



**Planning Committee  
2nd September 2025**

<b>Application No</b>	:	25/00218/FUL Full Application
<b>Location</b>	:	Old Chase Farm Hyde Lane Danbury Chelmsford Essex CM3 4LP
<b>Proposal</b>	:	<b>Retrospective application for 21 compound security columns and lights</b>
<b>Applicant</b>	:	Mr M Ismailjee Old Chase Farm Ltd
<b>Agent</b>	:	Mr Philip Atkins
<b>Date Valid</b>	:	7th February 2025

**Contents**

<a href="#">1. Executive summary</a>	2
<a href="#">2. Description of site</a>	2
<a href="#">3. Details of the proposal</a>	2
<a href="#">4. Other relevant applications</a>	3
<a href="#">5. Summary of consultations</a>	3
<a href="#">6. Planning considerations</a>	4
<a href="#">7. Community Infrastructure Levy (CIL)</a>	8

**Appendices:**

Appendix 1	Drawings
Appendix 2	Consultations

## **1. Executive summary**

- 1.1. The application is referred to Planning Committee at the request of a local ward councillor on the grounds of lighting, particularly harm to the rural area and character of a nearby protected lane.
- 1.2. The proposal seeks retrospective planning permission for 21no. compound security columns and lights within an existing commercial storage site.
- 1.3. The site of the development is considered to be previously developed land and the security columns and lights when considered within their context, including surrounding commercial uses, are not considered to adversely impact the character of the Rural Area.
- 1.4. Following concerns raised through representations regarding neighbouring amenity, amendments have been made during the lifetime of the application to reduce the number of security columns and lights from 25 to 21, and a commitment to include light shields on 16 of those columns. It is not considered that the scheme would adversely impact neighbouring amenity.
- 1.5. Due to the existing site and immediate surrounding area being commercial in nature, there is not considered to be a high ecological value on the site and therefore the security columns and lights are not considered to have an adverse impact on ecology/habitats. Additional measures are proposed to further reduce any light spill.
- 1.6. The impact from the security columns and lights on the nearby Protected Lane have been assessed. A late night visit was undertaken by a planning officer to assess the light spill. This was considered to be at a level that was not highly visible within the surroundings. With the addition of the mitigation measures that will be secured by way of condition, this visibility will be further reduced.
- 1.7. The application is recommended for approval.

## **2. Description of site**

- 2.1. The application site is in a rural location situated between Danbury and Bicknacre. It is a large plot consisting of external storage and containers.
- 2.2. To the south-west of the site is Hyde Lane Petrol Station and to the west of the site are two residential properties named 'Hyde Croft' and 'White Elm Cottage'. They include trees and hedging along their boundaries shared with the application site. To the south of the site is Slough Road, part of this is a Protected Lane (designated through the Development Plan).
- 2.3. There are currently 25 security lighting columns on the site. The application would reduce the number of columns to 21 (removing four existing).

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

- 3.1. The application is for 21 security lighting columns around the site. These are located largely along the north, east and south boundary lines, with a cluster located more centrally. They are of a simple design, 8m high lighting column with an LED floodlight at the top.

- 3.2. No set hours of use have been specified. The security lighting columns are to provide enhanced safety and security for the employees and to support business operations on the site. 4no. lighting columns have been removed from the application during the lifetime of the application (located on the western boundary) and do not therefore form part of this application.
- 3.3. Lighting shields are proposed to be added to 16no. of the remaining 21no. lighting columns. The five columns not included for shields are those located centrally.

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

01/00524/CLEUD – Approved 06<sup>th</sup> July 2001 – Use of land for the storage of caravans

08/01586/FUL – Approved 23<sup>rd</sup> October 2008 – Improve existing caravan storage facilities by laying a series of surface mounted plastic road tiles. Refurbishment of existing asphalt access road and creation of two new hardstanding loading/unloading areas

10/00639/FUL – Approved 25<sup>th</sup> June 2010 – Change of use from agricultural use to b1 use to include light industry and office use

25/00933/FUL – pending consideration – Retrospective planning permission for the change of use of land to self-storage container yard

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

##### **5.1. Consultation responses:**

- Essex County Council Highways - application is acceptable to Highway Authority
- Public Health & Protection Services - reviewed complaints received and make condition recommendations
- Environment Agency - no objection
- Danbury Parish Council - considers the application conflicts with Chelmsford Council Policy DM29 and Danbury Neighbourhood Plan Policy DNP10, if minded to approve, have requested condition for details of the lighting shields
- Ramblers Association - no response received
- Woodham Ferrers & Bicknacre Parish Council - no response received
- Local residents - two responses received

##### **5.2. Two objections were received, comments relevant to this application summarised below:**

- Floodlights lack proper screening, resulting in excessive light spillage and glare
- Impacts rural surroundings and quality of life
- Lights reflect off nearby surfaces
- Consider installing screens or shields, timed control
- Impact on local wildlife
- General light pollution

##### **5.3. Comments not material to this application summarised below:**

- Noise from movement of containers
- Garden damaged from increase in lorries passing
- Visual impact of containers

- 5.4. The application is to regularise the majority of security lighting columns on the site and does not request any permissions relating to the containers on the site nor the site access/vehicle movements. Therefore, these comments are not material to the consideration of this application. Any damage to private property would be a civil matter.

## 6. Planning considerations

### *Main Issues*

- 6.1. The main issues relate to the impact on the Rural Area, impact on neighbouring residential amenity, ecological impact and impact on nearby Protected Lane.
- 6.2. During the lifetime of the application, revisions have been made to the lighting diagrams to demonstrate how the spill beyond the perimeter of the site can be reduced with the inclusion of lighting shields.
- 6.3. As an introductory background, the floodlights were a source of complaints to the Council based upon the impact of the lighting during darker hours. Following the planning application submission, this led to discussions concerning potential amendments to overcome neighbouring amenity concerns. The amendments consisted of reducing the number of security lighting columns from 25 to 21, removing the 4no. lighting columns closest to residential neighbours and the addition of lighting shields to 16no. of the lighting columns that are closest to the boundaries. 5no. of the security lighting columns located centrally within the site will remain as constructed.

### *Principle of Development*

- 6.4. Paragraph 187 b) of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 6.5. The proposed development does not neatly fall within either Policy DM8 (New Buildings and Structures within the Rural Area) nor Policy DM10 (C) (Change of Use of Land and Buildings and Engineering Operations within the Rural Area) of the Local Plan, therefore the application will be considered under both.
- 6.6. Policy DM8 relates to new buildings and structures in the rural area. The proposal would be considered under Part B) 'previously developed land' criteria of Policy DM8. The criteria states:

**B) Redevelopment of previously developed land (whether redundant or in continuing use and excluding temporary buildings).** Planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area. The Council will assess the development based on the following:

- i. the size, scale, massing and spread of the new development compared to the existing; and
  - ii. the visual impact of the development compared to the existing; and
  - iii. the impact of the activities/use of the new development compared to the existing; and
  - iv. the location of the site is appropriate to the type of development proposed.
- 6.7. Whilst the site is designated as Rural Area for development plan purposes, there are urbanising features within this locality.

- 6.8. The application site itself is predominantly hardstanding with the presence of storage containers (stacked three high in some areas), that accommodates a commercial use. To the west of the site is Hyde Lane Petrol Station, which includes a level of external lighting, and is also commercial in nature. As such the character of the Rural Area, in this locality, has been altered by the presence of these uses and their associated features. The design of the columns themselves are fairly standard. They are not considered to be intrusive nor result in harm to the identified intrinsic character, appearance and beauty of the area when viewed within their context.
- 6.9. Policy DM10 (C) states that “Planning permission will be granted for the change of use of land or buildings in the Rural Area where:
- i. the building is of permanent and substantial construction, and works to convert the building would not result in substantial reconstruction; and
  - ii. the building is in keeping with its surroundings, and any alterations or extensions do not harm its original character; and
  - iii. it does not adversely impact on the identified intrinsic character, appearance and beauty of the Rural Area;
  - iv. the building was constructed less than ten years ago for the purposes of agriculture, but it can be demonstrated that it is no longer required for agriculture.”

The Policy goes on to state “Engineering operations will be permitted within the Rural Area where they do not adversely impact upon the identified intrinsic character, appearance and beauty of the Rural Area.”

- 6.10. Impact on character has been considered above. The columns, and their associated lighting, are considered, visually, to be a reasonable addition to this established facility. The proposal is considered to satisfactorily comply with the objectives of the NPPF, Policy DM8 and Policy DM10 of the Local Plan.
- 6.11. Danbury Neighbourhood Plan (DNP) Policy DNP10 relates to light pollution and night skies, and states:
1. Development proposals which include external lighting will be supported where it is demonstrated that they protect the night sky from light pollution through: a) The number, design, specification, and position of lamps. b) Having regard to the latest Government Planning Practice Guidance on light pollution'.
  2. Any lighting scheme must not impact negatively on local residents and on areas of ecological value including woodland and green spaces – specifically near habitats used by bats and other light-sensitive protected species.
- 6.12. The Lighting Report submitted with the application concluded the level of lighting is acceptable. The report also suggested additional measures in line with the Institute of Lighting Professionals Guidance Note 1, specifically ILP GN01:2021. The application is therefore not considered to conflict with Part 1 of DNP Policy DNP10, subject to the condition included regarding shields. Regarding section 2, this is addressed in the ‘Neighbouring Residential Amenity’ and ‘Ecology’ sections of the report below.

### ***Neighbouring Residential Amenity***

- 6.13. Chelmsford Local Plan Policy DM29 relates to protecting living and working environments.

- 6.14. Two representations have been received, concerned with the impact of the security lighting columns, as initially submitted. The submitted lighting survey report indicates that the light levels produced are not likely to be intrusive. However, additional measures have been suggested within the report to improve the existing situation.
- 6.15. These additional measures consist of:
1. The installation tilt of the luminaires should be reduced to 0° (horizontal) as is recommended within ILP GN01:2021; and
  2. Install rear light shields on those luminaires installed on the perimeter of the application site that are facing into the application site
- 6.16. ILP GN01:2021 is the Institute of Lighting Professionals Guidance Note 1, which states “In rural areas the use of full horizontal cut off luminaires installed at 0° uplift will, in addition to reducing skyglow, also help to minimise visual intrusion within the open landscape.” In relation to this application, it requires the tilt of the angle of the light to be horizontal, in order to direct the light downward as much as possible.
- 6.17. These additional measures have been confirmed by the agent as acceptable and will be secured by way of condition.
- 6.18. In addition to the above measures, the four columns closest to the residential neighbouring properties are shown to be removed. An informative will advise of their removal. Following reconsultation, no further representations were received.
- 6.19. By virtue of its planning history, specifically that the use benefits from a certificate of lawfulness (which could not control hours of operation like a planning application), the hours of use of the site are not controlled through planning conditions. Whilst the Parish Council have advocated the restriction to the permitted hours of the lights, such a restriction would not align with the operational requirements of the site – for movement at night and security. An hours of use restriction is not deemed necessary.
- 6.20. The amendments to the application are considered to have overcome any concerns regarding impacts on neighbouring amenity and the proposal therefore complies with Local Plan Policy DM29 and Part 2 of Danbury Neighbourhood Plan Policy DNP10.

#### ***Non-Designated Heritage Assets (Protected Lane)***

- 6.21. Policy DM14 of the Local Plan states that “proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Where proposals would lead to harm to the significance of a non-designated heritage asset or its loss, proposals should demonstrate that the level of harm or loss is justified following a balanced judgement of harm and the significance of the asset; and harm is minimised through retention of features of significance and/or good design and/or mitigation measures.”
- 6.22. Part of nearby Slough Road, to the south of the application site, is a Protected Lane. Chelmsford’s Protected Lane Assessment found that the initial 100m of the western end has had many highway improvements and a property entrance, so the lane assessment begins at the end of the property boundaries of ‘Fansmead’ and ‘Gladwyns’ and ends at the district border. The lane has reasonable

historic integrity because of the small number of properties along its length, the historic farm complexes, green lane and well preserved banks, ditches and verges.

- 6.23. A late night site visit was undertaken by a planning officer in July 2025 to assess the impact of the lighting columns on the Protected Lane section of Slough Road. The lights were not highly visible from the Protected Lane and with the conditioned measures of reducing the installation tilt of the lighting columns and installing rear light shields on the columns located on the perimeter of the site, the visibility of the lights will be further reduced.
- 6.24. The proposal therefore complies with the requirements of Local Plan Policy DM14.

### ***Highway Safety***

- 6.25. The bulk of the application site is not sited adjacent to the highway. The location of columns are set back in relation to the highway, with intervening buildings (to their west) consisting of residential dwellings and a petrol station.
- 6.26. The proposed light spill diagram shows there will be no spillage onto the highway. No objection has been received from ECC Highways.
- 6.27. The lights will direct light vertically groundward, this is shown in the supporting Indicative Light Spill Diagram and is therefore not likely to cause light encroachment onto the highway.
- 6.28. From a highway safety perspective, the impact of the proposal is acceptable.

### ***Ecology***

- 6.29. Chapter 15 of the National Planning Policy Framework requires that planning decisions should minimise impact on and provide net gains for biodiversity.
- 6.30. Chelmsford Local Plan Policy DM16 states that all development proposals should:
- i. Conserve and enhance the network of habitats, species and sites (both statutory and non-statutory, including priority habitats and species) of international, national and local importance commensurate with their status and give appropriate weight to their importance; and
  - ii. Avoid negative impacts on biodiversity and geodiversity, mitigate unavoidable impacts and as a last resort compensate for residual impacts; and
  - iii. Deliver a net gain in biodiversity where possible, by creating, restoring and enhancing habitats, and enhancing them for the benefit of species.
- 6.31. The existing site and immediate surrounding area, including petrol station, is commercial in nature, with residential properties also present. The site is not part of a woodland or open green space. The existing site does not contribute to a high level of ecological value. In addition, the proposed reduction in the number of lighting columns and the installation of light shields to the majority of the security columns would contribute to improvements to the light spill within the site.
- 6.32. The proposal is considered acceptable in terms of ecology and complies with Policy DM16 of the Local Plan and Part 2 of Danbury Neighbourhood Plan Policy DNP10.

## **Conclusion**

- 6.33. The application for 21no. security lighting columns is not considered to result in adverse impacts on the Rural Area, adverse impact on neighbouring residential amenity, negative ecological impact or adverse impact on the nearby Protected Lane. Conditions will secure further improvements.
- 6.34. For the reasons given above and having regard to all other matters raised it is concluded that the proposed development is acceptable and in accordance with the adopted Local Plan Policies.

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

- 7.1. This application is not CIL liable.

## **RECOMMENDATION**

**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 satisfactory development of the site

### **Condition 2**

The installation tilt of all the column luminaires are to be reduced to 0 degrees (horizontal), as recommended within ILP GN01:2021, within two months of the date of this decision.

Reason:

In order to safeguard neighbouring amenity and reduce light spill more widely, in accordance with Policy DM29 of the Chelmsford Local Plan.

### **Condition 3**

The 16no. security lighting columns shown on plan no. 4158\_PL53 are to be fitted with light shields within two months of the date of this decision, in order to conform with light spill diagram plan no. 3441-DFL-ELG-XX-DR-EO-13001 Rev P01. Those installed shields shall remain in perpetuity.

Reason:

In order to safeguard neighbouring amenity and reduce light spill more widely, in accordance with Policy DM29 of the Chelmsford Local Plan.



## Notes to Applicant

### 1 Hours of work during construction

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

#### Noisy work:

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

#### Light work:

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

In some circumstance further restrictions may be necessary.

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

### 2 The 4no. security lighting columns shown to be removed on plan no. 4158\_PL53 should be removed within two months of the date of this decision. Failure to do so will likely result in enforcement action.

## Positive and Proactive Statement

During the life of the application the Local Planning Authority suggested amendments to the proposal in order to improve the development. 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:**

4158\_PL01/B

4158\_PL51

4158\_PL51

4158\_PL53

3441-DFL-ELG-XX-DR-EO-13001/P01

## Essex County Council Highways

Comments
<p>Date:- 25th March 2025</p> <p>The 25no. compound lights direct the light vertically groundward.</p> <p>This is shown in the supporting 'Indicative Light Spill Diagram' and is therefore not likely to cause light encroachment to the highway.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the NPPF 2024 and the following Development Management policies: -</p> <p>A) Safety Policy DM1 ' DM7 of the Highway Authority's Development Management Policies.</p> <p>B) Accessibility Policy DM9 and DM11 of the Highway Authority's Development Management Policies.</p> <p>C) Efficiency/Capacity Policy DM1 ' DM6 of the Highway Authority's Development Management Policies.</p> <p>D) Road Hierarchy Policy DM2 - DM5 of the Highway Authority's Development Management Policies.</p> <p>E) Parking Standards Policy DM8 of the Highway Authority's Development Management Policies which refers to the Parking Standards Design and Good Practice September 2009 (Essex Planning Officers Association/ECC)</p>

## Public Health &amp; Protection Services

Comments
<p>13.03.2025 - PH&amp;PS have reviewed the complaints received to this service in relation to lighting and the Lighting Survey Report and make the following condition recommendations:</p> <ul style="list-style-type: none"> <li>- Luminaires at the site boundaries to be fitted with rear light shield to remove any direct light overspill beyond the site.</li> <li>- The installation tilt of luminaires elsewhere in the site should be reduced to 0° (horizontal). No direct lighting should be visible from residential properties within the locality.</li> </ul> <p>We also advise:</p> <ul style="list-style-type: none"> <li>- Consideration should be given to minimising lighting "glow" from the site which is within a rural environment. Examples include: reducing the height of luminaires (especially at the boundaries), and the zoning of lighting allowing switching off areas when not required.</li> </ul>

04.06.2025 - The submitted plans reflect those I have previously seen in my discussions with Planning and the agent for the site. The measures when implemented will remove the likelihood of statutory nuisance and therefore are supported.

I do note the response from the parish council and its reference to Policy DNP10 of its Neighbourhood Plan together with DM16 and DM29 of the Chelmsford Local Plan - The use of the lighting during all night-time hours will inevitably result in a permanent "glow" in a primarily rural and dark locality. The applicant has not offered the provision of timed or PIR activated lighting which would further mitigate its effects for residents and the natural environment.

## Environment Agency

### Comments

12.03.2025 – We have reviewed the submitted documents and have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have provided additional information on flood risk below. Flood Risk The applicant has sequentially sited all proposed development within Flood Zone 1. Our maps show the site boundary lies within fluvial Flood Zone 2 and 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a medium and high probability of flooding respectively. The proposal is for the retrospective application for 25 compound security columns and lights. The applicant has not submitted a flood risk assessment, but we are satisfied that the development is safe because Drawing 3 shows all development lies within Flood Zone 1. Additional Advice

Sequential and Exception Tests The development is located within Flood Zone 1 with a 'low probability' of flooding, with less than a 1 in 1000 annual probability of river flooding in any year (<0.1%). Therefore, we consider that the Sequential and Exception Tests will not need to be undertaken as part of this planning application. Other Sources of Flooding In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

## Danbury Parish Council

### Comments

21.05.2025 - All of the lights should be shielded and only point downwards. The Parish Council supports the comments submitted by residents and is concerned about their long term health if light pollution continues to disturb them.

If Planning Officers are minded to approve this application, please would they apply a condition that details of the lighting shields are submitted and approved by appropriately qualified planning officers to meet the

requirements of Danbury Neighbourhood Plan Policy DNP10 and Chelmsford Local Plan Policies DM29 and DM16.

The previous comments submitted by the Parish Council to this application still apply.

21.03.2025 - The Parish Council considers that this retrospective application conflicts with Chelmsford City Council Policy DM29 and Danbury Neighbourhood Plan policy DNP10. In addition, the application states neither the site's operating hours nor when the lighting will be in operation during both the winter and summer months.

The Parish Council supports the comments of Public Health and Protection Services.

If minded to approve the application please would Planning Officers apply:

1. A condition for operating hours to be between 8am and 8pm, with the site remaining closed on Bank Holidays. In addition, only low level lighting to be in operation during hours of darkness. When closed, only low level lighting should be in operation. This is to preserve the amenity to neighbouring properties in accordance with Chelmsford City Council Policy DM29.
2. A condition to ensure to that both Chelmsford City Policy DM29 and Danbury Neighbourhood Plan Policy DNP10 (with particular reference to paragraph 6.31) are adhered to.

Please would Planning Officers confirm that there are no hazardous materials being stored on site and apply a condition to ensure that no high risk materials are stored in the containers.

### **Ramblers Association**

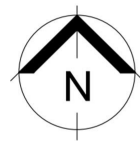
Comments
04.03.2025 - No Comment

### **Woodham Ferrers & Bicknacre Parish Council**

Comments
No response received

### **Local Residents**

Comments
Representations received – see body of report for summary



## LOCATION PLAN

Old Chase Farm, Danbury

4158\_PL01B  
1:1250 @ A3  
T: 020 3141 3600

**DOVETAIL**  
ARCHITECTS



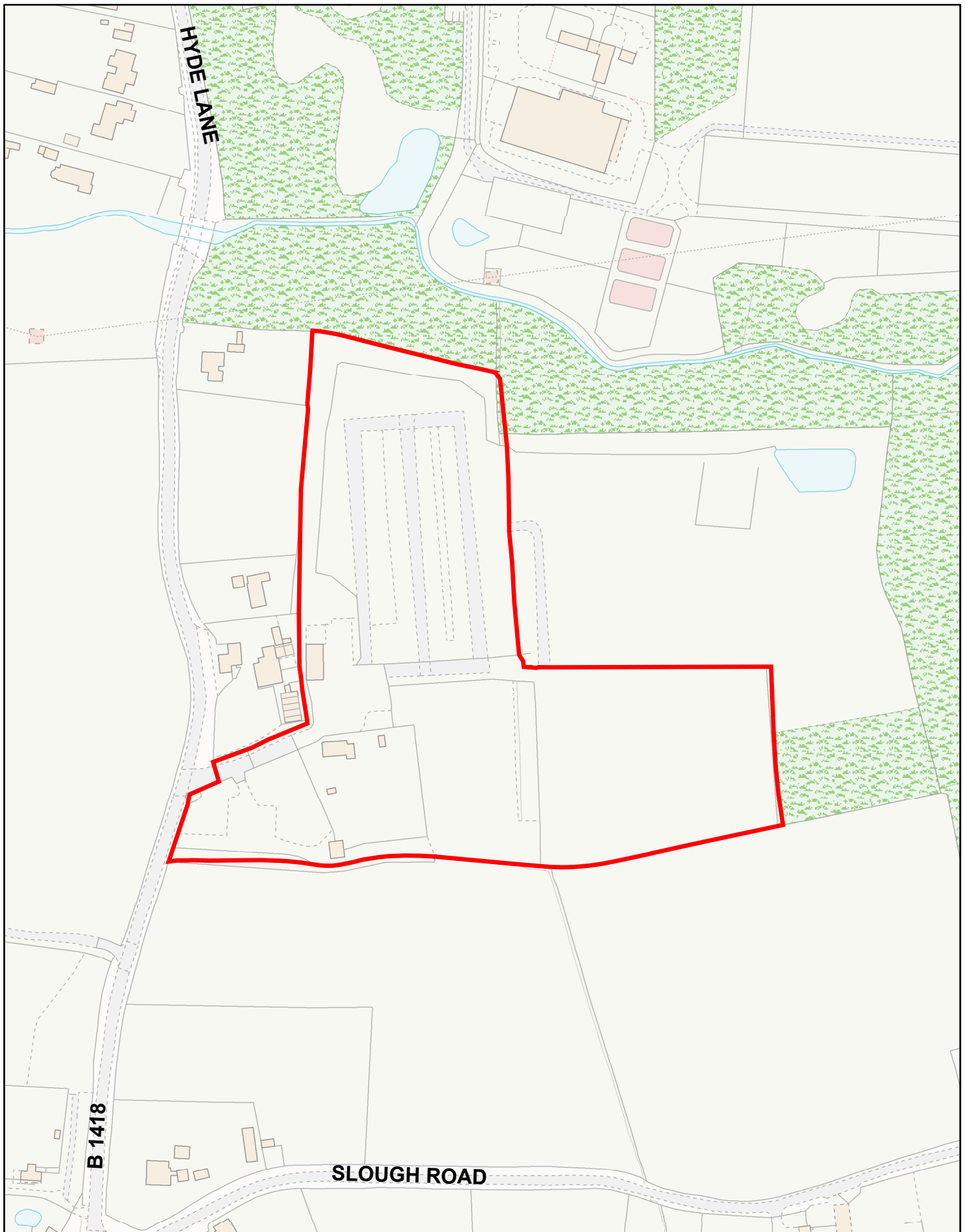


## LIGHTING REMOVAL AND LIGHTING SHEILD PLAN

Old Chase Farm, Danbury

4158\_PL53  
1:1250 @ A3  
T: 020 3141 3600

**DOVETAIL**  
ARCHITECTS



0 25 50 100 Metres

1:2,500



**Planning Committee  
25/00218/FUL**

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

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

Telephone: 01245 606826

© Crown copyright and database rights 2025 Ordnance Survey AC0000809459.

You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data.

You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.