceeding this not only 'where possible'.
- Pg 9 2.19 - Beyond consideration, intention should be set out for design optimization consideration of orientation, layout and solar gains.

- Pg 13 4.2-4.5 - It should be more explicitly outlined how a fabric first approach is achieved and fabric standards and airtightness targets should be in line with low carbon net zero recommendations.
- Pg 18 5.9 -Further to previous comments on this energy statement, please outline what heating methodologies is being proposed for the site. Please commit to Energy Use Intensity (EUI) and Space Heating Demand (SHD) targets - further information can be found on this in section 2 of this response. Achieving a fabric first approach would require lower air tightness targets than outlines and lower u values. It is commendable that consideration has been given to low carbon heating and renewable energy but we would expect a commitment to this. We do not want to create new houses that need to be retrofitted to bring them up to modern standards immediately after completion.
- Pg 20 7.12 - A calculation demonstrating the intended specification to achieve below 100 litres per person per day would be welcomed. Please ensure the predicted of 98.4 l/p/d is a commitment that will be achieved.
- Pg 21 7.13-7.14 - Please state how much EV charging will be provided on site.
- Pg 22 8.4 - From this Energy Statement, it is not clear how the intention for a fabric first approach that considers passive solar gains, low form factors, orientation of built fabric and glazing ratios specified, is going to be achieved in practise. The airtightness and u values outlined within this document would not be considered fabric first and the EUI and SHD targets outlined in the Essex net zero policy position and Chelmsford's Draft Policy DM31 should be used to develop a fabric first approach at this site. Given this is a full application, we would expect to see detailed calculations demonstrating how a fabric first approach would be achieved and meeting targets.
- Pg 22 8.6 - Please bear in mind Part L is only legislative minimum.
- Pg 22 8.8 - Please outline, beyond considerations, how the circular economy principles will be achieved on site.
- Pg 22 8.9 l- t is excellent to see the water consumption 98.4 litres per person per day could be achieved. Again, please commit to this figure.
- General Comment - There is no commitment within the statement to a fossil fuel site. This is something we would expect to see fundamentally committed to maintain a low carbon site wide strategy.

Section 2: Supporting Comments

Essex Net Zero in Operation Policy Position

ECC is committed to achieving net zero standards for all new developments by 2025, as per ECAC targets; thus, serious steps must be taken now to achieve that goal for every new development. The Essex Net Zero evidence base demonstrates Net Zero in Operation development in Essex is technically feasible, financially viable and legally justified. The Essex Net Zero Evidence base which instructs the Planning Policy Position for Net Zero in Operation Policy can be found here. The evidence base is available on the Essex Design Guide Website ¹ Net Zero Evidence. To complement this evidence, practical design advice is provided (and is continuing to be built up) on the Essex Design Guide which focuses on how to design developments (of all scales and types) to meet the net zero carbon and energy standards, mitigate potential overheating risk and to address other interrelated sustainability issues.

Embodied Carbon and Sustainable Building Materials

Embodied carbon recommendations within the Essex Net Zero Policy Document should be followed - this is Policy NZ2 which introduces a requirement to assess embodied carbon emissions for all new build developments (residential and non-residential). The assessment and reporting of embodied carbon for the purposes of compliance with Policy NZ2 should follow a nationally recognised methodology. In the absence

of an approved UK national methodology, the RICS Professional Statement on Whole Life Carbon Assessment (WLC) is the accepted industry methodology for WLC assessments and should be used for demonstrating policy compliance. Further guidance and software tools have also been developed, such as One Click LCA.

Total embodied carbon emissions are the greenhouse gas emissions resulting from the materials and construction processes through the whole life cycle of a building, including the demolition and disposal (RIBA stages A 1-5, B1-5 and C1-4). Upfront embodied emissions are the portion of total emissions associated with the Building Life Cycle stages A1 – A5 and include the following elements: substructure, superstructure, façade and roof, Mechanical Electrical & Plumbing (MEP) & internal finishes.

At full planning stage, ECC would expect to see embodied carbon targets set out for the development and evidence provided how the targets are to be achieved. It is imperative that embodied carbon for the development should be calculated and reduced to the lowest possible value for all aspects of the proposal. ECC recommends that the targets set out in policy NZ2 are adopted for the development going forward. Within the next few months, ECC will be publishing an embodied carbon evidence based specific to Essex which may be referred to for the design of this development. Within an assessment of the embodied carbon of a development's proposal, presumption against demolition should be strived for as the most sustainable and least impactful to the climate is a building that already exists.

As a guide for a project of the scale of the proposals, suitable targets for the embodied carbon would be: 'Upfront' embodied carbon emissions; Residential: <500kgCO₂/m² Non-Residential: <600kg CO₂/m² and Total embodied carbon Residential: <800kg CO₂/m² Non-Residential: <970kg CO₂/m²

As a result of the updating of Embodied Carbon evidence for Essex, these targets are subject to change. ECC would welcome commitment to circular economy principles and sustainable supply chain approaches. It would be suitable to include an options study to identify key areas where circular economy principles can be adopted on the development. The key commitments to flexible/adaptable/replaceable systems, local material sourcing, avoiding composite material and non deconstructable fixings; and specifying recycled, reused, or secondary content are significant for reducing the whole life carbon of the development and should be strongly adhered to throughout the design stage. We welcome an outline energy strategy to achieve a fabric first approach with possible low carbon heating systems and renewable technology although it should be expressed more clearly on how or if this will be achieved.

When designing a net zero building, electricity demand should be driven down within the design of the built fabric as far as possible and through the installation of energy efficient technology. The Fabric First approach is welcomed as a critical element to achieving low energy usage design in operation. The proposed construction specification for building elements and their performance should be lower, and there are definitive improvements in certain areas which would drastically improve the performance of the properties such as lowering u value targets, lowering airtightness target and demonstrating form factor and orientation have been optimised for best passive solar design. Please see below table for desired performance values, in line with the Net Zero policy study as part of the Net Zero Evidence base. The values demonstrate feasible values that would see strong performance in operation, reducing the energy and heating demand. Please specifically note air permeability and External wall performances.

The construction specification of all the built fabric in general will include high levels of insulation in the ground floor, external walls and roof spaces, lessening heat loss from the building envelope and lower the

energy requirement of the built fabric proposed of the Great Leighs 7C development. The fabric efficiency of the proposed buildings will need to be designed to reduce heat demand and energy needs in line with the policy requirements defined within Essex Net Zero Policy Position, with high levels of insulation and low air permeability. We believe that significant performance gains can be made through increasing the airtightness to $8\text{m}^3/\text{h}/\text{m}^2$ instead of the proposed $4\text{m}-5\text{m}^3/\text{h}/\text{m}^2$ at 50Pa. Design of the building fabric to perform in such a way would reduce energy and heat demand, however additional consideration must be taken in relation to ventilation, with MVHR an energy efficient way to ensure sufficient ventilation occurs. ECC notes the willingness to demonstrate passive design in the arrangement of the site and optimise the benefits of passive solar gain. The prioritisation of solar shading to southern facades is welcomed. Guidance presented within the Essex Solar Design Guide should be referred to balance the optimisation of orientation for PV, alongside solar gain and shading for overheating principles. The strategy for assessment of the air tightness performance should be further expanded. Significant performance gap issues can be minimised when air tightness is tested once the initial structure is made airtight, and furthermore once all finishes have been applied. The performance of the properties should meet the required standard at the initial testing stage, with relevant mediation work undertaken to rectify any underperforming air tightness barriers.

Energy

Although we welcome the proposed fabric first approach and potential inclusion of renewable energy technologies onsite, the development proposals must be more ambitious in order to be considered as achieving sustainability by reducing the carbon footprint of the development to align with ECC, the national target of net zero, and the environmental objective of moving to a low carbon economy. For the UK to meet its legally binding target of net zero by 2050 (as required by the Climate Change Act 2008), new developments must be truly net zero in terms of carbon and energy emissions. A commitment to fully fossil fuel free development is essential and for Air Source Heat Pumps to be installed for each dwelling - this would be a significant choice in ensuring high efficiency low carbon heating. The best metric to measure the amount of energy a building will use is Energy Use Intensity (EUI), the EUI of a building covers all energy uses (regulated and unregulated): space heating, domestic hot water, ventilation, lighting, cooking and plug-in loads e.g., appliances, computers etc. Electricity used for electric vehicle charging is excluded from the calculation. Whether the energy is sourced from the electricity grid or from onsite renewables does not affect the calculation. Energy Use Intensity in all buildings of major development proposals should be demonstrated using predictive energy modelling such as Passivhaus Planning Package (PHPP) or CIBSE TM54.

ECC would welcome additional calculation of space heating demand expressed in $\text{kWh}/\text{m}^2/\text{yr}$. Alongside this, calculations for Energy use intensity (EUI) of a building covering all energy uses (regulated and unregulated): space heating, domestic hot water, ventilation, lighting, cooking and appliances should be carried out and expressed in $\text{kWh}/\text{m}^2/\text{yr}$.

Strides must be taken to ensure dwellings include design features to minimise overheating risk, improve thermal comfort and increase energy efficiency. These include passive design features (for example glazing design, cross ventilation, and installation of mechanical ventilation). We recommend that at Design Stage, a detailed overheating assessment is carried out to show compliance with Approved Document O: Overheating (2021). We recommend that considerations for form, orientation for daylighting and shading in relation to solar gains is optimised and balanced with solar PV gains to ensure an optimal solution for all

dwellings on the development is achieved. Please review and consider the recommendations for shading applications made within the new design guide on shading for housing carried out by industry experts. Solar PV systems are feasible in most orientation with present technology, and therefore the Design guide should be reviewed by the applicant and then outlined specifically how the renewable technology will be applied on this development. We would expect to see calculations for the predicted generation potential of the solar PV given this is a detailed application. Calculations should be undertaken and compared to the predicted annual energy usage for each property to demonstrate that the energy generation can meet the demand for each dwelling. Where there is a gap in the capacity for generation against predicted usage, the applicant should consider energy generation elsewhere on the site to achieve a net zero in operation energy balance. This would provide significant financial savings for the occupants and reduce capacity requirements on the grid. To make a building net zero, the intended energy use intensity of building must then be balanced out by renewable energy production of energy on site. There may be circumstances where it is not technically possible to match on-site renewable energy generation with annual average energy demand EUI. An offsetting mechanism is therefore provided to enable these developments achieve compliance with the policy linked above. The offset contribution will be used to fund additional renewable energy capacity elsewhere in the plan area or County. The aim is to make up for the shortfall in renewable energy that cannot be generated on-site. The offset mechanism is purposely limited in role and scope and is only intended for use as a last resort.

Water Efficiency

Water efficiency is a vital element for built fabric design in Essex. It is worth noting Essex is already classified as a seriously water-stressed area. Our water companies predict that by 2050 we will only have 66% of the water we need available. All Local Plans in Essex require 110 litres per person per day (l/p/d) in new development, however the recently published DEFRA Plan for Water has considered mandating 100l/p/d in seriously water stressed areas, such as Essex in the future. Efforts in design to reduce the water usage is hugely welcomed and should be commended to be striving to a target below 100l/p/d. This will make excellent strides in reducing overall demand of water in the Chelmsford area. It would be great to see commitment to this current calculation and ensure this is what is achieved on site. If we do not take action to use less water and create more sources of water supply, supply shortages and restrictions will become a reality. These will prevent new homes being built, new businesses being set up in Essex, and reduce the amount of food that can be grown here.

Further Climate Change Mitigation and Adaption Points

The applicant should instruct as part of the requirements for the development that a Construction Environmental Management Plan (CEMP) be developed to identify, communicate, and monitor environmental management during construction activities. All contractors, including supply chain subcontractors, must be required to adhere to strict waste minimisation and management processes. A Construction Phase Waste Management Plan should be developed alongside the CEMP to minimise waste during on site processes. For a development of this size, early connection to grid is crucial, to avoid unnecessary emissions caused by use of fossil fuels to power site amenities. For the Net Zero Carbon Development (in operation) policy to be effective, it is important that new buildings deliver their intended performance. Using predictive energy modelling, such as Passivhaus Planning Package or the Chartered Institution of Building Services Engineers (CIBSE) TM54 (which is a requirement for major applications), will help improve accuracy of energy performance assessments and reduce the potential gap between the design and actual in-use energy. Also, excellent detailed design needs to be matched by high quality

construction and commissioning in order for the 'energy performance gap' to be minimised. The information must be submitted at completion stage of a development (prior to occupation) to demonstrate to the satisfaction of the LPA that the building / development has been built to the approved. At Full Planning Stage, we would expect to see it stated which modelling tool would be used evidence of how the property designs are meeting low carbon energy targets.

Post Occupancy Evaluation

Reducing the performance gap for high performance new dwellings is key to meeting net zero targets. For residential development proposals of 100 dwellings or more, the Greater Essex Net zero policy position, and Chelmsford's draft policy DM31 requires in-use energy monitoring to be undertaken. The information must be evaluated to understand how buildings are performing, minimise the performance gap, and to aid the learning, innovation and skills development in the design and construction industry.

Additional

The Climate and Planning Unit welcome amendments and/or submission of further information for ECC to review in line with recommendations outlined. CaPU would also welcome engagement with the developer (chargeable) – please see the below link for details: <https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/planning-advice-and-guidance/climate-and> The recommendations provided in this response are aligned with the findings of the studies carried out a part of ECCs Net Zero Evidence base which instructs the proposed Net Zero in Operation Policy. The evidence base is available on the Essex Design Guide Website | Net Zero Evidence webpage. For a summary of key climate change related design influences, please see the following link: <https://www.essexdesignguide.co.uk/climate-change/> For Greater Essex Net zero Policy Position in Operation, please see the following link: Essex Net Zero Policy | Essex Design Guide For the findings of the key policy study for Net Zero in Operation, please see the following link: <https://www.essexdesignguide.co.uk/climate-change/essex-net-zero-policy-study/> Please see Appendix 3 for CaPU informatives.

Green Infrastructure

Having reviewed the Landscape Strategy, Ecological Impact Assessment, Biodiversity Gain Plans, Design and Access Statement, Planning Statement and the associated documents which accompanied the planning application, we do not object to the granting of 24/00695/FUL based on the following:

As part of the Masterplan Framework one of the key components is the creation of a comprehensive network of open space that is integrated into the wider green infrastructure network. The ECC GI Team welcomes that existing vegetation is retained as part of the design and that the multifunctional open space wraps around majority of the site, demonstrating the potential connectivity to the other sites within the Masterplan Framework. However, it is unclear from the Landscape Strategy and the Design and Access Statement on what is being proposed for the land to the northeast of the site, where a number of house gardens adjoin to potential open field/scrub land. From the plans it shows that the field boundary will be maintained and enhanced with new tree and thicket planting, but no details are provided whether this will be retained as a field/scrub land. The Biodiversity Gain Plan recommends enhancement measures that will deliver net gains of 1.81 habitat Units (+15.43%) and 3.13 hedgerow units (61.84%) compared to baseline. The Biodiversity Gain Plan also states that a Construction Environmental

Management Plan (CEMP): Biodiversity and a Habitat Management and Monitoring Plan will be produced. The ECC GI Team supports these recommendations for these to be included as a planning condition.

The proposed landscaping and ecological enhancements set out in Landscape Strategy, Biodiversity Gain Planning Plan, Design and Assess Statement and Ecological Impact Assessment will add biodiversity value to the site and landscape improvements. It is recommended that these are secured through suitably worded condition. If minded to approve we would recommend the following conditions.

Condition 1

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a Construction Environmental Management Plan (CEMP). Ideally, strategic elements of the GI framework are brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a CEMP will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g., SSSI's etc.) will be protected during construction.

Reason: The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work.

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No development shall take place until there has been submitted to and approved, in writing, by SuDS and landscape specialists at the Local Planning Authority a Landscape Ecological Management and Maintenance Plan (LEMP) and work schedule for a minimum of 10 years.

Details should include who is responsible for GI assets (including any surface water drainage system) and the maintenance activities/frequencies. Details of planting plans and the timescale for the implementation of each aspect of Green Infrastructure within that phase of development.

We would also expect details on how management company services for the maintenance of GI assets and green spaces shall be funded and managed for the lifetime of the development to be included.

Reason: To ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of the GI assets.

Failure to provide the above required information before commencement of works may result in reducing the value of the development, becoming an undesirable place to live that may increase the impacts from climate change, such as flood risk or air pollution from the site.

Condition 3

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

Reason: To ensure the GI are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure the high-quality and multi-functional benefits of GI assets.

Condition 4

Planning applications subject to mandatory BNG shall require a Habitat Management and Monitoring Plan to be submitted to and approved in writing by the local planning authority. To ensure that the net gain in biodiversity agreed upon in the Biodiversity Gain Plan/ Assessment shall be implemented in full within a 30-year period. The Biodiversity Net Gain Management and Maintenance Plan shall include 30-year objectives,

management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. The Biodiversity Net Gain Management and Maintenance Plan should cover:

- Details of the management and maintenance operations, actions and work schedule for years 1 – 5 and with broader management aims for the lifetime of the BNG commitment of 30 years.
- Proposals for monitoring needed to measure the effectiveness of management, including methods, frequency and timing.
- Details of the roles and responsibilities for implementation and monitoring, as well as the legal, financial, and other resource requirements for BNG delivery, are secured.
- Including setting out the reporting procedures and options for remedial works and adaptive management to account for necessary changes in work schedule to achieve the required targets if needed.

Reason: In order to ensure measurable net gains are being delivered and effectively maintained and in accordance with LPA's BNG Policy, allowing the LPA to discharge its duties under the NPPF (2023).

Other Considerations

Play and Natural Play

ECCs GI team supports the consideration of natural play. For this, we would expect play strategies to be formed by the character and function of the green spaces. It should be imaginatively designed using landforms, level changes and water, as well as natural materials such as logs or boulders, which create an attractive setting for play. The Landscape Strategy shows that the LEAP will be provided within the southwest open space, and it is recommended to consider other alternative locations for play to provide access to those dwellings in the east, such as play on the way facilities/ trails.

Sustainable Design

ECCs GI team support a strategy that seeks to maximise opportunity for habitat retention. To ensure the integration of nature into development, ECCs GI team recommends sustainable design is explored. ECCs GI team recommends consideration of the following: -

- Wildlife Bricks: The provision of wildlife bricks creates habitats for invertebrates.
- Dual furniture/seating (i.e., a bench including a planter): The design of the furniture and bin stores can contribute to the landscape character, reduce clutter of an area or street and act as a green corridor/link to the wider landscape scale GI network.
- Log piles – for invertebrates.
- Bird and bat boxes.
- Planting of night scented and pollinator plants to attract bats and invertebrates.

Grassland Alternatives [from Monoculture/Single seed Grass]

It is mentioned in the Biodiversity Gain Plan that mixed seed grasslands will be used, which is good, and that there will be meadow grasslands in parts of the Landscape Strategy. ECCs GI team support an approach to landscaping that seeks to maximise opportunity for biodiversity enhancement, carbon sequestration, drought resistance, and ease of maintenance and management. To ensure the integration of nature and other multifunctional benefits, ECCs GI team recommends alternatives to low quality, monoculture grasses are explored. ECCs GI team recommends consideration of the following, depending on variables like sunlight and soil type.: -

- Grassland: Consideration of species rich grassland within developments can encourage biodiversity by providing habitat, it is low maintenance as it requires less mowing, and also provides a carbon sink. For more information see Grassland | The Wildlife Trusts.

- **Wildflower Meadow's:** Meadows can look spectacular and attract a variety of pollinators to enhance biodiversity of an area. A mixture of wildflower species is recommended and there are many Native British species to consider. For example, the Primrose (*Primula vulgaris*). Meadows can also be both small and large scale. For more information see: <https://www.rhs.org.uk/lawns/wildflower-meadow-establishment>
- **Orchards, Food Forests and Allotments:** Including an orchard, Food Forest and/or an allotment within a development site can have wide-reaching benefits for the community, for social and mental well-being, provide education, and produce seasonal and local produce. There are also benefits for biodiversity and the climate.
- **Lawns:** Encouraging residents to keep their lawns longer, especially in the spring can increase the biodiversity within the development. Schemes such as 'no-mow-May' provide an example into the impact 'wild' lawns can have on the biodiversity in a local area.
- **Pervious/Permeable driveways and surfaces:** It allows rainwater to infiltrate through into underlying layer where it is temporarily stored and fills gaps of exposed turf between plants.
- **Wetland and water features:** Areas of marsh, fen, peatland, or water—whether they are created naturally or artificially, permanent or temporary, with still or flowing water that is fresh, brackish, or salt—are referred to as wetlands. Constructed wetlands are specially created landscape elements that are installed in order to treat contaminated water, lower the risk of flooding, increase biodiversity, and provide amenity spaces. They do this by utilising naturally occurring physical, ecological, and chemical processes.
- **Xeriscaping:** Landscaping with minimal use of water and climate resilient planting.

Country Parks

Given the close proximity of the application site to the Great Notley Country Park, it should be considered if there will be any impact on the Country Park through potential increased visitor numbers and what mitigation measures/improvements may be required.

Urban Greening Factor

The Urban Greening Factor (UGF) is a planning tool to improve the provision of Green Infrastructure (GI) particularly in urban areas. While it is voluntary, it can be used to significantly contribute to place making, nature recovery, biodiversity enhancement, and connectivity to larger green infrastructure networks within proximity to the development site. More information can be found within the National Green Infrastructure Framework Standards (2023).

Broadband Connectivity

- In line with the objectives stated in the Government's Future Telecoms Infrastructure Review 2018, all new developments should include provision of future proofed internet access, ideally Fibre to the Premises.
- Where this is possible, provision of fully operational 5G mobile connectivity may also be accepted as appropriate broadband coverage, if arrangements are made for all premises in the development to access this at affordable prices, comparable to a fixed-line fibre broadband service, and this access is fully available at the time of completion of the build. Plans for such an approach should be submitted for review by the Planning Authority.
- Developers are expected to proactively contact a telecommunications network operator of their choice to plan for internet connectivity installation as part of the build process. Developers are expected to provide details of their plans to install internet connectivity as part of their planning applications.
- Any new housing development over 30 homes is likely to be provided with full fibre internet access (FTTP) free of charge by the large network operators. For smaller developments the network operators may

request a contribution to the build cost. Openreach and Virgin Media have New Sites teams where developments can be registered.

- Other network operators are available and developers can work with them, but confirmation must be provided that fibre connections installed by alternative operators will be fully connected to the internet by appropriate backhaul links and broadband services will be available for customers to subscribe to at the time the development is complete.
- Where smaller in-fill type developments are built in areas within existing part-copper fibre-to-the cabinet (FTTC) coverage, developers are expected to work with the network operators, either to seek installation of full-fibre connections or to ensure that sufficient FTTC capacity to supply the new premises is made available when properties are completed.
- Developers should be aware that in Essex, alternative network operator Gigaclear plc has a significant full-fibre network deployment in the Epping Forest, Uttlesford, Braintree and north Colchester areas. Gigaclear is likely to be keen to extend its own FTTP network to new housing, or business parks.

ECC Infrastructure Delivery Team

Comments

21.02.2025

Early Years & Childcare and Education

The planning application proposes 105 residential dwellings:

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

With reference to the details above, a development of this size can be expected to generate the need for up to 8.46 Early Years and Childcare (EY&C) places; 28.2 Primary School places, and 18.8 Secondary School places. Please note that any developer contribution figures referred to in this letter are calculations only, and that final payments will be formula based and based on the final dwelling unit mix and the inclusion of indexation.

Early Years and Childcare

The proposed development is located within the Boreham and the Leighs ward and will create the need for an additional 8.46 places. According to Essex County Council's latest childcare sufficiency data, there are providers of early years and childcare in the area. This includes 3 childminders, 3 pre-schools and 1 day nursery. There is also 1 independent school which offers a nursery class, however this no longer offers funded places. A total of 18 places now exist. During the last year, we have also seen a new preschool open – although we do not currently have data regarding take up of places (due Summer term 2025)

As can be seen, the introduction of the childcare reforms, from April 2024, which has seen the age of eligibility for the funded early education entitlement for working families lower to 15 hours for children aged over 9 months (extending to 30 hours in September 2025), has also led to a significant demand for early years places, with some early years settings holding waiting lists for places. It is therefore likely that the ward would not be able to meet the additional demand created by this development when all funding entitlements have been increased to 30 hours. It is thereby proposed that a contribution towards the

creation of 8.46 new places is requested. Childcare sufficiency data is updated each year, so please note that any subsequent enquiries may receive a different response.

A developer contribution of £164,336 index linked to Q1- 2023, is sought to mitigate its impact on local Early Years & Childcare provision. This equates to £19,425 per place.

Primary Education

The demand generated by this development would require a contribution towards the creation of new school provision. A developer contribution of £654,014 index linked to Q1- 2023, is sought to mitigate its impact on local Primary School provision. This equates to £23,192 per place.

A contribution is also required towards the cost of the Primary Education Land which is been provided at site '7a' which is part of the wider Great Leighs strategic site area as allocated in Chelmsford City Council's adopted Local Plan (2020). ECC would seek to secure a contribution towards the education land which commensurate with the proportion of pupils that this application would yield in relation to the whole education site (420 pupils). The contribution required toward the primary school land at site 7a would be at a rate that commensurate with the allocated education use value. The exact contribution can be put forward at drafting of any S106 agreement.

Secondary Education

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £502,280 index linked to Q1-2023, is sought to mitigate its impact on local Secondary School provision. This equates to £26,717 per place.

School Transport

The Education Act 1996, as amended by Part 6 of the Education and Inspections Act 2006, places a duty on Local Authorities to make suitable travel arrangements free of charge for eligible children as they consider necessary to facilitate their attendance at school. Walking distance is defined by S 444(5) of the Education Act 2006 at two miles for those aged under 8 and three miles for those who have attained the age of eight years. These distances are measured by the shortest available walking route. An 'available route' is one which a child, accompanied as necessary, may walk with reasonable safety to school. In excess of these distances ECC has to fund 'free' school transport. Where development is proposed in locations that may require ECC to provide school transport, developer contributions are sought to fund provision. Having reviewed the proximity of the site to the nearest Secondary School, the distance is in excess of the statutory walking distance, therefore, Essex County Council will be seeking a School Transport contribution toward Secondary School Transport. The cost of providing this is £111,803.60 Index Linked to 2Q 2023. For reference the current calculation for secondary school transport is: For reference the current calculation for secondary school transport is: No of children x 190 (school days/yr) x 5 (secondary school years) x £6.26 In terms of primary school provision, the proximity of the site to the nearest Primary school means that a School Transport contribution is not required. However, when pupils from the site attend the new primary school proposed for site 7A, it should be ensured that safe and direct walking and cycling routes have been established to primary school provision. Where appropriate, engagement with Essex Highways is advised to ensure this is achieved. All sites will be suitably assessed in accordance with the current climate and national and local drive to provide more sustainable modes of travel and to meet the initiative towards active travel provision.

Special Educational Needs & Disabilities (SEND)

ECC has a statutory responsibility to plan for and deliver facilities appropriate for children and young people with SEND. The development will generate a need for some pupils who have SEND provision requirements. Whilst the threshold for SEND requirements is 1000 dwellings, this site is part of a wider Masterplan area which may exceed 1000 homes. As per the Essex Developer's Guide, 2023 (p15), ECC may request contributions below set thresholds where it is deemed that thresholds could be met on the basis of cumulative delivery across multiple sites.

It has been calculated that there may be 0.73 pupils that may have SEND requirements from 105 dwellings.

A SEND cost per place is equivalent to £110,142 per place.

Based on 0.73 pupils at £110,142 = £80,403.66 PUBSEC index linked from January 2023. Libraries ECC may seek contributions to support the expansion of the Library Service to meet customer needs generated by residential developments of 20+ homes.

The Library Service is increasingly become a shared gateway for other services such as for accessing digital information and communications. The suggested population increase brought about by the proposed development is expected to create additional usage of the nearest library. A developer contribution of £8,169 (indexed April 2020) is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

Monitoring Fees

In order to secure the delivery of the various infrastructure improvements and to meet the needs arising from development growth, ECC needs to monitor Section 106 planning obligations to ensure they are fully complied with on all matters. ECC has a resultant obligation to ensure the money is received and spent on those projects addressing the needs for which it was sought and secured. To carry out this work, ECC employs a staff resource and charges an administration/monitoring fee towards funding this requirement. The latest Developer's Guide charges a Monitoring Fee at a rate of £700 per obligation (financial and otherwise). On large developments the Monitoring Fee will be calculated using a bespoke approach.

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

If sufficient contributions are not secured on behalf of ECC, then there is risk that the right infrastructure will not be delivered in the right place and at the right time to meet the needs of our residents. This can impact on the inclusivity and sustainability of the proposed development and the wellbeing of residents if they are unable to access appropriate local services and facilities when needed.

13.06.2024

Early Years & Childcare and Education

ECC is the Lead Local Education Authority (including Early Years & Child Care, primary, secondary, Special Education Needs, and Post 16 Education) for where this site is proposed. Under the Childcare Act 2006, Essex County Council (ECC) must ensure that there is sufficient high quality and accessible early years and childcare places within the local area. Furthermore, Under Section 14 of the 1996 Education Act, ECC has a statutory responsibility to secure sufficient school places to serve their area. The available schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of an appropriate education. In understanding S106 infrastructure contributions required from this development, the Essex

Developers Guide to Infrastructure Contributions (2023) is referred to. The planning application proposes 115 residential dwellings consisting of 4 x 1bed flats /maisonettes (exempt), 71 x 2 or 2+bed flats, 5 x 1bed houses and 35 x 2 or 2+bed houses. When estimating the number of children that a new housing development will generate, and that will require a school place (yield), ECC takes account of the number of houses and flats that are suitable to accommodate children. One-bedroom units and some dwellings, such as student and elderly accommodation, are excluded from the education calculation. With reference to the details above, a development of this size can be expected to generate the need for up to 6.35 Early Years and Childcare (EY&C) places; 21.15 Primary School places, and 14.10 Secondary School places.

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

Early Years and Childcare

The proposed development is located within the Boreham and the Leighs ward and will create the need for an additional 6.35 places. According to Essex County Council's latest childcare sufficiency data, there are 8 providers of early years and childcare in the area. This includes 3 childminders, 2 pre-schools, 2 day nurseries and 1 independent school which offers a nursery class. Although the data from 2023 showed that the ward had 32 vacancies, we are currently undertaking the childcare sufficiency return for 2024 which is beginning to show a significant reduction in places in this ward. In addition, the recent introduction of the childcare reforms, which has lowered the age of entitlement for working families to 2 years (lowering again to 9 months + in September 2024), has also led to a significant demand for early years places, with some settings holding waiting lists for places. It is therefore likely that the ward would not be able to meet the additional demand created by this development. It is thereby proposed that a contribution towards the creation of 6.35 new places is requested. A developer contribution of £123,252 index linked to Q1- 2023, is sought to mitigate its impact on local Early Years & Childcare provision. This equates to £19,425 per place.

Primary Education

The demand generated by this development would require a contribution towards the creation of new school provision. A developer contribution of £480,511 index linked to Q1- 2023, is sought to mitigate its impact on local Primary School provision. This equates to £23,192 per place. A contribution is also required towards the cost of the Primary Education Land which is been provided at site '7a' which is part of the wider Great Leighs strategic site area as allocated in Chelmsford City Council's adopted Local Plan (2020). ECC would seek to secure a contribution towards the education land which commensurate with the proportion of pupils that this application would yield in relation to the whole education site (420 pupils). The contribution required toward the primary school land at site 7a would be at a rate that commensurate with the allocated education use value (circa £100k per hectare based on previous agreements). The exact contribution can be put forward at drafting of any S106 agreement.

Secondary Education

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £376,710 index linked to Q1-2023, is sought to mitigate its impact on local Secondary School provision. This equates to £26,717 per place.

School Transport

The Education Act 1996, as amended by Part 6 of the Education and Inspections Act 2006, places a duty on Local Authorities to make suitable travel arrangements free of charge for eligible children as they consider necessary to facilitate their attendance at school. Walking distance is defined by S 444(5) of the Education Act 2006 at two miles for those aged under 8 and three miles for those who have attained the age of eight years. These distances are measured by the shortest available walking route. An 'available route' is one which a child, accompanied as necessary, may walk with reasonable safety to school. In excess of these distances ECC has to fund 'free' school transport. Where development is proposed in locations that may require ECC to provide school transport, developer contributions are sought to fund provision. Having reviewed the proximity of the site to the nearest Secondary School, the distance is in excess of the statutory walking distance, therefore, Essex County Council will be seeking a School Transport contribution toward Secondary School Transport. The cost of providing this is £83,852.70 Index Linked to 2Q 2023. For reference the current calculation for secondary school transport is: No of children x 190 (school days/yr) x 5 (secondary school years) x £6.26 In terms of primary school provision, the proximity of the site to the nearest Primary school means that a School Transport contribution is not required. However, when pupils from the site attend the new primary school proposed for site 7A, it should be ensured that safe and direct walking and cycling routes have been established to primary school provision. Where appropriate, engagement with Essex Highways is advised to ensure this is achieved. All sites will be suitably assessed in accordance with the current climate and national and local drive to provide more sustainable modes of travel and to meet the initiative towards active travel provision.

Special Educational Needs & Disabilities (SEND)

ECC has a statutory responsibility to plan for and deliver facilities appropriate for children and young people with SEND. The development will generate a need for some pupils who have SEND provision requirements. Whilst the threshold for SEND requirements is 1000 dwellings, this site is part of a wider Masterplan area which may exceed 1000 homes. As per the Essex Developer's Guide, 2023 (p15), ECC may request contributions below set thresholds where it is deemed that thresholds could be met on the basis of cumulative delivery across multiple sites. It has been calculated that there may be 0.8 pupils that may have SEND requirements from 115 dwellings. A SEND cost per place is equivalent to £110,142 per place. Based on 0.8 pupils at £110,142 = £88,113.60 PUBSEC index linked from January 2023.

Specialist Housing, Care and Independent Living

ECC, in our capacity as the Adult Social Care Authority, must ensure that the needs of vulnerable people are reflected in line with our duty under the Care Act 2014 and the wider prevention and maximising independence agendas. This includes reviewing both general needs housing, and any specialist housing provision. Therefore, as part of this proposed development, it needs to be ensured that housing and communities are accessible and inclusive over the life course and that new homes are suitable for ageing households and those with disabilities so that they can live in their homes for longer if their mobility reduces. Allowing residents to live within their homes reduces their dependency on care provision and facilitates healthier, more independent lifestyles. Suitable housing can also allow people to live closer to their informal support networks (i.e. family and friends) as their mobility declines. In section 4.7 of the Planning Statement and in the Health Impact Assessment submitted with the planning application, it is suggested that new dwellings will meet M4(2) accessible standard of the Building Regulations. We are supportive of ensuring that all dwellings at least meet M4(2) standard but would suggest that 5% of the new affordable dwellings should be built to meet M4(3), which are for wheelchair user dwellings. As described, the delivery of accessible housing is critical to ensuring our ageing population and those with

disabilities are able to live for longer in suitable homes (and thus potentially benefiting from domiciliary care) without having to move into more institutional care settings.

Libraries

ECC may seek contributions to support the expansion of the Library Service to meet customer needs generated by residential developments of 20+ homes. The Library Service is increasingly become a shared gateway for other services such as for accessing digital information and communications. The suggested population increase brought about by the proposed development is expected to create additional usage of the nearest library. A developer contribution of £8,947 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

Economic Growth & Skills

Both Central and Local Government have a crucial role to play in identifying opportunities to maximise employment, apprenticeships, and to invest in skills to realise personal and economic aspirations. ECC has a role to play in supporting Local Planning Authorities and helping to ensure that the development industry has the necessary skills to build the homes and communities the county needs. ECC supports Chelmsford City Council in securing obligations which will deliver against this crucial role in supporting employment and skills in the district. In term of Skills, there is no reference to a request for an Employment and Skills plan as part of the accompanying documents to the application. This application meets the threshold for such a plan as outlined in section 5.4 of the Essex Developer's Guide (2023) or as updated. 8

In the current economic climate and national skills shortage, ECC supports Chelmsford in requiring the developers to prepare an 'Employment and Skills Plan' (ESP). Upon submission of the Employment and Skills Plan, it is requested that ECC is also sent through any relevant documentation.

South Essex Parking Partnership

Comments

No comment

Housing Standards Team

Comments

No comment

ECC Minerals & Waste Planning

Comments

21.02.2025

Our comments in respect of the Minerals and Waste as set per ECCs consultation response dated 13th June 2024

13.06.2024

Mineral Matters

Safeguarding Mineral Resources

In a previous response sent October 2021, the MWPA stated that “The MWPA also agree that in relation to Site 7c, once a 100m buffer is applied around the residential properties, the remaining amount of sand and gravel is 1.2ha which is below the threshold upon which local resource safeguarding provisions are applied for this mineral.”, and therefore, “The 1.2ha of Site 7c which is not constrained by housing is not considered practical to prior extract so is not factored into this total area.”.

Therefore, the MWPA hold no objection and accept that is not considered practical to prior extract Site 7c.

Mineral Infrastructure Matters

With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same. The application site does not pass through a Mineral Consultation Area (MCA) and therefore, a Mineral Infrastructure Impact Assessment (MIIA) would not be required as part of a planning application on this site.

Mineral Supply Audit

The MWPA requests a Mineral Supply Audit to aid in demonstrating compliance with the notion of sustainable development, circular economy principles and the application of Policy S4 of the adopted Minerals Local Plan 2014 (MLP) which requires, inter-alia, ‘ The application of procurement policies which promote sustainable design and construction in proposed development’. The MLP further notes that ‘All developers have the potential to reduce over-ordering of construction materials and encourage more sustainable construction practices through their own procurement practices.’ A Minerals Supply Audit would feed into, or be considered alongside, a Site Waste Management Plan which accords with the MLP principle of ‘Encouraging the re-use and recycling of construction, demolition and excavation wastes on-site’ (MLP, Para 3.41) to provide a materials balance for major developments. There is currently no set scope for a Mineral Supply Audit, but the framework outlined in Appendix 2 has been submitted to the authority previously and could be modified to suit the project in question. Some approaches have included the commitment to sustainable procurement practices as well as demonstrating how recycling and re-use targets will contribute to a reduction in primary aggregate demand.

Safeguarding Waste Infrastructure

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m. The WLP can be viewed on the County Council’s website via the following link: <https://www.essex.gov.uk/minerals-waste-planning-policy/waste->

[local-plan](#) The application site does not pass through a Waste Consultation Area (WCA) and therefore, a Waste Infrastructure Impact Assessment (WIIA) is not required as part of the planning application.

Site Waste Management Plan

Paragraph 8 of the NPPF recognises the importance of “using natural resources prudently and minimising waste” to ensure the protection and enhancement of the natural environment and to achieve sustainable development. It also reiterates the need to mitigate and adapt to climate change and move towards a low carbon economy. An efficient and effective circular economy is important to achieving these objectives. Policy S4 of the Minerals Local Plan (2014) advocates reducing the use of mineral resources through reusing and recycling minerals generated as a result of development/ redevelopment. Not only does this reduce the need for mineral extraction, it also reduces the amount sent to landfill. Clause 4 specifically requires: “The maximum possible recovery of minerals from construction, demolition and excavation wastes produced at development or redevelopment sites. This will be promoted by on-site re-use/ recycling, or if not environmentally acceptable to do so, through re-use/ recycling at other nearby aggregate recycling facilities in proximity to the site.” It is vitally important that the best use is made of available resources. This is clearly set out in the NPPF and relevant development plan documents.

ECC Travel Plan Team

Comments
30.04.2025 Confirm that I have read the amended travel plan, and I am happy with the information provided.

Natural England

Comments
09.05.2025 Objection withdrawn. Following receipt of further information on 29/01/2025, and following our meeting on 06/11/2024 to discuss the proposal, Natural England is satisfied that the specific issues relating to this development that we have raised previously have been resolved. We therefore consider that the identified impacts on international and nationally designated sites can be appropriately mitigated with measures secured via planning conditions or obligations as advised and withdraw our objection. A lack of or a withdrawal of an objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted. Further advice Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant (see report entitled Designated Sites Assessment Great Leighs Strategic Growth Sites, SES, December 2024). As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. Once you have reviewed the Applicant's HRA, you should either confirm to Natural England that you are satisfied with it and that the Council will adopt it or you should provide your own HRA and consult Natural

England if appropriate (see guidance on when to consult the Statutory Nature Conservation Body- Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)). We advise that the mitigation measures to protect Blackwater Estuary SPA/Ramsar site (part of Essex Estuaries SAC) and River Ter SSSI which have been identified in the Designated Sites Assessment and summarised in Table 8, should be secured by the grant of permission. Should the proposal change, please consult us again. Please send any further correspondence to consultations@naturalengland.org.uk.

11.02.2025

Objection withdrawn

Following receipt of further information on 29/01/2025, and following our meeting on 06/11/2024 to discuss the proposal, Natural England is satisfied that the specific issues relating to this development that we have raised previously have been resolved. We therefore consider that the identified impacts on international and nationally designated sites can be appropriately mitigated with measures secured via planning conditions or obligations as advised and withdraw our objection. A lack of or a withdrawal of an objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Further advice

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant (see report entitled Designated Sites Assessment Great Leighs Strategic Growth Sites, SES, December 2024). As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. Once you have reviewed the Applicant's HRA, you should either confirm to Natural England that you are satisfied with it and that the Council will adopt it or you should provide your own HRA and consult Natural England if appropriate (see guidance on when to consult the Statutory Nature Conservation Body- Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)). We advise that the mitigation measures to protect Blackwater Estuary SPA/Ramsar site (part of Essex Estuaries SAC) and River Ter SSSI which have been identified in the Designated Sites Assessment and summarised in Table 8, should be secured by the grant of permission. Should the proposal change, please consult us again.

10.06.2024 -

DESIGNATED SITES [EUROPEAN] - Further information required

The application falls within the 'zone of influence' (ZOI) for the following European designated sites, Blackwater Estuary Special Protection Area (SPA)/Ramsar and part of the Essex Estuaries Special Area of Conservation (SAC). It is anticipated that new residential development within this ZOI is likely to have a significant effect, when considered either alone or in combination, upon the qualifying features of the European Sites due to the risk of increased recreational pressure that could be caused by that development. We understand that you have undertaken a Habitats Regulations Assessment (HRA) Report wherein our advice is sought on the adequacy of the proposed mitigation. We note that the HRA Appropriate Assessment confirms agreement to pay the RAMS tariff to offset the in combination recreational effects of the development, and we are satisfied with this component of the proposed mitigation. However, after carefully reviewing the application documents, Natural England's view is that, given the scale of the proposed development, it also requires the provision of sufficient Suitable Alternative Natural Greenspace (SANG) to help alleviate recreational disturbance arising from new residents at the coastal

designated sites. It is currently unclear how the open space provision will provide a proportionate contribution towards suitable SANG.

We therefore consider that the proposed development taken alone would have an adverse effect on the integrity of European designated sites within scope of the Essex Coast RAMS and object to the proposal in its current form. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure on-site mitigation measures, including sufficient SANG provision with links to footpaths in the surrounding area. The financial contribution (as index linked) should also be secured through an appropriate and legally binding agreement, in order to ensure no adverse effect on integrity.

The Habitats Regulations Assessment (HRA) Record which has been completed by your authority makes reference to the payment of the tariff only as mitigation for impacts on internationally designated sites. We advise that developments over 100 new dwellings also require the provision of sufficient accessible greenspace of high quality to meet the needs of new residents and to provide an alternative to visiting more sensitive sites.

It is not possible to assess whether the application site (7C) would meet the expectations of our SANG guidance, i.e. 2.2ha SANG based on provision at 8ha per 1000 population (based on 115 dwellings with an average of 2.4 people per dwelling). We note that the 'Designated Sites Assessment' (SES, 2024) states that the application will provide 1.6ha of greenspace. However, clarification is required to show the specific areas that are counting towards SANG in terms of hectareage, to demonstrate how the essential criteria for the SANG guidelines are being met and also how the long-term management is secured in-perpetuity - this should be provided in the form of a SANG management plan with an accompanying map.

Please note that the 1.65ha per 1000 standard that is referenced (para 5.16 Designated Sites Assessment), refers specifically to the provision of strategic open space in the Local Plan - it does not relate to mitigation for designated sites. Mitigation requirements for international sites are separate and require a higher standard of 8ha per 1000 for larger scale development. Given that the primary aim of SANG is to provide alternative recreational opportunities for new residents, it is their needs which are of primary importance and support for delivery at a level lower than 8ha per 1000 head of population remains unevidenced. It may be that if there is an over-provision of SANG within the other sites of the strategic allocation, then this could count towards the provision in 7C. However, to assess this, we would need to see a breakdown of SANG for the other sites.

The SANG needs to be designed to include high quality, semi-natural areas, with sufficient visual screening from new development. The 2.3-2.7km circular route needs to be through semi-natural habitat of a sufficient size and quality that is attractive to a range of visitors. Please refer to the Thames Basin Heath SANG guidelines as well as the key criteria listed below.

- As a minimum, we advise that such provisions should include:
- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km (Taken from Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict - adding value. Access and greenspace design guidance for planners and developers within the site) and/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas

- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions.

The appropriate assessments of both the Council's HRA Record and the Designated Sites Assessment conclude that the proposal will not result in adverse effects on the integrity of international sites (note that the Council's HRA should include reference to the qualifying features of the Blackwater Estuary SPA/Ramsar site) with regard to increased recreational disturbance. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we cannot agree with these conclusions without further information. Natural England should continue to be consulted on all proposals where provision of site specific SANG or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANG seek pre-application advice from Natural England through its Discretionary Advice Service.

River Ter SSSI - No objection subject to securing appropriate mitigation

This application is in close proximity to the River Ter Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, in conjunction with the below mentioned mitigation, will not damage or destroy the interest features for which the above mentioned site has been notified.

Advice from Environment Agency should be sought to ensure that surface water run-off and any water-borne pollution arising during construction can be managed to prevent damage to the River Ter SSSI; we note that Sustainable Urban Drainage Strategy (SuDS) features have been designed in to the project and the production of a Construction Environmental Management Plan (CEMP) has been offered as mitigation (para 5.3, Designated Sites Assessment). The production of a CEMP should be secured by planning condition.

We note that 'capacity at Great Leighs Water Recycling Centre (WRC) is planned to be increased to support the proposed development of the Great Leighs Strategic Sites' (para 5.21, Designated Sites Assessment). This upgrade should be in place before occupation of the development in order to conclude that there will be no adverse effect on the notified features of the River Ter SSSI.

We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Biodiversity Net Gain (BNG)

Please note that mitigation and compensation for designated site impacts and/or protected species (e.g. provision of SANG) can only contribute to 'no net loss' and at least 10% of the overall BNG needs to be additional to mitigation for identified impacts. The applicant should provide more clarity on whether the BNG adheres to these additionality rules as it is currently unclear.

Soils and Agricultural Land Quality

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20ha 'best and most versatile' (BMV) agricultural land.

For this reason, we do not propose to make any detailed comments in relation to agricultural land quality and soils, although sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through appropriate site design / masterplan / Green Infrastructure. Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of soil resource information in line with the Defra guidance Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Further guidance is available in The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction which we recommend is followed in order to safeguard soil resources as part of the overall sustainability of the development. If, however, you consider the proposal has significant implications for further loss of BMV agricultural land, we would be pleased to discuss the matter further.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Essex Wildlife Trust Ltd

Comments

The world is experiencing a biodiversity emergency. In the UK alone, 40% of species are in decline, 15% are under threat of extinction, and there has been a 13% fall in the abundance of nature since 1970. As a result, it is vital that new developments contribute positively to nature's recovery and offset any unavoidable impacts.

Importance of the reserves

Essex Wildlife Trust (EWT) has identified significant concerns regarding the potential effects of Strategic Growth Site 7 on biodiversity — particularly on two of our important nature reserves:

1. Phyllis Currie Local Wildlife Site (LoWS)

A mosaic of meadow, scrub, semi-natural woodland, and lake/pond habitats, supporting a rich assemblage of flora and fauna such as rare green-winged orchids, over 15 species of dragonflies and damselflies, and 23 species of butterflies a varied and complex habitat.

2. Sandylay & Moat Woods LoWS

An irreplaceable ancient woodland habitat of hornbeam and small-leaved lime, hosting nationally rare woodland fungi (e.g., *Russula carminipes* a nationally rare species) and a rich ground flora including wood anemone, primrose, and common twayblade.

Due to its size and proximity, the development will bring increased recreational pressure and disturbance that will threaten these irreplaceable habitats and reserve infrastructure. With nearly 1,000 new homes plus a commercial development, a nursery, a school, and care home, the daily visitor footprint around these

reserves will grow, risking damage to delicate ecosystems through trampling, damaging nutrient enrichment from dog fouling, noise, light pollution, and even increased predation by domestic pets. However, by engaging in a robust, forward-thinking compensation plan, there is also a real opportunity for developers, to:

- Enhance the appeal of the development by displaying a commitment to environmental stewardship.
- Offer a valuable amenity to residents, many of whom will appreciate living near, learning about, and enjoying these special natural spaces.
- Fulfil responsibilities associated with development and demonstrate alignment with best practice in sustainable development.

Below is an outline of how we propose to mitigate the most significant impacts while actively supporting wildlife conservation and community engagement.

Proposed Mitigation

1. Education & Awareness Through Membership

To create a stronger connection between residents and their local environment, we propose that each new household in the development receive a five-year Essex Wildlife Trust membership at no additional cost to them (funded by the developer). This membership package will include:

- A personalized welcome pack, including our Places of Wonder guide to Essex reserves, wildlife gardening tips, and more.
- A letter highlighting that, thanks to the developer's care and compassion for the local environment, the household receives free membership for five years.
- An easy online activation process (via QR code to a co-branded landing page).
- Three members' magazines per year, plus newsletters about guided walks, volunteer opportunities, citizen science projects, and family-friendly events at our nature discovery centres and parks.

The net result is a well-informed and engaged community that understands how to responsibly enjoy these local reserves. This bespoke membership will cost £300 per household (i.e., £60 per year for five years). For 900 homes, this equates to £270,000 total, payable in annual increments of £54,000 over five years or secured as a one-off payment.

2. Direct Financial Compensation for Habitat Management and Protection In addition to the membership proposal, we ask for a 30-year compensation package which is aligned with in-perpetuity management and biodiversity net gain time windows. This will cover the following:

- Reserve Management: Enhanced habitat management, regular monitoring, and mitigation measures to offset inevitable wear and tear from increased visitor numbers.
- Infrastructure Improvements: Fencing, signage, paths, and other visitor management tools to reduce habitat disturbance and ensure public safety.
- Operational and Staff Costs: Additional staffing to oversee increased visitor impact, to monitor visitor impact, and engage new residents.
- Long-Term Conservation Projects: Woodland and wetland restoration, ongoing species protection (especially for waterfowl, dragonflies, bats, and orchids), and general ecological enhancements.

The detailed budget for this component is outlined in Tables 1 – 3 (appendix 2), which itemize the required capital, maintenance, and staffing costs over three decades. We have taken a conservative approach to cost estimations, noting that rising inflation and staff costs may require periodic revisions.

Positive outcomes to the Developer

By partnering with Essex Wildlife Trust on these measures, you will:

- **Demonstrate Corporate Social Responsibility (CSR):** Show prospective buyers, local authorities, and the wider community that your organization is proactively addressing biodiversity.
- **Meet Regulatory Requirements:** Satisfy or exceed current planning obligations, reducing the risk of non-compliance or delays.
- **Generate Goodwill and Public Support:** A collaborative approach to conservation fosters strong community relations and can help streamline future developments or expansions.
- **Enhance Marketability:** Homes near well-managed green spaces are highly attractive to families, retirees, and nature-lovers, boosting the overall value and desirability of the development.

Summary

We would welcome the opportunity to discuss this proposal further. Our goal is to ensure that the Strategic Growth Site 7 development not only avoids serious harm to these valuable nature reserves, but actively contributes to the preservation and recovery of wildlife in Essex. By working together, we can demonstrate how sustainable development and thriving biodiversity can go hand in hand—benefiting both businesses and the future residents who will treasure these special places for generations to come.

Environment Agency

Comments

This was screened out a mis-consultation as we couldn't see anything within our remit.

Essex and Suffolk Water

Comments

No comment

Anglian Water Services Ltd

Comments

19.05.2025

ASSETS

Section 1 - Assets Affected

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

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of

apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take the latest Q90 DWF figures, as verified by the Environment Agency and add to this, sites with planning consent. Based on the above assessment Great Leighs WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Technically Achievable Limits (TAL).

Great Leighs water recycling centre is included in our nutrient removal programme and will be designed to technically achievable limits (TAL). For the majority of WRCs in this programme this will be for phosphorous removal where TAL is 0.25mg/l. When both TAL and DWF capacity constraints are forecast at a WRC, either due to housing/non-domestic growth or infiltration into the network then alternative options will need to be considered. Some WRCs will be either too remote or not near another WRC with capacity. The impact of environmental pressures, including sites at technical achievable limits, and the approach required to enable future sustainable growth is something we will continue to discuss with the Environment Agency and key stakeholders, including local planning authorities. Where TAL impacts on the DWF headroom and our ability to accommodate future growth we may start objecting, if we are not doing so already, to planning applications in the impacted catchments."

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment 2107732-RO1F dated April 2025 21077320RO1E The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 . 2.INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3.INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

Section 4 - Surface Water Disposal

From the Flood Risk Assessment 2107732-RO1F dated April 2025 submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. Please note that Anglian Water has no surface water sewers in the area of the proposed development and we are unable to offer a surface water solution at a later stage. It is stated that the all the elements of the surface water drainage network will be managed and maintained by private management company.

As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

04.03.2025

Section 1 - Assets Affected

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

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Great Leighs Water Recycling Centre that will have available capacity for these flows. When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take the latest DWF figures, as verified by the Environment Agency and add to this, sites with planning consent. Based on the above assessment Great Leighs WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA 12/2024 21077320RO1E The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 . 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building

will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2. 4.

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

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented

23.05.2024

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Great Leighs Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take an average flow over the past 5 years to take into account changing weather patterns. Where the average exceeds the WRC's permitted allowance, we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" -

this must include non-compliance from the last annual data return. Based on the above assessment Great Leighs WRC is flow non-compliant. We are obligated to accommodate domestic flows and we will plan investment, in consultation with the Environment Agency. The responsibility for implementing enhancement to WRC to enable an amended flow permit rests entirely with Anglian Water. Our investment programme aims to ensure that the WRC flow permit is sufficient to accommodate new development within the catchment.

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA 21-7732-RO1-C-APR 24 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets – A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Comments
<p>23.04.2025</p> <p>The application has been considered and I draw your attention to the following comments:</p> <p>Access</p> <p>Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable subject to satisfactory compliance with Building Regulations B5. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p> <p>Building Regulations</p> <p>It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with The Building (Registered Building Control Approvers etc.) (England) Regs 2024.</p> <p>Water Supplies</p> <p>The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 576000.</p> <p>Sprinkler Systems</p> <p>There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.</p> <p>Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.</p> <p>11.02.2025</p> <p>The application has been considered, and I draw your attention to the following comments:</p> <p>Access</p> <p>Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13. Access for Fire Service is considered satisfactory subject to fire brigade access and water supplies for fire fighting being fully compliant with Building Regulations Approved Document B, B5. Your attention is drawn to ADB Volume 1, B5 Section 13. When referring to ADB Volume 1 Table 13.1, please refer to note 1, (Referring to not all fire appliances are standardised).</p> <p>Essex Fire Service Appliance details:</p>

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage. Building Regulations It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with The Building (Registered Building Control Approvers Etc.) (England) Regs 2024.

Water Supplies

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 576000.

Sprinkler Systems

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met." If you have any further queries, then please contact the above Officer quoting our reference number.

07.06.2024

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

Access

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable subject to satisfactory compliance with Approved Document B section B5. Consideration on access adjacent to plots 97, 114 and 115 that appliance heights, widths and carrying capacity are adhered to of Table 13.1 of Approved Document B Volume 1 2019 edition incorporating 2020 and 2022 amendments. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with The Building (Registered Building Control Approvers Etc.) (England) Regs 2024.

Water Supplies

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 576000.

Sprinkler Systems

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

Sport England Eastern Region

Comments

29.04.2025

Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous responses for our current position on this application which for the benefit of doubt have not been superseded and remain extant.

11.02.2025

Sport England has no comments to make on this additional information consultation. Therefore, please refer to Sport England's previous responses for our current position on this application which for the benefit of doubt have not been superseded and remain extant.

21.05.2024

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 103 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: <http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

Historic England

Comments

30.04.2025

Revisions have been introduced to the scheme. In particular, we note the reduction in the number of units to 105 from the 115 previously proposed; this in turn allows reducing the intensity of development on the southern frontage. The play provision remains on the southern boundary, although it has been now relocated to the eastern edge, further away from the scheduled monument; additional planting is also proposed along the hedge line, which should help better filter and screen views out from the monument at mature stage. These moves are welcomed.

There would still be some harm resulting from the urbanisation effect and change of character of the land from open rural to residential. We ask the Council to be convinced the compensatory measures proposed are enough to mitigate the harm resulting from the development. If satisfied, then we ask that conditions are attached to the application requiring a detailed landscape scheme, landscape management plan, interpretation plan, alongside details of external lighting. These should be discussed and agreed to the satisfaction of your in-house conservation advisers.

Recommendation

The issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 212, 213 and 219.

19.02.2025

We last commented on this application in our letter dated 5 June 2024. In it, we reiterated the advice given on 19 December 2022. We advised the Council that the development of the site would result in harm to the

significance of the scheduled monument Gubbion's Hall. This was by virtue of the urbanising effect that would change the rural and open landscape that makes a positive contribution to the setting of the monument.

We advised that mitigation measures should be considered in terms of providing an appropriate landscape buffer and appropriate management, and that a more robust planting plant should be provided to reinforce the boundary to the southeast towards the monument. We also advised that any proposals for play provision should be appropriate in character to this sensitive location or else re-located to other less sensitive areas. Finally, we made some recommendations regarding the provision of interpretation. The amended scheme does not appear to have changed in respect to the above elements, and consequently, our previous advice still stands.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 212, 213 and 219.

In determining this application, you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

07.06.2024

Thank you for consulting us on the Council's Stage 3 Masterplan Framework Report for the Great Leighs Strategic Growth Site 7, December 2022. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process, and therefore welcome the opportunity to comment on this document.

On the basis of the information available to date (Stage 3 Masterplan Framework, December 2022), we offer the following advice to assist the Planning Authority in determining the application.

Historic England's advice on designated heritage assets will be limited to the setting of highly-graded designated heritage assets (scheduled monuments, grade I and II* listed buildings) which could be affected by the proposed development.

We do not wish to comment on the impact of the proposed masterplan in terms of grade II listed buildings or individual non-designated heritage assets as these are outside the remit of Historic England. We are content to defer to the Local Planning Authorities and their conservation and archaeological advisors on those matters and we refer the examining authority to their submissions as relevant.

Significance of the historic environment

The strategic growth site lies to the north-west of a medieval moated enclosure that is statutorily protected as a scheduled monument. Our primary consideration, therefore, is the potential impact on the significance of this scheduled monument. This is the scheduled monument known as 'Gubbion's Hall moated site' (List Entry Number 1016802), located to the south-west of Sites 7b and 7c.

The scheduled monument of Gubbion's Hall comprises the archaeological remains of a medieval moated enclosure. Such sites are nationally rare and there is high evidential value in this asset. The moated site is well-preserved and will retain archaeological information pertaining to the occupation of the site. This will include the remains of buildings and associated features within the enclosure. The ditch will retain palaeoenvironmental evidence relating to the economy of its inhabitants and the landscape in which they lived. The current Gubbions Hall is a grade II listed building (LEN 1122127) that dates from the 17th century. The majority of moated sites served as prestigious aristocratic and seigneurial residences with the provision of a moat intended as a status symbol rather than a practical military defence. They were also intended to improve drainage, as well as functioning as fishponds. They form a significant class of medieval monument and are important for the understanding of the distribution of wealth and status in the countryside.

The open rural setting of the scheduled 'Gubbion's Hall moated site' contributes to its significance, in terms of appearance and ambience, and the scheduled monument draw a considerable amount of significance from how it is experienced in the rural and open landscape.

Impact on the significance of the historic environment

This application seeks planning permission for the masterplan for Strategic Growth Site 7: Great Leighs, which has been allocated in the adopted Chelmsford Local Plan 2013-2036.

We note the Built Heritage Assessment (RPS ref. JAC27362, December 2022) and also the Archaeological Desk-Based Assessment (RPS re. JAC27362, January 2022) that have been prepared to inform this proposal.

Sites 7b and 7c are located to the north-west of the scheduled monument known as 'Gubbion's Hall moated site' and they are in a highly sensitive area for the historic environment.

The proposed masterplan includes a landscape buffer along the south-east edge of Sites 7b and 7c, in order to reduce the impact of development in these areas on the significance of the scheduled monument.

In our view, proposed development in this locations would affect the setting of and, even with the proposed landscape buffer, would result in some harm to the significance of this highly-graded designated heritage asset.

Policy considerations for this proposal

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11) which also identifies protection of the historic environment as an important element of achieving sustainable development. Further policy principles relating to the historic environment are set out in Chapter 16 of the NPPF.

In particular, it emphasises the importance of conserving heritage assets, which are an irreplaceable resource, in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations (NPPF paragraph 189).

Paragraph 194 states that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 195 requires the LPA to identify and assess the particular 'significance' of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This policy also states that the significance of the heritage assets should be taken into account 'when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraph 196 states, 'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision'.

Paragraph 197 states, 'in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness'.

Paragraph 199 requires the planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Paragraph 200 states that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

Paragraph 202 states, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

Paragraph 203 states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Paragraph 205 states that 'local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted'.

Proposals that preserve 'those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably' (paragraph 206).

Footnote 68 states, 'non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets'.

Setting is then defined in the NPPF as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset and may affect the ability to appreciate that significance or may be neutral'.

In terms of local plan policy, the site has been allocated in the adopted Chelmsford Local Plan 2013-2036 with the following Strategic Growth Site Policies for both Site 7b and 7c:

'Protect and where appropriate enhance the Gubbions Hall Scheduled Monument and its setting'.

Historic England's Advice

We consider the proposed development would result in harm to the significance of the scheduled monument known as 'Gubbion's Hall moated site' through development within its setting. We consider the harm would be less than substantial. We note the proposed open and green landscape buffer space that has been incorporated into the proposed masterplan for Sites 7b and 7c in order to reduce the impact on the significance of the scheduled monument.

In order to further reduce the impact, we recommend the proposed landscape buffers for Sites 7b and 7c should be accompanied by a robust planting plan to reinforce the boundary to the south-east, towards the scheduled monument. In our view, the proposed masterplan should incorporate additional planting along this boundary, in the form of a linear woodland belt of native trees and hedgerow species, as well as ongoing management, to further reduce the impact of the proposed development on the significance of the scheduled monument. This should also include a management plan for ongoing management of these areas.

Any future proposals for play provision (youth and young people's play) in the landscape buffer, indicated on the proposed masterplan framework, should be appropriate in character to this sensitive location and without hard landscaping features, and or re-located to other less sensitive locations.

In terms of enhancement of the scheduled monument and its setting, Strategic Growth Site Policies for both Site 7b and 7c, we would recommend the installation of an interpretation panel along the public right of way to the south Site 7c, and to the north-west of the scheduled monument (PROW 221_14), to provide information about the significance of the scheduled monument and the surrounding historic landscape.

Recommendation

Historic England has no objection to the application, and proposed masterplan, on heritage grounds. We advise that should your authority be minded to approve this application, this should be accompanied by an appropriate landscape management plan and additional planting that is secured by a condition attached to any planning permission.

We would also recommend that an adequate interpretation and presentation of heritage (interpretation panel relating to the scheduled monument of 'Gubbion's Hall moated site') is secured via a condition attached to any planning permission.

We recommend you seek the views of the and your conservation officer in terms of built heritage and your archaeological advisor (Essex County Council Place Services).

The Planning Authority should take this representation into account and seek the amendment as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Essex Bridleways Association

Comments

12.02.2025

EBA takes this opportunity to reiterate that it is essential that Bridleway 13 Gt and Little Leighs routed through the underpass is retained. On no account should this be extinguished.

The bridleway is regularly used by equestrians, and provides a safe passage under the A131 via the underpass. We also remain concerned as to safety issues caused by the increased flow of multi-users through the underpass and would ask that design and signage be considered carefully in this respect. The Pegasus crossing (close to this site) would be a welcome addition, and would provide users with an alternative option to crossing the A131. It should however be installed as a complement to the existing underpass bridleway route, and not as a replacement.

- Lastly, EBA again requests that a circular bridleway route be provided around the perimeter of the proposed development site and would ask that this be incorporated with the planning application.

- It is only equitable that developers' plans include improved rights of way for all users, including equestrians, rather than just cycle tracks being prioritised.

22.05.2024

Whilst Essex Bridleways Association appreciates that this application specifically relates to the parcel of land south east of Banters Lane, nevertheless it falls within the umbrella of Strategic Growth Site 7c and the overall Masterplan framework.

As such, EBA takes this opportunity to reiterate that it is essential that Bridleway 13 Gt and Little Leighs routed through the underpass is retained. On no account should this be extinguished.

The bridleway is regularly used by equestrians, and provides a safe passage under the A131 via the underpass.

The Pegasus crossing (close to this site) would be a welcome addition, and would provide users with an alternative option to crossing the A131. It should however be installed as a complement to the existing underpass bridleway route, and not as a replacement.

- Lastly, EBA again requests that a circular bridleway route be provided around the perimeter of the proposed development site and would ask that this be incorporated with the planning application.
- It is only equitable that developers' plans include improved rights of way for all users, including equestrians, rather than just cycle tracks being prioritised.

Cycling Action Group

Comments

No comment

Police

Comments

22.05.2025

We have reviewed the content of the application have attached for your information, the Essex Police considerations to development and infrastructure change which forms part of the organisations strategic planning considerations. As a key emergency service provider, this document outlines information on Essex policing priorities and provides initial considerations to development and infrastructure proposals.

In addition to this document, the Essex Police Roads Policing Unit would like to note the following points for consideration:

Essex Police have concerns regarding the A131 which regularly attracts anti-social driving behaviour and historically has a high KSI rate. We would request the installation of average speed systems and any other safe system road design to reduce speed and promote safe driving.

We note the proposal to include medical services, a children's nursery, a residential care home and a new primary school, all within approximately 700m from the centre of the site. Essex Police request the provision of adequate safe crossing points to accommodate the increase in vulnerable road users. These should be at controlled key points and include appropriate speed limits enforced by safe design and street furniture.

We note the proposed underpass forms part of a PROW and is designated as a bridleway suitable for pedestrians, cyclists and equestrians. Essex Police request adequate lighting and signage to ensure the underpass is safe and appealing to this road user group.

Please note, any comments relating to crime prevention and secured by design considerations will be provided by the Essex Police Designing Out Crime Office (DOCO) and submitted under separate cover

04.06.2024

NPPF section 8 “Promoting Healthy and Safe Communities” paragraph 91(b), and section 12 “Achieving Well Designed Places” paragraph 127(c) address creating places that are safe. Chelmsford Local Plan DM23 & DM24 addresses security through “High Quality Design” and “Place Shaping” with a reasoned justification 9.6 - “The layout and design of a development are important in creating a safe environment where people are comfortable to live, work and visit”.

As consultees the Essex Police Designing out Crime Team neither object nor support this application but would like to provide the comment below to be taken into consideration in determining this application. Earlier we commented on the wider plans for Gt Leighs (22/00002/MAS – Strategic Growth Site – Great Leighs, Chelmsford) as attached. Whilst this application is in relation to site 7c of this Strategic Growth Site, to ensure synergy between all parts of this development we have included our original response and ask that this be taken into consideration together with our below comments in relation to site 7c.

Whilst there are no apparent concerns with the layout of to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures. We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these policies by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring the risk commensurate security is built into each property and the development as a whole.

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

National Highways

Comments
23.04.2025 Offer no objection (see reasons at Annex A); Our previous recommendation of No Objection remains unchanged.
20.02.2025 Offer no objection (see reasons at Annex A); The amendments proposed to this planning application are not in conflict with National Highway's previous formal response, dated 30 May 2024, recommending No Objection. Therefore, our previous recommendation of No Objection remains unchanged.
03.06.2024 - Notice is hereby given that National Highways' formal recommendation is that we: Offer no objection (see reasons at Annex A); Highways Act 1980 Section 175B is not relevant to this application. 1 This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.
Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town

and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk Annex A National Highway's assessment of the proposed development National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. This response represents our formal recommendations.

National Highways recommends no objection.

Reason: This current proposed application site at the Strategic Growth Site 7c is accessed from local road network. The nearest SRN junction is from A12 Junction 19 Boreham Interchange (towards south) or Great Notley Roundabout between A120 and A131 (towards north). There are number of ways the proposed development traffics could reach the Strategic Road Network.

We are currently reviewed the technical information provided in support of this planning application. Due to the location, scale, and nature of this current application, there is unlikely to have any adverse impact on the Strategic Road Network. Therefore, we offer no objection.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up. Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption. These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Chelmsford Garden Community Parish

Comments

23.05.2025 - Chelmsford Garden Community Council has no further comments in addition to those already submitted

14.02.2025 - Chelmsford Garden Community Council wish to comment that it is noted that this proposed development will have an impact on traffic flow by generating more trips along the A131 and Essex Regiment Way and thus the development should not proceed until such time as the Chelmsford North East Bypass and the Northern Radial Distributor Road have been completed.

13.06.2024 - Chelmsford Garden Community Council has no comments upon this application

Felsted Parish Council

Comments
No comment

Braintree District Council

Comments
No comment

ECC Historic Environment Branch

Comments
<p>17.04.2025</p> <p>I have reviewed the amended submission and have found nothing to change the recommendations made in my previous correspondence.</p>
<p>31.01.2025</p> <p>I have reviewed the amended submission and have found nothing to change the recommendations made in my previous correspondence, which I have repeated below for convenience, with an updated condition recommendation.</p> <p>A programme of archaeological trial-trenching should be undertaken on the proposed development site, in advance of any development works. This would determine the extent and survival of archaeological remains within the site and the impact of the proposed development's groundworks upon these remains, as well as inform on any mitigation strategy (if required).</p> <p>As a result, I recommend that the following conditions are attached to any consent, in line with the National Planning Policy Framework paragraph 218 and Chelmsford Local Plan Policy DM15:</p> <p>RECOMMENDATION: Archaeological trial-trenching and open area excavation</p> <ol style="list-style-type: none">1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the archaeological advisors to the Local Planning Authority.3. No development or preliminary groundworks of any kind shall take place until the submission of a mitigation WSI detailing the excavation/ preservation strategy for approval by the Local Planning Authority.

4. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation WSI, and approved by the Archaeological Advisors to the Local Planning Authority.
5. The applicant will submit a Post Excavation Assessment and/or Updated Project Design for approval by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The archaeological work should be carried out by a professional and accredited contractor and will initially comprise a programme of archaeological trial-trenching within the proposed development site. Following the completion and reporting of this work the applicant will submit an archaeological mitigation strategy for approval, detailing areas of in situ preservation of archaeological remains, open areas of archaeological excavation, and, if appropriate, archaeological monitoring, within the development area.

All subsequent archaeological fieldwork, and measures by which in situ preservation will be ensured within the development, should be undertaken in accordance with the approved mitigation WSI.

Following the completion of the archaeological works, an approved post-excavation assessment will be submitted to the local planning authority, in preparation for, if appropriate, a publication report.

Recycling & Waste Collection Services

Comments

Having looked at the swept pass analysis [tracked changes] and the refuse strategy layout I have no issues in regards waste/recycling collections.

Great & Little Leighs Parish Council

Comments

Parish Council have concerns over construction traffic and also the plans for sewage for all the new homes.

Active Travel England

Comments

23.04.2025 - Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

11.02.2025 - Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes> ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

23.05.2024 - Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes> ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

Mid And South Essex Integrated Care Board

Comments

17.04.2025 - We have considered the relevant documents. I am writing to advise that the ICB does not wish to submit any comments on this occasion.

11.02.2025

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

2.0 Existing healthcare position proximate to the planning application site

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

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

3.0 Review of planning application

3.1 The Planning Statement submitted in support of the planning application confirms that the application will engage with the Council to agree heads of terms and any necessary planning obligations.

3.2 The health impact assessment submitted in support of the planning application includes a section about access to healthcare infrastructure. This states that space for medical services will be provided in the site known as Site 7a (the larger site within the Strategic Growth Location 7 at Great Leighs) and so it concludes that this will lead to a neutral impact and does not recommend any further mitigation.

4.0 Assessment of development impact on existing healthcare provision

4.1 The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The primary healthcare services directly impacted by the proposed development and the current capacity position are shown in Table 1.

Table 1: Summary of position for healthcare services within a 2km radius of (or closest to) the proposed development

4.2 Table 1 shows that the capacity of primary healthcare facilities in the area of the proposed development is already below the recognised standards of provision for the existing population. Additional population growth in the area resulting from new development would add to the deficit and so would be unsustainable if unmitigated.

4.3 While the health impact assessment says that space for healthcare services will be provided in a nearby development (Strategic Site 7a), such provision is not certain. The scale, funding arrangements and delivery timescale of healthcare capacity on Site 7a are not known.

4.4 This development is subject of a separate planning application and its impacts must be considered and mitigated assuming that it could either be developed independently or as part of a wider development. In either scenario the development should make an appropriate financial contribution towards increasing healthcare capacity to mitigate its impact.

5.0 Healthcare needs arising from the proposed development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace to support the population arising from the proposed development is calculated to be £51,900.

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

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

5.3 The ICS therefore requests that the sum of £51,900 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase capacity for the benefit of patients of the Primary Care Network operating in the area. This may be achieved through any combination of extension, reconfiguration, relocation or funding towards new premises.

6.0 Conclusions

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

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

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

11.12.2024 -

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

2.0 Existing healthcare position proximate to the planning application site

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

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

3.0 Review of planning application

3.1 The Planning Statement submitted in support of the planning application confirms that the application will engage with the Council to agree heads of terms and any necessary planning obligations.

3.2 The health impact assessment submitted in support of the planning application includes a section about access to healthcare infrastructure. This states that space for medical services will be provided in the site known as Site 7a (the larger site within the Strategic Growth Location 7 at Great Leighs) and so it concludes that this will lead to a neutral impact and does not recommend any further mitigation.

4.0 Assessment of development impact on existing healthcare provision

4.1 The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The primary healthcare services directly impacted by the proposed development and the current capacity position are shown in Table 1.

Table 1: Summary of position for healthcare services within a 2km radius of (or closest to) the proposed development

Existing floorspace deficit of 649m²

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

2. Current Net Internal Area occupied by the Practice

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

4. Based on existing weighted list size

4.2 Table 1 shows that the capacity of primary healthcare facilities in the area of the proposed development is already below the recognised standards of provision for the existing population. Additional population growth in the area resulting from new development would add to the deficit and so would be unsustainable if unmitigated.

4.3 While the health impact assessment says that space for healthcare services will be provided in a nearby development (Strategic Site 7a), such provision is not certain. The scale, funding arrangements and delivery timescale of healthcare capacity on Site 7a are not known.

4.4 This development is subject of a separate planning application and its impacts must be considered and mitigated assuming that it could either be developed independently or as part of a wider development. In either scenario the development should make an appropriate financial contribution towards increasing healthcare capacity to mitigate its impact.

5.0 Healthcare needs arising from the proposed development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace to support the population arising from the proposed development is calculated to be £57,000.

Table 2: Capital Cost calculation of additional health services arising from the development proposal
£57,000

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

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

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

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

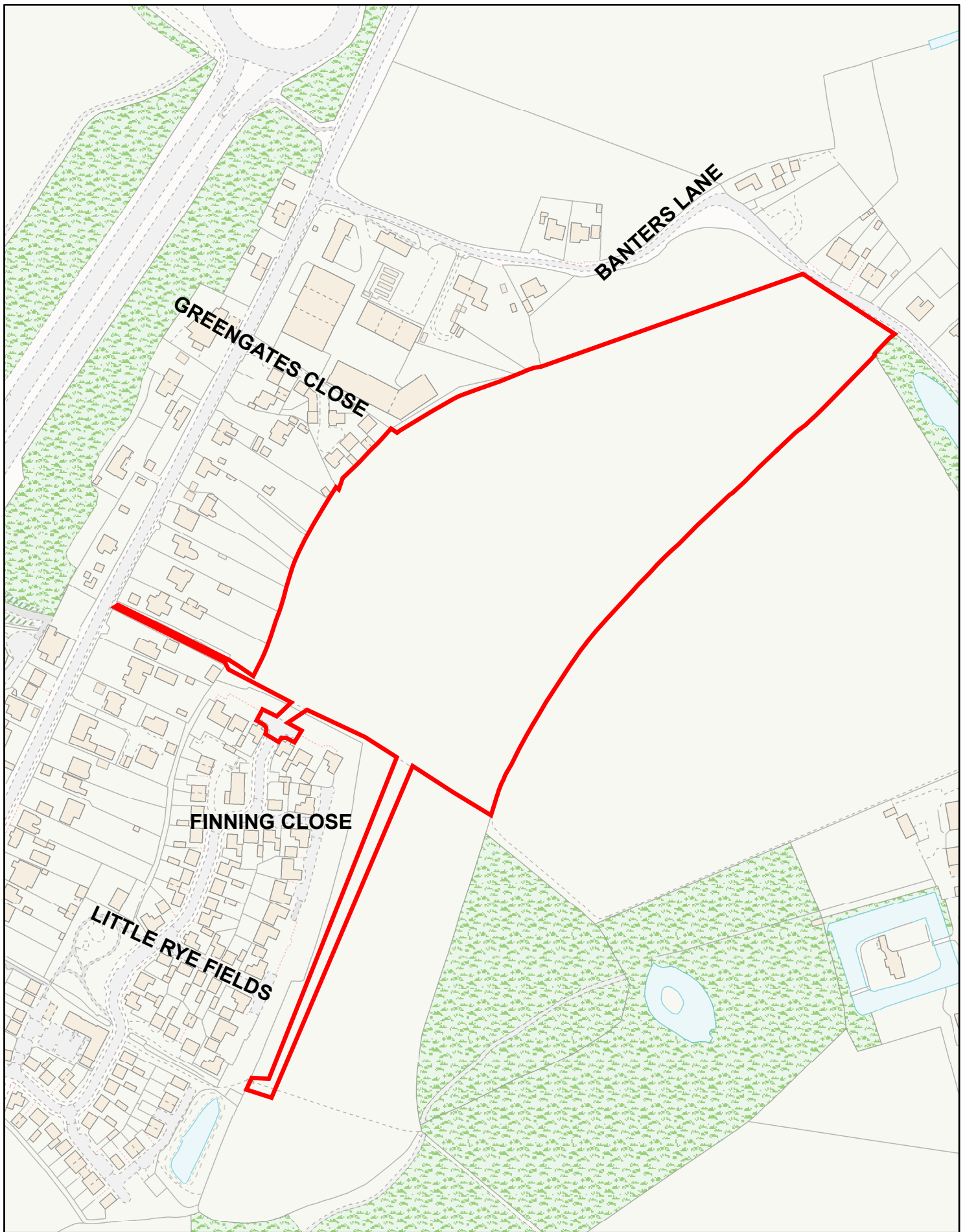
5.3 The ICS therefore requests that the sum of £57,000 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase capacity for the benefit of patients of the Primary Care Network operating in the area. This may be achieved through any combination of extension, reconfiguration, relocation or funding towards new premises.

6.0 Conclusions

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

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

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



0 30 60 120 Metres

1:3,000



Planning Committee
24/00695/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

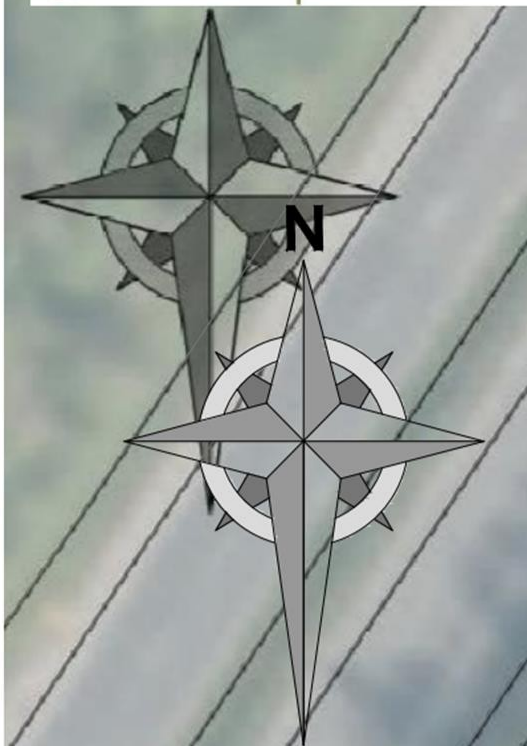
Telephone: 01245 606826

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Legend

- 6m x 5.5m Private drive entrance
- 8m x 8m Turning space
- 2.9m x 5.5m Parking space
- 3.3m x 5.5m Parking space
- Disable parking
- 26 Private plot number
- 25 Affordable plot number
- Wheel Chair Dwelling
- Self Build Dwellings
- Visitor Parking Space
- House Type Reference
- Custom House Type Reference

Accommodation Schedule
Private Development

No	Ref	Ref	Beds	Person	m4
4	HLA	Halstead	1	2	2
6	CO	Cooper	2	4	1
11	RVL	Reeve	2	4	2
4	CA	Carver	3	5	1
7	FUL	Fuller-Life	3	4	2
5	HIL	Hillard - Life	3	5	2
9	CBL	Cobbler	3	4	1
1	DR	Drover	3	5	3
7	FEL	Felter-Life	3	4	2
2	MIL	Milliner-Life	4	6	2
3	PHL	Philosopher-Life	4	6	2
1	WE	Weaver	4	8	1
3	JE	Jeweller (Special)	4	6	2
63					

Custom Dwellings

No	Ref	Ref	Beds	Person	m4
2	Cus WE	Weaver	4	8	1
3	Cus JE	Jeweller (Special)	4	6	1
5					

Affordable Housing

No	Ref	Ref	Beds	Person	m4
6	HL	Halstead	1	2	2
1	WC1B	WC 1B Hse	1	2	3
1	WC2BB	WC 2B Bungalow	2	3	3
16	BA	Baker-Life	2	4	2
1	WC3BB	WC 3B Bungalow	3	3	3
6	TI	Tillman-Life	3	5	2
2	PW	Ploughwright-life	3	5	2
4	CTL	Cartographer-Life	4	5	2
37					

Grand Total

Total
105

Project:-

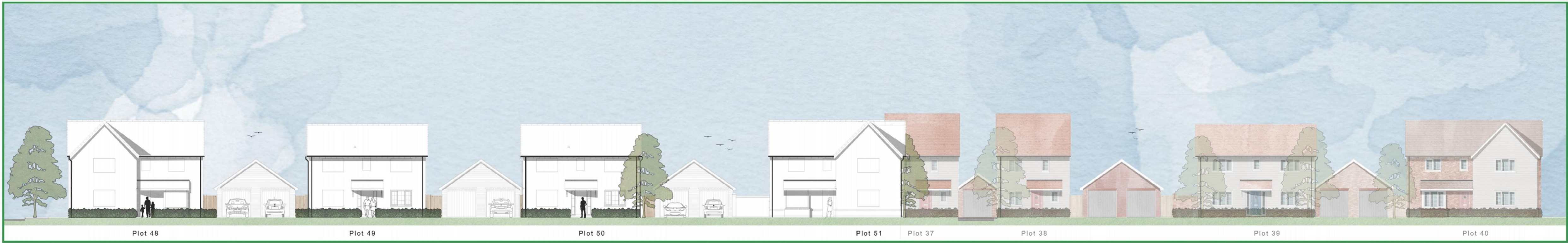
**Steven's Land 7c,
Great Leighs,
Essex**

Description:-

**Development
Layout**

Date:-
Feb 2024
Drawing number:-
BW276-PL-02

Drawing Scale:-
1:500 @ A0
Revision:-
P



Custom Build House types





Appeals Report

Appeal Decisions received between 15/04/2025 and 03/06/2025

PLANNING APPEALS

Total Appeal Decisions Received	9	
Dismissed	5	56%
Allowed	4	44%
Split	0	0%

Informal Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00386/FUL
Proposal	Erect Hay Barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00387/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00388/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00389/FUL
Proposal	Erect a cow barn
Appeal Decision	Appeal Allowed - 16/05/2025

Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed with CCC on	
Disagreed with CCC on	Not harmful to highway safety; would assimilate into the rural surroundings
Costs Decision	Appellant's application for costs: Costs refused

Written Reps

Land Adjacent To Bungalow At Stock Hill Farm Stock Road Stock Ingatestone Essex

Reference	23/01833/FUL
Proposal	Erection of bungalow with associated works including parking
Appeal Decision	Appeal Dismissed - 09/05/2025
Key Themes	Whether inappropriate development in Green BeltEffect on living condition of occupiers of 1 Chase Farm PlaceWhether contrary to strategic approach to accessibility
Agreed with CCC on	Significant harmful effect on living conditions of neighbour - gloomier bedroom and erosion of neighbours capacity to enjoy their garden
Disagreed with CCC on	NPPF change since decision taken. Inspector flags that DM6 no longer aligns with the NPPF and attaches limited weight to DM6Not significantly harmful to openness so would not cause substantial harm to opennessSustainability - Inspector content that site would be adequately connected and accessible
Costs Decision	None

Land Rear Of Marigolds Main Road Bicknacre Chelmsford Essex CM3 4HD

Reference	23/01480/FUL
Proposal	Retrospective application for use of residential outbuilding as primary living accommodation. (seeking temporary permission/personal permission)
Appeal Decision	Appeal Dismissed - 29/05/2025
Key Themes	Suitable location and provides appropriate living accommodation for its occupants
Agreed with CCC on	- Policy DM10 is applicable and built less than 10 years ago, as such the site is not a suitable location- No evidence that the lawful use of the site is residential- Very little weight to the prospect that the use of the building as a dwelling may be a viable fallback position- Inappropriate living accommodation for its occupants contrary to space standards contained in Policy DM26. No evidence to allow lower provision.
Disagreed with CCC on	
Costs Decision	None

Silver Ash Cranham Road Little Waltham Chelmsford Essex CM3 3NB

Reference	23/01866/FUL
Proposal	Redevelopment of the existing site to provide 5 units consisting of B2 employment space with ancillary E(g) use and B8 open storage with associated parking, landscaping and infrastructure.
Appeal Decision	Appeal Dismissed - 17/04/2025

Key Themes	- whether the development would have an acceptable effect on the character and appearance of the area- whether the development would be suitably located in terms of the spatial strategy of the development plan, with particular regard to sustainable transport
Agreed with CCC on	- The scale, massing and encroachment onto undeveloped land of unit 5 would result in a significant increase to the sites built form, and would fail to reflect the intrinsic character and beauty of its countryside location, contrary to Policy DM8 A and B.- That the height of units 1 to 4 would substantially exceed that of the current and consented buildings, and their scale and massing would fail to meet the criteria set out in Policy DM8 A and B, and be out of keeping with their context in respect of replacement buildings conflicting with DM8 C.- That while the Chelmsford Garden Community is close, it remains designated as part of the Rural Area. Any changes along the Cranham Road frontage would not necessarily alter the site's character when viewed from other locations, such as Drakes Lane to the north, where the inspector had identified harm.- That the changes on the revised drawings submitted with the appeal are substantial and not appropriate to consider as part of the appeal.- That there are differences between the allowed appeal for a flour and feed mill and the proposal, and this did not alter the inspectors previous findings.- That measures to enhance landscaping and biodiversity, sustainable drainage and sustainable design would not outweigh the harm.
Disagreed with CCC on	- Considered that the extant permission represents a realistic fallback position- If occupied to capacity, as assessed in the Transport Statement and accepted by the local Highway Authority, the transport and sustainability impacts would be broadly the same between the proposal and the fallback position. Inspector concludes that the development is suitably located, and would accord with Policies S1 and S7.
Costs Decision	None

Land South Of Playing Fields Paradise Road Writtle Chelmsford Essex

Reference	24/00687/FUL
Proposal	Retrospective change of use of agricultural land to dog walking field with associated fencing and gates. Proposed permeable hardstanding area for parking.
Appeal Decision	Appeal Dismissed - 30/05/2025
Key Themes	Whether inappropriate development in the Green Belt, Green Belt openness, Impact on rural character
Agreed with CCC on	Inappropriate Green Belt Development, harmful impact on openness, harmful impact on rural character
Disagreed with CCC on	
Costs Decision	None

Householder

3 Cherrytree Cottages Stock Road Stock Ingatestone Essex CM4 9QU

Reference	24/01130/FUL
Proposal	Demolish existing extension and construction of single storey side extension with pitched roof.
Appeal Decision	Appeal Dismissed - 02/06/2025
Key Themes	Inappropriate development in GB - DM11Design and its impact on stock conservation area - DM23/DM13
Agreed with CCC on	Inappropriate development in the GBHarm to the Stock Conservation Area.
Disagreed with CCC on	
Costs Decision	None