

Planning Committee Agenda

3 May 2022 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor J A Sosin (Chair)

and Councillors

L Ashley, S Dobson, P Hughes, R J Hyland, J Lardge,
R Lee, G H J Pooley, R J Poulter, T E Roper,
E Sampson, C Shaw and I Wright

Local people are welcome to attend this meeting remotely, 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 telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923 email brian.mayfield@chelmsford.gov.uk

PLANNING COMMITTEE

3 May 2022

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 5 April 2022

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. LAND EAST OF HILL ROAD SOUTH, CHELMSFORD – 22/00239/FUL

7. BROOMFIELD MILL, MILL LANE, BROOMFIELD, CHELMSFORD – 21/01399/FUL

8. 259 BADDOW ROAD, GREAT BADDOW, CHELMSFORD – 22/00274/FUL

9. PLANNING APPEALS

MINUTES
of the
PLANNING COMMITTEE
held on 5 April 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors S Dobson, J Frasca, P Hughes, R J Hyland, J Lardge,
G H J Pooley, R J Poulter, T E Roper, E Sampson, C Shaw and I Wright

Also present: Councillors N Chambers, A B Sosin and M Steel

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 had been received from Councillors L Ashley and R Lee. The latter had appointed Councillor J Frasca as his substitute.

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 8 February 2022 were confirmed as a correct record.

5. Public Question Time

A statement was made by a member of the public on Item 6. Details are recorded under minute number 6 below.

6. 13 Cherry Garden Road, Great Waltham, Chelmsford – 21/02397/FUL

The Committee considered an application for the formation of a vehicle access across the verge fronting 13 Cherry Garden Road, Great Waltham.

The agent for the applicant attended the meeting to speak in favour of the application. He disputed the officers' view that the provision of posts to delineate the route of the access would be a visual intrusion and argued that it was not a justifiable reason for refusal. He pointed out that the application overcame the concerns of the inspector who had dismissed the appeal against a previous refusal, and said that the posts would be low and of a natural colour and material, that neighbours and the Parish Council had not objected to the application and that there were similar crossings in Great Waltham. A ward councillor for the area said that local residents and the Parish Council were divided about the application and he raised questions about the Council's position as the owner of the land over which the access would pass and the application of the recently adopted Open Spaces Policy in this particular case. He too pointed to crossings that had been approved in the past and the fact that cars currently parked on grass verges elsewhere in Great Waltham, with no action taken to stop it. He added that the properties fronting the greensward had no other means of access and that residents would be unable to charge electric cars if crossings could not be created.

In discussing the application, the Committee raised concerns about the precedent that would be created if it were to be granted and the effect this would have on the amenity and character of the area, especially if the posts were not properly maintained. Asked to explain further the reasons for recommending refusal, officers said that their concerns were not only about the appearance of the posts but the effect the proposal as a whole would have on visual amenity and the character of the area.

Members appreciated that this was a marginal decision but, on balance, felt that the application should be refused for the reason given in the report, i.e., that the proposed vehicle access and cross over together with the installation of numerous timber posts would result in a significant visual impact that would be harmful to the undeveloped, open and verdant character and appearance of the street and would therefore fail to comply with policy DM23.

RESOLVED that planning application 21/02397/FUL in respect of 13 Cherry Garden Road, Great Waltham Chelmsford be refused for the reasons detailed in the report to the meeting.

(7.04pm to 7.35pm)

7. 10-12 Hanbury Road, Chelmsford – 19/01916/S73

An application had been received for the variation of condition 4 of planning permission 19/01916/FUL (the construction of a rear and side extension to 10-12 Hanbury Road, Chelmsford; the construction of three-metre high acoustic fencing; and retrospective permission for exterior works to the building). The application sought permission for alterations to the finish of the rear elevation sloped roof.

Councillor J Lardge had referred the application to the Committee in response to local residents' concerns about noise disturbance from the site. Having expressed those concerns and urged the Committee to consider whether the noise levels from the site were acceptable, Councillor Lardge took no further part in the consideration of the application.

The Committee was informed by an officer from the Public Health and Protection Service that the noise levels from the site had been measured in 2021 and had confirmed that the noise levels anticipated from the activities on the site were correct and acceptable. Modelling of the noise attenuation levels anticipated as a result of the new design of the roof indicated that they were not likely to be significantly different from the levels measured in 2021 and may be slightly lower. The Committee was assured that although noise levels were considered to be acceptable, action could be taken by Public Health and Protection if at any time they constituted a statutory nuisance.

In response to questions from members, officers said that the access gate referred to in the representations from residents gave maintenance access to the rear of the building and was unlikely to affect overall noise levels from the building. It would not be possible to enforce any condition that completely prohibited any light from the building outside of the hours of operation as, owing to the building's rooflights, it would be reasonable to expect some low level of ambient light from the building at night from, for example, security lighting.

RESOLVED that planning application 19/01916/FUL in respect of 10-12 Hanbury Road, Chelmsford be approved, subject to the conditions set out in the report to the meeting.

(7.35pm to 7.51pm)

8. 275 Baddow Road, Great Baddow, Chelmsford – 22/00014/FUL

The Chair declared an interest in this item and left the meeting during its consideration. The Vice Chair, Councillor Wright, took the chair for this item and Item 9.

The Committee had before it an application for the demolition of the office building on the site of 275 Baddow Road, Great Baddow and the construction of eight dwellings and the widening of the existing access.

A representative of Great Baddow Parish Council and a ward councillor for the area attended the meeting to express concern about the application on the grounds that:

- The access to the site was not adequate and poor sightlines gave rise to safety concerns
- Parking provision for residents and visitors was not adequate given the size of the proposed dwellings
- The application represented overdevelopment of the site
- Existing properties would be overlooked and in some cases would be less than the back to boundary distance of 15m set out in Appendix B to the Local Plan
- Some of the properties would have garden spaces below the minimum standard for dwellings of their size.

In response to those concerns, officers said that:

- The existing access would be widened by 1.5m and Essex Highways were satisfied with the access and egress arrangements for the site and the sightlines. There was sufficient width for two vehicles to pass and vehicle movements to and from the site would be no greater than at present
- Essex Highways also had no concerns about the parking provision, which met current standards
- Whilst the back to boundary distances in some cases were below the minimum standard, there would be a better relationship with existing houses as the proposal removed built form further from the neighbours' rear garden boundaries. Two dwellings had been designed to prevent overlooking of existing properties fronting Baddow Road, with obscure glazing provided at first and second floor levels where necessary, and a difference in ground levels and the retention of a boundary wall would prevent overlooking in other cases
- Whilst the gardens of some of the properties would be below minimum standards, the shortfall in private amenity space would be made up by the provision of terraces as part of the buildings' design
- In general, whilst the development did not meet a small number of development standards, its overall design and impact on the area was considered to be acceptable

Although some members expressed concern about the effect of the development on an already congested local road network, the safety of the site's ingress and egress arrangements, and the effect the development would have on neighbours' amenity, the Committee was generally of the view that the development would be acceptable. It asked, however, that an additional condition be added to remove permitted development rights for new windows in the proposed properties in order to maintain the satisfactory relationship between dwellings.

RESOLVED that planning application 22/00014/FUL in respect of 275 Baddow Road, Great Baddow, Chelmsford be approved, subject to the conditions set out in the report to the meeting and an additional condition to remove permitted development rights for new windows.

(7.51pm to 8.42pm)

9. Planning Appeals

RESOLVED that the information on appeal decisions between 14 March and 22 March 2022 be noted.

(8.42pm to 8.43pm)

The meeting closed at 8.43pm

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.

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

- 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.
- 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.
- 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.

VILLAGE DESIGN STATEMENTS

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was published in February 2019. It replaces the first NPPF published in March 2012 and almost all previous national Planning Policy Statements and Planning Policy Guidance, as well as other documents.

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

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

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



Planning Committee

Application No	:	22/00239/FUL Full Application
Location	:	Land East Of Hill Road South Chelmsford Essex
Proposal	:	Application for the erection of a gas pressure reduction station (GPRS) installation with associated works including temporary works compound, means of enclosure, improvements to access way, provision of a new access road from Hill Road South at land to the east and west of Hill Road South. Provision of a medium pressure/ low pressure district governor on land adjacent to Wharf Road.
Applicant	:	Cadent
Agent	:	Strutt and Parker (Mrs Hayley Morley)
Date Valid	:	14th February 2022

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Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This full application is for a new gas pressure reduction station at Hill Road South and a new district governor at Wharf Road. The development is classified as essential infrastructure relating to the operation of the natural gas network. It is part of an improvement to maintain energy supply to local communities, both existing and into the future as set out within the Chelmsford Local Plan, and allow for the removal of gas constraints from the surrounding land allocated for regenerative housing development.
- 1.2. Objections have been received from local residents and allotment holders, including the Hill Road Allotment Association (see Appendix 1). These concerns have been considered alongside wider planning considerations, and the application is assessed to be compliant with all material requirements. This application is recommended for approval.

2. Description of site

- 2.1. The proposals relate to three different areas. These will be referred to as sites 1, 2 and 3 (which will correspond to the three works components as proposed – see Details of the proposal).
- 2.2. SITE 1: The works are proposed within the curtilage of Hill Road Allotments. This land is owned by Chelmsford City Council. The land within the application boundary is not active allotment land. Land outside of the application site boundary is leased to allotment holders by Chelmsford City Council with local management provided by an Allotment Association. The main area of works is to the south-east of the wider allotment site, consisting of a rectangle of land situated between the internal allotment access drive and a deep group of trees running along the southern boundary. In addition, the application site includes the existing internal access drive and its connection with Hill Road South. The area of works in total is circa. 3,900 sqm.
- 2.3. SITE 2: This is the site of an existing fenced gas compound owned and managed by Cadent to the south of the Chelmer and Blackwater Navigation canal terminus. The proposal involves rationalising the existing compound area from 271 sqm. to circa 160 sqm.
- 2.4. SITE 3: In addition to the proposed permanent works areas, a temporary construction compound of circa. 2,860 sqm. would be created on land controlled by Chelmsford City Council which is historically part of an industrial estate. This site has recently been cleared of buildings. This is to the north of the canal terminus within the area locally known as the Lockside industrial estate.
- 2.5. All areas of this proposal fall within the central Urban Area of Chelmsford.
- 2.6. The allotment area is classified as Green Wedge and Open Space. Land directly to the east of the allotments is designated as a local wildlife site (LoWS).
- 2.7. There are no Tree Preservation Orders on or adjacent the proposed site areas.
- 2.8. The sites are all subject to a risk of river flooding - Flood Zones 2/3a.

- 2.9. Site 2 is within the Chelmer and Blackwater Navigation Conservation Area which covers the canal and river corridors and their immediate surroundings, Sites 1 and 3 are situated outside but to the edge of the same Conservation Area.
- 2.10. Local housing is situated between 30 and 65 metres from Site 1 – this is the distance to application boundary, not to be confused with distance to proposed development which is a greater distance as depicted in the application and reports. New housing development on the Chelmer Waterside peninsula has been constructed 10 metres from Site 2, the site of an existing Cadent gas compound. Site 3 is around 60 metres from the nearest residential properties.
- 2.11. As further context, the wider Chelmer Waterside area which surrounds these sites has been allocated for regenerative development as part of the Chelmsford Local Plan adopted May 2020 (Strategic Growth Site Policy 1a) which allocates this area for new strategic-scale housing-led development. Some of this development is already approved and under construction to the south of the canal. Other areas are being brought forward for development in the near future.

3. Details of the proposal

- 3.1. The proposals consist of three distinct areas of work –
- i. A gas pressure reduction station (GPRS) to be situated within the curtilage of Hill Road Allotment (Site 1) which is in the ownership of Chelmsford City Council.
 - ii. A District Governor (DG) to be situated within an existing fenced compound owned and managed by Cadent to the south of the Chelmer and Blackwater Navigation canal terminus (Site 2).
 - iii. A temporary works compound to be situated on land owned by Chelmsford City Council (Site 3) which will support the construction of the GPRS principally and which will be removed once works are complete.
- 3.2. The proposed development will facilitate removal of the existing GPRS located in Wharf Road, close to the retail centre. This land has been allocated for regenerative development.

4. Other relevant applications

- 4.1. In 2005 planning permission was granted for a GPRS in the same location as currently proposed. That permission was not implemented.
- 4.2. An EIA Screening Opinion has been undertaken for the current works. It has been concluded that the works do not constitute works requiring assessment under EIA Regulations.

5. Summary of consultations

- Public Health & Protection Services – no objection (conditions recommended)
- Environment Agency – no objection (conditions recommended)
- Essex County Council Highways – no objection (conditions recommended)
- Ramblers Association – no reply

- One Chelmsford BID Ltd – no reply
- NHS Mid & South Essex Sustainability & Transformation Partner – no objection
- Police - Designing Out Crime – no reply
- Anglian Water Services Ltd – no objection
- Essex and Suffolk Water – no reply
- Essex Waterways Ltd – object to any encroachment on maintenance rights
- Chelmer Canal Trust – no reply
- National Grid Gas – no objection
- ECC Minerals & Waste Planning – no comment
- Local residents – 52 responses including from Marina One management company and Hill Road Allotment Association

5.1. See Appendix 1 for summaries of comments.

5.2. Officer consideration of proposals has taken all comments into consideration where material.

6. Planning considerations

Principle

- 6.1. The majority of development and engineering works undertaken by Cadent as the gas network operator do not require planning permission. These include works relating to pipelines and other above ground equipment associated with the gas network. These proposals are relatively minor in nature, but combined the works above ground do fall outside of permitted development allowance. Cadent have therefore been requested to make a planning application for the works.
- 6.2. The works proposed are to provide new, more efficient equipment which facilitates the removal of an existing high pressure gas pipeline from the main waterside peninsula and facilitates removal of associated gas equipment from the edge of the city centre. A high-pressure gas pipeline is a transmission-grade pipeline, used to convey gas over large distances, and these come into the city under the water meadows to the east. Siting the GPRS to the east of the city is therefore a logical outcome and site option analysis has brought Cadent to this conclusion. Once the pressure has been downgraded at the GPRS, the gas is conveyed over district pipelines to other areas of the city via district governors. The district governor proposed to the south of the canal is part of this district network and is used to reduce the gas pressure from medium to low pressure for supply into individual properties. No objections would be raised as a point of principle as the proposals relate to existing gas network and are in areas which are physically capable of accommodating gas infrastructure. This is essential infrastructure.
- 6.3. It is commonly reported that the government is looking to phase out reliance on natural gas over the coming years and there is a published Net Zero Strategy. However, it is expected that if natural gas production is ceased that hydrogen gas will be one of the replacement energy sources to be supplied over the existing natural (methane) gas network, so infrastructure needed in the interim to support the supply of natural gas to homes reliant upon it should still be put in place to support both current and future energy supply.
- 6.4. The proposal site is currently part of a wider Open Space extending into the allotment site beyond the water meadows to the east. This land is part of an allotment site, but is not in active use as allotment plots. The land has no active or public function at present and is in a more

natural state. The principle that part of this Open Space would be removed to facilitate the essential infrastructure as proposed is accepted. As demonstrated under the recently approved Chelmer Waterside Development Framework, the realisation of allocated growth on Chelmer Waterside is tied to an expectation of these changes to facilitate more efficient use of brownfield land. The Development Framework also provides consideration of improvements to the allotment site to realise more active allotment plots and improve facilities. Therefore, as part of the wider scope of works in Chelmer Waterside the remaining Open Space at the allotment site is to be more actively used and this stage is a necessary step in a recognised development programme.

Main Issues

6.5. The main issues to be considered are as follows:

- Flooding
- Trees
- Ecology
- Noise
- Odour

Flooding – Policy DM18

- 6.6. The development is proposed in Flood Zone 3, an area which is more susceptible to flooding. Due to the flood categorisation both a Sequential and Exception Test have been undertaken. This development is categorised as essential infrastructure.
- 6.7. A Flood Risk Assessment has been provided in support of the application. As part of the FRA the Environment Agency (EA) has been consulted. Fluvial flood risk (flooding from rivers) is considered to be high based on EA modelling which incorporates an increased risk owing to climate change. Therefore, mitigation has been prepared setting the basis for the development approach of these proposals beyond the standard gas network requirements.
- 6.8. To mitigate potential water displacement by the physical development the design raises critical infrastructure up 1m by means of stilts. This allows water to pass beneath and reduces possible displacement of flood water considerably – less than 3 cubic metres in total. This maintains a 24mm freeboard for increased resilience. This approach increases the height of some of the buildings (see Visual considerations below), but whilst material, this increase in height is not severe, so this approach is considered a reasonable form of mitigation to address flood considerations and is preferable to increasing risk of off-site flooding.
- 6.9. As a consequence of the direct mitigation, there is no need for compensatory flood water storage either at the site or nearby.
- 6.10. The EA's flood warning system will be used to notify any personnel present on site during an imminent flood event of the dangers. This will provide personnel with advanced warning to leave the site to avoid risk of personal injury. In addition, a Flood Emergency Management Plan will be sought by condition.
- 6.11. The Environment Agency has no objections to the applicant's Flood Risk Assessment. The approach to flooding and drainage as proposed is considered acceptable. A Flood Emergency Management Plan will be sought by condition.

- 6.12. The flood strategy as presented is designed to meet the challenges of this site and does not result in unacceptable flood risk at this site or elsewhere taking into account future risk and climate change. This accords with National Planning Policy Framework and Policy DM18 of the Adopted Local Plan.

Trees – Policy DM17

- 6.13. A tree report has been submitted with the application. The report has been produced in accordance with British Standard 5837:2012. This report has been considered by officers.
- 6.14. There are four areas of vegetation work proposed. All works relate to the GPRS or its access. These works include reduction to Groups G14 and G15 to widen the access junction with Hill Road South, clearing of some vegetation (G33) from the old allotment site hut, removal of G32 to facilitate construction and reduction of G18 to facilitate construction.
- 6.15. None of the tree groups affected by the works are protected.
- 6.16. Groups 14 and 15 consist of Hawthorn and Goat Willow, offer some allotment screening and wildlife connectivity (although already interrupted by existing access). The reduction as proposed to form the access junction is not a substantial loss. Group 33 consists of self-seeded Cherry Plum and has very low amenity value and limited wildlife value. The removal of landscaping from around the dilapidated allotment site hut is not a substantial loss. Group 32 consists of Hawthorn, Ash and Norway Spruce and has limited amenity value or wildlife value. The loss of this group would have moderate impact as it would remove a full group, but the loss is not significant to overall mosaic of landscape attributes and wildlife connections. Group 18 consists of White Willow and is a group of varying quality, but overall would be considered a high value group. The earlier reported loss of circa 8 trees from this group is not considered necessary now, but some reduction to trees will still be required to facilitate works within the areas as identified and this may still result in tree loss. The area of reduction would represent a circa 2.8% reduction to this group, as shown, which is considered to be less than significant and would not harm the overall amenity or ecological value of the group.
- 6.17. Notwithstanding the above conclusions, the loss of existing vegetation will be factored into the visual mitigation (See Visual considerations section) and compensation in the form of new landscape planting along boundary will be required by planning condition. The applicant acknowledges the need for natural screening to GPRS and DG boundaries as part of this application submission.
- 6.18. The impact of the proposals on the unprotected landscape features is considered to result in less than significant harm which is acceptable. The proposals include provision of new planting which can compensate for the vegetation which would be lost. This accords with National Planning Policy Framework and Policy DM17 of the Adopted Local Plan.

Ecology – Policy DM16

- 6.19. An ecology report has been submitted with the application. This report has been considered by officers and additional clarifications have been sought over the course of the application. A further Ecology Technical Note has been submitted dated 20th April 2022 which has been considered alongside the ecology report. This sets out that further survey work has been carried

out in relation to bats and reptiles, with no additional safeguards needed, and that mitigation to avoid some of the originally proposed tree loss has been agreed.

- 6.20. The site is part of a landscape mosaic of natural features which support wildlife. The adjacent land to the east is a Local Wildlife Site. None of the species of flora on site are of specialist protection value. Birds, bats and hedgehog are most likely to be present within the site.
- 6.21. The loss of vegetation suitable for habitat is minimal. The introduction of new native species planting to the periphery of the GPRS compound and DG and an acknowledgement that arisings from tree works can be used to provide refugia within the retained tree groups are both opportunities to support wildlife.
- 6.22. The impact of lighting will be considered further by means of planning condition, but in principle the impact of the proposed lighting on wildlife interests given the local context is acceptable.
- 6.23. The ecology report concludes with 12 recommendations relating to ecological supervision and attributes of the development. All are to be taken forward in accordance with the ecology report. In addition, some elements of those recommendations will be separately conditioned.
- 6.24. The impact of the proposals on ecology interests, including fauna, their habitat and connections between areas of activity is minimal and the proposals have mitigated more significant tree loss. The proposals include provision of new planting which can compensate for the vegetation which would be lost and this would allow for biodiversity net gain to be achieved. This accords with National Planning Policy Framework and Policy DM16 of the Adopted Local Plan.

Noise – Policy DM29

- 6.25. A noise report has been submitted with the application covering both permanent installations. This report has been considered by officers and additional clarifications have been sought over the course of the application.
- 6.26. The noise report establishes that the GPRS equipment is expected to generate a noise level of 77dB at source and that over the 50m to nearest residential properties, the noise level will abate to around 33dB, equivalent to ambient night time levels monitored at the site (which are between 33 – 39dB). This level of noise reaching nearby receptors would result in no effect or no observable adverse effect to those residents. Since this observable noise level is below the +5dB or +10dB increase which would represent an adverse or significant adverse effect in accordance with British Standard (BS 4142:2014), there would be no justified grounds for seeking mitigation. This noise relationship is improved during daytime hours when the ambient noise level is increased to around 51dB (measured from centre of allotments) which would be expected to generally screen any noise from the plant.
- 6.27. Many local residents have commented on possible noise disturbance which is understandable. However, the noise impact assessment demonstrates that the installation will not generate excessive noise and will remain commensurate with ambient acoustic levels in this area. On this basis there would be no grounds for imposing higher restrictions. However Cadent would accept noise monitoring to confirm that they are operating the new gas equipment in accordance with the noise parameters set out in the noise report.
- 6.28. Some allotment holders have also raised concerns about possible noise impact. The allotments would be used during daytime hours when ambient noise levels are greater, making it even less

likely that adverse noise impact from this equipment would be materially harmful. The noise from the GPRS adjusting for distance and tonality to nearest allotments would be 43dB which is commensurate or lower than ambient daytime noise levels.

- 6.29. Within the report there is a reference to the existing GPRS and noise levels to provide a general comparison between that existing GPRS and the new equipment. Unfortunately, because the existing GPRS noise level was measured from a distance of 15m rather than at source, this appears to have led to some local misunderstanding of the relative noise impact of the new GPRS as proposed. To confirm, the new equipment will be considerably quieter than the existing GPRS. The existing GPRS has a 70dB *sound pressure level* measured at 15m from source whereas the new GPRS would have a circa. 41dB *sound power level* measured at the same distance. This noise is further abated over distance to the nearest residential receptors.
- 6.30. In relation to the district governor to the south of the canal, the noise report outlines that this equipment is commonly situated adjacent to residential properties. In the absence of additional data, but on the basis of numerous similar or closer relationships between residential properties and gas district governors, there is no objection raised. Further, the DG in and of itself would not exceed the permitted development allowance available to Cadent as the gas network operator. Nonetheless, the report recommends a planning condition could be imposed to limit noise at edge of nearby properties to match recorded ambient levels as a safeguard.
- 6.31. The Council's Public Health and Protection Service has considered the content of the report in relation to GPRS and district governor and agrees monitoring is a sensible precaution, but that no further restrictions would be needed. Conditions will be added to the officer recommendation. The outcomes of this assessment accord with National Planning Policy Framework and Policy DM29 of the Adopted Local Plan.

Odour – Policy DM29

- 6.32. An odour report has been submitted with the application covering both proposed permanent installations. This report has been considered by officers and additional clarifications have been sought over the course of the application.
- 6.33. The odour report establishes that the GPRS equipment is not expected to generate any substantial odour under normal operating conditions and that emissions from the plant are to be eliminated or minimised to lowest practical level. Under normal operating conditions the source of any methane emissions would be two 90kw boilers with vertical flues situated some 50 metres from nearest residential occupier. Otherwise the risk of experiencing odour would be from an emergency venting event, which is a failsafe event only should there be a fault with the plant and would be an extremely rare and limited event should it occur. All equipment is constantly monitored from the control centre to maintain normal operating parameters and avoid the need for venting.
- 6.34. The gas network operator is a professional body licenced to undertake its role of supplying natural gas. The Health and Safety Executive (HSE) are one of the key organisations responsible for overseeing the safe operation of the gas network by the operator in accordance with national controls. The HSE has been consulted as part of the application process. There is no reason to expect operation outside of normal parameters except in very rare events as described.

- 6.35. The odour impact which is anticipated by the report is negligible to slight. In accordance with the National Planning Policy Framework and Policy DM29 of the Adopted Local Plan there is only a requirement to mitigate where an unacceptable level of odour or air quality impact would occur. The report concludes that the impact would not be significant in accordance with Institute of Air Quality Management guidelines. This conclusion is accepted. No further mitigation is sought.

Highways – Policy DM23

- 6.36. The GPRS is to be served by a 6m wide road from Hill Road South. This extends over the route of the existing allotment driveway. The width of the road is set by Cadent design standards to ensure appropriate access is available at all times equivalent to public road access. This is a standard requirement.
- 6.37. The junction is to be constructed to typical highway standards requiring agreement with the Local Highway Authority. In principle, the Local Highway Authority raises no objections to these proposals on the grounds of highway safety or function.
- 6.38. To facilitate the new access means widening the existing driveway through the allotments. This will widen to the south preserving all allotments to the north. Two allotment holders that would be affected by these proposals have already been relocated to other plots within the Hill Road Allotment site meaning this planning decision does not give rise to further relocation of allotment holders.
- 6.39. The DG and temporary works construction compound are both served via existing access from a public highway (albeit Taylor Wimpey are in control of the section of Wharf Road to which the DG connects).
- 6.40. The GPRS and DG combined do not increase traffic movement compared to existing operation of the gas network.
- 6.41. Parking for Cadent vehicles will be provided within the boundary of the GPRS. The DG will benefit from right to park official Cadent vehicles within the boat craning area of the adjacent Aspyre development under special exception to the parking controls put in place for that development. This has already been agreed with Taylor Wimpey, the developer of Aspyre.
- 6.42. The highways impacts of the development are negligible and can reasonably be dealt with under standard Local Highway Authority controls with minimal input from the Local Planning Authority. This accords with National Planning Policy Framework and Policy DM23 of the Adopted Local Plan.

Conservation – Policy DM13

- 6.43. A heritage report has been submitted with the application focussing on the district governor since that is situated within the Chelmer and Blackwater Navigation Conservation Area whereas the other elements are not. This report has been considered by officers.
- 6.44. As mentioned above, the GPRS and temporary construction compound are located outside of the Chelmer and Blackwater Navigation Conservation Area. The DG is located within the Conservation Area, but its siting is necessitated by existing pipeline positions which has been accepted as a point of principle.

- 6.45. It is accepted that further design refinement of the DG would minimise impact on the character and appearance of the Conservation Area. However, the DG enclosure is limited by strict design parameters relating to how the site must operate. To mitigate the impact of the building to its context a margin for structural planting to its periphery has been secured. This will not include trees due to root impact on pipelines, but this area will contain shrubs able to offer more screening properties to soften the physical presence of the building to the canal setting.
- 6.46. The other elements of the proposals to the north of the canal outside of the Conservation Area are set within the context of past industrial land uses, and would benefit from established natural screening to the east (where open views across water meadows would otherwise be more prevalent). It is concluded that the proposals would not result in attributable harm to the setting of the Conservation Area.
- 6.47. The conclusion therefore is that the proposals would result in a less than substantial harm to the setting of the Conservation Area. This less than substantial harm is able to be mitigated to large extent by planting and that will be controlled by planning condition. This ultimately results in a much lower severity of less than substantial harm which is considered acceptable. This accords with National Planning Policy Framework and Policy DM13 of the Adopted Local Plan.

Visual (including Green Wedge) – Policies DM7 and DM23

- 6.48. A Design and Access Statement has been submitted with the application. This document has been considered by officers. In considering the visual and landscape implications of the development consideration has also been given to Site Allocation 1a (Chelmer Waterside Regeneration) and the adopted Chelmer Waterside Development Framework. Together these documents set out the wider regeneration objectives for a residential-led development of the Chelmer Waterside area.
- 6.49. The GPRS proposals represent a utilitarian installation, the design being purely functional. The maximum height of buildings is 3.7m with some other features such as lighting and boiler flues reaching a maximum height of 4.7m. These are contained within a 2.6m high security fence, surrounding which is a 5m maintenance clearway and then the existing and proposed natural screening. The proposals, whilst of functional appearance, are acceptable given their limited impact on overall landscape character owing to existing level of screening which filters views to this site and with the additional mitigation provided via supplemental boundary planting.
- 6.50. Some concerns have been expressed about the loss of trees from the south of the GPRS compound which may make the development more visible. The loss of trees is material (see Trees comments above), but given the remaining tree cover to the immediate south of the GPRS (97.2% of this tree group to remain) and depth of that tree belt, the development as proposed would still benefit from considerable tree cover. When considered against the moderate scale and scope of development, the impact on visual amenity as experienced from the south could not be considered demonstrably harmful.
- 6.51. The DG will be an exposed kiosk of 2.4m height. Its design has been modified to simulate the neighbouring Aspyre development, but its core design remains bound by standard gas operator requirements. However, this sits within a larger area which has been fenced off for some time and these proposals see that fence in its entirety removed and new landscaping introduced to the periphery of the kiosk. This results in a positive outcome for this area since it results in a more open aspect to this area of the site.

- 6.52. The construction compound is a temporary works area and its impact on landscape is not material since it will be removed following construction.
- 6.53. In addition to the regeneration area, the allotment site is part of a Green Wedge. The purpose of the Green Wedge designation generally is to recognise the role of the main river valleys in providing green corridors into the city for attributes including wildlife, openness, flooding, sustainable transport, leisure and recreation. In this case the primary considerations are openness, natural character, and flooding. Policy DM7 allows for essential utility infrastructure in a Green Wedge setting where the benefits of development would outweigh the impacts to its siting. The need for adequate, modern utilities infrastructure to support existing and future communities is a clear and present justification in this location based on the allocated nature of the adjacent development area. This is presented through the adopted Development Framework. The removal of older infrastructure would benefit the ability to efficiently develop a previously developed (brownfield) site in accordance with the guiding principle of sustainable development. Further, as shown by other sections of the report, the adverse impacts of the GPRS on the attributes of the Green Wedge are relatively minimal and contained and to reasonable extent mitigated by the proposals in combination with the controls to be imposed as part of the planning decision.

Existing facility

- 6.54. The removal of the existing facility is not part of this application. It is likely that planning permission will be required for the demolition because the site is within a conservation area and the works likely exceed permitted development (demolition) allowance for that category of land. The land on which the existing facility sits has been allocated for development by the Chelmsford Local Plan and will be brought forward as part of the wider development of that part of Chelmer Waterside in due course. However, this decision will seek a programme for realising the demolition stage of works in order to understand the relationship between this proposal for new equipment and removal of the existing facility.

7. Community Infrastructure Levy (CIL)

- 7.1. This development is not CIL liable.

8. Conclusions

- 8.1 The proposals are compliant with the objectives of the National Planning Policy Framework and Chelmsford Local Plan (May 2020).
- 8.2 Local objections have been received and considered. The matters raised through the consultation have been considered in the context of national and local planning policy. The objections would not amount to grounds for refusal.
- 8.3 The development demonstrates compliance with the adopted policies and standards that are material to the consideration of this application and planning permission is recommended, subject to conditions.

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

In relation to each respective area of works, no development shall take place including any ground works until a Construction Method Statement relating to that area of works (at least) has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the relevant construction period. The statement shall provide details of:

- i. provision for the parking of vehicles of site operatives and visitors clear of the highway
- ii. means and location of loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities
- v. hoarding positions
- vi. confirmation that no materials, plant or other equipment or goods will be stored within an 8m margin of a main watercourse
- vii. Measures to prevent ecological harm as set out at Recommendations 1, 2, 4, 5 and 7 of the Preliminary Ecological Appraisal by MKA Ecology dated April 2022
- viii. Measures to ensure a suitably qualified Ecological Clerk of Works is present to physically oversee tree works to Group 18 as identified by the Ecology Technical Note by MKA Ecology dated 20 April 2022.

Reason:

To ensure that on-site construction setup is confirmed, on-street parking of vehicles in the adjoining roads does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety. To ensure the construction compound does not give rise to unreasonable flooding or access impacts in relation to the canal. To ensure ecological protection is part of the construction ethos and suitable protections are put in place from the outset. This must be agreed prior to the commencement of construction-related works to ensure adequate measures are put in place before they give rise to impacts.

Condition 4

Subject to such minor variation agreed in writing by the Local Planning Authority or unless otherwise stated in this decision, the development shall be carried out in complete accordance with the recommendations contained within the Flood Risk Assessment by RSK dated January 2022.

Reason:

In order to achieve satisfactory development of the site in relation to flood risks in accordance with Policy DM18 of the adopted Chelmsford Local Plan (May 2020).

Condition 5

Prior to the first operation of the gas pressure reduction station hereby permitted a Flood Emergency Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure reasonable protections for people working from the site are in place from the outset of operation in the interests of public safety during a flood event in accordance with Policy DM18 of the adopted Chelmsford Local Plan (May 2020).

Condition 6

In relation to each respective area of works, no development shall take place until details of both hard and soft landscape works as indicated in principle on the approved drawings have been submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved prior to the first operation of each respective part of the development as approved, or in relation to soft landscaping works the next available planting season. The landscaping details to be submitted shall include:

- a) hard surfacing including driveways and pathways, details of which shall include confirmation of substrate and materials;
- b) existing trees, hedges or other soft features to be retained;
- c) planting plans including specifications of species, sizes, planting centres, number/percentage mix and any protective root barrier;
- d) Details of planting or other features to be provided to enhance the value of the development for biodiversity and wildlife;
- e) Management details and a five year maintenance plan

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and DM17 of the adopted Chelmsford Local Plan (May 2020).

Condition 7

No trees or hedges within the site other than those shown to be removed within the Tree Survey and Arboricultural Impact Assessment by Underhill Tree Consultancy dated 6 December 2021, as modified by the Ecology Technical Note by MKA Ecology dated 20 April 2022, shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of the development or within a period of 5 years following commencement of the development.

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 of the adopted Chelmsford Local Plan (May 2020).

Condition 8

Prior to their use samples of the wall and roof materials to be used in the construction of the district governor as shown on drawing RCS/2010870/CHELM/X/004 Revision D shall be submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the Chelmer and Blackwater Navigation Conservation Area in accordance with Policies DM13 and DM23 of the adopted Chelmsford Local Plan (May 2020).

Condition 9

Notwithstanding the approved scheme, prior to the commencement of works within the gas pressure reduction station area of the site details of the GRP structure (HP to MP PRI Kiosk) as referenced on drawing RCS/2010870/CHELM/L/002 Revision C and its ability to maintain floodwater volume as set out within the Flood Risk Assessment (January 2022) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure a final design of this structure is agreed with the Local Planning Authority and Environment Agency in the interests of flood risk management in accordance with Policy DM18 of the adopted Chelmsford Local Plan (May 2020).

Condition 10

In relation to each respective area of works, no development shall take place until a lighting strategy showing locations, specification(s) of external lighting features and light coverage (lux) and measures to limit excessive light spill and lighting of facilities when not in use have been submitted to and approved in writing by the local planning authority. Subsequently the lighting strategy shall be carried out as approved prior to the first operation of each respective part of the development as approved.

Reason:

To ensure that the proposed development provides adequate lighting to make the development safe for people using it and to ensure it is visually satisfactory to the local setting and wildlife interests in accordance with Policies DM16, DM23 and DM29 of the adopted Chelmsford Local Plan (May 2020).

Condition 11

Prior to the first operation of the gas pressure reduction station hereby permitted 2 functional electric vehicle charging points shall be installed and thereafter retained in good working condition.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM25 of the adopted Chelmsford Local Plan (May 2020).

Condition 12

In relation to each respective area of works, no development shall take place until a Landscape and Ecological Management Plan (LEMP) detailing the ecological enhancements as set out at Recommendation 12 of the Preliminary Ecological Appraisal by MKA Ecology dated April 2022 and to include details relating to Recommendations 6, 8, 9, 10 and 11 of that report have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To help compensate and enhance biodiversity value of the site in accordance with Policy DM16 of the adopted Chelmsford Local Plan (May 2020).

Condition 13

The rating level of the sound emitted from any area of the combined application site containing fixed plant or machinery shall not exceed 39 dBA between 0700 and 2300 hours, and 33 dBA at all other times. The sound levels shall be determined by measurement or calculation taken at the boundary(ies) nearest to noise sensitive premises and shall be taken at a 3 month interval during the first year or as may otherwise reasonably be requested by the Council at any other time.

In the event the noise measurement or calculation shows there to be a higher noise rating than set by this condition, a suitable form of mitigation for that additional noise shall be agreed with the Local Planning Authority within 21 days and so maintained.

Reason:

To ensure nearby properties are provided with appropriate protection in accordance with Policy DM29 of the adopted Chelmsford Local Plan (May 2020).

Condition 14

No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

Condition 15

There shall be no discharge of surface water from the development site onto the Highway.

Reason:

To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

Condition 16

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no wall, gate or other means of enclosure other than hereby approved shall be constructed within or along the boundaries of the site without the written consent of the local planning authority.

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the character or appearance of the locality in accordance with Policies DM13 and DM23 of the adopted Chelmsford Local Plan (May 2020).

Condition 17

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no area(s) of soft landscaping shall be replaced with hard surfacing without the written consent of the local planning authority.

Reason:

In the interests of the visual amenity of the scheme as approved in accordance with Policy DM23 of the adopted Chelmsford Local Plan (May 2020).

Condition 18

Prior to the first operation of the gas pressure reduction station as shown on drawing RCS/2010870/CHELM/L/002 Revision C a programme for demolition and clearance of the existing pressure reduction station at Wharf Road shall have been submitted and approved in writing by the Local Planning Authority.

Reason:

Although the scheme of removal does not form part of this application consideration, the purpose of the proposal is to agree a replacement for that existing facility, which in part is to allow for more efficient redevelopment of the Chelmer Waterside area, so it stands to reason that the Local Planning Authority will need to know when that existing facility will be closed, demolished and cleared.

Notes to Applicant

- 1 These proposals are based on two separate work areas (and a construction compound). This decision allows the applicant to commence with those works separately as required and where discharge of conditions is necessary in relation to those works, this may be submitted independently for those respective work areas so as to ensure they can be delivered at different stages of the programme without unreasonable difficulty.
- 2 For the avoidance of doubt, these proposals have been considered on the basis that the district governor does not have a fence surrounding the kiosk and this decision restricts a fence or other form of boundary enclosure being erected without obtaining planning permission. This reflects the outcome as negotiated in the interests of safeguarding the character and appearance of the Chelmer and Blackwater Navigation Conservation Area.
- 3 The developer shall meet the costs of all necessary approvals and processes associated with the highway works and any related works to make the final scheme technically acceptable. The developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works relating to the junction with Hill Road South. This will include the submission of detailed engineering drawings for approval and a safety audit as required.

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 or by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

The Highway Authority cannot accept any liability for costs associated with a developer's scheme. In addition to physical works, this includes the preparation and consideration of Traffic Regulation Orders, legal processes, safety audits, site supervision, 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).

4 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

Party Wall Act

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>

Positive and Proactive Statement

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

Background Papers

Case File

Public Health & Protection Services

Comments
Planning condition outlined in the submitted acoustic report to be included if permission is given.

Environment Agency

Comments
<p>No objection.</p> <p>GRP design to be requested to confirm unimpeded water flow.</p> <p>LPA to confirm that within the temporary works area (construction compound) materials will not be stored within 8m of the canal to avoid 'heaping' which can displace flood waters and impede access.</p> <p>LPA to consider flood emergency evacuation planning.</p>

Essex County Council Highways

Comments
<p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions/informatives:</p> <p>Construction Management Plan</p> <p>Junction to Hill Road South being provided prior to occupation</p> <p>No unbound materials within 6m of public highway</p> <p>No discharge of surface water from the development onto the Highway</p> <p>All highway related details shall be agreed with the Highway Authority</p>

Ramblers Association

Comments
No response received

One Chelmsford BID Ltd

Comments
No response received

NHS Mid & South Essex Sustainability & Transformation Partner

Comments
The development will not impact healthcare capacity in the area. No comments.

Essex and Suffolk Water

Comments
No response received

Police - Designing Out Crime

Comments
No response received

Anglian Water Services Ltd

Comments
The applicant should check for any Anglian Water assets which cross or are within close proximity to the site.

Essex Waterways Ltd

Comments
<p>This relocation of the GPRS was proposed as long ago as 2002. The relocation will enable more beneficial use of city centre land.</p> <p>Our comments on the application relate specifically to the District Governor which is located prominently in the Conservation Area alongside the Chelmer & Blackwater Navigation. Welcome removal of unsightly and visually dominant close boarded fence. This has been erected outside the Cadent ownership on land which is our maintenance access to the Navigation. The application is however unclear about any replacement boundary treatment to the District Governor kiosk.</p> <p>The Planning, Design and Access Statement and Heritage Statement offer some conflicting statements in relation to parking, boundary treatments and planting areas.</p> <p>We raise objection to any further encroachment on the Navigation bank and seek clarification of any boundary treatment for this prominent location which should be solely upon Cadent land ownership.</p>

Chelmer Canal Trust

Comments
No response received

National Grid Gas

Comments
No objection.

ECC Minerals & Waste Planning

Comments
The site is not within a Mineral Safeguarding Area, Mineral Consultation Area or Waste Consultation Area. No comment.

Local Residents

Comments
<p>A total of 52 responses were received, including from the Marina One management company and Hill Road Allotment Association. Comments have been reviewed by officers and summarised below:</p> <ol style="list-style-type: none"> 1. Possible odour 2. Possible noise 3. Removal of trees will harm the environment 4. Removal of trees will increase exposure to noise 5. Removal of trees will increase exposure to odour 6. Removal of trees will make GPRS more visible 7. Loss of property value (not a material planning consideration) 8. Soil contamination – impact on allotments 9. Light pollution 10. Loss of allotments 11. Use land for more allotments 12. Construction effects 13. Visual impact – unsightly 14. GPRS will attract anti-social behaviour 15. Increased flood risk to neighbouring sites 16. Alternative locations – why has this site been chosen?

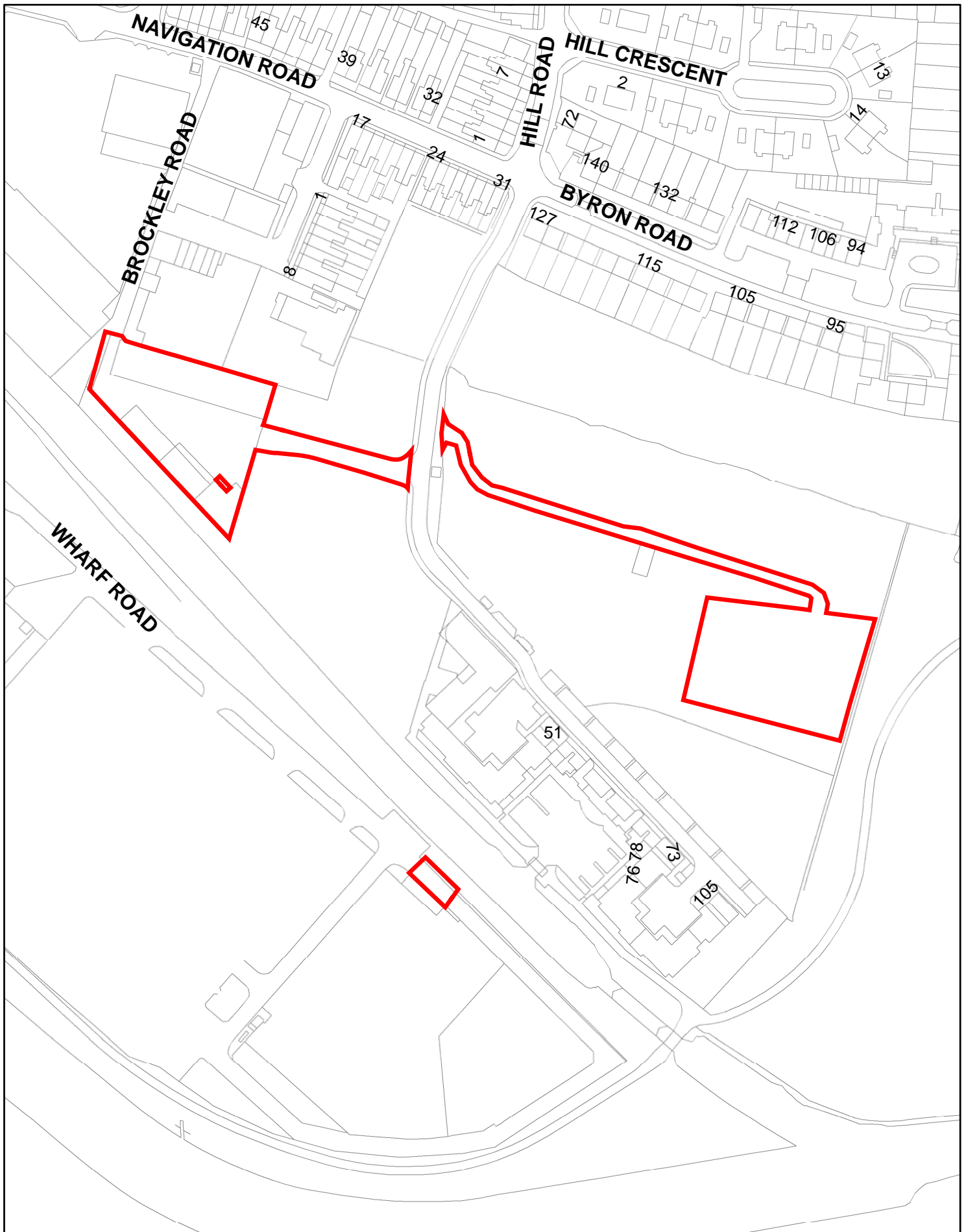
17. Impact on ecology
18. Contrary to Council's own stated policies
19. Additional pipelines
20. Proximity to Trinity Road School
21. Confusion about noise level comparison between existing and proposed
22. Traffic – more pollution/safety
23. Why are some parts of the ecology report redacted?
24. Why use the Ardleigh GPRS as an example?
25. Existing GPRS site is noisy and smelly
26. Why is use of natural gas being encouraged in light of net zero targets?

The officer report covers the majority of comments raised, in particular Section 6 of the report explains what considerations have been applied. Some comments or queries are not directly covered by the main body of the report however, which an officer comment is provided for below:

1. See report.
2. See report.
3. See report.
4. The noise report does not include trees as a noise attenuating feature as they are not a wholly solid feature – which means they are not effective at attenuating sound waves. Therefore the loss of trees would make no difference to the modelled noise impact, the conclusion of which is that the risk of noise disturbance is very low and does not require further mitigation in accordance with British Standard (BS 4142:2014). In any event the removal of trees from G18 has since been mitigated.
5. There is no evidence to support that trees filter odour. In any event, the production of odour from the plant is negligible to slight which does not justify mitigation. In any event the removal of trees from G18 has since been mitigated.
6. See report.
7. See report.
8. The gas installation is an enclosed part of a pressurised gas network to be used for the purpose of transferring gas and moderating its pressure rating. There is no risk of soil contamination arising from the operation of this plant.
9. Lighting attributes will be decided by condition with a view to minimising lighting whilst maintaining

operational needs.

10. No allotments are lost as a direct result of this proposal. However, 2 allotment holders have already been re-located to facilitate development. It remains the Council's intention to increase allotments in accordance with the Chelmer Waterside Development Framework.
11. See report.
12. Construction effects carry limited weight in the planning consideration as they are for limited duration only. There are no abnormal construction impacts arising from the proposals which should increase the weight given to the consideration of construction impacts associated with this development.
13. See report.
14. There is no evidence to suggest the GPRS will attract anti-social behaviour and the site will be monitored by the gas network operator.
15. See report.
16. The gas network operator has looked at options for gas equipment and has ruled these out for various technical and logistical reasons – these are in connection with the gas operation in the most part. It is the role of the LPA to consider the proposals as submitted, not to look for alternatives.
17. See report.
18. See report.
19. The pipelines associated with the GPRS are as shown on drawing RCS/2010870/CHELM/P/101 Rev 0 – there are no additional pipelines anticipated in association with the development.
20. There is a distance of approximately 450m to Trinity Road School.
21. See report.
22. See report.
23. Ecology reports are often redacted in accordance with protected species legislation. This is not an indication of presence or absence.
24. The Ardleigh GPRS was used as an example when testing the impacts of this development as that system is comparable to the scale and modern nature of the proposed facility, whereas more local examples are typically based on much older plant which does not provide a relevant comparison.
25. See report.
26. See report.



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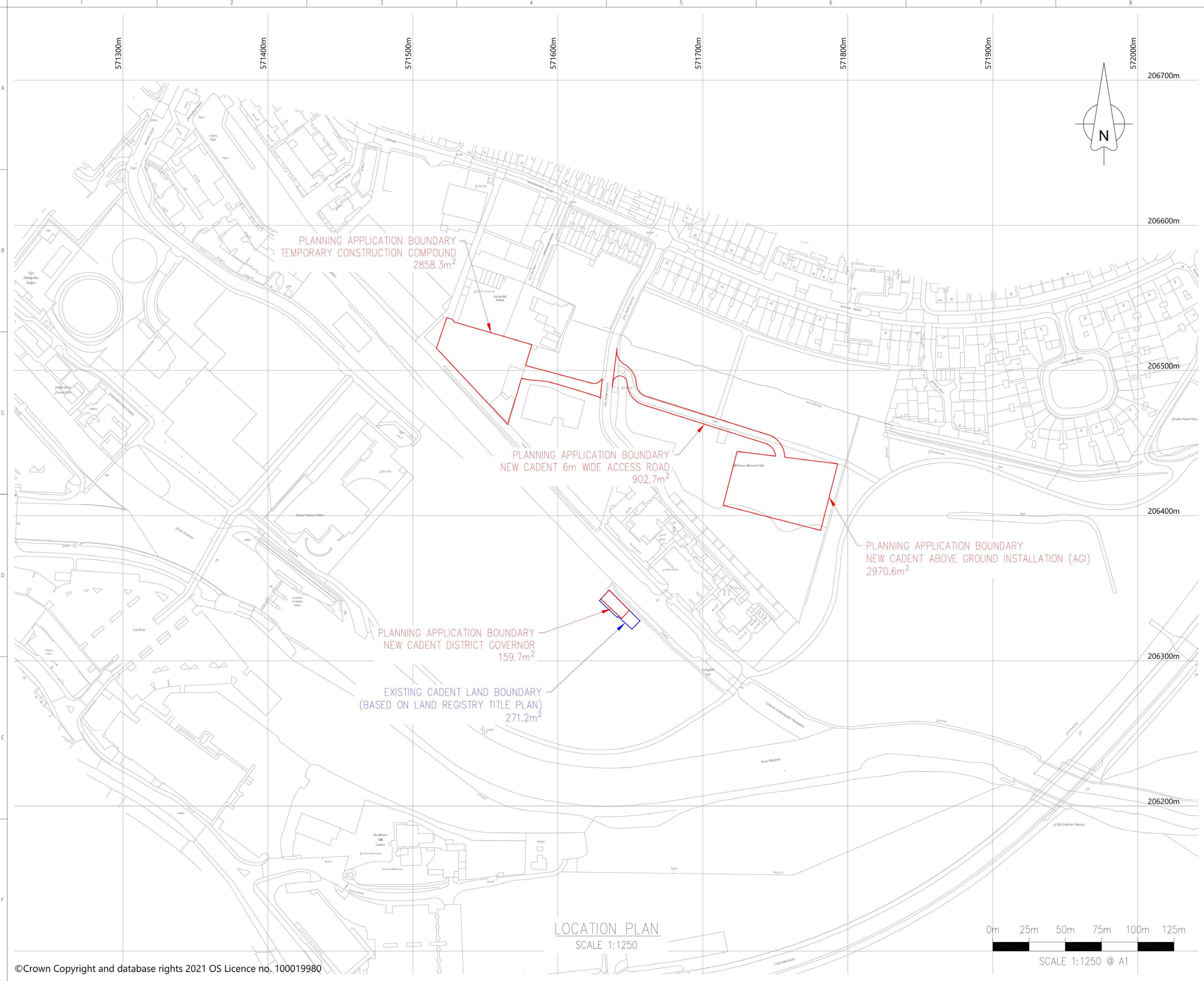


Planning Committee
22/00239/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

Telephone: 01245 606826



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS/RISKS NORMALLY ASSOCIATED WITH THE TYPE OF WORKS DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:

1. ...

IT IS ASSUMED THAT WORK WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT

PROJECT

CHELMER WATERSIDE
AGI RELOCATION
& MAINS RATIONALISATION

TITLE

PROPOSED LOCATION PLAN
PLANNING APPLICATION BOUNDARIES
SHEET 1 OF 1

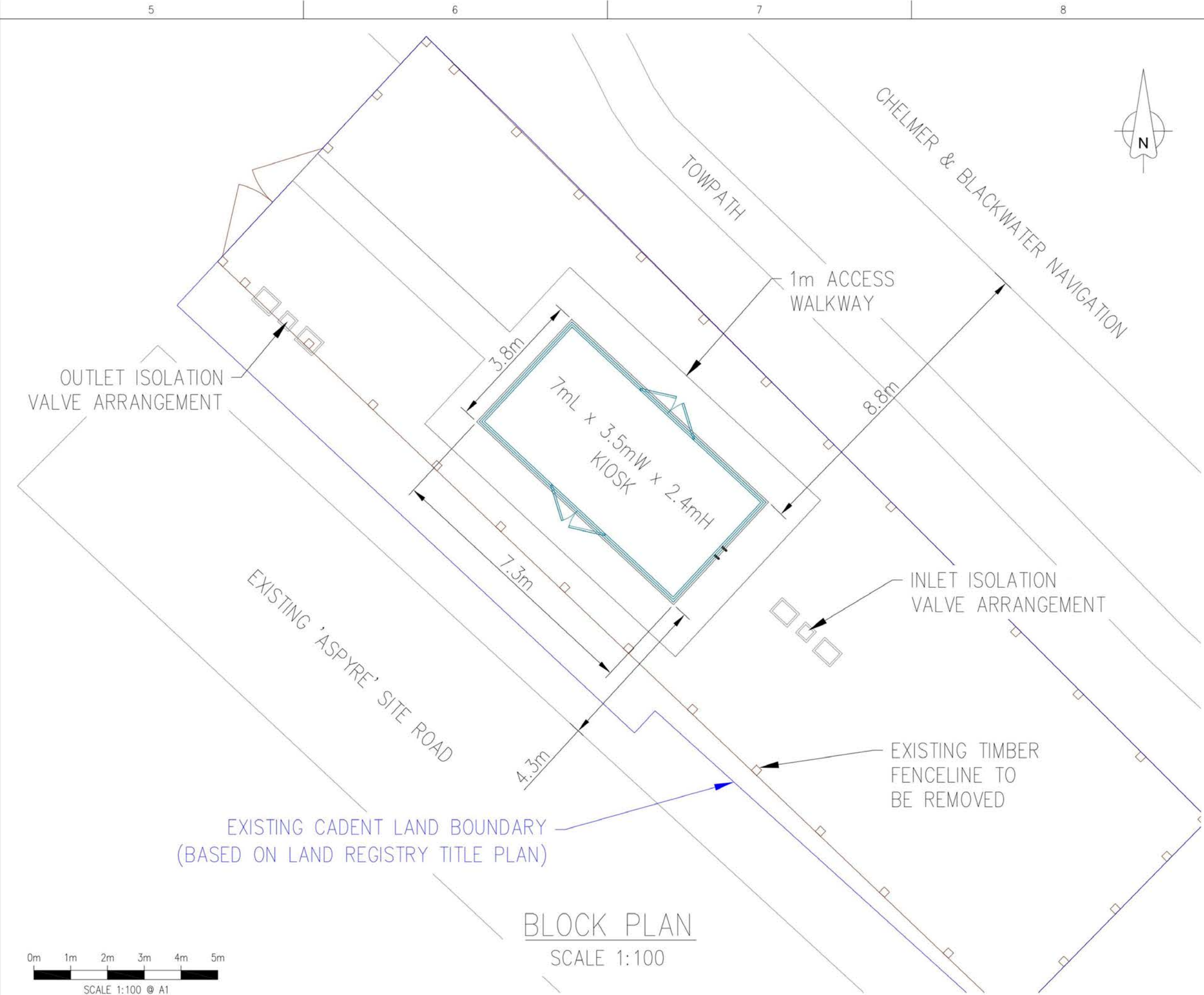
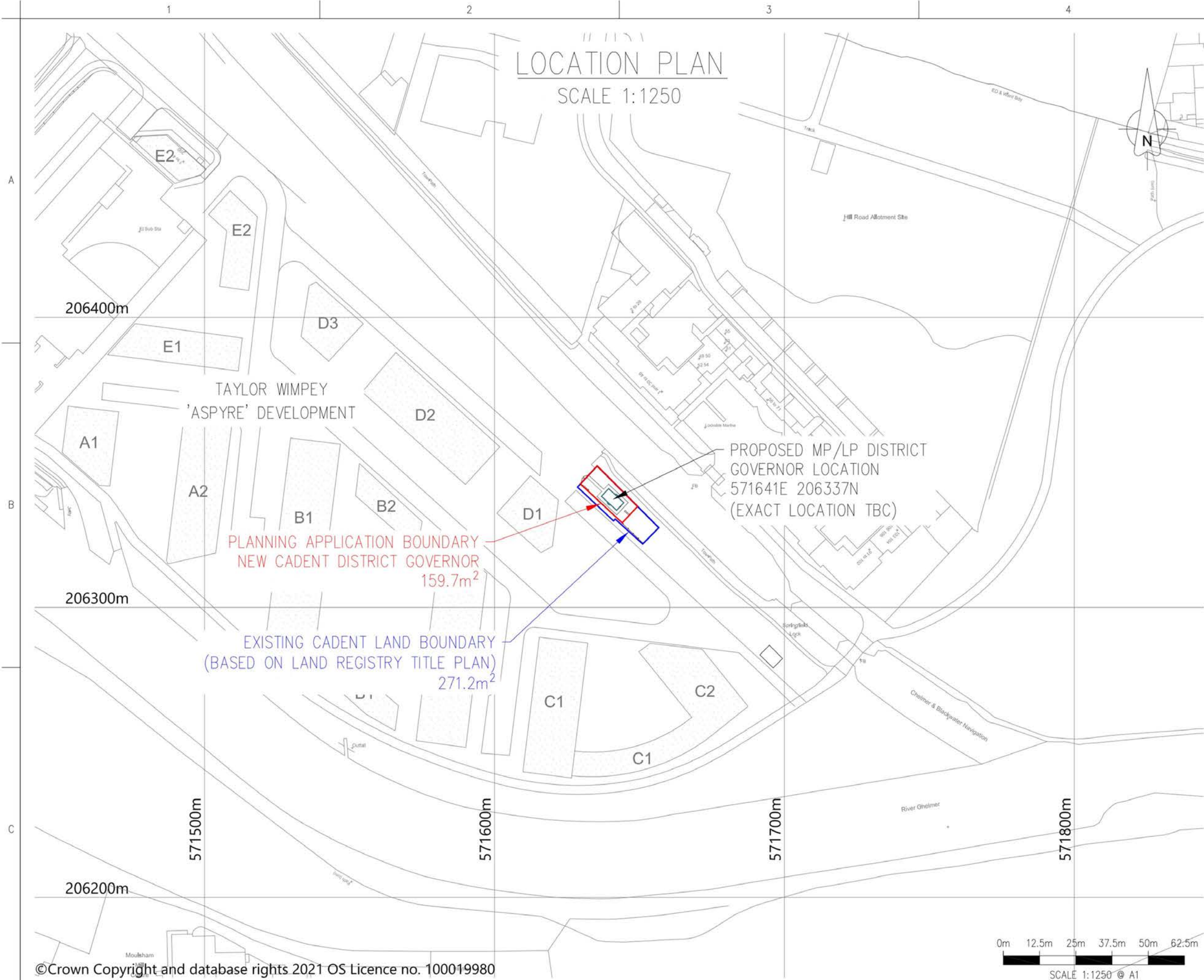
CLIENT

4 The Old Mill, Mill Road, Okehampton,
Devon, EX20 1PR Tel: 01837 658515

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SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

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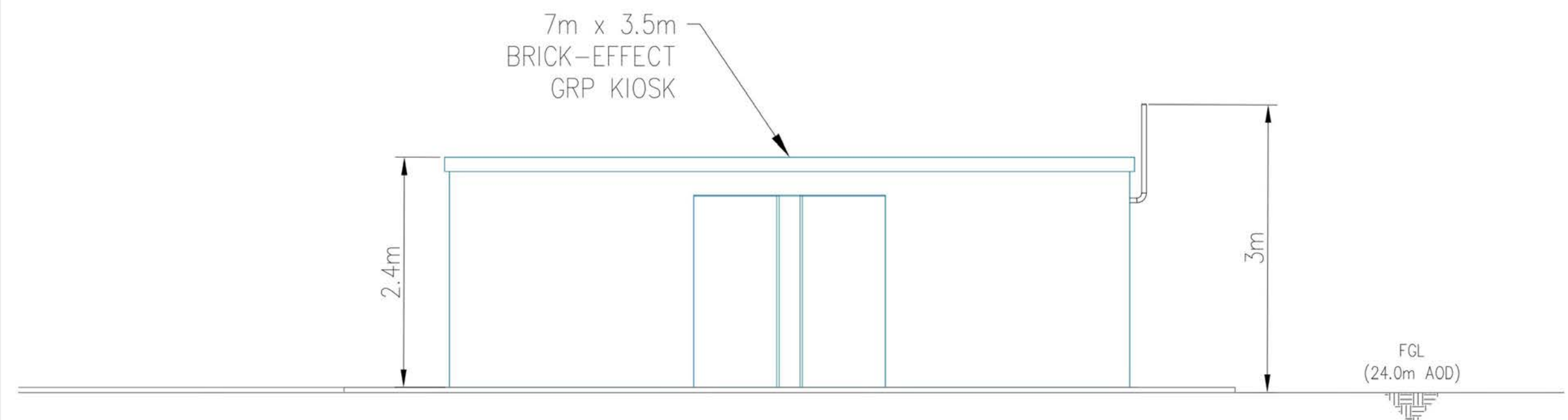
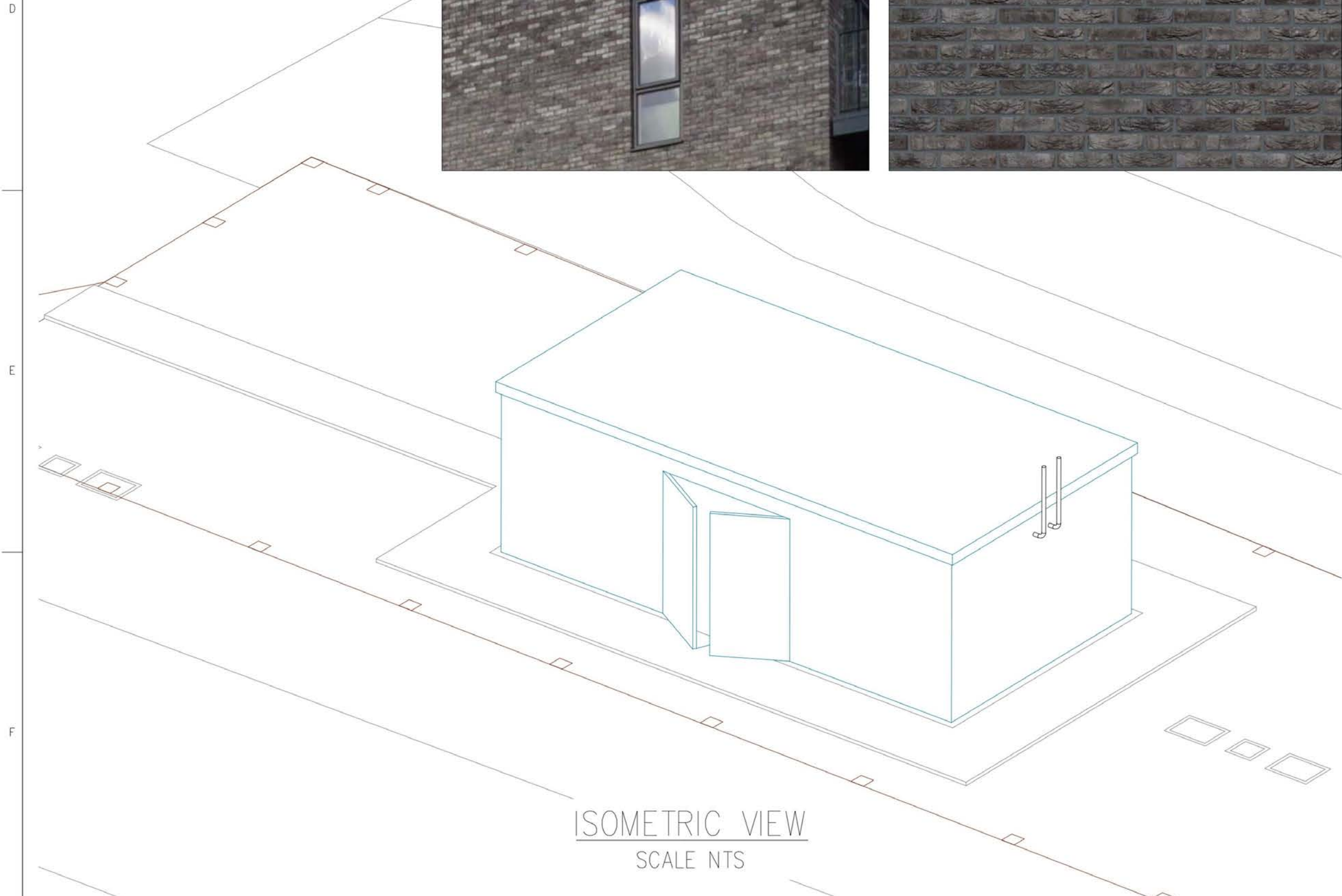
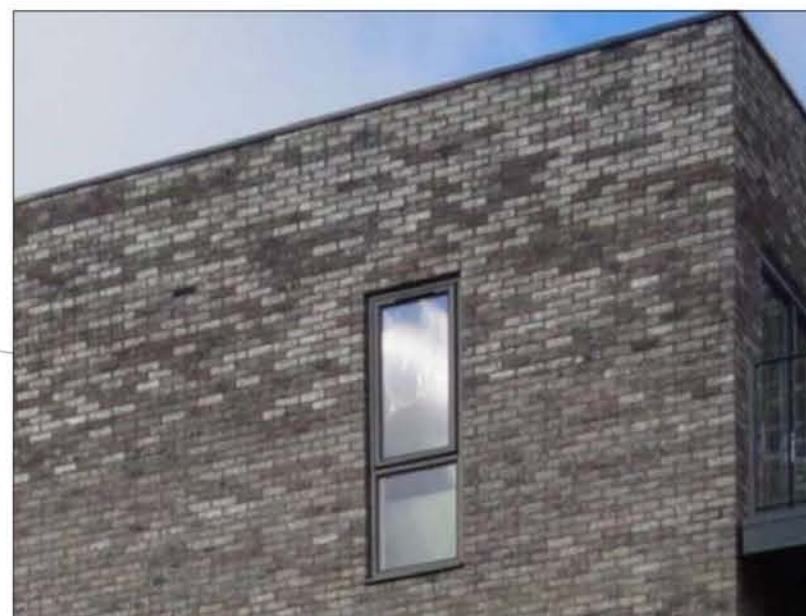
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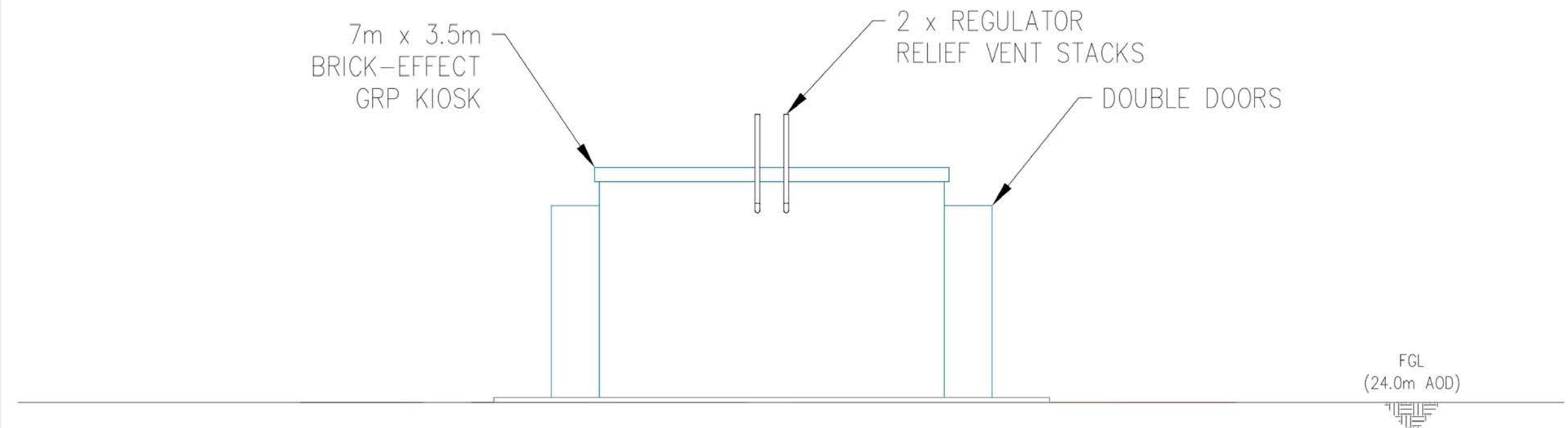
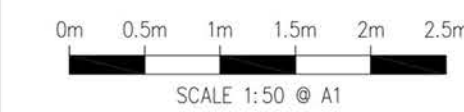
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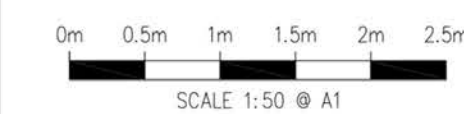
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SOUTH WEST ELEVATION
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SOUTH EAST ELEVATION
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PROJECT

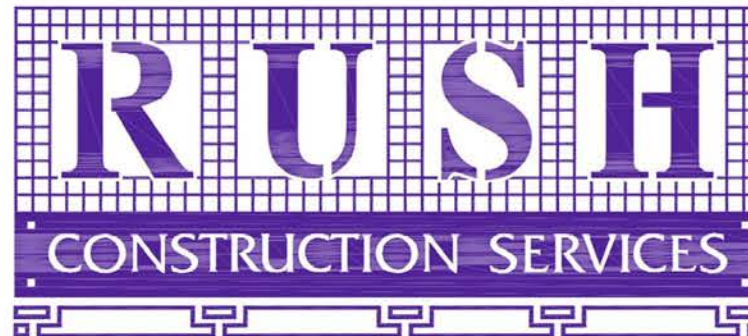
CHELMER WATERSIDE
AGI RELOCATION
& MAINS RATIONALISATION

TITLE

ALTERNATIVE DISTRICT GOVERNOR
LOCATION OPTION
SHEET 1 OF 1

CLIENT

Cadent
Your Gas Network



4 The Old Mill, Mill Road, Okehampton,
Devon, EX20 1PR Tel: 01837 658515

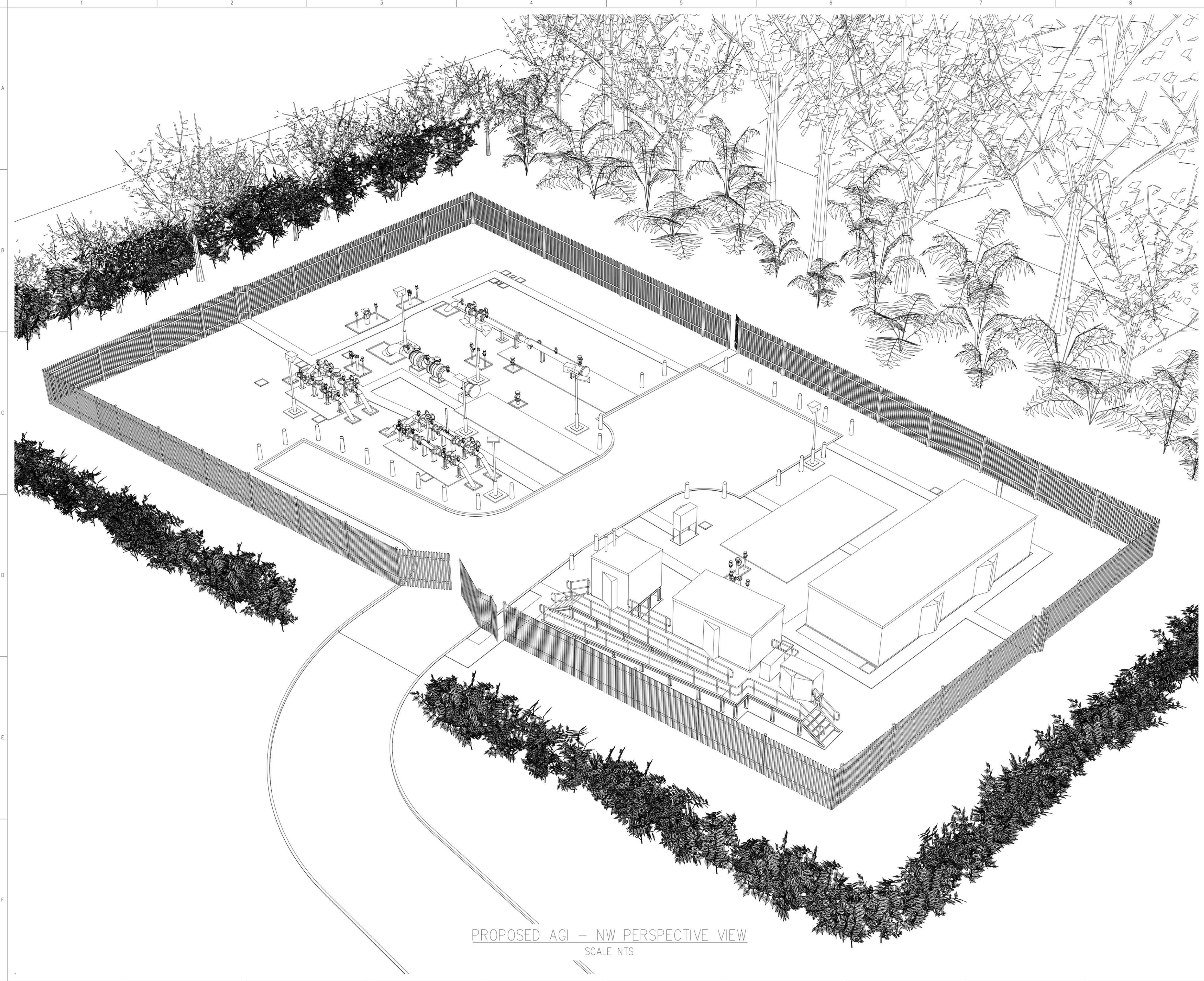
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PROPOSED AGI – NW PERSPECTIVE VIEW
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SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

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IT IS ASSUMED THAT WORK WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT

PROJECT
CHELMER WATERSIDE
AGI RELOCATION
& MAINS RATIONALISATION

TITLE
PROPOSED AGI LAYOUT
NW PERSPECTIVE VIEW
SHEET 1 OF 1

CLIENT
Cadent
Your Gas Network

RUSH
CONSTRUCTION SERVICES
4 The Old Mill, Mill Road, Okehampton,
Devon, EX20 1PR Tel: 01837 658515

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Planning Committee

Application No	:	21/01399/FUL Full Application
Location	:	Broomfield Mill Mill Lane Broomfield Chelmsford Essex CM1 7BQ
Proposal	:	Construction of residential annexe in rear garden of Broomfield Mill.
Applicant	:	Mr Peter Marriage
Agent	:	
Date Valid	:	17th August 2021

Appendix 1 Consultations
 Appendix 2 Drawings

1. Executive summary

- 1.1. This application is referred to the Planning Committee at the request of a local ward member who has raised concerns that the Council has classified the application site in the wrong Flood Zone.
- 1.2. The proposal is for the construction of a residential annexe in the rear garden of Broomfield Mill. The proposed development would replace existing buildings and convert an existing pillbox.
- 1.3. The proposal would not adversely impact the designation or function of the Green Wedge.
- 1.4. The proposal would not have an adverse impact on the non-designated heritage assets.
- 1.5. The proposal would not have an adverse impact on protected species.
- 1.6. The proposed development would, however, be located within Flood Zone 3B, which has been classified in the adopted Local Plan as the functional floodplain. The proposal would be a much larger form of development than the existing built form and if permitted, would increase the risk of flooding elsewhere. The Environment Agency have recommended that the Council refuse this application on these grounds.
- 1.7. Refusal is recommended.

2. Description of site

- 2.1. The site is located within the Green Wedge, outside of any defined settlement.
- 2.2. Broomfield Mill House is located on the northern side of Mill Lane, roughly 350m to the east of the defined settlement of Broomfield. The house itself is of 18th century origins and is included on the Council's Register of Buildings of Local Value. The grounds are also comprised of a collection of outbuildings, a glasshouse and prominent boundary walls.

3. Details of the proposal

- 3.1. The application proposes the construction of a residential annexe in the rear garden of Broomfield Mill.
- 3.2. The proposals seek to replace the greenhouse with a new structure of matching design. Parts of the existing outbuildings would be converted, and new additions constructed. The new block would be attached to a pillbox, located within the grounds. The new buildings would have a modern appearance with low pitch metal clad roofs and timber cladding.

4. Summary of consultations

- 4.1. Public Health and Protection Services:
 - No comments.
- 4.2. Environment Agency:

- Object to this application in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. The Environment Agency therefore recommend that the application is refused planning permission on this basis.

4.3. Broomfield Parish Council:

- No objection.

4.4. Local Residents:

- No comments received.

5. Planning considerations

Main Issues

5.1. The main issues to be considered as part of this application are:

- a) Impact to Green Wedge
- b) Heritage
- c) Ecology
- d) Flood Risk

Green Wedge

- 5.2. Policy S11 of the Chelmsford Local Plan states that The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks.
- 5.3. Policy DM7 of the Chelmsford Local Plan states that planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge designation and is for one of a number of prescribed developments. Part B relates to the redevelopment of previously developed land.
- 5.4. Part B of Policy DM7 states that planning permission will only be granted where the role and function of the Green Wedge, in maintaining open land between built-up areas, protecting biodiversity and promoting recreation would not be materially harmed, and where the development would have no greater impact on the character and appearance of the area than the existing use and/or development. The Council will assess the development based on the following:
- the size, scale, massing and spread of the new development compared to the existing; and
 - the visual impact of the development compared to the existing; and
 - the impact of the activities/use of the new development compared to the existing.
- 5.5. The first consideration for the decision maker is whether the buildings constitute 'previously developed land'. The definition of 'previously developed land' is in Annex 2 of the National Planning Policy Framework 2021 (NPPF) and is as follows:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

- 5.6. In this instance, the buildings proposed for redevelopment include a greenhouse, and a former greenhouse, to the northeast of Broomfield Mill House. Firstly, the buildings, which are all located within the residential curtilage of the main dwellinghouse, were used for domestic horticultural purposes and not for any form of agricultural trade or business. The buildings to be replaced therefore fall under the definition of previously developed land.
- 5.7. The proposed residential annexe would have a floor area of roughly 190 sqm, which would replace a redundant former greenhouse measuring 105 sqm. This level of increase in floor area equates to 81% over and above the size of the existing built form.
- 5.8. The proposed annexe would be a much more robust and visually prominent building than the existing built form. Although, as the proposed development would be well-designed and sensitive to the context of the site, it would contribute to the setting of the rural street scene and the wider Green Wedge designation. The proposed annexe would also be entirely contained within the residential curtilage and spatial confines of the site, as demarked by the prominent boundary wall, so would not represent an encroachment into the open countryside.
- 5.9. For these reasons, the proposal complies with Policies S11 and DM7 of the Chelmsford Local Plan.

Heritage

- 5.10. Policy DM14 of the Chelmsford Local Plan states that 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.
- 5.11. Broomfield Mill House is of 18th century or earlier origins, with an early 19th century front. The watermill formerly attached to it was demolished in 1919. There are a collection of outbuildings, a glasshouse, and boundary walls within the grounds. The building is included on the Council's Register of Buildings of Local Value for its architectural and historic interest, and prominence within the river valley. It should therefore be considered as a non-designated heritage asset.
- 5.12. To the northern corner of the plot is a WWII pillbox, part of the GHQ defence line, which forms part of a group of defences laid out to protect the river valley in the event of German invasion. The pillbox is a variant of a standard FW3/24 design, the plan form has been modified to fit the unusual shape of the site within the historic boundary wall within a fern garden created in the late nineteenth century. The survival of the original external door and the good condition of the internal shuttering are exceptional. The pillbox is included on the Council's Register of Buildings of Local Value for its historic interest as part of a group of WWII defences. This structure should also be considered as a non-designated heritage asset.
- 5.13. The proposals seek to replace the greenhouse with a new structure of matching design. Parts of the existing outbuildings would be converted, and new additions constructed. The new block would be attached to the pillbox, which would be converted into a study. The new buildings would have a modern appearance with low pitch metal clad roofs and timber cladding.

- 5.14. The existing glass house is in a poor condition, its replacement with a similar structure would maintain the character of the wall garden. The new buildings would be a low single storey in form and appear ancillary to the mill house. The main block would directly abut the pillbox and the living room would project on the southern side. The pill box was intended to be unobtrusive, hidden within the fern garden originally. The application proposes repair of the pill box. There would be no adverse impact on the setting of the Mill House. There would be a minor adverse impact on the setting of the pill box, but this would be outweighed by the benefit of its repair and re-use.
- 5.15. The proposal therefore complies with Policy DM14 of the Chelmsford Local Plan. If the application had been recommended for approval, then conditions would have covered: samples of materials; ancillary use to the main house; removal of permitted development rights; schedule of repairs to the pillbox; hard and soft landscaping details; and large-scale details of windows, doors, eaves, verge, solar panels, plinths, vents, flues, external lighting, junctions between new and existing structures.

Ecology

- 5.16. The supporting Preliminary Roost Assessment has been carried out in accordance with published best practice. The structures were assessed for their likelihood to support protected species and signs of field signs indicating use were checked. The assessment found the site does not likely support bats and as such no further surveys are recommended. This is a proportionate and acceptable approach.
- 5.17. If the application had been recommended for approval, a condition would have secured ecological enhancements including bird and bat boxes.

Flood Risk

- 5.18. Strategic Policy S2 states that the Council, through its planning policies and proposals that shape future development, will seek to mitigate and adapt to climate change. In addressing the move to a lower carbon future for Chelmsford, the Council will require that all development is safe, considering the expected life span of the development, from all types of flooding and appropriate mitigation measures are identified, secured and implemented. New development should not worsen flood risk elsewhere.
- 5.19. The global climate is changing and the NPPF makes it clear that climate change is a core planning principle to the achievement of sustainable development. There has been a global increase in temperature and episodes of severe and sustained rainfall and increased river flows which are likely to affect the nature and frequency of flooding. This is consistent with projections of climate change. Essex as a whole has been identified as a large area of water stress by the Environment Agency.
- 5.20. Areas of flood risk include risk from all sources of flooding - including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.
- 5.21. The Council will require that development is protected from flooding and that appropriate measures are implemented to mitigate flood risk both within the development boundary and off-site in all flood zones, and to ensure that the development remains safe throughout its life. In line

with Policy DM18, development within areas of flood risk will be required to provide a safe means of access or suitably manage risk through some other means

- 5.22. In this case, the application site lies within the fluvial Flood Zone 3B, being located directly adjacent to the River Chelmer. Flood Zone 3B is classified as functional floodplain and is deemed to be the most at-risk land of flooding from rivers or the sea. The Council, in their Strategic Flood Risk Assessment, as adopted by the Local Plan, have classified areas at significant risk of flooding to be within Flood Zone 3B. This classification is usually classified as land which has a 5% probability of flooding also known as a 1:20 chance (one in 20-year event).
- 5.23. The Flood Risk Assessment (FRA) submitted by the applicant, as well as subsequent documentation, challenges the classification in Flood Zone 3B on the grounds that the site has been developed and occupied for industrial and residential use. The applicant contends that the site should therefore not be classified as functional flood plain. The applicant contests that instead of being classified as 3B, the site should be Flood Zone 3A, where more vulnerable developments such as residential dwellings can be permitted.
- 5.24. The Environment Agency (EA), as a statutory consultee, have been consulted as part of the application process. The EA have considered that as the application site is located within Flood Zone 3B, that the proposal is not acceptable in principle and should therefore be refused. The EA have also viewed all of the material relating to the Flood Map Challenge received from the applicant. They have stated that in order to challenge the strategic flood map, more evidence must be supplied. They require a detailed hydraulic model which proves the classification of the site.
- 5.25. The applicant contends that this modelling has been undertaken; however, the EA have viewed the FRA submitted by the applicant and have found that there is no modelling in the document. There is a topographic survey but no modelling results. There is nothing included within the document which would change the current flood zone classification.
- 5.26. The Council are guided by the EA on flooding matters, and in this instance, will not permit a development where the EA have recommended refusal as a matter of principle. The proposed development would be located within the fluvial floodplain, where new development should result in no net loss of floodplain storage.
- 5.27. The proposal, if permitted, would be roughly 81% larger than the existing built form, encroaching further into the fluvial floodplain, and resulting in a loss of floodplain storage. Decreasing the amount of floodplain would increase the risk of flooding in other areas and is resisted as a matter of principle. The submitted FRA does not deal with the application as one located in Flood Zone 3B or submit the appropriate mitigation required for development in such a designation. The proposal would therefore result in an increased risk from flooding and is contrary to Policies S2 and DM18 of the Chelmsford Local Plan.

Other Matters

- 5.28. The proposal would not have a harmful impact on neighbouring properties and sufficient private amenity space would remain to the host dwelling.

6. Community Infrastructure Levy (CIL)

- 6.1. The proposal is not CIL liable.

RECOMMENDATION

The Application be REFUSED for the following reasons:-

Reason 1

Strategic Policy S2 states that the Council, through its planning policies and proposals that shape future development, will seek to mitigate and adapt to climate change. In addressing the move to a lower carbon future for Chelmsford. The Council will require that all development is safe, considering the expected life span of the development, from all types of flooding and appropriate mitigation measures are identified, secured and implemented. New development should not worsen flood risk elsewhere.

The Council will require that development is protected from flooding and that appropriate measures are implemented to mitigate flood risk both within the development boundary and off-site in all flood zones, and to ensure that the development remains safe throughout its life. In line with Policy DM18, development within areas of flood risk will be required to provide a safe means of access or suitably manage risk through some other means.

The proposed development would be located within Flood Zone 3B, which has been classified in the adopted Local Plan as the functional floodplain. The proposal would be a much larger form of development than the existing built form and if permitted, would increase the risk of flooding elsewhere and is resisted as a matter of principle. The applicant has not submitted the necessary mitigation for new development proposals in the functional floodplain.

The proposal is therefore unacceptable in principle and is contrary to Policies S2 and DM18 of the Chelmsford Local Plan.

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted but the applicant did not take on board all or some of that advice. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework to deliver sustainable development.

Background Papers

Case File

Public Health & Protection Services

Comments
31.08.2021 - No PH&PS comments with regard to this application.

Environment Agency

Comments
<p>30.09.2021 - Dear Sir/Madam</p> <p>CONSTRUCTION OF RESIDENTIAL ANNEXE IN REAR GARDEN OF BROOMFIELD MILL.</p> <p>BROOMFIELD MILL, MILL LANE, BROOMFIELD, CHELMSFORD, CM1 7BQ.</p> <p>Thank you for your consultation dated 27 August 2021. We have examined the application as submitted. We object to this application in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis.</p> <p>Flood Risk</p> <p>The Planning Practice Guidance (PPG) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. In this case, the application site lies within the fluvial Flood Zone 3b, the functional floodplain, as delineated by the 1 in 20 annual probability event outline.</p> <p>The proposed development is classified as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the PPG. Table 3 of the PPG makes clear that this type of development is not compatible with Flood Zone 3b and should not therefore be permitted.</p> <p>If you are minded to approve the application contrary to this advice, we request that you contact us to</p>

allow further discussion and/or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2009.

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.

We trust this information is useful.

Yours faithfully

Mr. Pat Abbott

Planning Advisor

Direct dial 0208 4748011

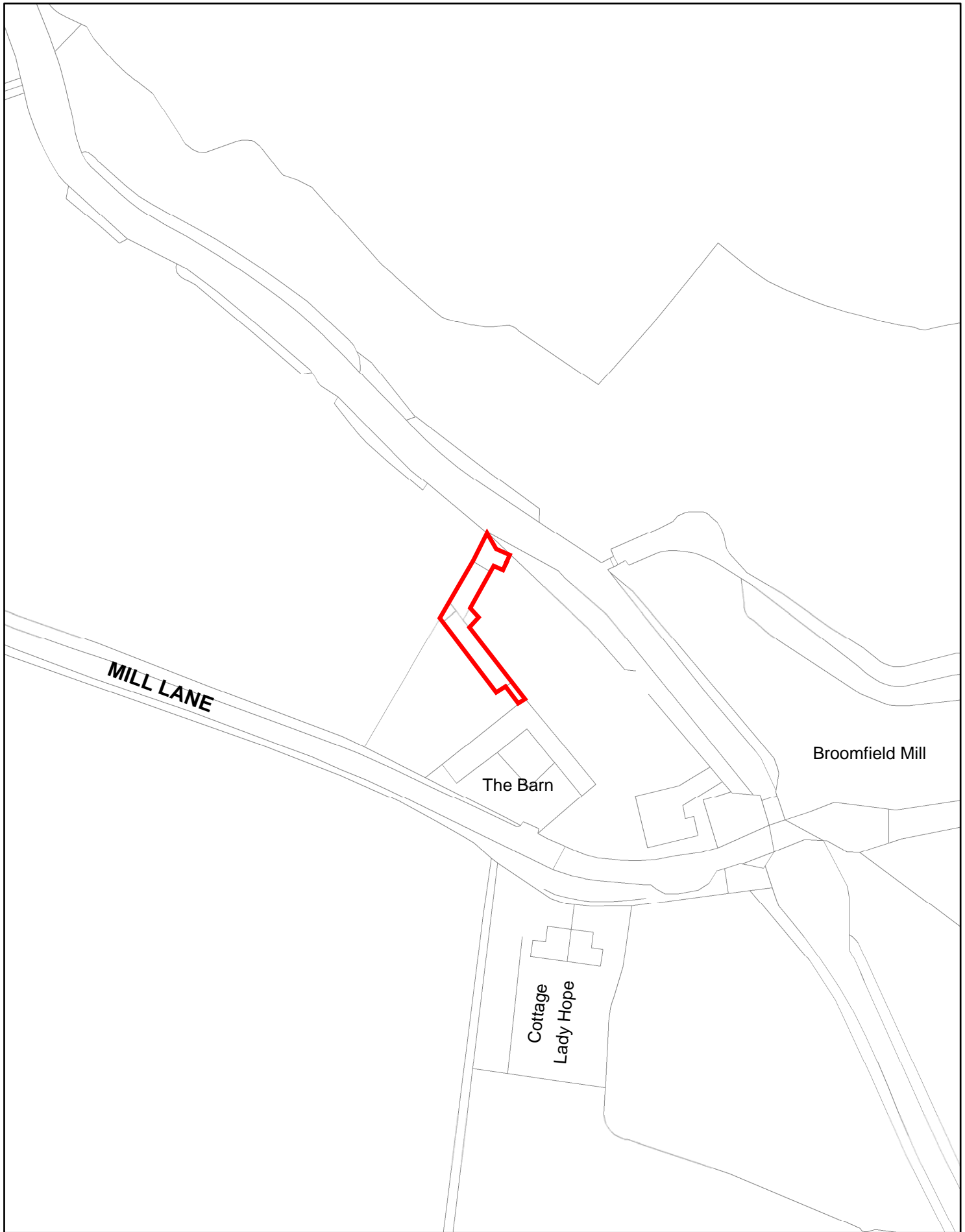
Direct e-mail pat.abbott@environment-agency.gov.uk

Broomfield Parish Council

Comments
07.10.2021 - No objection

Local Residents

Comments
No representations received.



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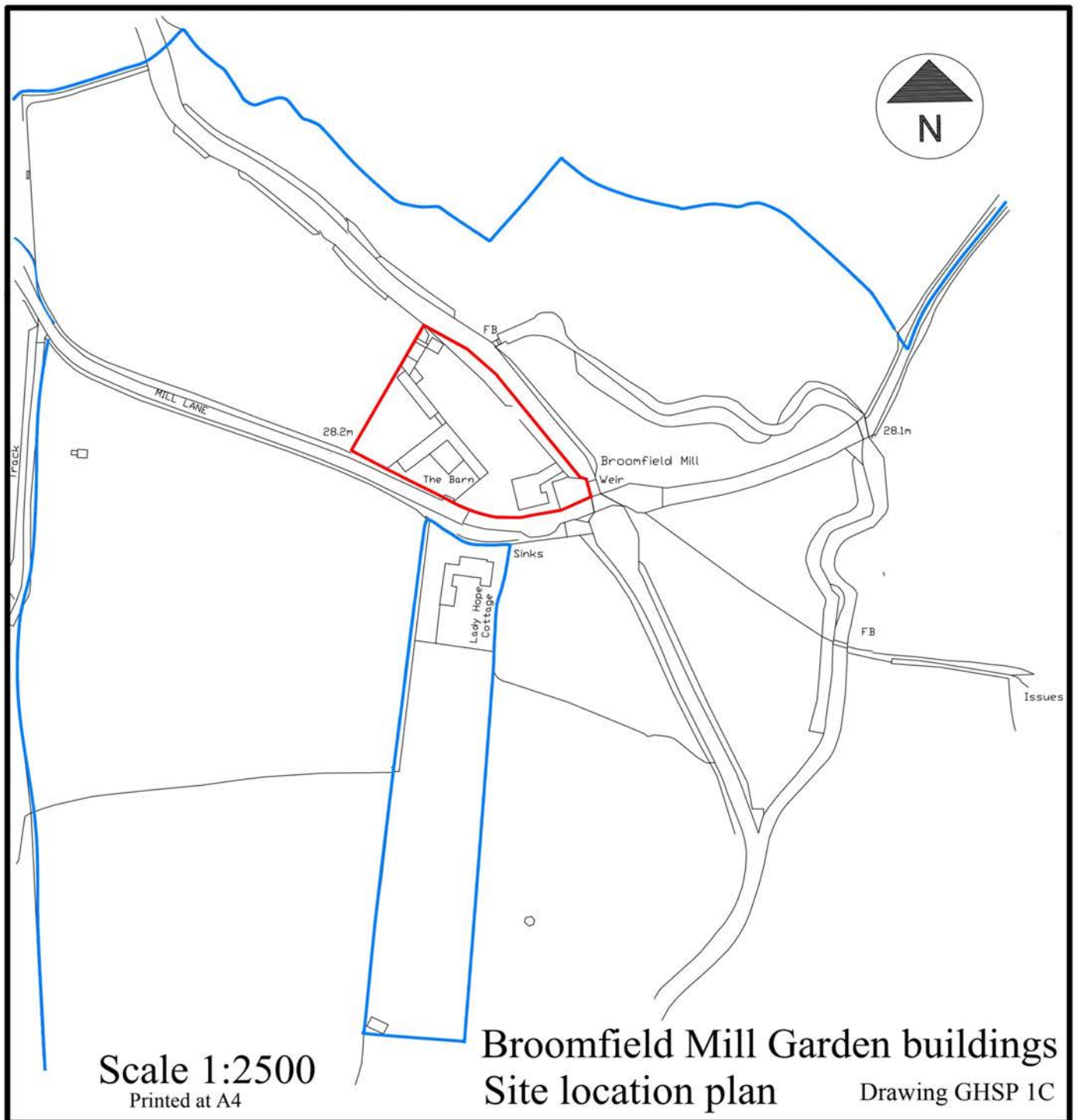


Planning Committee
21/01399/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

Telephone: 01245 606826



Broomfield Mill Garden Buildings

Block Plan

WW2 Pill Box retained as part of
secondary accommodation

Living room

Secondary accommodation
on footprint of dismantled
greenhouse

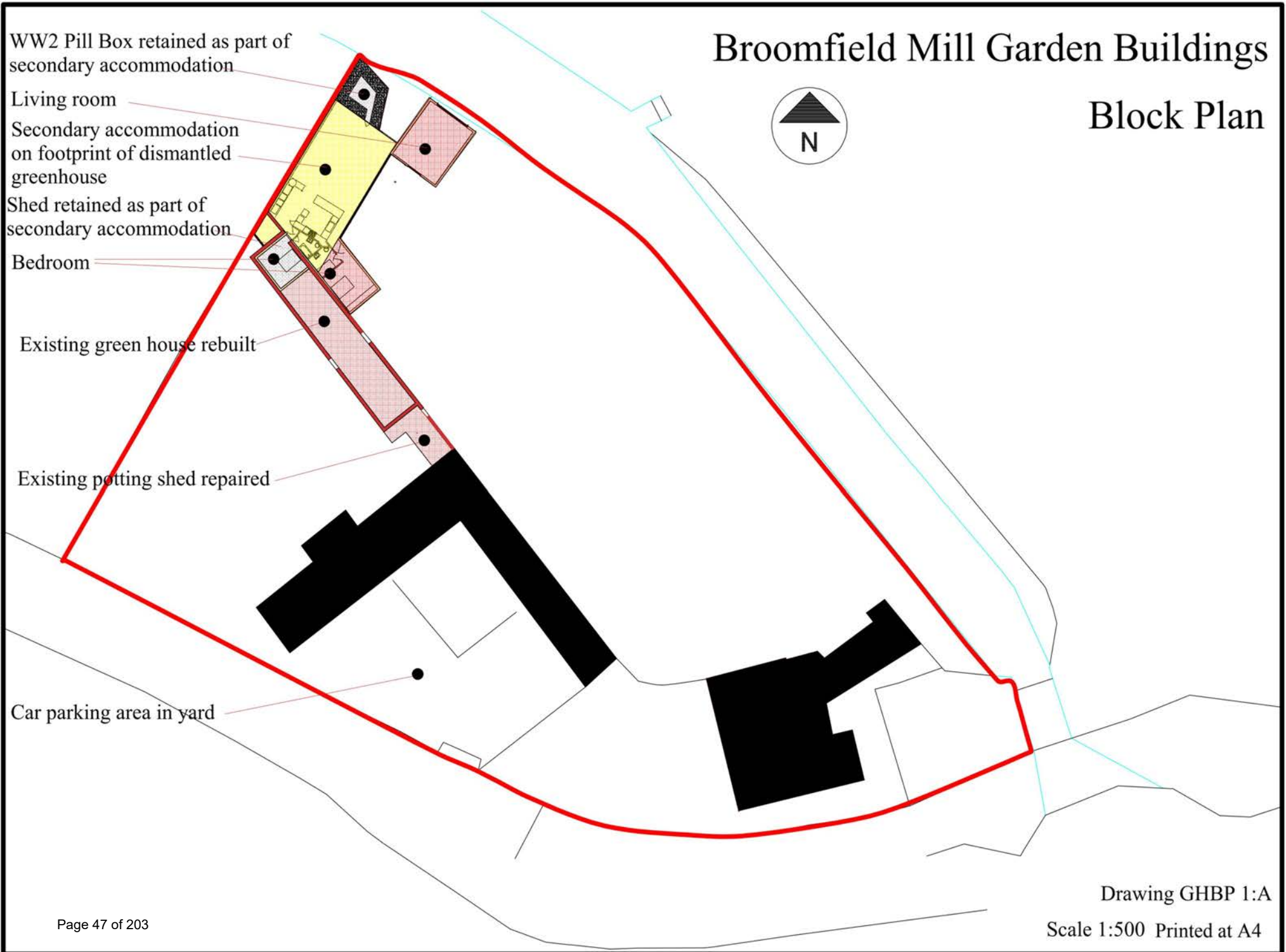
Shed retained as part of
secondary accommodation

Bedroom

Existing green house rebuilt

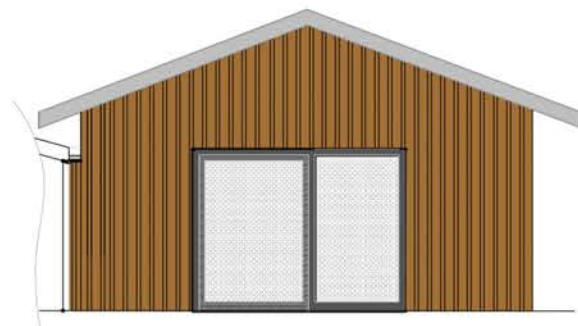
Existing potting shed repaired

Car parking area in yard



Drawing GHBP 1:A

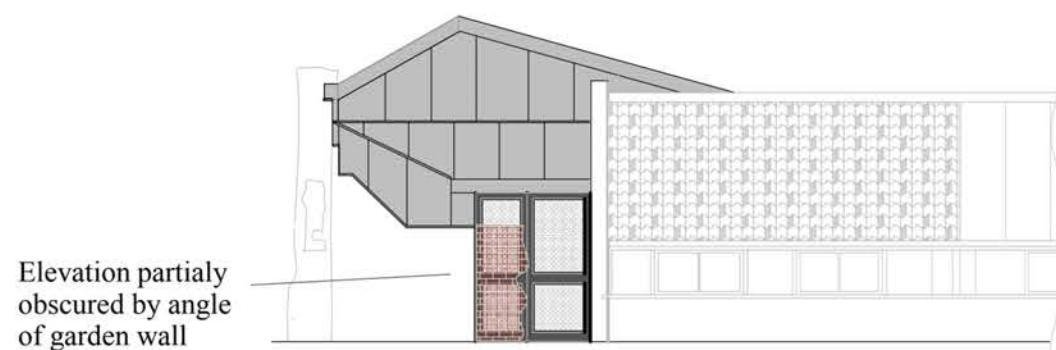
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Living Room West elevation

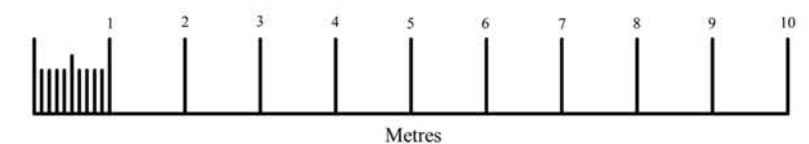


Bedroom 1 East Elevation



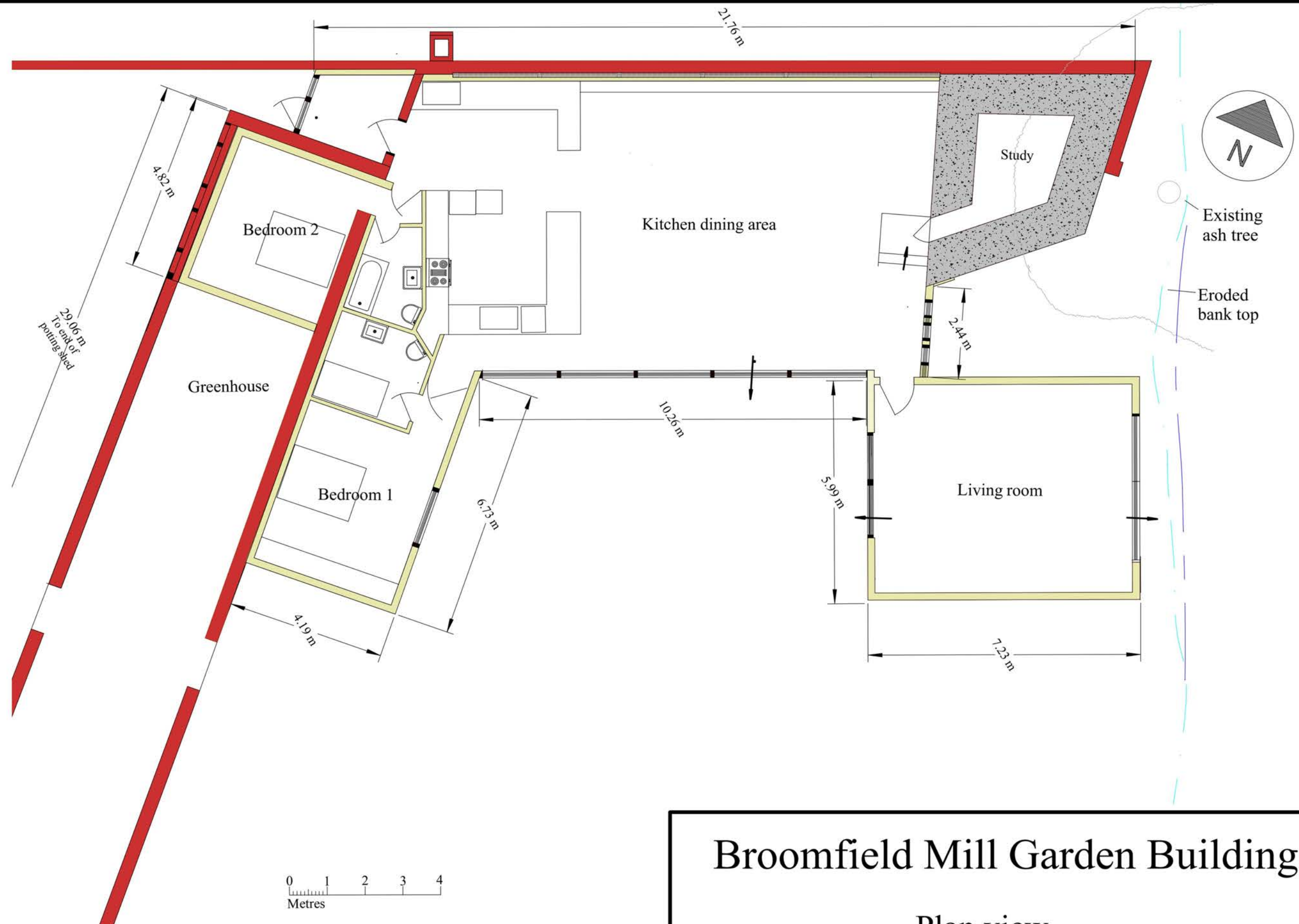
West Elevation

Broomfield Mill Garden Buildings New Elevations. Sheet 2 Minor Elevations



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Drawing GHE 9B:2

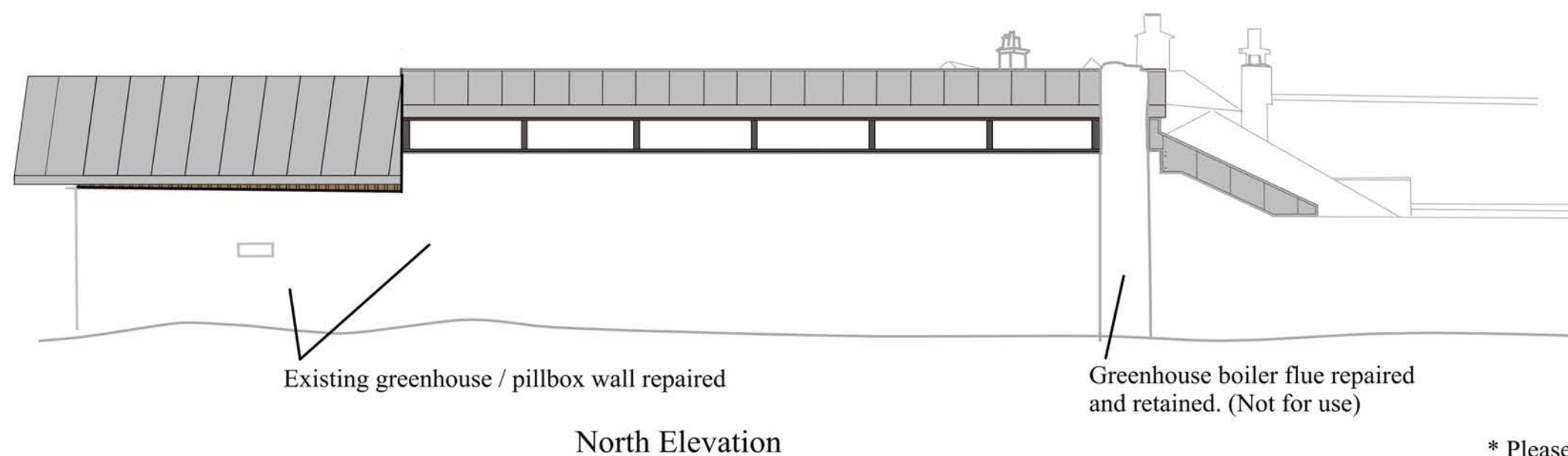
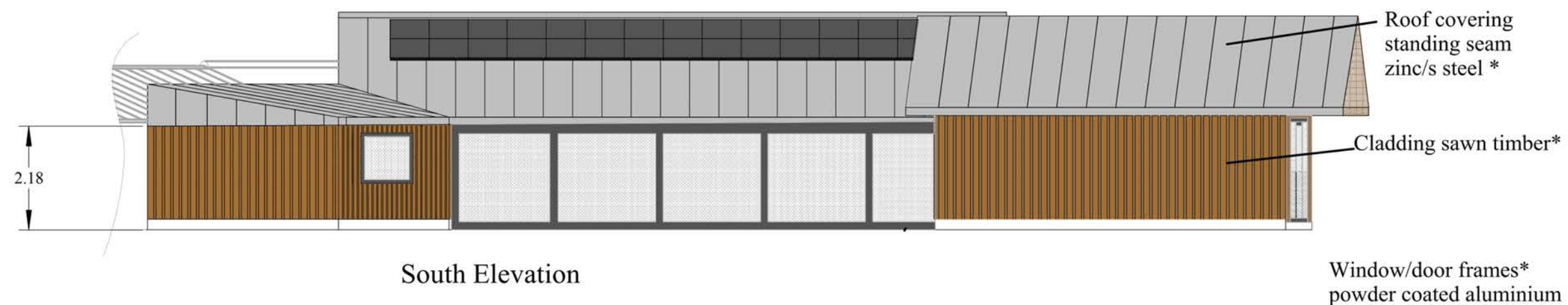


Broomfield Mill Garden Buildings

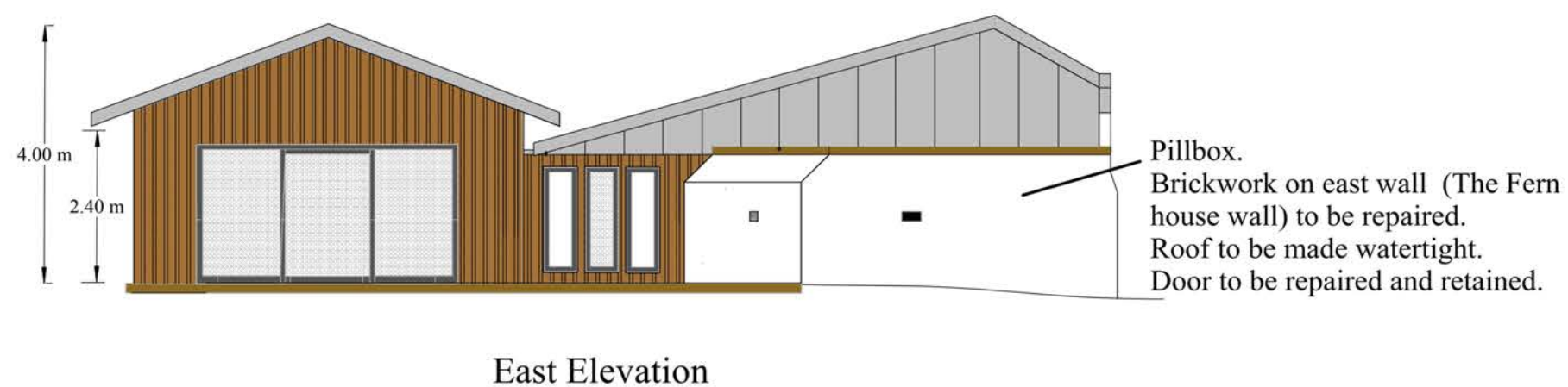
Plan view

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Drawing GHP 9:2i

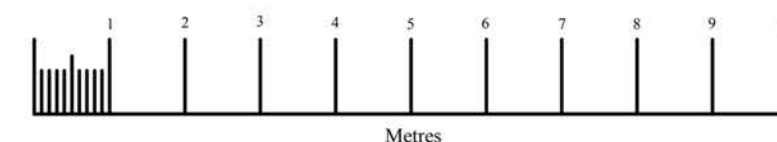


* Please see illustration of southern view for indication of proposed colours



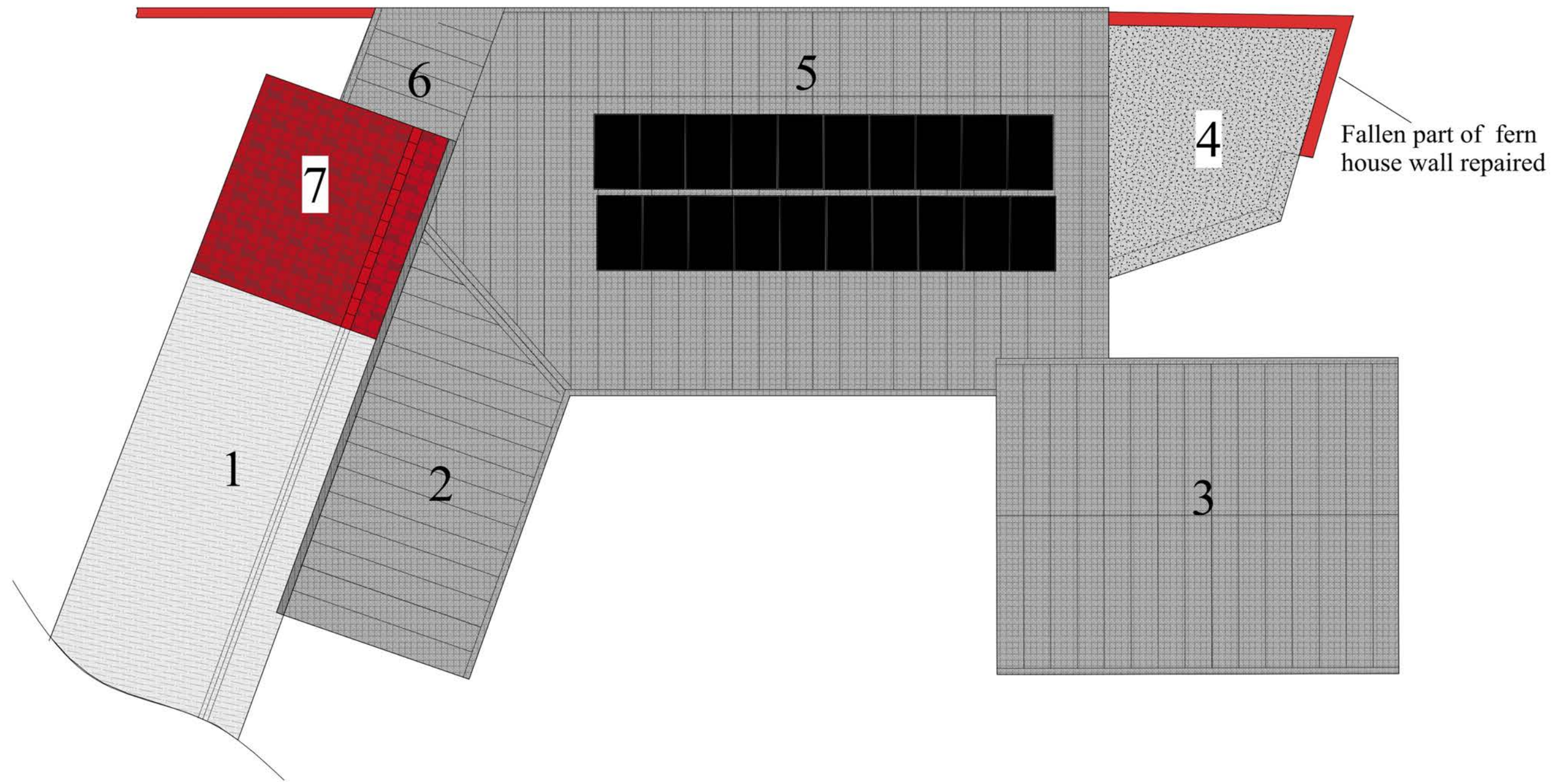
Broomfield Mill Garden Buildings

New Elevations. Sheet 1



Scale 1:100 printed at A3

Drawing GHE 9A:2



Roof Areas.

1. Existing green house.
2. New bedroom.
3. New living room.
4. Existing pill box.
5. Re-roofed greenhouse area.
6. Re-roofed boiler area.
7. Existing pan tiled roof.

0 1 2 3 4
Metres

Broomfield Mill Garden Buildings Roof Plan

Drawing GHRP1:A

Scale 1:100 printed at A3

Broomfield Mill Garden Buildings.

Design and Access Statement

Brief history of Broomfield Mill and house.

A water mill was recorded on the present location in the Domesday Book. At the time there were 14 acres of meadow and a mill recorded. These may be the same 14 acres of meadow that form the setting of the Mill House today.

The mill ran as a water mill until 1836 when a steam mill was constructed on the east bank of the river. The water mill on the west bank of the river was demolished around 1920 and the steam mill was demolished at the end of WW2.

The present Mill House has evolved over many years, in the case of the present house involving at least 8 extensions with the last being around the end of the 19th century. The buildings in the gardens also evolved as the mill grew and included stables for the mill horses and waggons and housing for domestic chickens and cows. Clearly buildings of this scale are no longer required or sustainable for a single residential unit and are costly to repair and retain. A part of the stables was converted to residential use in 1978. The greenhouses that are the subject of this application together with the walled vegetable garden largely evolved during the Victorian era.

The WW2 pill box was constructed on the site of a fern house which was demolished to facilitate the construction at the start of WW2. The pill box is unusual in that it housed a mine that was to be used to demolish the river bridge in the event of invasion. Because of this it was fitted with a lockable external metal door that still remains. The roof structure, internal metal lining and door of the pill box need repair if the structure is to be retained.

Both greenhouses have been rebuilt during the last 50 years. The glazing structure of the south facing greenhouse has been dismantled because it became unsafe and the second one is now in poor repair and will require rebuilding in the immediate future if it is to be retained.

Both the pill box and Broomfield Mill are included on the City Council Register of Buildings of Local Value.

The proposal.

The cost of restoring both the greenhouses is prohibitive and their size makes their management impractical. We wish to retain the setting of the house and walled vegetable garden together with the pill box that is of some historical interest and is also deteriorating.

The attached proposal has been evolved with the following objectives:

- To preserve the setting of the Mill House and Victorian vegetable garden.
- To repair the pill box and preserve the structure of the pill box and provide a sustainable long term use that provides for the long term maintenance while leaving the original structure intact.

- To provide ancillary accommodation on the footprint of the partly dismantled south facing greenhouse.
- To repair the potting shed and replace the west facing green house with a new greenhouse structure appropriate to the setting.

Broomfield Mill is in flood zone 3 and the gardens flood occasionally. The house and the critical outbuildings are built to a level that has never been known to flood. (The property has been in the same family occupation for over 200 years.) The floor level of the accommodation area will be to the same level as the accommodation in the stables which is above the Mill House floor level. The building is designed to prevent the ingress of flood water and the construction will be flood resilient for 300mm above FFL. The pill box will be tanked to the adjacent floor level and accessed from a small tanked area in the adjoining room. This is sufficient protection to allow for flood events in excess of 1 in 100 events after allowing for increased rainfall intensity due to global warming.

Flooding on the site does not pose a risk to life.

See **Appendix C** and the **JBA Flood Risk Assessment** for details of the flood mitigation.

Design

From the west the view of the garden will be unchanged. It is proposed to replace the greenhouse with an Alitex greenhouse. These are top quality, attractive and durable structures designed to be in keeping with gardens of this nature. See **Appendix A** and <https://vimeo.com/400938537> for more detail.

The south elevation (facing the Mill House) is designed to follow a similar form to the previous green house with small extensions at the east and west ends. The accommodation consists of 2 bedrooms, a kitchen /dining area, a living room and a study in the pill box. The building will not be readily seen from a public place. There is an impression of the southern aspect showing the materials in **Appendix B**.

Summary of accommodation and construction:

- 2 bedrooms, bathroom, kitchen / dining area, living room and study in pillbox.
- Single level with wheelchair access. (except for pill box.)
- Construction. Walls and roof MgO SIPs, These give high levels of insulation and airtightness.
- Floor. Insulated structural slab for thermal mass and heating / cooling via water source heat pump/ water circulation.
- Roof. Standing seam zinc or stainless steel. With solar PV and water heating.
- External cladding treated timber boarding.

- The intention is to use Mechanical Ventilation with Heat Recovery (MVHR) to recover heat from ventilated air and when appropriate to store excess solar heat gain, both from the panels and the fenestration solar gain, in the floor slab by distributing it across the floor slab using the heating circulation. We will consider using PCMs (*phase change materials*) on some internal surfaces if storage in the floor slab proves of inadequate capacity.

Pillbox.

Our intention is to leave the basic structure of the pill box unchanged. The following changes will need to be made to enable use as part of the accommodation:

- Tanking the walls and floor up to above the likely maximum flood depth.
- Installing electrical services. We propose to use surface mounted galvanized conduit and metal clad fittings. This will require 2 x 25mm holes drilled through the northern end of the western wall.
- Installing low profile underfloor heating.
- Fixing small opening windows to the inside of the loopholes.
- Fitting external insulation with a waterproof membrane to the roof
- Repairing the existing door and damaged external brickwork and internal sheeting.

We have consulted with Michael Hurst from Chelmsford City Council and the Pillbox Study Group over our proposals. The response from the Pillbox Study Group can be found on page 22 of the Heritage Statement. The layout of the area of interface with the pillbox has been amended following these consultations.

Access.

Broomfield Mill is situated on Mill Lane and vehicular access is via Mill Lane from Main Road Broomfield.

There is a regular bus service passing the end of Mill Lane.

The east end of Mill Lane past Broomfield Mill is a bridleway. There is a good footpath network and cycle connection with Broomfield and the countryside beyond.

Parking will be in the existing yard at Broomfield Mill where there is more than sufficient space to accommodate the parking required and will be part of the shared parking which is currently serving Broomfield Mill and “the Barn”.

There is a brick walkway that provides access directly from the yard area along the outside wall of the enclosed vegetable garden to the entrance in the north west corner of the greenhouse.

With the exception of the pill box where the width of the access passage and the change in level make this impractical the accommodation and garden is designed to be suitable for wheelchair access.

Response to Pre-application advice.

- In June 2020 we received Pre-application advice from Chelmsford City Council. Following this advice we have undertaken the following:
- Commissioned a flood risk assessment and report from JBA Consulting. This shows that the building would not be liable to flooding. As a further precautionary measure the building is designed to be both flood resistant and flood resilient for 300mm above FFL. (See appendix C)
- Commissioned a report on the compliance with current planning policy from JTS Partnership.
- Commissioned a heritage statement from Janice Gooch Heritage Consultancy.
- Amended the layout of the building where it relates to the Pillbox.

Appendix A



Present condition of
greenhouse structure



Link to description of Alitex greenhouses and company history (2 minute video on Vimeo):

<https://vimeo.com/400938537>



Main view of accommodation

Appendix C. Flood Risk Mitigation Precautions. (This should be read in conjunction with the JBA Broomfield Mill Flood Risk Assessment.)

There has been a mill in Broomfield for many hundreds of years and a mill with 14 acres of meadows is recorded in the Domesday Book.

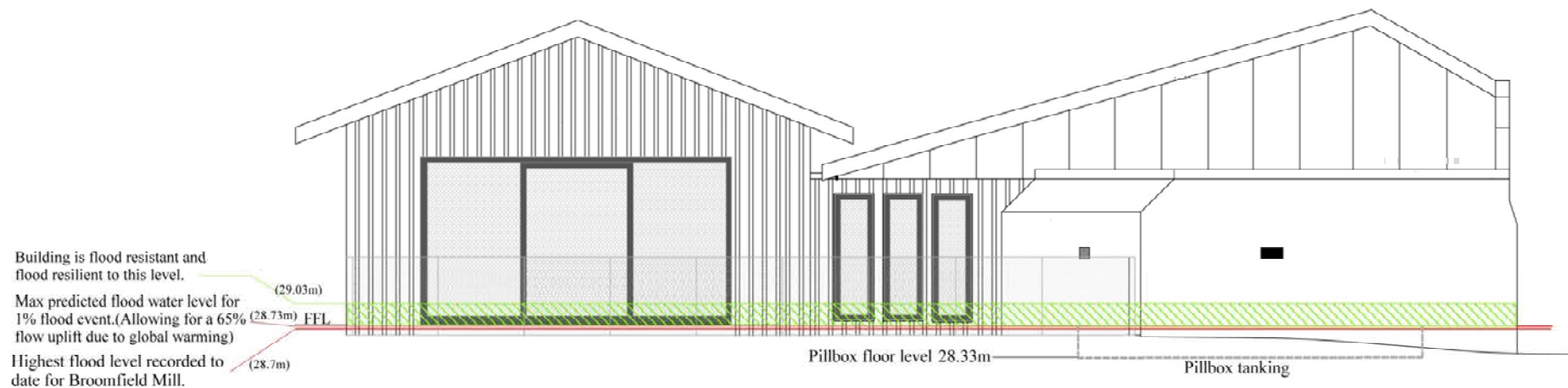
As with many river mills the location has always been subject to flooding. As an obvious consequence successive owners have used their knowledge of local flooding to design buildings and milling machinery to accommodate flooding. With the advent of global warming it is likely that rainfall intensity will increase. JBA have been commissioned to undertake a flood risk assessment of the Broomfield Mill curtilage to identify the steps that may need to be taken to continue to protect buildings and people living there.

Because of the nature of the flood plain at this point the impact of the modelled flows at Broomfield mill are modest amounting to a worse case increase of less than a 35mm (To 28.73m) over the highest flood levels previously experienced (28.7m AOD).

The proposed residential accommodation is designed to be unaffected by a flood of this height and has precautionary flood protection and flood resilience to 29.03m AOD. The risk to the proposed building from any form of flooding is very low and the design of the building minimizes the risk of damage should flood water exceed the predicted level.

The floor level of the existing Mill House is slightly below the now maximum modelled flood level and the Mill House could be vulnerable to extreme events if no action is taken to protect the site. In view of this additional measures are planned to protect the Broomfield Mill curtilage with a view to ensuring that the maximum flood level around the buildings does not exceed 28.7m AOD during any future flood event. These measures are relatively straight forward and will provide a further level of protection to the proposed buildings that is not considered by the JBA report.

The impact on the proposed building and people living there is considered below and this should be read in conjunction with the Flood Risk Assessment report commissioned from Jeremy Benn Associates.



Safety Risk.

Risk of injury or loss of life as a result of flooding on site.

The safety implications of flooding on the site are very limited. Flooding may result in periods of inconvenience rather than of danger to people on site

Because of the location in the flood plain the site is not vulnerable to flash flooding. Flooding is easily predicted on a time scale that allows time for to consider and take appropriate action.

The residential accommodation is ancillary to Broomfield Mill House and residents can retreat to the upper floors. This provides more than adequate provision for their safety.

Property Risk.

Risk of water damage to property resulting from flooding.

The finished floor level of the new and rebuilt parts of building are higher than the flood level produced by the worst case prediction. Renovated parts of the building such as the pillbox where the floor level cannot be raised because of the structure will be internally tanked to a similar level to ensure they will not flood. The building is protected from flooding for a further 300mm which in this location provides protection to a level nearly 10 times the worst case predicted impact of global warming. We have a high degree of confidence in the modelling work and advice provided by JBA and are completely satisfied that as designed the building will be safe and habitable for the design life.

Construction precautions.

The floor will be a monolithic cast concrete slab, the walls will be MgO board SIPs , which will withstand prolonged immersion in water and use a closed cell insulation which is impervious to water.

The SIP joints are designed to be airtight and the floor wall joint is similar and will be airtight and waterproof.

Floor covering will be waterproof ceramic floor tiles which will extend to the bottom 300mm of the walls in lieu of skirting boards.

The opening doors will be protected by removable flood boards 300mm high. It is very unlikely that flood water will reach the building floor level and in practice this flood protection to 29.03m AOD provides more than adequate protection. Flood boards are chosen over waterproof doors because of the low level of flood protection needed. They are quickly and easily fitted and because they will not need to protect against flash flooding they can easily be placed in the time available to protect the building. (see: <https://youtu.be/vrR-kNQMjzA>) When water proof doors are used for flood protection, by definition they cannot be opened during a flood. While these doors may provide flood protection they effectively prevent access or egress. The building is designed to be unaffected by any flood that can reasonably be expected and to continue in use at times of flood. The flood boards are part of the 300mm flood proofing and it will still be easily possible to use the building with the minor inconvenience of stepping over the board to enter or leave while they are in use.

There will be no vulnerable electrical installation lower than 300mm 29.03m AOD.

Foul drainage will be provided by a package treatment system which will be bunded to 29.03m AOD. Under normal conditions the discharge will be by gravity via a non-return valve. At times of flood the valve will close and the discharge will be effected by a float controlled pump allowing the system to operate normally during times of flood.

The wastes serving the showers will be fitted with valves to maintain the 300mm flood resistance should the pump fail and need replacement during a flood.

These measures will provide effective protection against an event of any return period envisaged for the life of the building.



Flood Risk Assessment, Broomfield Mill, Broomfield, Chelmsford

Final Report

November 2020

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Revision Ref/Date	Amendments	Issued to
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V2.0 S4 P02 04/11/2020	Minor revisions following client review	Peter Marriage

Contract

This report describes work commissioned by Peter Marriage, by email dated 02/09/2020. Aaron Barber and Paul Eccleston of JBA Consulting carried out this work.

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Purpose

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Abbreviations

AEP	Annual Exceedance Probability
BGS	British Geological Survey
CDA	Critical Drainage Area
CFMP	Catchment Flood Management Plan
DTM	Digital Terrain Model
EA	Environment Agency
FFL	Finished Floor Level
FRA	Flood Risk Assessment
FMfP	Flood Map for Planning
LFRMS	Local Flood Risk Management Strategy
LiDAR	Light Detecting and Ranging
LLFA	Lead Local Flood Authority
LPA	Local Planning Authority
NPPF	National Planning Policy Framework
OS	Ordnance Survey
PPG	Planning Practice Guidance
RBD	River Basin District
RoFSW	Risk of Flooding from Surface Water
SFRA	Strategic Flood Risk Assessment
SuDS	Sustainable Drainage Systems

1 Introduction

JBA Consulting were commissioned by Peter Marriage to undertake a Flood Risk Assessment (FRA) to support the planning application for the development of an annexe at Broomfield Mill, Broomfield, Chelmsford. The wider site is currently used as a domestic home and the proposal is for the redevelopment of an existing greenhouse and outbuildings at the site to be converted to a separate domestic household, as an annexe of an existing house.

This FRA provides information pertaining to the nature of flood risk at the site and follows the National Planning Policy Framework (NPPF)¹ and associated Planning Practice Guidance (PPG)² with regards to development and flood risk. It also considers the most appropriate flood risk mitigation options available for the proposed development.

No site walkover has been carried out as part of this commission. The flood risk to and from the site has been determined based a combination of publicly available information, hydraulic modelling results, a topographic survey of the site and a review of the site topography.

1.1 FRA Requirements

It is a requirement for development applications to consider the potential risk of flooding from various sources to a proposed development over its lifetime and possible impacts on flood risk elsewhere as a result of the development.

Where appropriate, the following aspects of flood risk should be addressed:

- The nature and expected lifetime of the development and the extent to which the development is designed to deal with flood risk;
- The area liable to flooding from various sources;
- The probability of the current and future flood risk;
- The extent and standard of existing flood defences and their effectiveness over time;
- The likely depth of flooding;
- The rates of predicted flows;
- The likelihood to impacts on other areas, properties and habitats;
- The effects of climate change.

Flood risk to and from the site has been determined based on the Environment Agency's (EA) 'Product 7' climate change flood model data, Environment Agency LiDAR Digital Terrain Model (DTM), Environment Agency Flood Zones and Historic Flood data, publicly available information and a review of Ordnance Survey (OS) maps.

The revised NPPF advocates a risk-based approach to flood risk management in terms of appraising, managing and reducing the consequences of flooding both to and from a development site. The flood risk for the site has been assessed in line with Environment Agency (EA) requirements and in conjunction with the Client. The primary objectives of this FRA are to determine the following:

- Whether the site is at significant risk from any form of flooding;
- If the site is at risk of flooding, determine if safe access to and from the site can be achieved and maintained;
- If the site is at risk of flooding, determine mitigation measures to alleviate flood risk on the site.

1 Department for Communities and Local Government, (March 2012), National Planning Policy Framework (NPPF)

2 Department for Communities and Local Government, Planning Practice Guidance (PPG) Flood risk and coast change

2 Site details

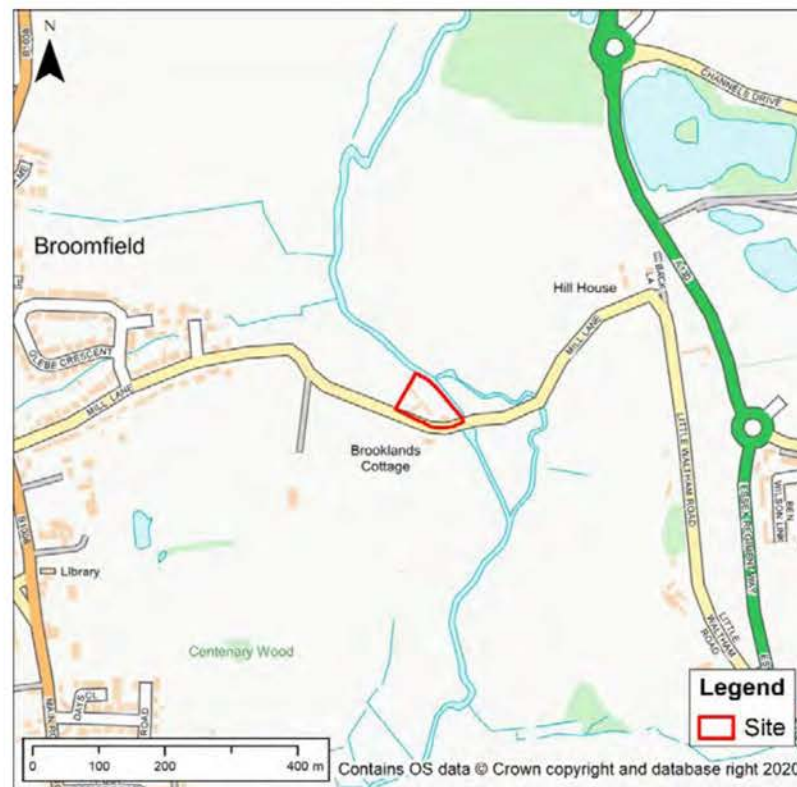
2.1 Current Site Description

The site, once a mill, is adjacent to the River Chelmer east of Broomfield, and 3.5km upstream of Chelmsford city centre. The A130 is located approximately 400m east of the site, and Mill Lane runs immediately to the south of the site, providing access and egress on foot and by car to the west towards Broomfield, and by foot to the west towards the A130.

The site currently contains two brick buildings, a house in the south-east corner, and a second building in a T shape in the west of the site. The north-eastern wing of the building is presently a greenhouse, which is the building to be redeveloped, and the focus on this Flood Risk Assessment. The rest of the site comprises a hardstanding parking area in the south of the site, and numerous open gardens and green landscaping. Surrounding the site are open fields, a private domestic property to the south of the site, across Mill Lane, and the River Chelmer that borders the site to the east of the site.

Table 2-1: Summary of site details

Site Location	Broomfield Mill, Mill Lane, Broomfield, Chelmsford, CM1 7BQ
Site Area	0.46 hectares
Existing Land Use	Domestic
Proposed Land Use	Domestic
OS NGR	TL 71345 10332 (571345 210332)
Country	England
Local Planning Authority (LPA)	Chelmsford City Council
Lead Local Flood Authority (LLFA)	Essex County Council



2.2 Proposed Development

The proposal for the site is for the redevelopment of the existing greenhouse and outbuildings into a separate residential annexe. The development would therefore add an additional domestic residence within the site.

The proposed development is for a single storey redevelopment of the greenhouse and outbuildings to the north of the greenhouse. The redevelopment will utilise existing walls present on the site's north-western boundary that previously formed part of now demolished buildings. The proposed development will connect the greenhouse to an existing pillbox that is present at the northern corner of the site.

Figure 2-1 shows the location of the current greenhouse within the site, and Figure 2-2 shows the proposed development footprint/plans. Further detailed plans of the site can be found in Appendix A.

Figure 2-1: Existing site building layout

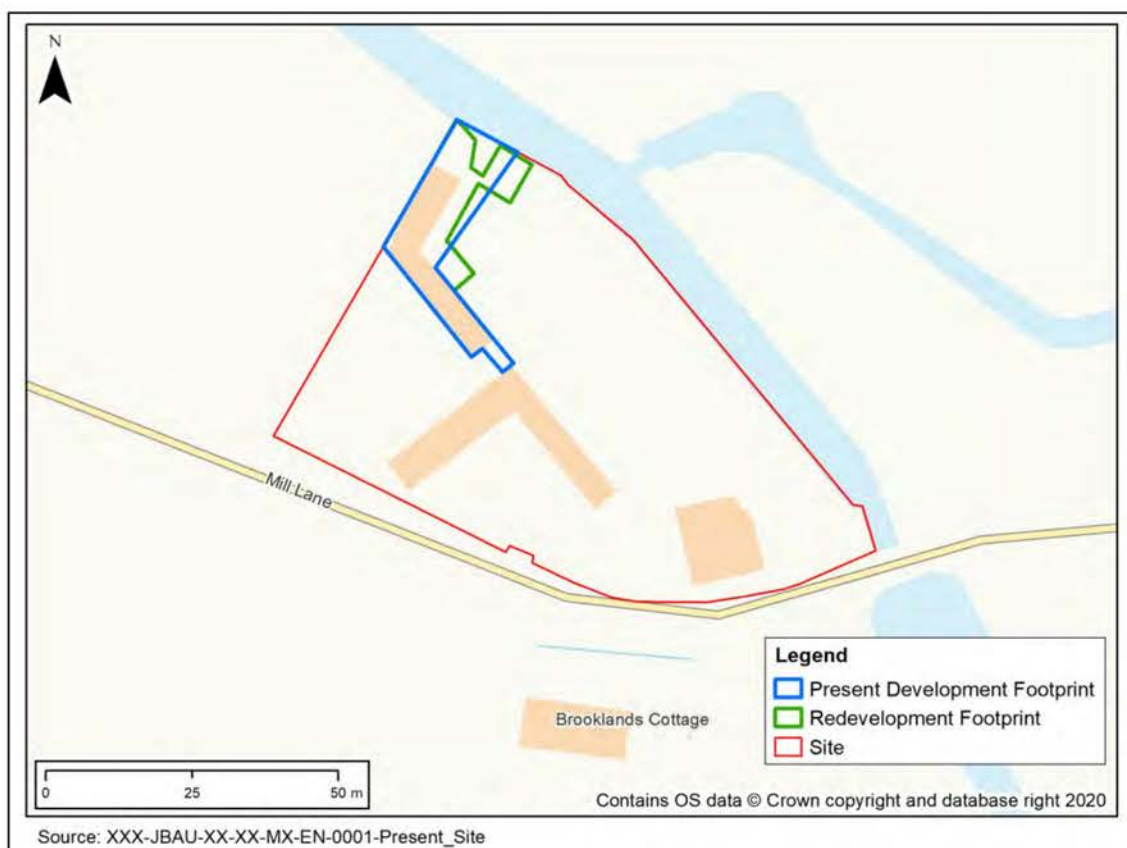


Figure 2-2: Proposed development building plan



2.3 Watercourses

The River Chelmer forms the site's eastern boundary, flowing from north to south past the site before running under a bridge on Mill Lane. The river was bifurcated for the purpose of providing water to the site, which was previously a mill. This diversion is now the primary route that the watercourse runs, with the original course now controlled by a sluice gate. The old course runs for approximately 400m before joining the Chelmer downstream of the site.

2.4 Site Topography

The Environment Agency's 1m resolution LiDAR data was used to determine approximate levels at the site and in the surrounding area. The site is mostly flat, with small variations in level across the site, averaging between 28.0mAOD and 28.5mAOD (Figure 2-3). The site is situated within a shallow valley formed by the River Chelmer, with Broomfield 500m to the west averaging between 35mAOD and 45mAOD, and a new housing development 500m to the east averaging between 45mAOD and 55mAOD (Figure 2-4).

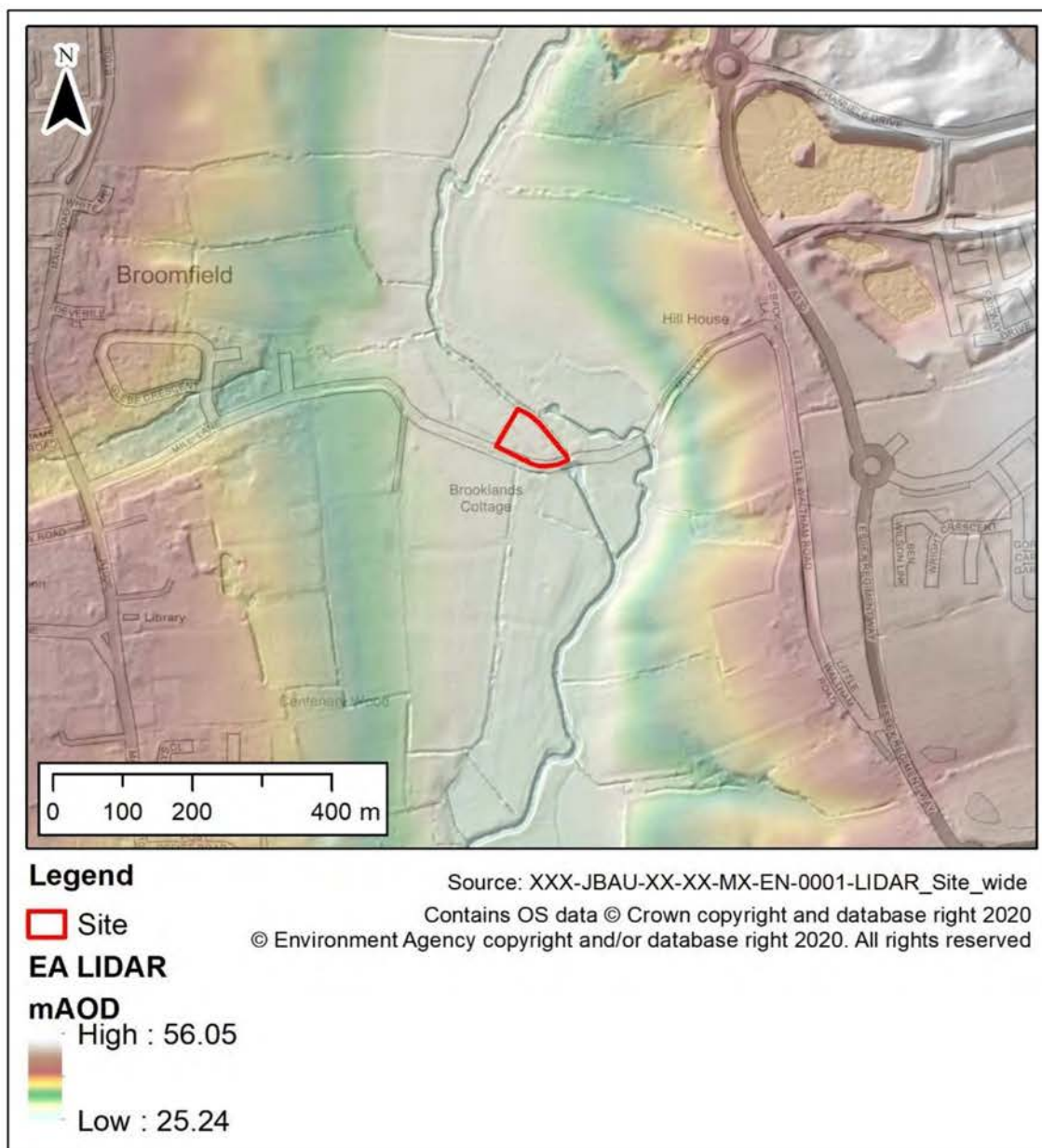
A topographic survey of the site was carried out by Gryphon Surveys in September 2020. Surveyed ground levels of the site correlate well with the LiDAR data at the site, with levels in the north of the site around between 28.20mAOD and 28.52mAOD, and the existing ground level within the footprint of the proposed development is 28.41mAOD. A copy of the survey can be found in Appendix B.

Both the LiDAR and the topographic survey indicates that the site is between 0.1 and 0.5m higher than the land to the immediate north and west.

Figure 2-3: EA LiDAR data at the site



Figure 2-4: EA LIDAR data for the area surrounding the site



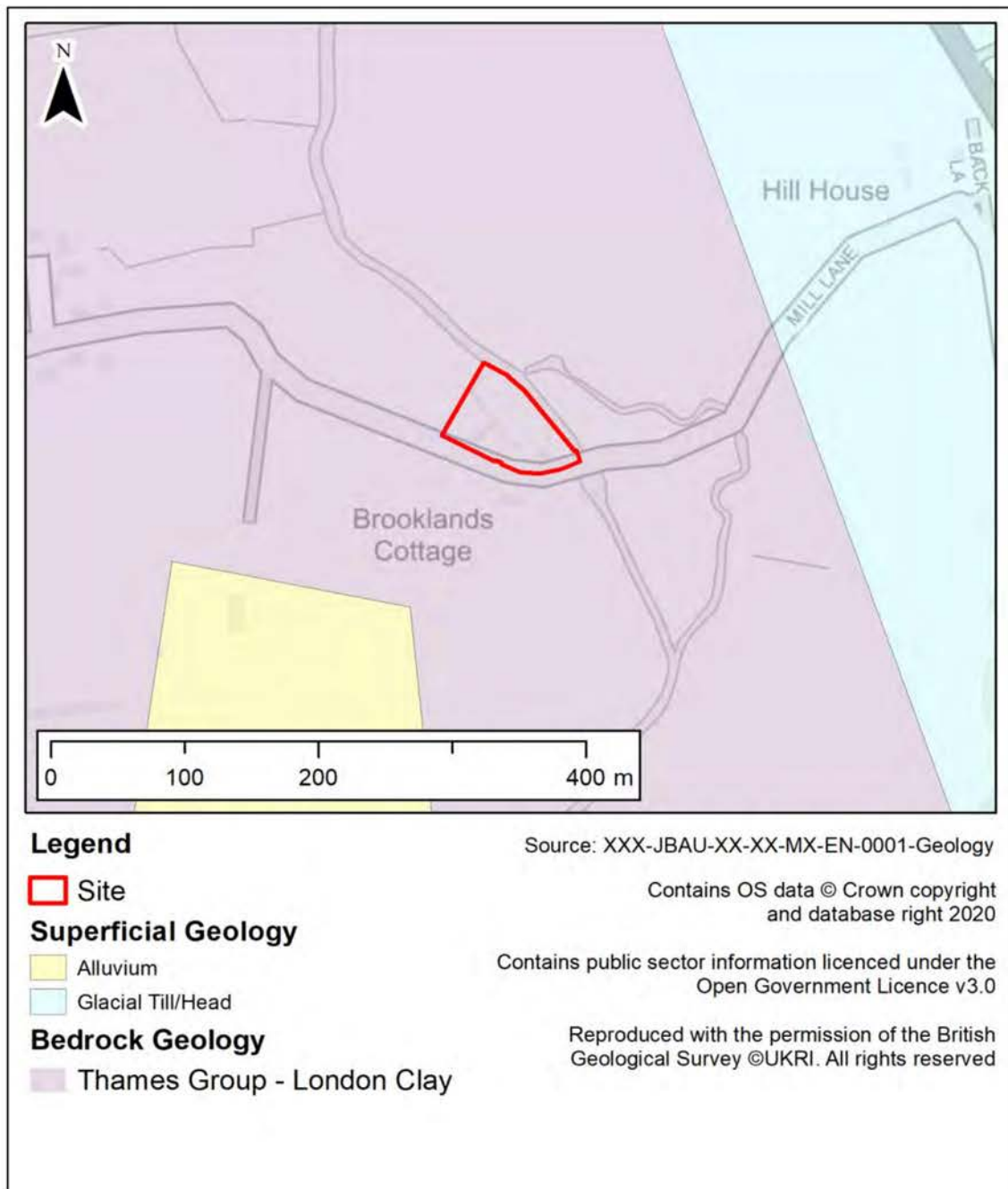
2.5 Site Geology

The bedrock geology at the site is part of the London Clay Formation, which consists of clays, silts and sands. At the site, the bedrock is overlain by Alluvium, sedimentary river deposits of varying grain size and type. To the east and west of the site, at higher levels across the Chelmer valley are superficial Head deposits, comprising of clays, silts, sands and gravels. Detailed mapping based upon the British Geological Survey's 1:625,000 dataset is shown in Figure 2-5.

There are numerous BGS borehole records within a kilometre of the site. The closest recorded borehole to the site is 140m east of the site's eastern boundary. The borehole record (TL71SW36) logs 0.8m of soil, then 1.5m of brown sandy clay material, identified as Head material. Underneath, 1.9m of "clayey gravel" is recorded, identified as possible glacial deposits. After this, London Clay is logged from a depth of 6.1m to the bottom of the borehole (8.5m). Water was struck at a depth of 3.7m, within the clayey gravel.

The EA groundwater map shows that the site is not located within a Groundwater Source Protection Zone, with the alluvium deposits classed as a Secondary 'A' Aquifer and the underlying London Clay bedrock classified as Unproductive. The Groundwater Vulnerability Map classifies the site as a Medium-Low risk.

Figure 2-5: Bedrock and superficial geology at the site



3 Planning Policy and Flood Risk

3.1 Applicable Planning Policy

The NPPF was introduced by the Department for Communities and Local Government in March 2012, with the latest revision in February 2019. The revised NPPF considers flood risk to developments using a sequential characterisation of risk, based on planning zones and the EA Flood Map for Planning. The revised NPPF should be used in conjunction with the Planning Practice Guidance (PPG)³, a live document first published in March 2014, which gives further information on the assessment of flood risk.

The main FRA requirement is to identify the Flood Zones and vulnerability classification relevant to the proposed development, based on an assessment of current and future conditions.

3.2 Development Site Flood Zones

The Environment Agency (EA) states that the flood risk is a function of:

- *"The likelihood of a particular flood happening, best expressed as a chance or probability over a period of one year. For example, 'There is a 1 in 100 chance of flooding in any given year in this location'.*
- *The impact or consequences that will result if the flood occurs."*

The EA categorises the risk into a series of Flood Zones; a definition of the Flood Zone can be found in Table 2. The EA has developed a Flood Map which shows the risk of flooding in England for different return period events. This map provides the basis for the assessment of flood risk and development suitability to NPPF. Table 2 below shows how the Flood Zones relate to a sequential planning response, as advised by the NPPF.

This site is located within Flood Zone 3 and is therefore at a high probability of flooding. No flood defences have been identified within close proximity to the site.

The Chelmsford Level 1 SFRA Appendix B mapping classifies the site as Flood Zone 3b, which is defined as the Functional Flood Plain, land that is intended to flood and store water during floods. Flood Zone 3b is usually classified as an area with a 1 in 20 chance of flooding in any given year (5% Annual Exceedance Probability or AEP). Discussion on this classification can be found in Section 3.4.2 and Section 4.2.1.

3.3 NPPF Flood Zones

Table 3-1 shows how the Flood Zones relate to a sequential planning response. There are advisory notes placed upon this type of development, which are detailed in Table 3-2. Details of permitted development and Exception Test requirements are provided in Table 3-3.

3 Accessed at: <http://planningguidance.planningportal.gov.uk/blog/guidance/>

Table 3-1: NPPF Flood Zones

Zone 1: Low Probability	
Land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%).	<p>Appropriate uses All uses of land are appropriate in this zone.</p> <p>FRA requirements For development proposals on sites comprising one hectare or above the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be incorporated in a FRA. This need only be brief unless factors above or other local considerations require particular attention.</p> <p>Policy aims Developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development, and the appropriate application of sustainable drainage systems.</p>
Zone 2: Medium Probability	
Land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% – 0.1%) or between a 1 in 200 and 1 in 1000 annual probability of sea flooding (0.5% – 0.1%) in any year.	<p>Appropriate uses The water-compatible, less vulnerable and more vulnerable uses of land and essential infrastructure in Table 3-2 are appropriate in this zone. Highly vulnerable uses in Table 3-2 are only appropriate in this zone if the Exception Test is passed.</p> <p>FRA requirements All proposals in this zone should be accompanied by an FRA.</p> <p>Policy aims Developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development, and the appropriate application of sustainable drainage techniques.</p>
Zone 3a: High Probability	
Land assessed as having a 1 in 100 or greater probability of river flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year.	<p>Appropriate uses The water-compatible and less vulnerable uses of land in Table 3-2 are appropriate in this zone. The highly vulnerable uses in Table 3-2 should not be permitted in this zone. The more vulnerable and essential infrastructure uses in Table 3-2 should only be permitted in this zone if the Exception Test is passed. Essential infrastructure permitted in this zone should be designed and constructed to remain operational and safe for users in times of flood.</p> <p>FRA requirements All proposals in this zone should be accompanied by an FRA.</p> <p>Policy aims Developers and local authorities should seek opportunities to: reduce the overall level of flood risk through the layout and form of the development and the appropriate application of sustainable drainage techniques; relocate existing development to land in zones with a lower probability of flooding; create space for flooding to occur by restoring functional floodplain and flood flow pathways and by identifying, allocating and safeguarding open space for flood storage.</p>

Zone 3b: Functional Flood Plain	
<p>Land where water <i>has</i> to flow or be stored in times of flood.</p> <p>Local Planning Authorities should identify in their SFRAs areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters.</p> <p>But land which would flood with an annual probability of 1 in 20 (5%) or greater in any year, or is designated to flood in an extreme (0.1%) flood, should provide a starting point for consideration and discussions to identify functional floodplain.</p>	<p>Appropriate uses</p> <p>Only the water-compatible uses and the essential infrastructure listed in Table 3-2 that has to be there should be permitted. It should be designed and constructed to:</p> <ul style="list-style-type: none"> remain operational and safe for users in times of flood; result in no net loss of floodplain storage; not impede water flows; and not increase flood risk elsewhere. <p>Essential infrastructure in this zone should pass the Exception Test.</p> <p>FRA requirements</p> <p>All proposals in this zone should be accompanied by an FRA.</p> <p>Policy aims</p> <p>In this zone, developers and local authorities should seek opportunities to:</p> <ul style="list-style-type: none"> reduce the overall level of flood risk through the layout and form of the development and the appropriate application of sustainable drainage techniques; relocate existing development to land with a lower probability of flooding.

Table 3-2. Flood Risk Vulnerability Classification

Vulnerability class	Description
Essential Infrastructure	<p>Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk.</p> <p>Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including electricity generating power stations and grid and primary substations; and water treatment works that need to remain operational in times of flood.</p> <p>Wind turbines.</p>
Highly Vulnerable	<p>Police stations, Ambulance stations and Fire stations and Command Centres and telecommunications installations required to be operational during flooding.</p> <p>Emergency dispersal points.</p> <p>Basement dwellings.</p> <p>Caravans, mobile homes and park homes intended for permanent residential use (Sequential and Exception Tests required for any change of land use to these sites).</p> <p>Installations requiring hazardous substances consent (Where there is a demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or such installations with energy infrastructure or carbon capture and storage installations, that require coastal or water-side locations, or need to be located in other high flood risk areas, in these instances the faculties should be classified as "Essential Infrastructure").</p>
More Vulnerable	<p>Hospitals.</p> <p>Residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels.</p> <p>Buildings used for: dwelling houses; student halls of residence; drinking establishments; nightclubs; and hotels</p> <p>Non-residential uses for health services, nurseries and educational establishments</p> <p>Landfill and sites used for waste management facilities for hazardous waste.</p> <p>Sites used for holiday or short-let caravan and camping, subject to a specific warning and evacuation plan.</p>
Less Vulnerable	<p>Police, ambulance and fire stations which are not required to be operation during flooding.</p> <p>Buildings used for: shops; financial, professional and other services; restaurants and cafes; hot food takeaways; offices; general industry; storage and distribution; non-residential institutions not included in 'more vulnerable'; and assembly and leisure.</p> <p>Land and buildings used for agriculture and forestry.</p> <p>Waste treatment (except landfill and hazardous waste facilities).</p> <p>Minerals working and processing (except for sand and gravel working).</p>

Vulnerability class	Description
	<p>Water treatment works and which do not need to remain operation during times of flood.</p> <p>Sewerage treatment works (if adequate measures to control pollution and manage sewage during flooding events are in place).</p>
Water-compatible Development	<p>Flood control infrastructure.</p> <p>Water transmission infrastructure and pumping stations.</p> <p>Sewage transmission infrastructure and pumping stations.</p> <p>Sand and gravel workings.</p> <p>Docks, marinas and wharves.</p> <p>Navigation facilities.</p> <p>MOD defence installations.</p> <p>Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location.</p> <p>Water-based recreation (excluding sleeping accommodation).</p> <p>Lifeguard and coastguard stations.</p> <p>Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms.</p> <p>Essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific warning and evacuation plan.</p>

Notes:

- 1. This classification is based partly on Defra/Environment Agency research on Flood Risks to People (FD2321/TR2) and also on the need of some uses to keep functioning during flooding.*
- 2. Buildings that combine a mixture of uses should be placed into the higher of the relevant classes of flood risk sensitivity. Developments that allow uses to be distributed over the site may fall within several classes of flood risk sensitivity.*
- 3. The impact of a flood on the particular uses identified within this flood risk vulnerability classification will vary within each vulnerability class. Therefore, the flood risk management infrastructure and other risk mitigation measures needed to ensure the development is safe may differ between uses within a particular vulnerability classification.*

Table 3-3. Flood Risk Vulnerability and Flood Zone 'compatibility'

Vulnerability Classification (Table 3-2)	Essential Infrastructure	Water Compatible	Highly Vulnerable	More Vulnerable	Less Vulnerable
Flood Zone	1	✓	✓	✓	✓
	2	✓	✓	Exception Test	✓
	3a	Exception Test	✓	✗	Exception Test
	3b	Exception Test	✓	✗	✗

Notes to Table 4:

This table does not show the application of the Sequential Test which should be applied first to guide development to Flood Zone 1, then Zone 2, and then Zone 3; nor does it reflect the need to avoid flood risk from sources other than rivers and the sea;

The Sequential and Exception Tests do not need to be applied to minor developments and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site;

Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.

† In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

** In Flood Zone 3b (functional floodplain) essential infrastructure that has to be there and has passed the Exception Test, and water-compatible uses, should be designed and constructed to:*

- remain operational and safe for users in times of flood;*
- result in no net loss of floodplain storage;*
- not impede water flows and not increase flood risk elsewhere.*

3.4 Requirements for Sequential and Exception Tests at the site

The revised NPPF requires that the Sequential and Exception Tests should be applied when choosing the location of new development and the layout of the development site. The Sequential Test aims to promote development in low flood risk areas. The Exception Test is used where no suitable development areas can be found in low risk zones.

3.4.1 Sequential Test

The Local Planning Authority's (LPA's) Strategic Flood Risk Assessment (SFRA) is produced to help guide development and forms the basis for the application of the Sequential Test.

When planning a development, a sequential approach should be applied to identify suitable sites which are at minimal risk from flooding, avoiding Flood Zones 2 and 3 where possible. The overall aim of decision-makers should be to steer new development to Flood Zone 1. If no suitable areas can be identified in Flood Zone 1 then sites with the lowest flood risk should be considered next.

3.4.2 Exception Tests

The NPPF classifies residential accommodation as 'More Vulnerable'. More Vulnerable development is not permitted within Flood Zone 3b. Additionally, any development in Flood Zone 3a must pass both a sequential and an exception test. The proposed development

site is classified in the Chelmsford Strategic Flood Risk Assessment as Flood Zone 3b, and therefore the proposed development is not permitted, as per the NPPF.

It is argued that the proposed development site has been classified as Flood Zone 3b incorrectly, as the site is currently developed and was developed prior to the introduction of the NPPF and Flood Zone classifications. Flood Zone 3b in the SFRA is classified automatically from fluvial 5% AEP (1 in 20 chance in any given year) flood risk modelling extents, with manual review to classify areas unsuitable for functional flood plain removed from classification.

3.5 Environment Agency Climate Change Allowances (19th February 2016 and 22 July 2020)

The revised NPPF and supporting PPG on Flood Risk and Coastal Change explain when and how flood risk assessments should be used. This includes demonstrating how flood risk will be managed now and over the development's lifetime, taking climate change into account.

On 19 February 2016, the Environment Agency released new guidance on climate change allowances to support NPPF, available at <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

To represent climate change, the higher central and upper end allowances (35% and 65% increase in flow respectively for the Anglian River Basin District) have been used, in line with the February 2016 EA Guidance on Climate Change.

On the 22 July 2020, the Environment Agency updated the climate change allowances to include the H++ allowance, an extreme scenario based upon the latest climate change projections for the UK. In a Flood Risk Assessment, the Environment Agency requires consideration and application of the H++ allowance (+80% for the Anglian basin) to determine potential worst case scenarios and the impact upon access and egress, and whether additional resilience measures should be considered.

3.6 Policy and Guidance Review

3.6.1 Preliminary Flood Risk Assessment (2011)

The Essex County Council Preliminary Flood Risk Assessment was published in January 2011. The PFRA provides a high-level summary of the flood risk within the council areas based on readily available data; it considers flooding from surface run-off, groundwater, sewers and ordinary watercourses. The purpose of the document is to identify the areas where flood risk is most significant, known as Flood Risk Areas.

The PFRA was reviewed in 2017 and an addendum was published by Essex County Council in December 2017. The review identified no changes to the assessment of risk are required since the first PFRA was published. Chelmsford has been identified as a Flood Risk Area for the purposes of the Flood Risk Regulations in the second planning cycle.

3.6.2 Strategic Flood Risk Assessment

The Chelmsford Strategic Flood Risk Assessment (SFRA) was published in January 2018. SFRAs appraise flood risk from all sources of flooding and inform development control policies in Local Plans. The SFRA provides guidance and recommendations for site specific FRAs for proposed developments in the different Flood Zones within the area.

The SFRA includes an appraisal of all potential sources of flooding (including Main Rivers, Ordinary Watercourses, surface water, groundwater and flooding from seas) as well as a review of historical flooding incidents and providing a set of criteria to support Sequential Testing and a sequential approach to flood risk.

The DG5 register of recorded historical flooding from sewers was not provided by the time of publication.

The SFRA notes several flood events having occurred on the River Chelmer in and upstream of Chelmsford, including 2 properties in Broomfield having flooded in October 2001.

3.6.3 Local Risk Management Strategy (2018)

The Flood and Water Management Act (2010) gave unitary and county councils, new responsibilities for leading and co-ordinating the management of local flood risk, in a new role as Lead Local Flood Authority.

The Essex Local Flood Risk Management Strategy (LFRMS) was published in 2018. It sets out the Council's approach to managing flood risk from local sources in both the short and long term, outlining proposals for sustainable actions that will help to manage the risk in a way that delivers the greatest benefits to the residents, businesses and environment of Essex.

The Strategy identifies key partner organisations with responsibilities for management of flood risk across Essex county and has been reviewed in the preparation of this FRA.

3.6.4 North Essex Catchment Flood Management Plan (2011)

The North Essex Catchment Flood Management Plan (CFMP) covers the Chelmsford area, and the Blackwater and Chelmer, Upper Reaches and Coastal Streams Sub-area 1 covers the proposed development site. The Policy Option for the Sub-area is Policy 2, "Areas of low to moderate flood risk where we can generally reduce existing flood risk management actions". This policy looks to move the focus of spending from maintenance of defences with little benefit to reducing risk where there are more people at higher risk.

3.6.5 Chelmsford Surface Water Management Plan (2014)

The Chelmsford Surface Water Management Plan (SWMP), published in March 2014, outlines the preferred surface water management strategy for the Chelmsford district. In the Chelmsford SWMP, 12 Critical Drainage Areas (CDAs) were identified within the study area. CDA 05 is located within Broomfield, including Mill Lane to the west of the proposed development site. The proposed development site is not situated within a Critical Drainage Area, and Surface Water management at the site should follow the guidance as set out in the Chelmsford SFRA and other planning policy documents listed in this Policy and Guidance Section (Section 3.6).

4 Assessment of Flood Risk

All new developments must comply with the flood risk guidance set out in the revised NPPF. As the proposed development is located within Flood Zone 3 (Flood Zone 3b as designated in the Chelmsford SFRA) the site is at risk of flooding, identified in this case as fluvial risk from the adjacent River Chelmer. Therefore, a Flood Risk Assessment is required, as per recommendations set out in the NPPF.

The revised NPPF advocates a risk-based approach to flood risk management in terms of appraising, managing and reducing the consequences of flooding both to and from a development site. The primary objectives of this FRA are to determine the following:

- Whether the site is at significant risk from any forms of flooding;
- The risks of all forms of flooding to and from the development, and to demonstrate how these flood risks will be managed so that the development remains safe throughout its lifetime, taking climate change into account;
- Determine if safe access to and from the site will be maintained during an extreme flood event;
- The impact of the development on flood risk elsewhere.

4.1 Historical Flooding

The EA's Historic Flood Map shown in Figure 4-2 indicates that the proposed development site has experienced flooding from the River Chelmer in the past.

Photographic evidence of previous flooding at the site and in the surrounding fields and properties has been provided by the client Mr Marriage, with a description of the main flood mechanism and flood routing around the site. Flooding historically overtops the riverbank and flows along the floodplain in a southerly direction. The floodwater follows lower ground around to the west of the site, along Mill Lane and then south past 2 domestic properties south of the proposed development site. Figure 4-1 is a photograph from the client, showing flood water flowing around the property's western boundary wall, and Figure 4-2 shows the Historic Flood Map. Appendix C is the mapped flood outline from the 1947 flood prepared by Anglian Water Authority (a predecessor of the Environment Agency), with levels of flooding at the site recorded at 28.7mAOD (94.1 feet AOD).

Mr Marriage has lived at Broomfield Mill since 1974, where his family have milled since 1800. During his time there, internal flooding has never occurred within the house, with a threshold level of 28.7mAOD. Water levels have been within 0.1m of the threshold on several occasions. Mr Marriage continues to take a keen interest in the management of water levels during floods and the river in general. He notes that water levels here can be sensitive to small changes in the management of the river channel and floodplain. For example, uncut vegetation against a wire fence raised water levels by several centimetres in a previous flood, until Mr Marriage cut these back.

The River Chelmer is gauged some 3km downstream at Springfield. No significant tributaries join between Broomfield and Springfield. The gauge has recorded from 1965 to the present. The highest flow recorded (43.3m³/s on 22/10/2001) did not cause internal flooding at Broomfield Mill.

A photograph showing a flooded road. In the distance, two cars are partially submerged in the water. The road is bordered by trees on the left and a stone wall on the right. The water is murky and reflects the sky.

The map displays the Brooklands Cottage area, with a red rectangle indicating the 'Site'. An orange-shaded region represents the 'Historic Flood Map'. The map includes a north arrow, a scale bar (0 to 100 m), and a legend. Key features include Brooklands Cottage, Hill House, Mill Lane, Little Waltham Road, and a river. The map also shows a road labeled 'A130' and a road labeled 'LA BACK'. The map is titled 'ld' in the top left corner.

Source: XXX-JBAU-XX-XX-MX-EN-0001-HFM

4.2 Sources of Flooding

4.2.1 Fluvial Flood Risk

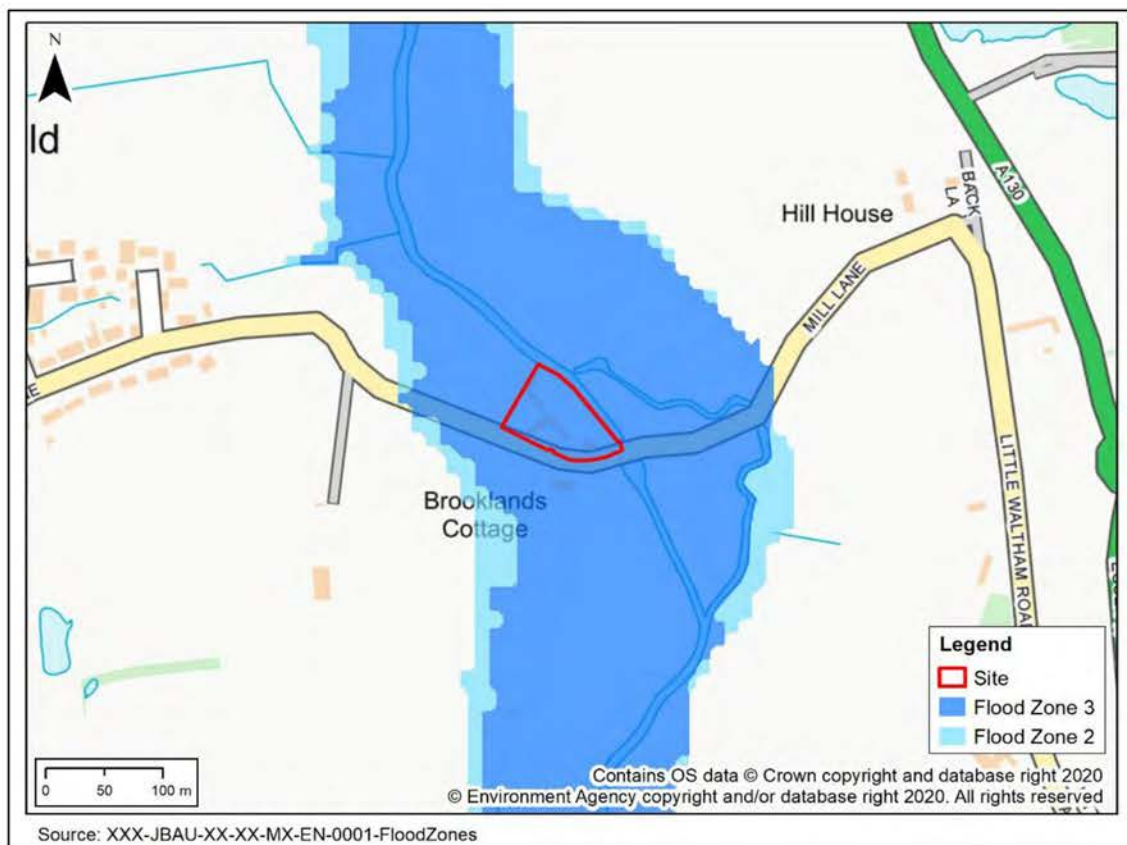
A review of the EA's Flood Zone mapping shows that the site is located within Flood Zone 3. The site is therefore classified as being at a high risk of flooding from rivers and seas as shown in Figure 4-3 below. Consequently, the site is located within an Environment Agency Flood Warning Area.

The source of flooding is from the River Chelmer, that runs adjacent to the site.

The Chelmsford SFRA additionally classifies the site as Flood Zone 3b, the functional floodplain, which, on the River Chelmer, has been defined as the 1 in 20-year modelled flood extents. We would contend that Broomfield Mill should not be considered to be part of the functional floodplain, since:

- The site has a very long history of use as a mill, perhaps dating back to the Domesday book (although the location is uncertain), but certainly to the 16th century⁴.
- NPPF practice guidance states that "The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters". As such, the site, due to its long history of occupation, should not be considered to be land which is intended to flood.
- The site is small, with limited other development nearby within the fluvial floodplain. Development within this site on the footprints of existing buildings would not, therefore, increase flood risk to others.

Figure 4-3: Environment Agency Flood Map for Planning



4 https://www.broomfieldessex.co.uk/wp-content/uploads/2016/12/Vol2-pp44-106.wps_.pdf

4.2.2 Flood Defences

The Environment Agency spatial flood defence dataset lists the riverbanks of the River Chelmer near to the site as "high ground", with no embankments or walled defences near to the site. The site is not within an "area benefitting from defences" (ABD), and no defences are included in the River Chelmer hydraulic model around the site.

It is therefore considered that the site does not benefit from any fluvial flood defences, and is not at risk from a flood defence failure.

4.2.3 Surface Water Flood Risk to the Development

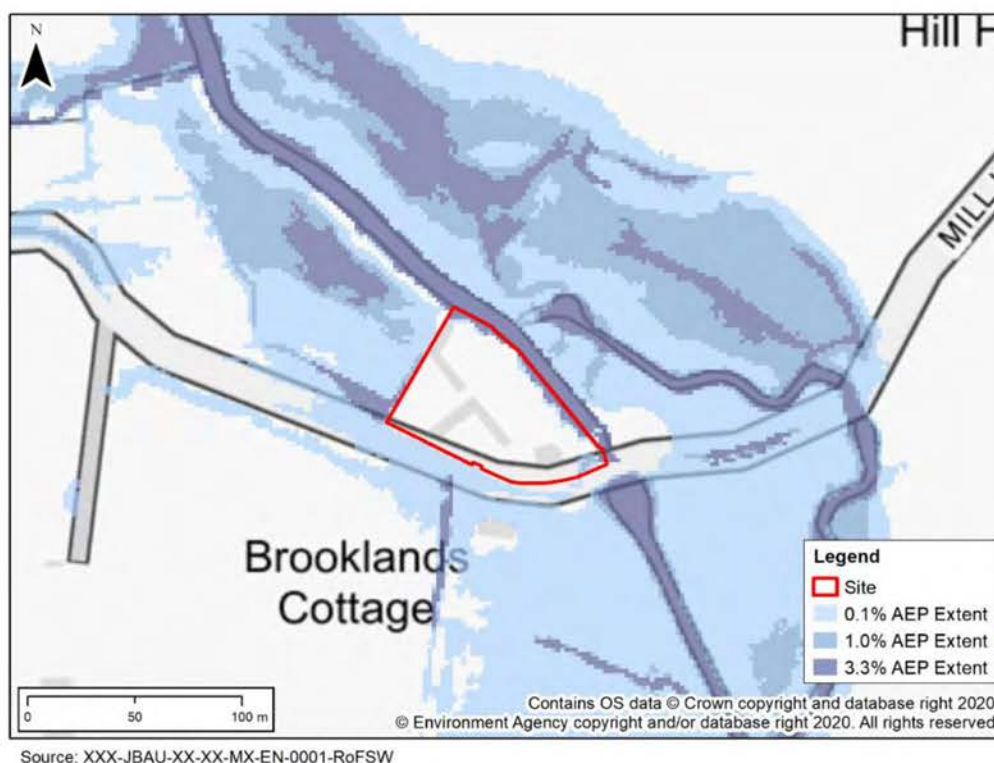
Surface water flood risk is generated when rain falls on impermeable surfaces or saturated ground, generating overland flows and/or local ponding. It can be exacerbated when the capacity of local drainage systems is exceeded or when groundwater is high. This can pose a risk to the site but also to the adjacent sites as a result of increased areas of impervious surface resulting from the development site.

Surface water flood risk to the site was assessed using the Environment Agency's 'Risk of Flooding from Surface Water' (RoFSW) maps which show the extent of surface water flooding within the vicinity of the site. The recurrence of surface water flooding can be classified into risk categories, as shown below:

- High – an area has a chance of flooding of greater than 1 in 30 each year (3.3% AEP)
- Medium – an area has a chance of flooding of between 1 in 30 and 1 in 100 each year (3.3% AEP and 1.0% AEP)
- Low – an area has a chance of flooding of between 1 in 100 and 1 in 1,000 each year (1.0% AEP and 0.1% AEP)
- Very Low – an area has a chance of flooding of less than 1 in 1,000 each year

The RoFSW data shows that the majority of the site is at very low risk of flooding from surface water, because it sits slightly higher than the adjoining floodplain. Areas surrounding the site are modelled as at risk of flooding between a 1% and 0.1% AEP event (low risk), due to the lower ground level around the site.

Figure 4-4: Risk of Flooding from Surface Water



4.2.4 Surface Water Flood Risk from the Site

The proposed development at the site is small in scale, and is occurring in an area of the site that is either developed or previously developed.

Since the site already contains impervious surfaces and will not be re-graded, and the small scale of the building extension proposed, it is unlikely that any significant new surface water flood risks will be generated downstream.

Essex County Council suggest that a sustainable approach should be taken to the discharge of surface water following the sequential preference of soakaway, watercourse, mains drainage, which should be considered by the development.

4.2.5 Climate Change

For developments located in Flood Zone 3 of a 'More Vulnerable' classification, Environment Agency guidance on climate change uplifts for FRAs states that the higher central and upper end allowances for climate change should be used. For the Anglian River Basin District (RBD) these are +35% and +65% for total potential change in the '2080s'.

The Environment Agency has provided the River Chelmer hydraulic model for use in the Flood Risk Assessment, which includes climate change scenarios prepared in 2016. The model is undefended at the proposed development site.

The River Chelmer flood extents for a 1 in 100-year event with 35% and 65% climate change allowance flood the majority of the site with flood water of up to 0.5m. The maximum flood depth modelled within the proposed development footprint of the site is 0.49m in the western corner of the building. However, it should be noted that the model does not include the brick wall which runs along the northern and western boundaries of the property, which has been seen to effectively divert flood flows around the property. In effect this operates as an informal flood defence. Consequently, the model is likely to slightly over-estimate flood depths and water levels inside the site.

The flood mechanism at the site is primarily floodplain flow originating from the north-west of the site, with deeper water flowing around the western boundary of the site, over Mill Lane and then south of the site. This mechanism matches reports from the site owner, and

photographs of previous flood events at the site, showing water flowing over Mill Lane. Overtopping of the riverbank at the site also contributes to flooding within the site during the climate change events.

Access is likely to be limited during the 1% AEP flood events, both to the east over the River Chelmer and to the west towards Broomfield, due to floodplain flow over Mill Lane exceeding 0.8m.

The maximum modelled water levels adjacent to the proposed annex conversion should be used to set the Finished Floor Levels, where feasible. The modelled water levels adjacent to the proposed development for the climate change events are as follows:

Table 4-1: Modelled water levels adjacent to proposed annexe, 1 in 100 year plus climate change scenarios

Climate change scenario	Flow uplift (2080s)	Maximum water level (mAOD)
Higher Central	+35%	28.65
Upper End	+65%	28.73

Mitigation measures are considered in detail in section 7.

Figure 4-5: Modelled flood depth in a 1 in 100-year plus 65% climate change scenario, in the vicinity of the proposed development site

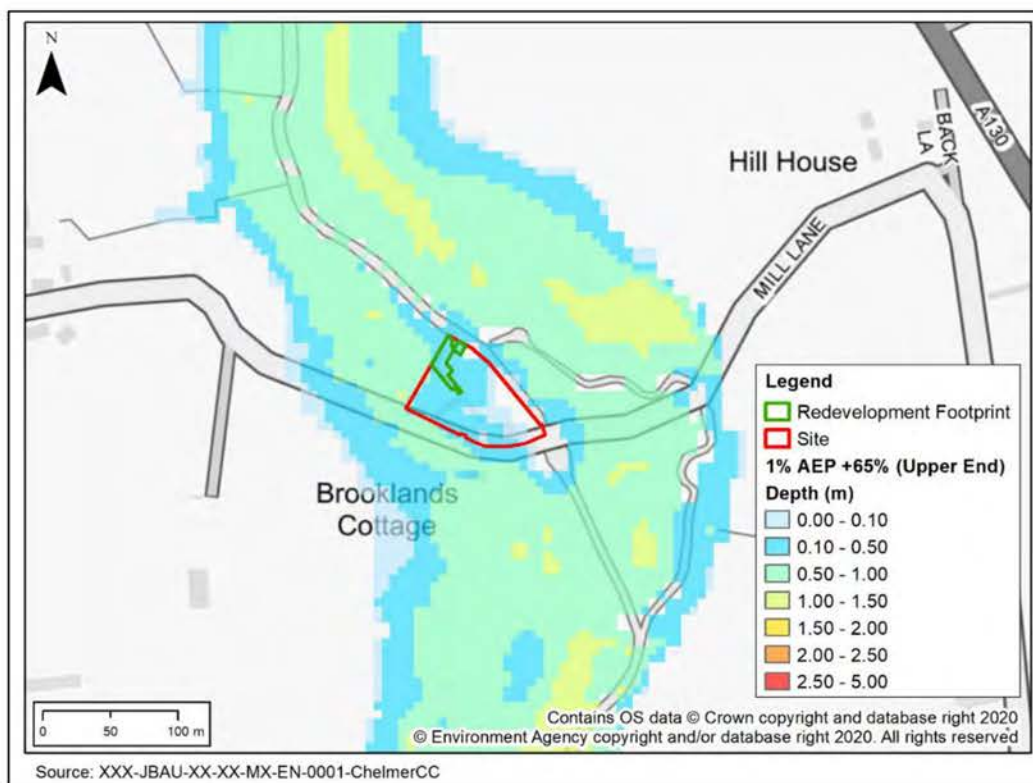
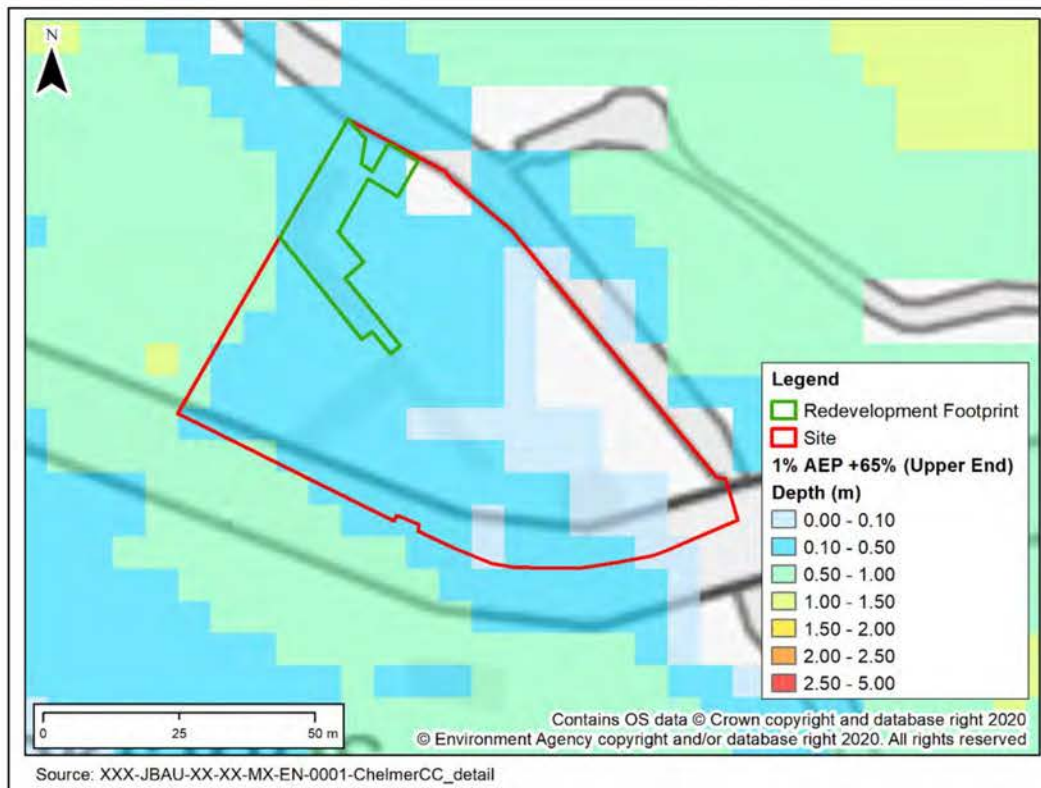


Figure 4-6: Modelled flood depth in a 1 in 100-year plus 65% climate change scenario, focused on the development site in detail



4.2.6 Groundwater Flood Risk

Groundwater flooding occurs when the water table rises above ground level, especially after a period of prolonged rainfall. This is most likely to occur in low-lying areas that are underlain by permeable bedrock and superficial geology. Unlike other forms of flooding, groundwater flooding does not pose a significant risk to life, however it can cause serious damage to property.

Despite the presence of alluvium there are few recorded instances of groundwater flooding in the Chelmsford area. The site lies within an area classified by the Chelmsford SFRA as 50-75% susceptible to groundwater flooding, though the grid size from the EA's Areas Susceptible to Groundwater Flooding mapping is far larger than the site and hence it is not possible to resolve smaller scale spatial patterns relevant to the development.

Due to the site's proximity to the River Chelmer and the location on top of alluvium hydraulically linked to the level in the River Chelmer, it is expected that groundwater flooding risk will be directly linked to the level of the Chelmer, and therefore the risk is of groundwater flooding occurring separately to fluvial flooding is low.

The site is unlikely to be at risk of groundwater flooding from a deeper aquifer, due to the site's location on London Clay bedrock, an unproductive unit.

4.2.7 Reservoir Flood Risk

Reservoir flood risk is associated with overtopping of a reservoir (residual risk) or failure (breach). In the unlikely event of a reservoir dam failing, a large volume of water would escape at once and flooding could happen with little or no warning. This is a worst-case scenario as reservoirs are designed to a 10,000-year standard of protection (under the Reservoir Act 1975 in England), and it is therefore unlikely that any actual flood would be this large.

When considering the probability of a reservoir breach, the EA website states that reservoir flooding is extremely unlikely to occur and there has been no loss of life since 1925⁵. Strict regulations and maintenance schedules should help operators identify any issues or changes in behaviour before these become an issue which may compromise the safety of a reservoir.

The Chelmer at the site is not shown to be impacted in the event of a reservoir overtopping or breach event in the EA's reservoir inundation mapping, meaning that no additional measures need be taken regarding this risk.

4.2.8 Sewer flooding

The proposed development will be served by a stand-alone package treatment unit, as this part of Mill Lane is not served by a public sewer. Therefore, flooding from public sewers is not expected to be an issue, however there is a risk that the unit will not be able to discharge under gravity to the River Chelmer during flood conditions. Mitigation measures are considered in section 7.

5 Environment Agency SC080046 Lessons Learnt from Dam Incidents at:
<http://evidence.environment-agency.gov.uk/FCERM/en/Default/FCRM/Project.aspx?ProjectID=f7fd7100-9a12-46ee-907d-e102d88c61c0&PageID=56bad68e-dcb1-4bf8-84cc-cbfd03ab63a2>

5 Sequential and Exception Test

As set out in section 3.6.2 the Local Planning Authority's (LPA's) Strategic Flood Risk Assessment (SFRA) is produced to help guide development and forms the basis for the application of the Sequential Test and Exception Test and aims to promote development in areas with low flood risk.

5.1 Sequential Test

Application of the sequential test to an individual planning application requires demonstration that the proposed development could not reasonably be located in an alternative location at lower flood risk.

Following the guidance set out in the SFRA, the sequential test has been met on the basis that the proposal is considered to be minor development and an addition of an Annexe to an existing residential development, and therefore the Sequential Test need not be applied, as per 3.4.1 of the Chelmsford SFRA which states that the Sequential Test need not be applied to "applications for minor development or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site)."

5.2 Exception Test

As the application of the sequential test has not been undertaken for this minor development, there is not a requirement to perform an Exception Test to justify the development of land at higher flood risk. However, it is appropriate, within an FRA, to consider how the proposal would meet part 2 of the exception test, namely, to demonstrate that it will be safe for the lifetime of the development and will not increase risk elsewhere. This is considered in section 7.

6 Construction (Design Management) Compliance

Under the Construction (Design and Management) Regulations 2015 (CDM 2015) it is the designer's duty to:

- Eliminate foreseeable health and safety risks to anyone affected by the project;
- Take steps to reduce or control any risks that cannot be eliminated;
- Communicate, cooperate and coordinate with the client, other designers and contractors involved in the project so that designs are compatible, and health and safety risks accounted for during the project and beyond

The following hazards associated with the construction, operation and maintenance of the mitigation measures have been identified during the preliminary site assessment.

- Surface water flood risk: the area surrounding the site is at risk from a 1% AEP surface water flood event
- Groundwater flood risk: the site is at low risk of groundwater flooding
- Proximity to the watercourse; the site is located adjacent to the River Chelmer, including weir and bridge structures. It is not expected that construction on the site will impact the river. Fluvial flood risk at the site is high and therefore could impact construction during exceptional rainfall events.
- Underground services, including electrical supply and sewerage
- Live vehicular traffic: Mill lane is not a through road, and risk is determined to be low.
- Overhead electrical and telephone cables may be present at the site and be obscured by tree crowns.
- Environmental: any potential excavations within current site and use of construction machines are not expected to pose a significant risk of pollution to the water environment, but are a hazard to site staff. Appropriate mitigation measures will therefore be required.

It should be noted that the potential hazards have been identified through a desk study of currently available information and this list should not be considered as exhaustive. A detailed site survey should be undertaken prior to any construction / installation activities commencing to confirm the presence of potential unidentified hazards on and in the immediate vicinity of the site.

7 Flood Risk and Mitigation Measures

In accordance with the NPPF and the associated PPG, it must be demonstrated that the proposed development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The recommendations in the following sections should be incorporated into the development to make the site flood resilient.

7.1 Flood Emergency Planning

Climate change flood extent outlines reveal that access to the site may be limited as a result of flooding to the site and to Mill Lane in the 1 in 100-year event. Consequently, it may be necessary to develop an emergency plan detailing the safe evacuation of the site during a flood event. There is a long-established pedestrian route from the property that is passable during floods. In addition, works in discussion to assist the flow of water over Mill Lane should improve vehicle access during most floods (see section 7.4 below).

As the site is an annexe to the existing residential dwelling, evacuation to the first floor of the existing house can be considered safe refuge for the site, and should be considered as part of the emergency plan.

It is recommended that all people living on the site are aware of the Flood Emergency Plan, and act upon receipt of EA Flood Alerts and Flood Warnings, if evacuation is required prior to a flood event occurring, where access and egress is restricted once water levels in the Chelmer rise and flood the floodplain.

7.2 Finished floor levels

We consider that the site should be considered to be predominately located in Flood Zone 3a (see section 4.2.1).

Hydraulic modelling indicates that there is a risk of flooding to the site during the 1 in 20 and 1 in 100-year events on the River Chelmer bordering the east of the site. In accordance with the maximum modelled flood level during the 1 in 100-year +35% (Higher Central) climate change scenario, finished floor levels are recommended to be set no lower than 28.95mAOD, which is 0.3m greater than the maximum modelled flood level for this event at 28.65mAOD. This measure helps to minimise the risk of flooding to the development. However, if this is impracticable, given the restrictions of rooflines and existing roofs to be retained, then it is recommended that the walls and doors of the annex be designed to be resilient to flood levels at least equal to the 1 in 100-year +65% (Upper End) climate change scenario water level of 28.73mAOD, plus 0.3m freeboard, resulting in a level of 29.03mAOD. This latter approach is considered to be appropriate, given that the model is likely to over-predict flood depths within the site as it does not include the boundary wall, which acts as an informal flood defence.

7.3 Flood Resilience Measures

As the proposed dwelling has sleeping accommodation on the ground floor, and the development is at risk of flooding during the 1% AEP event, it is recommended that flood resilience measures are implemented within the building. These actions will also help to accommodate increase in flood levels due to climate change, including an allowance for the H++ worst case climate scenario. Flood proof doors and windows, raising electrical sockets and utilities above the modelled flood level, hard flooring and raising furniture above flood levels should be considered.

7.4 Floodplain Management

A plan should be prepared setting down Mr Marriage's experience and understanding of how to manage flood waters adjacent to the site, including vegetation management within channel and on the floodplain. Mr Marriage is also currently in discussion with Essex County Council Highways regarding removal of a section of wall and road kerb along the south side of Mill Lane, opposite the westernmost point of Broomfield Mill. The objective of

this is to assist the free flow of flood waters across Mill Lane, and Mr Marriage anticipates that this will significantly reduce water levels in the Lane, thus facilitating vehicle access during flood events, and also could be expected to have a smaller benefit to water levels at the house.

7.5 Surface Water Risk Management

There is currently a minimal risk of surface water flooding within the development site. The proposed development should consider a range of Sustainable Drainage Systems (SuDS) solutions such as green roofs and water butts to minimise impact of increase runoff due to redevelopment of land to impermeable uses. Due to the location of the site close to the River Chelmer, the previously developed nature of the proposed development site and the small scale of development, significant SuDS features such as soakaways are not considered to be essential. Rainwater harvesting for garden and greenhouse watering is already practiced at the property.

7.6 Foul sewerage and wastewater treatment

Flood resilience should be built into the design of the foul sewerage and package treatment unit. Appropriate measures could include:

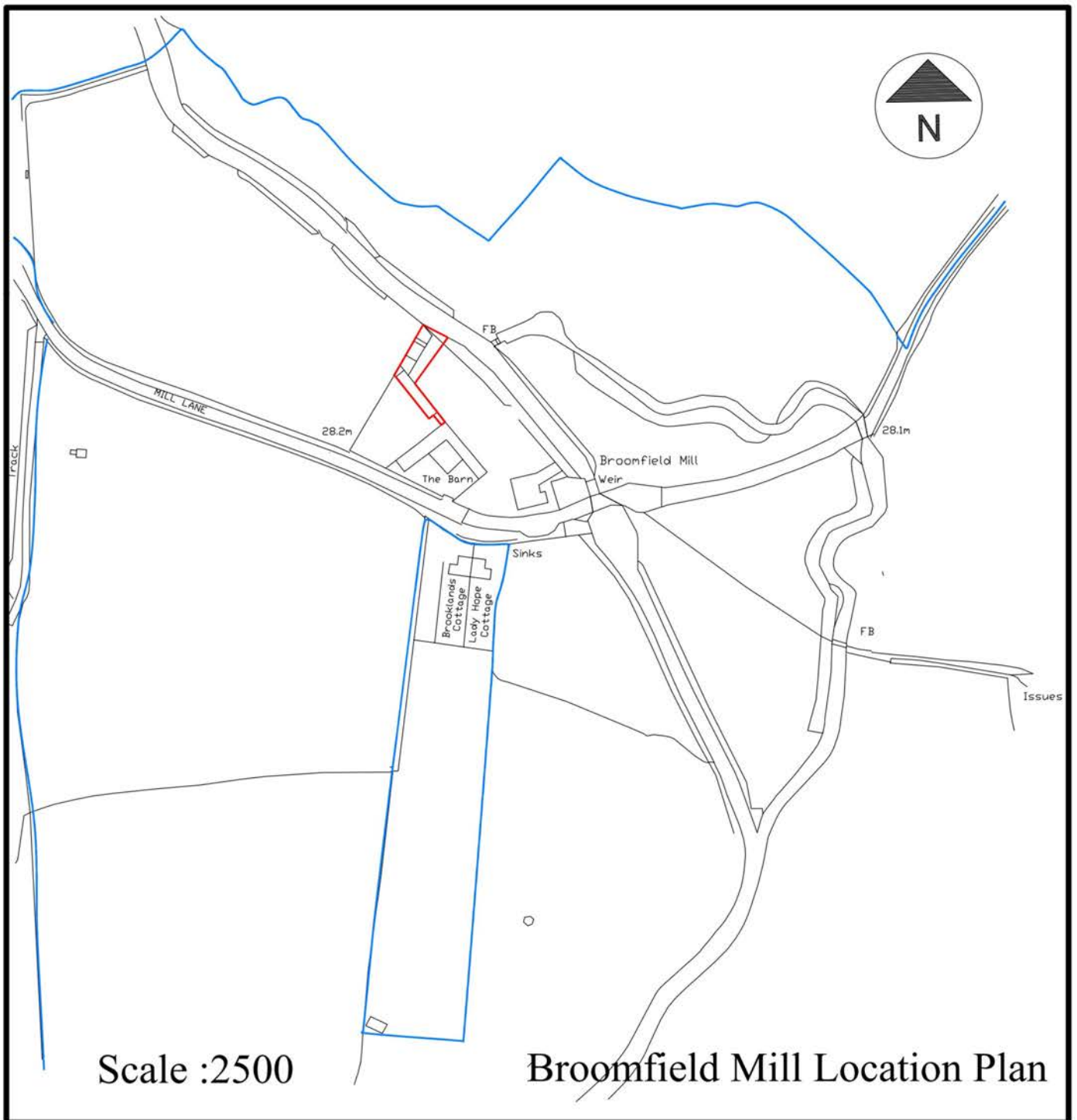
- Bunding around the unit to the 1 in 100 year +65% water level (28.73mAOD) to prevent fluvial flood water ingress into the system.
- Sealed covers on any external inspection chambers outside of the bunded area.
- A combination non-return valve and small pump to pump treated effluent to the river when river levels prevent effective discharge under gravity.

8 Conclusions

- This FRA has reviewed the potential flood risk at the site, following government planning guidance and local planning authority policy.
- The proposed development is for the redevelopment and extension of the existing greenhouse to create an annexe to be will be occupied by the site owner.
- The River Chelmer forms the proposed development sites eastern boundary, within 20m of the proposed development.
- The site is shown to be at a high flood risk from fluvial flooding in the present-day scenarios, being at risk during the 1 in 20-year event. This risk has led to the site's classification within Flood Zone 3b in the 2016 Chelmsford SFRA. This FRA challenges this classification on the grounds that the site has been developed and occupied for industrial and residential usage since at least the 16th century and therefore should not be classified as functional floodplain. Classification as Flood Zone 3a, where more vulnerable developments such as residential dwellings may be permitted, following application of the sequential and exception tests, is deemed to be appropriate for the site.
- The most extreme 1 in 100-year +65% climate change flood scenario predicts inundation across the site, with flood depths to approximately 0.5m.
- The site does not benefit from any fluvial flood defences, although the site is situated approximately 20cm above the surrounding floodplain.
- The EA Historic Flood Map, and evidence from the client indicates that fluvial flooding has impacted the site previously, although the flood level has not reached the threshold of the existing house.
- As the site is classified as a minor development, the proposed development is exempt from satisfying the sequential test and therefore does not need to meet the exception test.
- The EA's Risk of Flooding from Surface Water Map indicates low risk within the site, with areas of elevated flood risk on Mill Lane outside of the site.
- The sites risk of flooding from groundwater is considered to be low.
- The site is not at risk of flooding from reservoirs.

Appendices

A Site Plans



WW2 Pill Box retained as part of
secondary accomodation

Living room

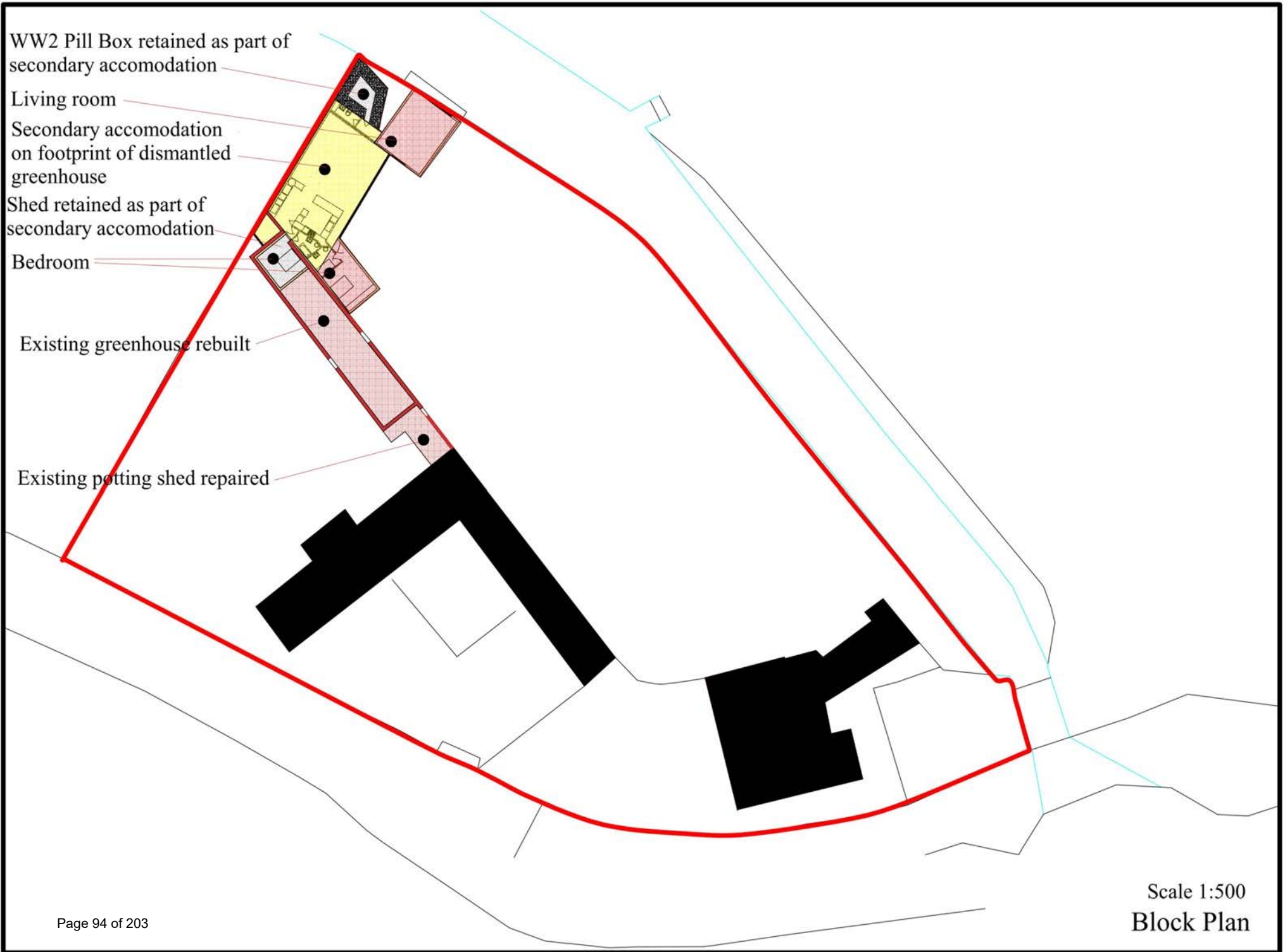
Secondary accomodation
on footprint of dismantled
greenhouse

Shed retained as part of
secondary accomodation

Bedroom

Existing greenhouse rebuilt

Existing potting shed repaired





B Site Topographic Survey

C 1947 Flood Outline

Offices at

Coleshill
Doncaster
Dublin
Edinburgh
Exeter
Glasgow
Haywards Heath
Isle of Man
Limerick
Newcastle upon Tyne
Newport
Peterborough
Saltaire
Skipton
Tadcaster
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Janice Gooch
Heritage Consultancy

Heritage Statement

Broomfield Mill, Broomfield, Essex CM1 7BQ

20 July 2020

Janice Gooch Heritage Consultancy. Job No: 20/316

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"What Descartes did was a good step. You have added much several ways, and especially in taking the colours of thin plates into philosophical consideration. If I have seen a little further it is by standing on the shoulders of Giants."

Isaac Newton in a letter to his rival Robert Hooke, 1676

'We are only the trustees for those who come after us'

William Morris

'the history of architecture is the history of the sense of space'

August Schmarson 1893

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1. Summary

This is a Conservation Statement and Impact Assessment for the proposed scheme to create a self-contained Annexe within the grounds of Broomfield Mill, Broomfield, Essex CM1 7BQ.

The property is not listed but has been recognised as a non-designated heritage asset (locally listed). Within the grounds of the property is a Pill Box which has also been recognised as a non-designated heritage asset.

The property is outside of a Conservation Area.

This Heritage Statement has been written with the proposed scheme, as per drawings:

- View of South Elevation
- 2/280320 Plan View
- 6/290220 Plan View

1.1. Aims and results

The aim of this statement is to recognise the significance and character of the heritage assets and to assess whether the works would affect the significance, character, or setting of the heritage assets.

1.2. Purpose of Report

This report has been drafted to allow for planning purposes.

A site visit was undertaken as part of the report.

2. Methodology

This heritage statement follows the requirements to comply with National Policy Planning Framework (2019) section 16 this statement provides:

- An understanding/describe the significance of the heritage asset
- An understanding/contribution to the setting of heritage assets
- An assessment of the impact of the proposed works on the heritage asset
- An assessment of the impact of the proposed works on the setting of the heritage assets

The National Planning Policy Framework (NPPF 2019), paragraph 189 which states

'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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'

This statement has been undertaken with the consideration of the level and extent of the proposed works and is not to be considered as a full historical report or conservation plan.

In addition, it follows after the guidance of

- Planning Practice Guidance on Conserving and Enhancing the Historic Environment (2014)
- Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment (Historic England, 2008)
- Historic Environment Good Practice Advice in Planning Note 3: The setting of Heritage Assets (2nd Ed., Historic England 2017)

This report will not comment on the local planning policies.

2.1 Information Sources Consulted

This Heritage Statement has been prepared using a variety of resources to provide an understanding of the site and the wider setting. Sources include:

- Local Authority website
- National Heritage List for England (NHLE) via Historic England – Search the List
- Heritage Gateway
- Information, historic maps, and photographs (online)
- Google Searches

3. The Site

Broomfield Mill is in a rural location outside the main settlement of Broomfield. Broomfield is a village and residential suburb in the City of Chelmsford, located immediately north of the city itself. It is perhaps best known now as for the major Accident & Emergency hospital.

The site is located at the end of Mill Lane and is formed of the main house and a few outbuildings that form part of the residential unit.

3.1. Site Description

The main house is formed of a polite fronted, two storey, painted render building, with a parapet concealing the roof. To the right of the main house was the location of the former mill (now demolished) which allows a glimpse of the more informal, vernacular based structures behind.

The outbuildings are located to the north-west and west of the main house. Closest to the main house is a group of single storey barns (now converted) and a small bungalow. These form a small courtyard with a brick boundary wall.

To the north of this is the Walled Garden, which has the glass house to the east elevation, together with the small potting shed. Within the formal garden of the main house is the location of the second glass house (with the glass and glazing bars removed) and the WWII Pill Box which was constructed in the former location of the Fern House.

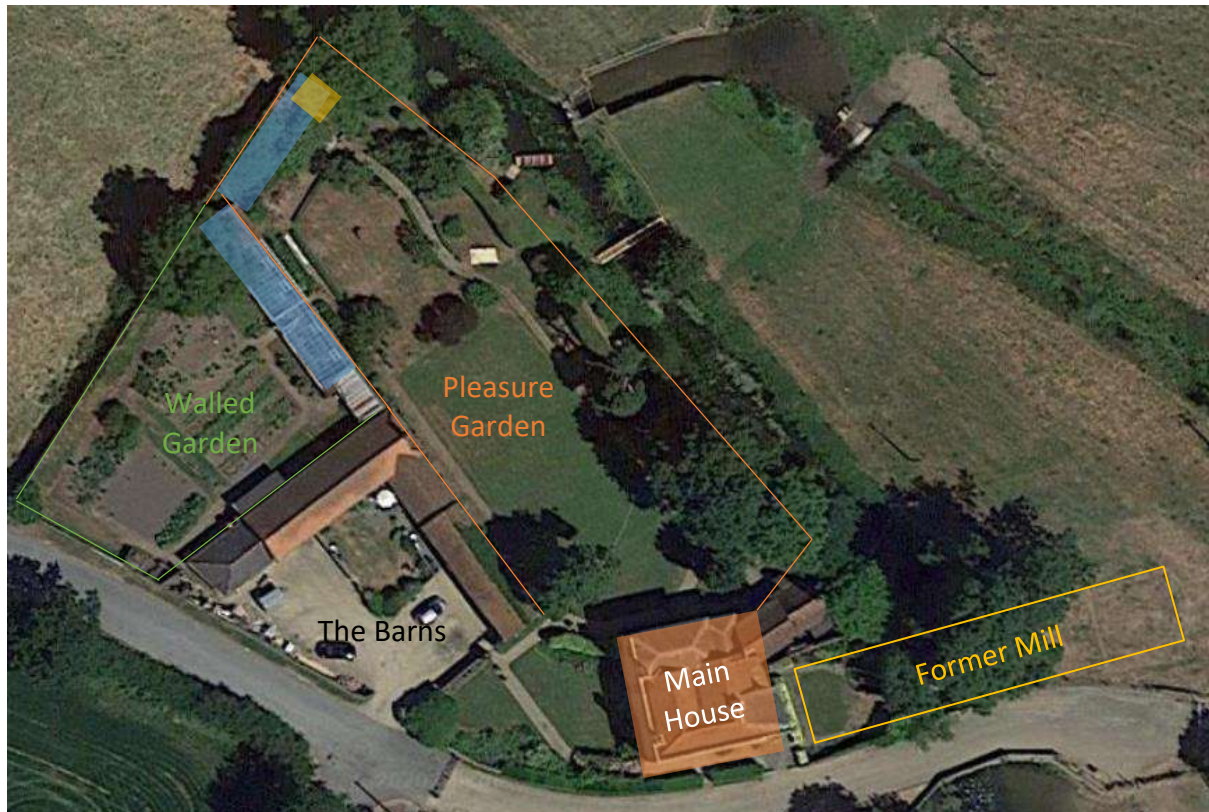


Figure 1 – plan of site. Blue = glasshouses; yellow = pillbox. Taken from <https://www.google.co.uk/maps/place/Broomfield+Mill,+Mill+Ln,+Broomfield,+Chelmsford+CM1+7BQ/@51.7652803,0.4819697,150m/data=!3m1!1e3!4m5!3m4!1s0x47d8e95560757fa1:0x4dda09386e573902!8m2!3d51.7655206!4d0.4758426>

3.2. Development of Site

Historic Maps

The Map of the County of Essex 1777 by John Chapman & Peter André provides evidence that there was 'A Corn Mill' on the site.

The earliest OS map (1875) shows the main house and the mill straddling the river. The 'L' shaped out-building can be seen, together with the Walled Garden, but only a small Glass House is shown within the Walled Garden. There is an outbuilding to the end of the garden.

By 1896 the two large Glass Houses are shown, and this remains relatively unaltered until 1971 except for the creation of the Pill Box which is not shown on the OS maps.



Figure 2 - Map of the County of Essex 1777 by John Chapman & Peter André

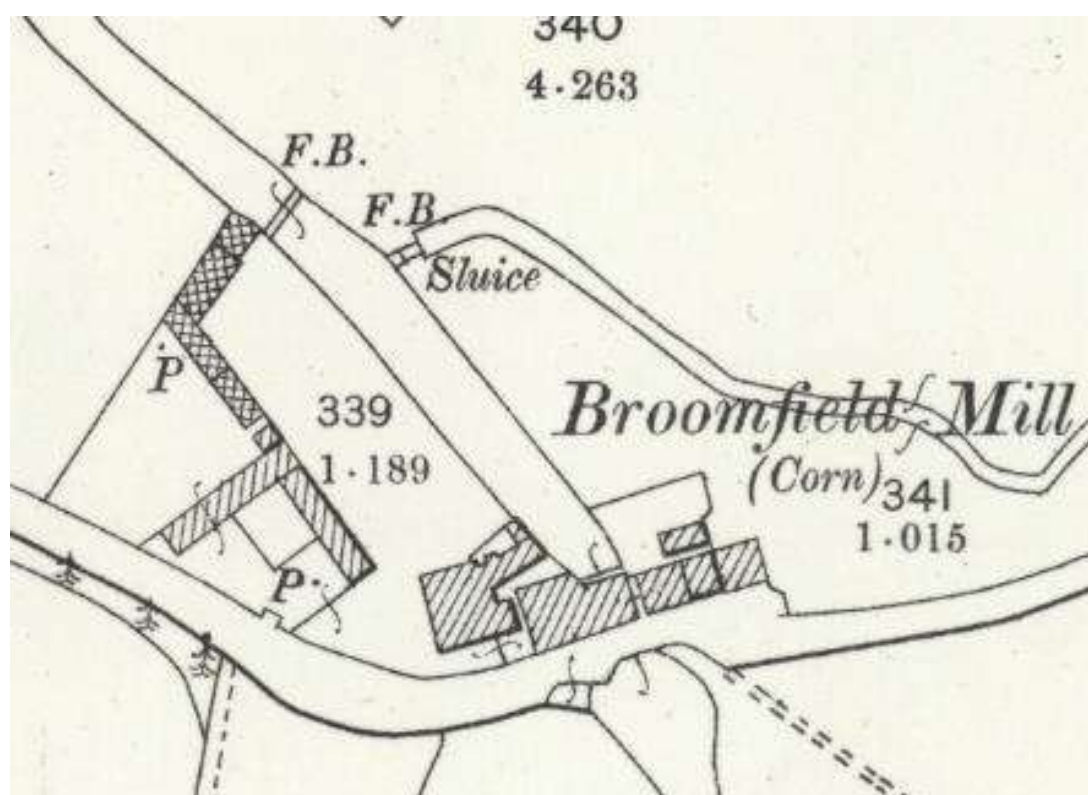


Figure 3 – 1895 OS Map

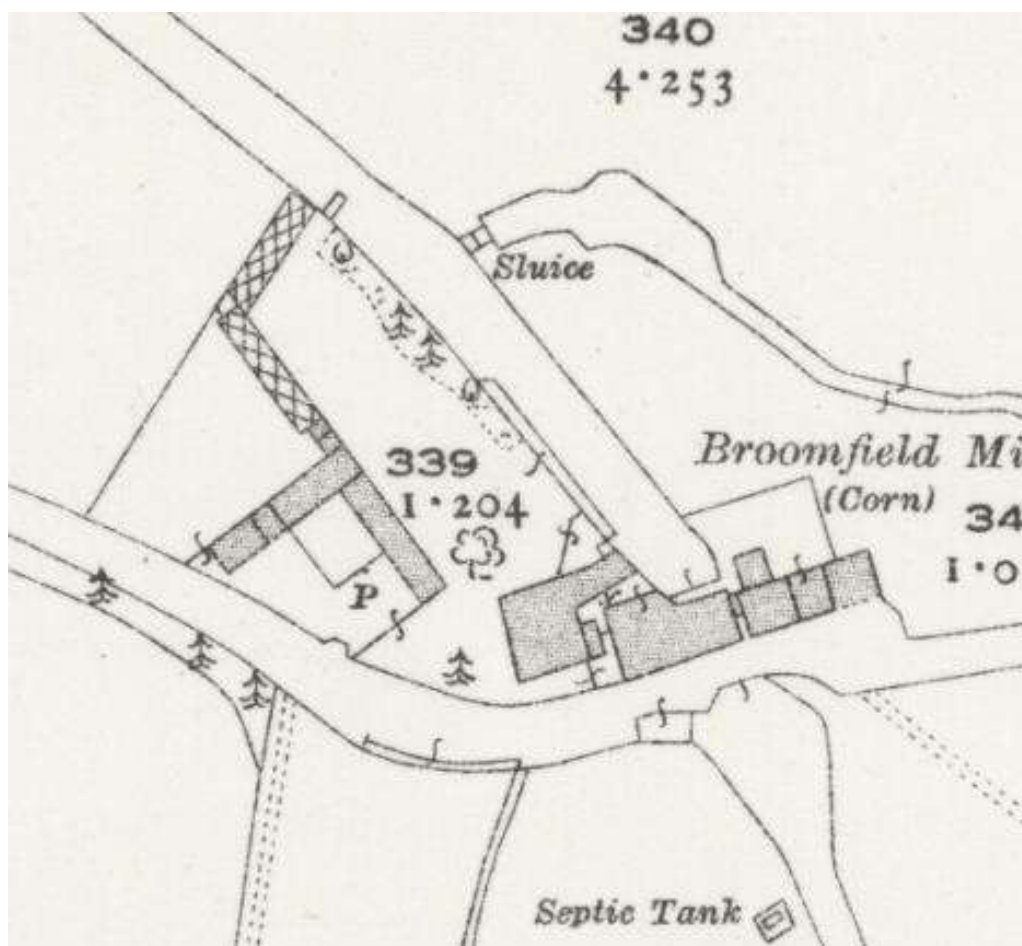


Figure 4 – 1919 OS Map

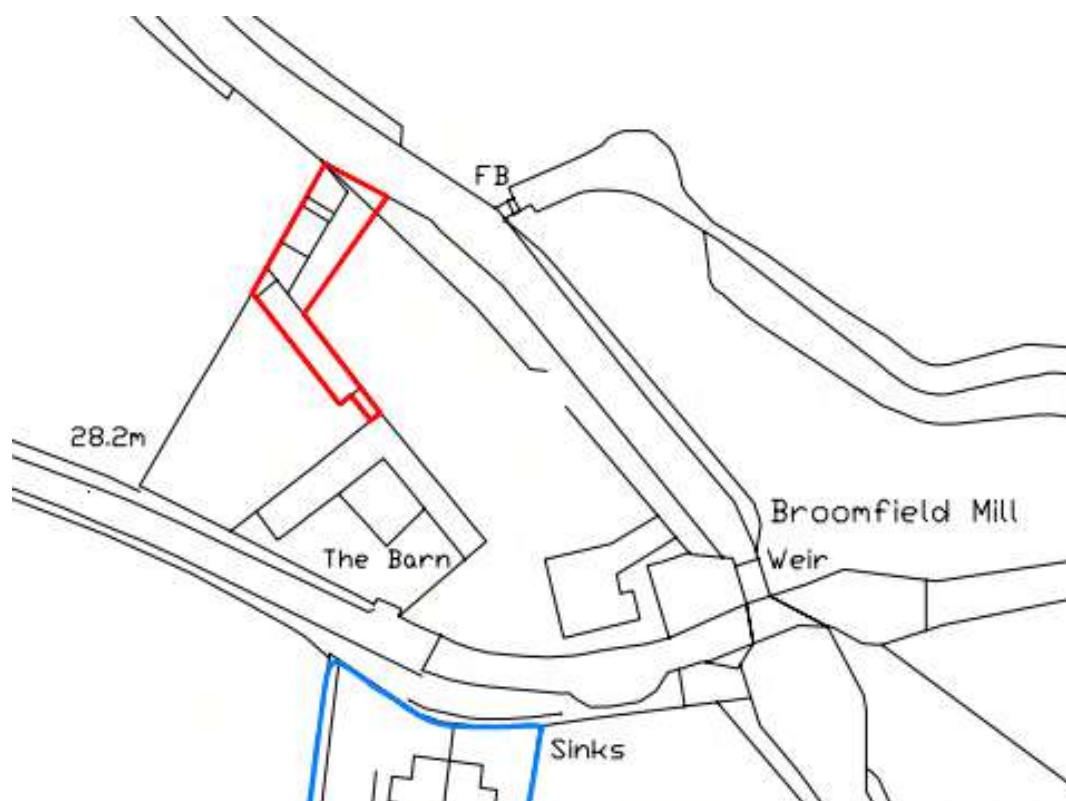


Figure 5 – existing site plan

Historic Photographs

The Historic England 'Red Box' has no images of the Mill.

A Google search provided two images.



Figure 6 – photograph c.1910-1920, taken from <http://www.footstepsphotos.co.uk/Essex/Essex-B/essbp08-essex-photographs.htm>



Figure 7 – the main house is to the left of the photo. Taken from <http://www.marriages.co.uk/>

3.3. Site Analysis

The site visit was undertaken on 20 July 2020. This sought to identify any features of historic and architectural significance.

The site visit was limited to the exterior of the buildings except the existing Glass House and the Pillbox. (Restrictions due to the Corona Virus Pandemic 2020).

Exterior

The house is a two-storey dwelling that has been extended and altered over time. The front elevation, facing onto Mill Lane is of polite architecture, with timber sash windows, with the roof hidden by a parapet.

The rear elevation shows the changes that have occurred over time, but still offers polite architecture.



Figure 8 - front elevation



Figure 9 – rear elevation

To the right of the main house is the former offices of the Mill, constructed in red brick and are of a more vernacular appearance. (These now form part of the main house.)

Grounds

The plot is formed of a triangular section bounded by Mill Lane to the west and south and the river to the north and east. The main house sits to the south corner. The mill is no longer there, but there is evidence of the former location.

To the west of the house is the single storey group of outbuildings (now converted) which are enclosed with a brick boundary wall. This group is referred to as 'The Barn'.

North of this is the Walled Garden which forms the northern boundary of the domestic footprint. Outside of the Walled Garden is agricultural land. Within the Walled Garden is a large Glass House to the eastern boundary which forms a boundary to the formal rear garden of the house.

The Walled Garden Glass House is a timber frame, with a brick wall to the rear elevation (which forms the boundary wall to the rear garden). One end of the glasshouse has had the glass replaced with tiles to provide an additional storage area. A small potting shed is tucked into the corner and has access to the rear garden.

The rear garden which forms most of the domestic plot, is mainly laid to lawn with established flower/ shrub beds and trees. The end of the garden is a brick wall which forms part of the removed Glass House and the Pill Box. Part of the rear boundary wall (adjacent to the Pillbox) has been reduced and a step inserted. (Fig. 18)

Part of the glass house within the main garden remains, including the elegant cast iron supports that show that this structure was intended for ladies gardening, as these posts are not evident in the glass house within the Walled Garden.

The rear brick wall continues past the Pillbox, with evidence of the former internal walls that separated the main glass house and the fern house.

The Pillbox is a shuttered concrete structure with a flat roof. Unlike many pillboxes there is a metal door. Internally, the corrugated shuttering is still in place. There is some damage due to limited water ingress into the structure.



Figure 10 – view toward house showing the rear of the single storey 'L' buildings which form The Barn



Figure 11 – access through the Wall Garden to the Potting Shed



Figure 12 – west side of formal garden towards Walled Garden



Figure 13 – view towards the end of the formal garden and the location of the Glass House



Figure 14 – delicate support posts and ties, with limewashed rear wall



Figure 15 – lowered rear wall and standing step



Figure 16 – interior of pillbox



Figure 17 – metal door to pillbox



Figure 18 – within the Walled Garden, looking to the rear of the Bungalow which forms part of The Barn



Figure 19 – Glass house and rear of bungalow



Figure 20 – from the end of Walled Garden looking at Glass House and Bungalow to the right

3.3. Identification of other Heritage Assets

Within the wider setting there are a few designated heritage assets, however, for the purposes of this statement and the limited scale of the works, the site is not considered to be part of the setting for these designated heritage assets due the distance and topology of the land.

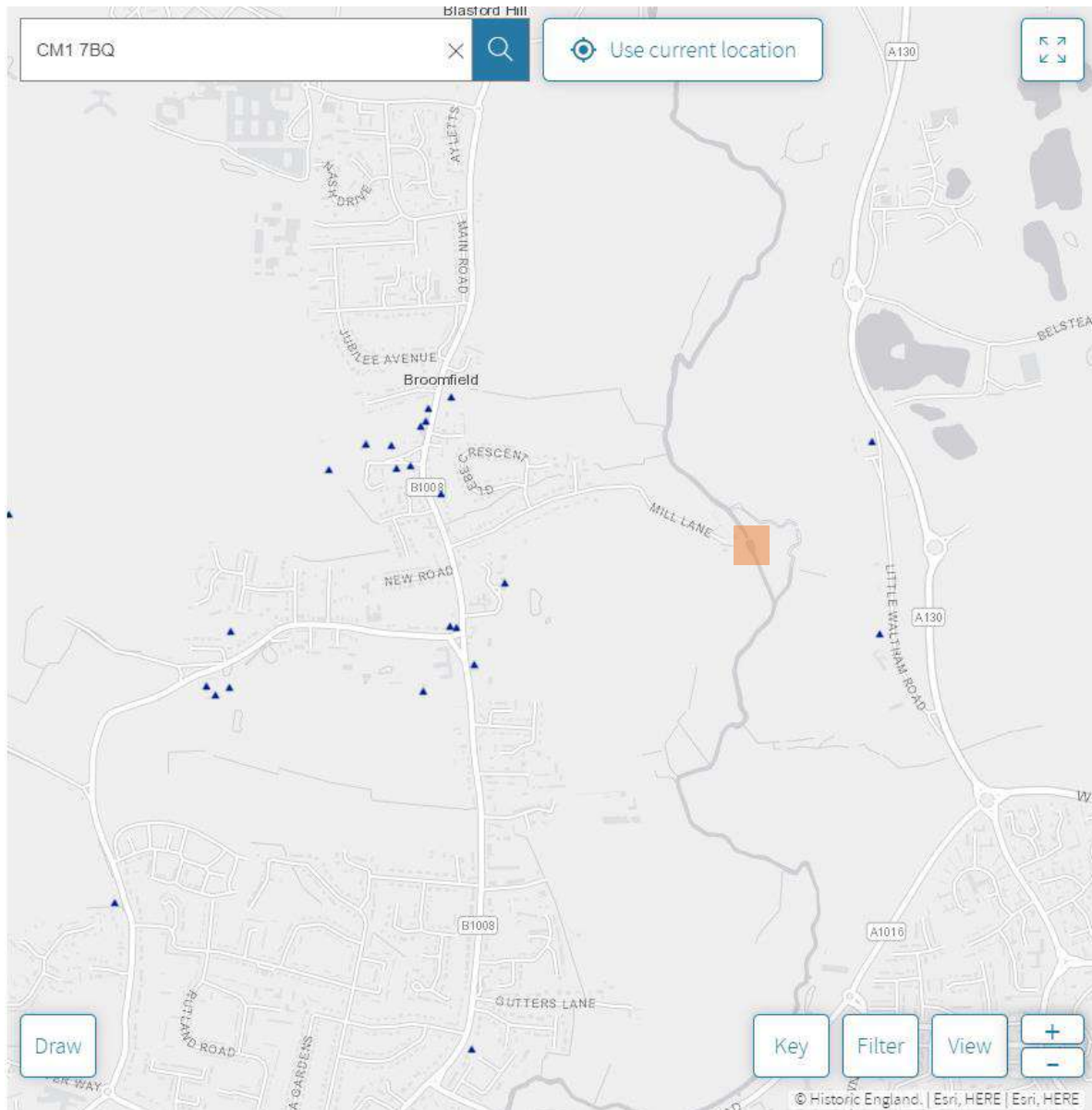


Figure 21 - designated heritage assets, shown as blue triangles (listed buildings). Site highlighted in orange. Taken from <https://historicengland.org.uk/listing/the-list/map-search?postcode=SL6%209SU&clearresults=True#?search=CM1%207BQ>

3.4. Additional Information

Marriage Family

The property (and the former Mill) has been under the ownership of the Marriages for over 200 years. In 1824 William and Henry Marriage continued milling the wheat produced on their family farm at Broomfield following the death of their father, who is believed to have bought the Mill in 1803. His father, Joseph, had milled at Croxtons which is the next mill upstream. The sale particulars only mention the mill, counting house, bran house and stable, indicating that the house was constructed at a later date. The brothers established a company which grew rapidly, using wind and waterpower to mill bread flour and livestock feed.

A brief history of the family, taken from their website states

W & H Marriage & Sons has been a family run flour milling company for almost two hundred years. Founders William and Henry Marriage started the business aged only seventeen, following the death of their father. It is said that the Marriage family had been farmers and millers in mid-Essex since the seventeenth century.

During the intervening centuries, new innovations were introduced by the family; however producing superior quality flour and offering good customer service has remained a consistent focus. Sampson David Marriage, father of current Director, George Marriage, had a keen interest in organic production before it became high profile and developed a system of paying farmers more for growing better quality wheat.

Today the fifth and sixth generations of the Marriage family are continuing the milling tradition started by their ancestors William and Henry Marriage back in 1824.

Broomfield Mill is now just a residential dwelling, but the family are still millers, and have developed and expanded their business within the area.

The Glasshouse & domestic Garden

The construction of the glass house and fern house was undertaken in the c.1880/1890s. This period saw a change in domestic gardening which was becoming more of a leisure activity and hobby that ladies could partake in.

With this change was the erection of glasshouse by the middle class as these structures were becoming affordable, to more people rather than being the reserve of the elite. The use of glass houses was inspired by *The Great Exhibition of the Works of Industry of All Nations*, generally referred to as *The Great Exhibition*. This international exhibition that took place at Crystal Palace in Hyde Park, London, from 1 May to 15 October 1851. Crystal Palace was a large glazed structure, which was the start of the mass produced glass and metal frame. With glass becoming both cheaper and larger, and with heating becoming more effective, the numbers and types of glasshouses burgeoned during the 19th century.

This encouraged the amateur gardener who, supported by many publications, was able to grow a variety of goods. The brick wall acted as a heat-sink as well as a support for vineries and fruit crops. The remaining glass house within the Walled Garden at Broomfield still retains many of these soft fruit trees.

Pteridomania

Pteridomania or Fern-Fever was a Victorian craze for ferns. Decorative arts of the period presented the fern motif in pottery, glass, metal, textiles, wood, printed paper, and sculpture, with ferns

"appearing on everything from christening presents to gravestones and memorials." Fern motifs first became conspicuous at the 1862 International Exhibition and remained popular "as fond symbol of pleasurable pursuits" until the turn of the century.

Pteridomania, a compound of Pteridophytes and mania, was coined in 1855 by Charles Kingsley in his book *Glaucus, or the Wonders of the Shore*:

'Your daughters, perhaps, have been seized with the prevailing 'Pteridomania'...and wrangling over unpronounceable names of species (which seem different in each new Fern-book that they buy)...and yet you cannot deny that they find enjoyment in it, and are more active, more cheerful, more self-forgetful over it, than they would have been over novels and gossip, crochet and Berlin-wool.'

The keeping of ferns was undertaken across the classes. The conditions for keeping ferns was different to the soft fruits. Species from New Zealand, China, Japan, Europe, and the Americas grow in cool, humid, shady glasshouses.

The craze was so popular The British Pteridological Society for fern enthusiasts was founded in the Lake District in 1891 and soon became the focal point for fern enthusiasts throughout the British Isles. The Society, affiliated to the Royal Horticultural Society and Plant Heritage (NCCPG), is still going today.

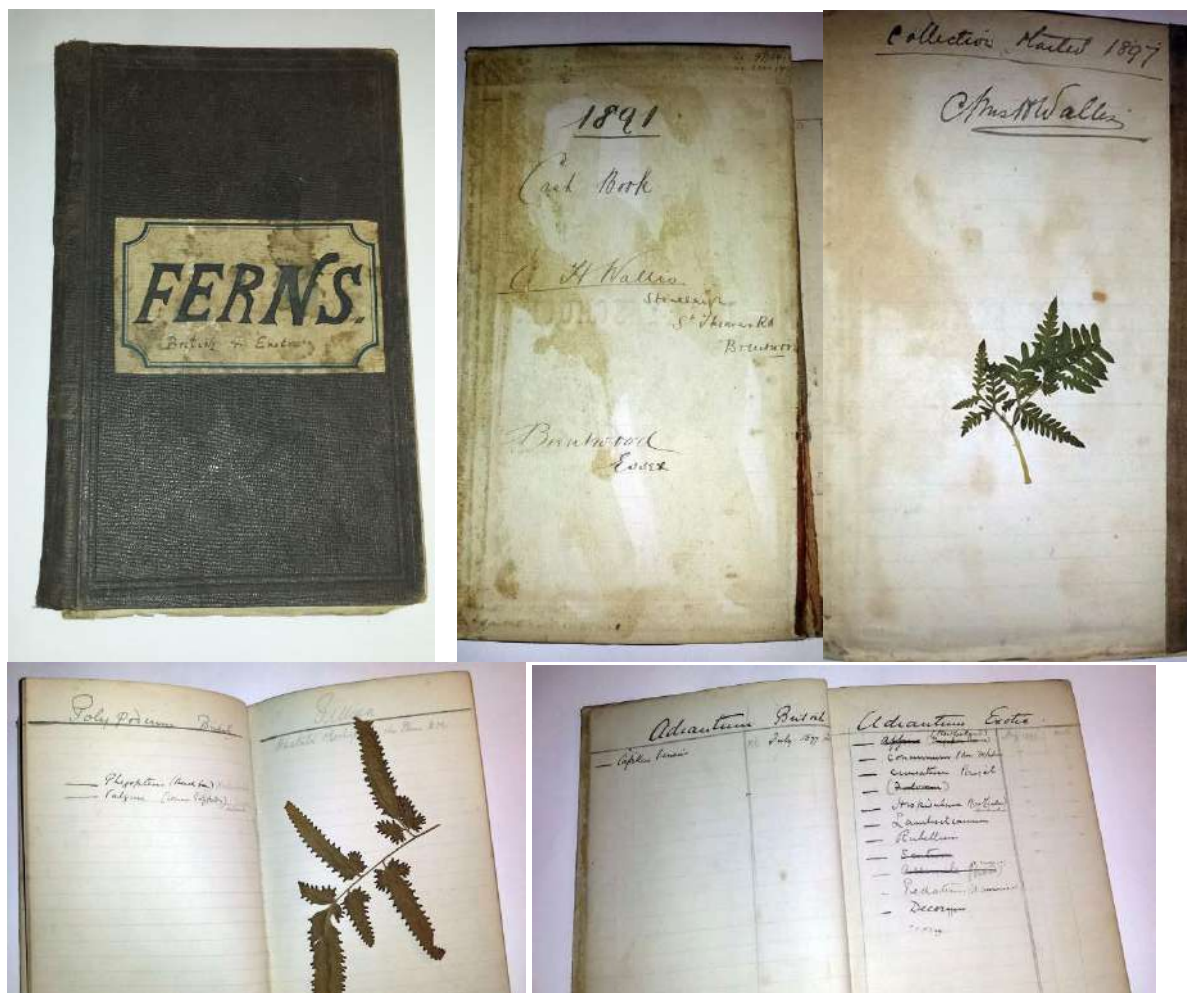


Figure 22 – photographs of Fanny Marriage (?) Cash Book for the fern collection

The World War II Pillbox

The Pill Box was erected as part of the World War II defence system. A full history of the defence of the GHQ line is provided in Appendix 4 with an article written by Neil Wiffen and published in the Essex Journal.

The location of this pillbox was part due to the topology of the surrounding land.

There are several peculiarities aside from the unusual shape of the pillbox. The pillbox was built into part of an existing structure, replacing the Fern House which formed part of the domestic outbuildings, rather than in an isolated setting. In addition, it has a lockable metal door which allowed for the safe storage of a bomb which would be used to blow the bridge if required following attack.

The initial scheme has also been forwarded to Mike Osborne¹ Ph.D., M.Ed (Research) who provided the following comments:

• ¹ Author of **'Pillboxes of Britain and Ireland'** (Publisher: The History Press Ltd; UK ed. edition (1 Jan. 2008) / ISBN-10: 0752443291 / ISBN-13: 978-0752443294)

BROOMFIELD MILL PILLBOX Essex SMR No. 10870

In response to an invitation from Peter Marriage via Mike Bardell to comment on proposals to incorporate a WWII pillbox into a new residential construction, I am happy to share my thoughts and comments. I first walked most of the GHQ Line back in the 1990s before I became a Regional Volunteer Co-ordinator for the Defence of Britain Project run by the Council for British Archaeology and English Heritage. I corresponded with Fred Nash and subsequently have met with him and Paul Gilman at conferences. I delivered a background paper at the first symposium on the re-use of redundant military buildings sponsored by the Fortress Study Group (FSG) and held at the National Army Museum, Chelsea in March 2011, at which Paul Gilman was also a speaker. I have been a member of the FSG since the 1970s and of the Pillbox Study Group (PSG) since it began in 1992. I have written over twenty books on fortifications and other military structures, including *Pillboxes of Britain and Ireland* (2008) and *Defending Essex* (2013), as well as a spotter's guide to pillboxes for the PSG circulated to members this very week.

My first reaction to hearing about the Marriages' plans to preserve their pillbox was one of excitement. So often, because there is a perception that because around 30,000 pillboxes were built, they must be common, and it may be assumed that another one will not be missed. Here, however, a positive effort is being made to preserve one and to make it earn its keep. I am especially keen to see this particular pillbox being rescued because it is such an interesting example. First of all, due to its positioning in the footprint of the old fern house, it is genuinely unique. There is not another like it in the whole of Britain. It is only 'standard' in that it is shell-proof with 42-inch walls, and its loopholes are designed for Bren light machine guns. Its dimensions (15' x 15' x 17' x 18'6") are nearer to those of the bulkier DFW3 Type 24 pillbox which would otherwise have six sides but, instead, delineate the shape of a squashed DFW3 Type 27a pillbox which would normally measure nearer 15' x 12'. The very acute 50 degree internal angle is, moreover, not a characteristic seen elsewhere. Another uncommon feature is that it is sited to fire through a brick wall, making it one of only a handful of such constructions. The majority of pillboxes were free standing and their camouflage was an added feature. Here, the camouflage is integral, and this pillbox was clearly not meant to be visible. A further important point in its favour is its place in an almost complete defensive landscape where the interdependence of the components is still visible. Peter Marriage cites its use for storing the explosives for demolishing the nearby bridge which gives it an added significance as the said bridge is still to be seen.

My feeling is that every effort should be made to consolidate this construction and to repurpose it for the Twenty-first Century. I am sure it could work as a study. There must be ways of introducing natural light into it without compromising the integrity of the building. The proposal to put inward opening windows in the loopholes would not detract from the outside view. The developer with whom I worked in 1999 to retain a pillbox in Spalding as the centrepiece of a housing scheme, inserted grilles in the loopholes which are completely invisible from the outside, and light-harvesting tunnel(s)/funnel(s) in the roof would be invisible.

I hope these comments are helpful and that the Marriages will be able to fulfil their carefully considered plans.

Mike Osborne, Ph.D., M.Ed. (Research),

Figure 23 – comments provided by Mike Osborne, Ph.D., M.Ed. (Research)

3.5. Setting of the Asset

The NPPF states that the setting is

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be natural.

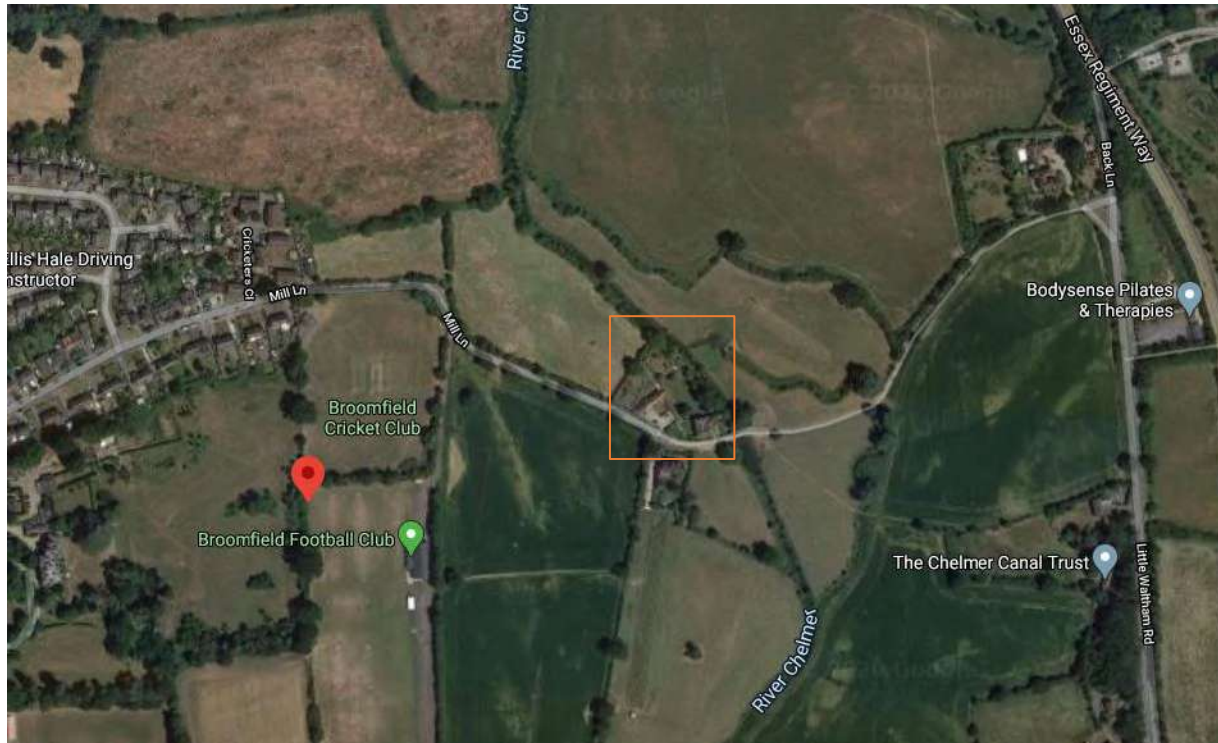


Figure 24 - Google Earth map showing the setting of the site. Taken from <https://www.google.co.uk/maps/place/Mill+Ln,+Broomfield,+Chelmsford+CM1+7BQ/@51.7648217,0.4792855,1012m/data=!3m1!1e3!4m5!3m4!1s0x47d8e955606f83f1:0x7c7e5a1b3c345b98!8m2!3d51.7645211!4d0.4776041>

Mill Lane provided connection between Little Waltham Road to the east and Main Road (B1080) to the west. The road is now gated to prevent vehicular access.

Broomfield Mill still retains the rural, agricultural setting, adjacent to the River Chelmer making this an ideal setting for a mill.

To the south of the house is a single dwelling that was converted from a pair of semi-detached pair of houses approximately 30 years ago.

3.6. Criteria for assessing Significance

The criteria used for assessing significance is based upon the Historic England guidance – Conservation Principles: Policy and Guidance and their renewed Statements of Heritage Significance: Analysing Significance in Heritage Assets (2019)

Significance has been categorised into three main headings:

- *Archaeological interest*: the potential of a place to yield evidence about past human activity
- *Architectural or artistic interest*: the ways in which people draw sensory and intellectual stimulation from a place

- *Historic interest:* the meaning of a place for the people who relate to it, or for whom it figures in their collective memory or experience

In some circumstances, scientific or technical value may be considered as a building may have used new technology or materials to achieve the design.

The NPPF (2019) confirms that significance is:

The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Each of these values is rated low; medium or high significance to provide an overall understanding of the building or place.

3.7. Assessment of Significance

The significance of the site is the main house and its connection to Broomfield Mill (though the main mill building has been demolished) and the World War II Pillbox.

Archaeological Interest

The Historic Environment Record (HERs) provides a record of Local Heritage Points, though the Heritage Gateway does not provide details of these.

There has been a mill (part demolished) c.1919, with sections of the building remaining until c.1945, and noted on the site in the Doomsday Book, and there was a mill shown on the 1777 map of Essex. The site developed and evolved with the changing technologies of milling, resulting in a rich, although unknown, archaeological record.

The main house has altered, although the front elevation would indicate a C18, polite dwelling, there is evidence that part of the house is of older construction.

The 1875 OS map shows the Walled Garden, with the large glasshouses being constructed by 1896. These developments form part of the standing archaeology of the site.

The pillbox dates from WWII and is recognised as a significant part of the country's archaeological history. This is an unusual pillbox as it was constructed in part of an existing building, was an unusual shape and had a lockable, metal door.

The archaeological interest of the site is of unknown, though should be considered as a site of medium-high significance due to its long-term use.

Architectural and Aesthetic Interest

The main house presents an attractive, polite C18 dwelling, though there is evidence of an older structure. The group still provides an attractive group of polite, middle-class house and associated grounds, despite the loss of the mill.

The development of the garden in the late C19 adds to the polite setting of the house.

The architectural and aesthetic interest is of low-medium significance and has been recognised as a non-designated heritage asset.

Historic Interest

The site has been the site of a mill which was mentioned in the Domesday Book and continued to be used as a mill until the demolition in c.1918 - 1945. From 1824 the site was owned and managed by the Marriage's, who still own and manage mills within the local area.

The long-term use of the site as a position for a mill and the loss of the mill reflects on the industrial changes to the rural landscape. Once this location would have been full of activity and noise, now it is enjoyed as a quiet rural location.

The relocation of the mill reflects on the changing commercial industrial process of milling, such as the ease of access for lorries to ensure good transport, rather than the importance of water (for power) and being close to the source of the products to mill.

The development of the house and its gardens responds to the changes occurring in gardening and the social history of woman's role within the household, and their hobbies. The creation of the two glasshouses, which included the Fern House, responds to the national changes occurring during the Industrial Revolution on a domestic scale, where mass-production allowed materials to be affordable to the middle classes.

The use of glasshouses allowed for the growing of soft fruits, such as grapes, apricots, and peaches and for the growing of delicate flowers. This made gardening an acceptable hobby for a middle-class lady. Part of this new hobby was the keeping of ferns, which was highly popular to all classes, was known at the time as *Pteridomania*.

Glasshouse, and especially Fern Houses are only just being recognised within history, with such works as the restoration of the Temperate House at Kew Gardens and the work being undertaken at Chelsea Physic Garden, London². Many glasshouses have been lost due to the cost of maintenance and the risk of collapse due to failure of the timber or iron framework.

The pillbox also forms a significant part of the nation's history. A full understanding of the GHQ Line, which the pillbox formed a part of, is given in Appendix 4 in an article by Neil Wiffen. The loss of the Fern House was due to the MoD/ Government with the creation of the pillbox. This pillbox is unique due to the shape, being constructed within a structure and the use of a metal door.

The combination of the polite recreational space of the Glass/ Fern House, together with the practical home-guard protection of the Pillbox reflects a period of change, including the change of a woman's role within society, from a lady of leisure to equality.

The historical interest is of high significance.

² <https://www.chelseaphysicgarden.co.uk/glasshouses>

4. Proposed Scheme

4.1. Requirements for Change

The current owners of the house are looking to down-size and would like to pass the house onto one of their grown-up children to continue the ownership of the property. However, they would also like to remain within the area, and if possible, within the proximity to assist with their grandchildren and the grounds. To allow for this to happen, it is proposed to construct a small annexe within the grounds.

4.2. Design Considerations

With many historic properties it is important that any proposed works respects the scale, mass, form and rhythm of the original or main building.

When extending or designing a new build with the setting of a heritage asset, there are three key options available:

1. Conventional
2. Contextual
3. Radical

Each of these design options should consider the significance of the asset and its setting. By creating an extension, it is believed that if designed correctly it can add richness and diversity, adding to the layers of the history that the building can provide.

If designed correctly, the proposed scheme should:

- Have minimal intervention to the historic and/or significant fabric
- Maximum retention of historic and/or significant fabric
- Use like-for-like materials
- Have recognisable interventions

Reflecting on SPAB principles, the design should be of today, but fitting to the older structure. Within the proposed scheme there are two key structures. The Glass House, which dates to c.1880/1890s, is a light-weight structure with a low-level brick wall to one elevation and a high brick wall to the other. This structure was designed to show wealth and status, to be seen and enjoyed from the main house. The second structure is the robust, concrete Pill Box, design to be concealed into the landscape.

Contemporary architecture can work with significant buildings and landscapes. The choice of material will be key is ensuring that the proposed scheme works, not only within the next few years, but also for the next 100+ years.

Glazing can offer a system of separation in the form of links between structures; however, care will need to be undertaken due to the robust nature of the Pill Box. It should also be acknowledged that part of the significance of the pillbox is that was constructed within an existing structure.

Some examples of successful contemporary architecture are shown in fig 27 which highlights some RIBA nominated schemes which have new development to listed buildings.



<https://alisonbrooksarchitects.com/project/lens-house/>



<https://www.archdaily.com/262266/the-granary-pollard-thomas-edwards-architects/>



Figure 25 – The Lens House; Granary, Barking and Piers Art Gallery, Orkney, showing contemporary insertions within sensitive settings



Figure 26 – Martello Tower; Holbein Museum, Bath and Ashley Castle



<https://www.ribaj.com/buildings/regional-awards-shortlist-2020-east-fletcher-crane-architects-private-house-oxhey-hall-farm-watford>



<http://www.dm-architects.co.uk/projects/view/kh-house>

Figure 27 – RIBA nominated schemes which have new development to listed buildings

4.3. Mitigation and Enhancement

Where possible the NPPF encourages enhancement of heritage assets. However, this does not mean preventing any development to be undertaken, but where it is undertaken should be undertaken with care, respect and understanding of the significance of the heritage assets.

There is sufficient evidence that there was a structure in the location of the proposed building and the details were known. By constructing a building of a similar mass/ scale it will complement the garden and allow them to be read again. As part of the proposed works, the existing Glass House within the Walled Garden will be replaced as the timber frame (1970s) is suffering from extensive wet rot.

4.4. Alternative Locations

Alternative locations were considered for the setting of the new Annexe. Many Walled Gardens have been lost with the development of a dwelling within them, however, this garden is very much used, and the existing Glass House has established grape vine, peaches, nectarines, lemons and the seasonal use of growing tomatoes and cucumbers.

The Walled Garden sits adjacent to road, and therefore any structure within it in will be seen. The views to site from the rural setting are considered to be of significance, and therefore the creation of a dwelling here was considered by the owner to cause harm to the setting of the house and its relationship with its setting.

It seemed logical to rebuild the glasshouse and convert it into a dwelling with small extensions to allow for sufficient room to be created. As this is an Annexe, there is no need for new, formal boundary treatments which will protect the openness of the rear garden and maintain the relationship of the house and outbuildings. At present the Pill Box is redundant and is beginning to suffer from degradation due to it being a redundant structure. By incorporating this into the annexe, it will retain the significance of the pillbox being part of a structure and ensure that is maintained.

4.5. Proposed Scheme

The proposed scheme looks to reinstate the Glasshouse on its former footprint, incorporating the Pill Box (which was originally part of the Fern House), and create two extensions to form bedroom and a living room. The position of the living room allows for the views across the landscape and to the River.

To create an additional bedroom, it is proposed to use a small section of the Glass House within the Walled Garden which has a solid roof (used traditionally as a store and somewhere to 'over winter' plants without daylight).

The proposed design allows separate pedestrian access via the Walled Garden, with parking in the existing courtyard. This allows some level of independent living but ensures that the Annexe forms an integrity part of the main house and its grounds.

At present the garden has some natural screening formed by the planting, and it is not proposed to form a formal boundary between the buildings, which will allow for some visual connection to remain.

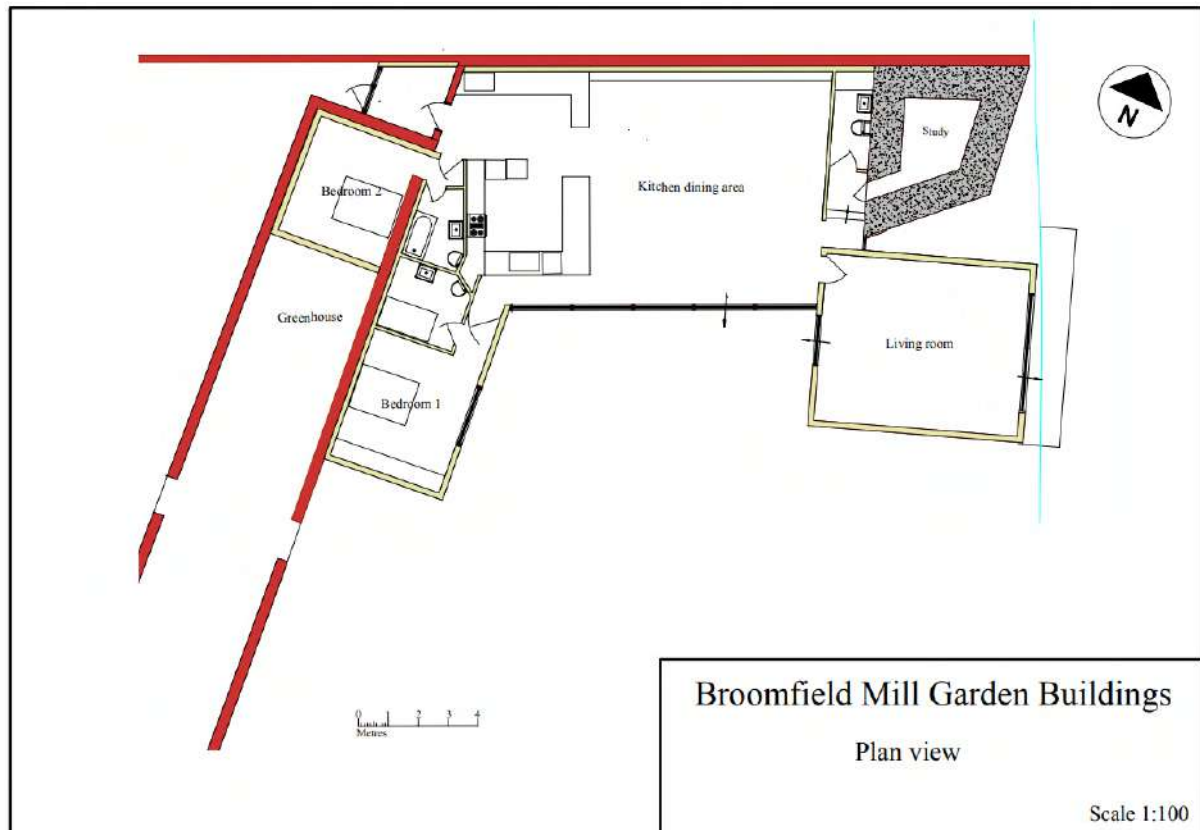


Figure 28 – original proposed scheme

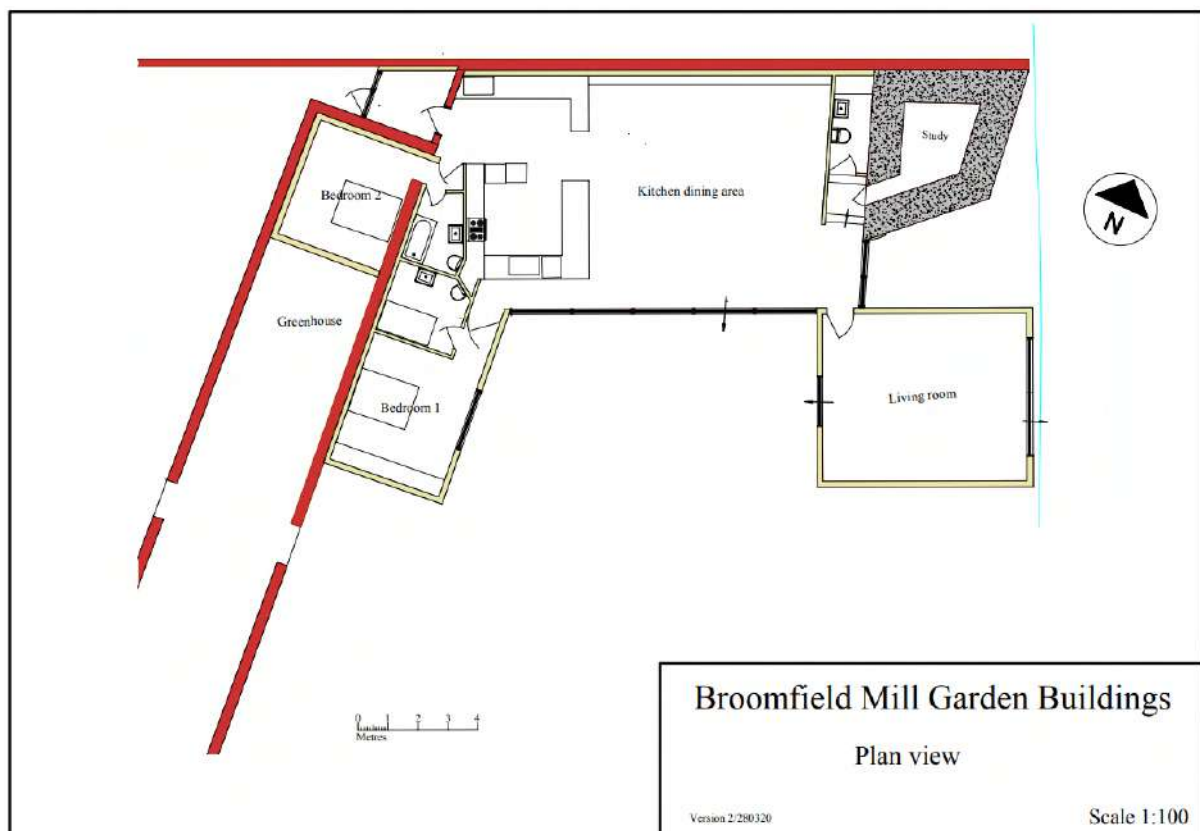


Figure 29 – revised scheme



Main view of accomodation

Figure 30 – artist impression of the scheme



Figure 31 – lime washed rear wall of the glass house, the internal wall, with the lowered viewing section and the pillbox

The proposed location of the WC off the kitchen/ diner follows the line of an original internal wall, which may have been part of the reason for the unusual shape of the pillbox.

4.6. Proposed Materials

The proposed new dwelling will be constructed of framework with sawn timber vertical cladding, and a metal standing seam roof, respecting the hierarchy of the fabric on the site.

As part of the proposed works the existing Glass House is to be replaced with a new structure as the existing structure is failing. The main frame was replaced in the 1970s and therefore there is no historic fabric.

4.7. Condition of Asset

Under the NPPF, the local authority should not consider the condition of the building where there is evidence of deliberate neglect of, damage to, a heritage asset.

The Glass House within the formal garden was taken down by the current occupiers as the structure had become dangerous and there were concerns that it would collapse under the weight of the glass. It had been the intention to replace the structure.

The Glass House within the Walled Garden was replaced in the 1970s.

5. Planning History

Please refer to the Planning Statement.

5.1. Pre-application

Peter Marriage undertook initial advice from Michael Hurst (Conservation Officer, Chelmsford Council) about the scheme. A formal pre-application application was submitted following this initial consultation.

6. Impact Assessment

In 2008, the then English Heritage (now Historic England) published their '*Conservation Principles, Policies & Guidance*', which provided a framework and guidance on which to assess proposed works to historic buildings and other heritage assets.

Within this document, they defined 'conservation' as:

'the process of managing change to a significant place in its setting in ways that will best sustain its heritage values, while recognising opportunities to reveal or reinforce those values for present and future generations'

It is this advice and ethos that the proposed impact of the works is assessed against the 'special architectural and historic interest' and significance of the building and its setting.

6.1. Criteria for assessment

The impact assessment will review the proposed works and how these may have an impact on the heritage asset and its significance. Not all works to a designated heritage asset will have a negative impact, some works will have neutral or positive impact on the significance or character.

6.2. Impact on the Heritage Assets

The main house and the pillbox have been recognised as non-designated heritage assets. The house has been formally recognised as significant due to the connection with the Marriage family and the design of the house.

The pillbox has been recognised as group value as part of the World War II defensives of Chelmsford but should also be recognised as being of individual significance due to the unusual plan form and that it was constructed within an existing structure. The placing of the pillbox within an existing building is 'genuinely unique... there is not another like it in the whole of Britain', as pillboxes were constructed in isolated and remote areas. With the older glass/ fern house removed, part of the significance (and understanding) of the pillbox has been lost. The importance of Fern Houses (and Glass Houses) in Victorian Britain is now being recognised for our social history, and as part of the changes within industrial development.

The proposed scheme looks to form an annexe within the rear garden of the main house in the location of the glasshouse. The scheme will include the repurposing of the pillbox, use of part of the store within the Walled Garden, and the creation of two small extensions.

The design is of a contemporary nature, respecting the form and mass of the lost glasshouse. The extensions have been positioned to allow the visual connection between the main house, its garden, and the glasshouse to be retained.

The pillbox was not intended to be open and easily viewed, especially as it was constructed within the Fern House. The creation of the extension to form the living room is not considered to obstruct the view to or from the pillbox. The north elevation of the pillbox is already screened by the existing boundary wall. The proposed WC allows for the reinstatement of the surviving internal wall that would have separated the Glass House and Fern House, with the separation allowing for the different growing conditions of the plants. The use of this space as a WC allows the exposed cast concrete walls to be retained and enjoyed. The creation of a small courtyard allows the structure of the pillbox to be read (and maintained).

Integrating the pillbox into the design ensures that it has a long-term function, and therefore ensures that it will be maintained. More importantly, it will have the required ground works undertaken to prevent the structure from slipping further down the bank of the river and the roof to be repaired to prevent further water ingress. To allow the pillbox to be used as a study, the small openings will be uncovered, and glass will be inserted to form an internal window frame. The metal door, an unusual feature will also be restored (but secured open for safety). The scheme therefore has a positive impact on the historic fabric and its setting.

As part of the overall works, the Walled Garden glasshouse is proposed to be replaced. This timber structure was replaced in the 1970s, and therefore it is proposed to replace the timber with a modern material to ensure longevity.

The whole scheme looks to offer long term protection to the unusual pillbox and provide a new interpretation of the glass house that was lost within the rear garden of Broomfield Mill house. Perhaps more importantly the scheme allows the Marriages, who are part of the significance for the recognition of the houses as a non-designated heritage asset, to continue to live in the house for at least another generation.

6.3. Summary

As Historic England clarify,

'Listed buildings are to be enjoyed and used, like any other building. Listed buildings can be altered, extended and sometimes even demolished within government planning guidance. The local authority uses listed building consent to make decisions that balance the site's historic significance against other issues, such as its function, condition or viability.'

The same theory should be applied to non-designated heritage assets. This site has two different assets, the mill house and its polite gardens, and the pillbox. The mill provided flour to a developing and prosperous Essex and London. The pillbox was formed to protect the bridge and the wider community.

The proposed scheme looks to form a self-contained annexe on the footprint of the original glass house, incorporating the pillbox which was inserted into the Fern House. Many pillboxes are at risk of loss due to the deterioration and degrading of the structure. Many see them as eye sores on the rural landscape, but they form part of the history of the country. As part of the overall scheme, the works will also include the replacement of the Glass House in the Walled Garden and overhauling of the potting shed.

The proposed scheme is considered to protect the heritage assets and their significance, whilst adding to the next layer history of Broomfield Mill and its association with the Marriages. Such a conclusion is reinforced by the strong support for the scheme by Dr Mike Osbourne.

Appendix 1 – Photographs



Figure 32 – looking down Mill Lane, with Broomfield Mill to the right of the photo



Figure 33 – Broomfield Mill, with the red brick structure being part of the former mill offices



Figure 34 – rear elevation of main house



Figure 35 – view down the rear garden



Figure 36 – Walled Garden Glass House, towards potting shed



Figure 37 – view down Glass House towards store



Figure 38 – view of Glass House from the Walled Garden



Figure 39 – potting shed



Figure 40 – view along Glass House



Figure 41 – setting of rear garden Glass House, with wall for rear of store

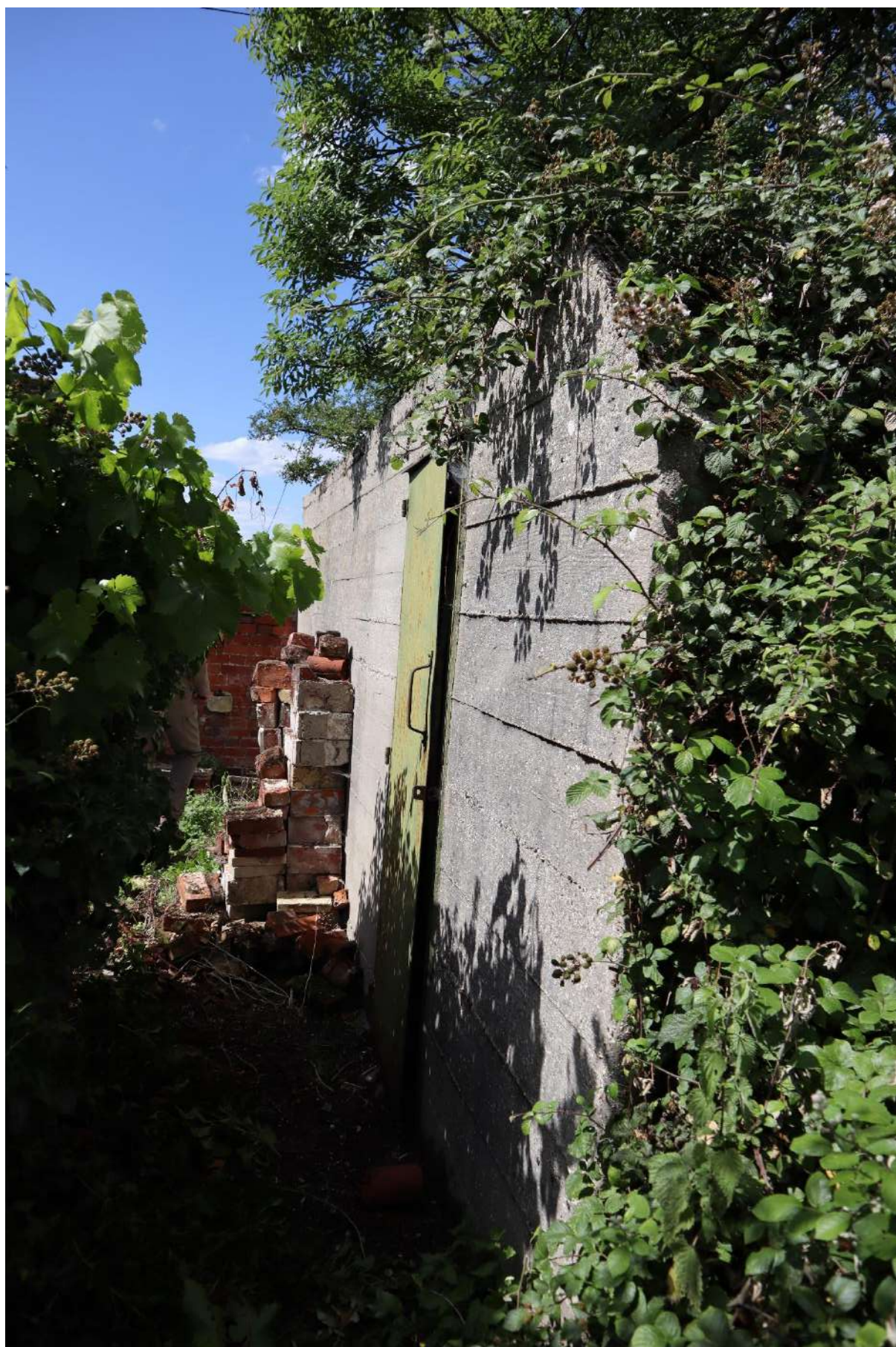


Figure 42 – side elevation of pill box



Figure 43 – rear elevation of Glass House and boundary wall, together with water pump



Figure 44 – interior of pillbox



Figure 45 – interior of pillbox



Figure 46 – limited damage due to water ingress due to formed square opening in roof



Figure 47 – view of Walled Garden Glass House from rear garden



Figure 28 – view towards Broomfield Mill, with only a part of the red clay tile roof showing



Figure 49 - red roof and boudary wall can be seen from the wider view

Appendix 2 – Maps

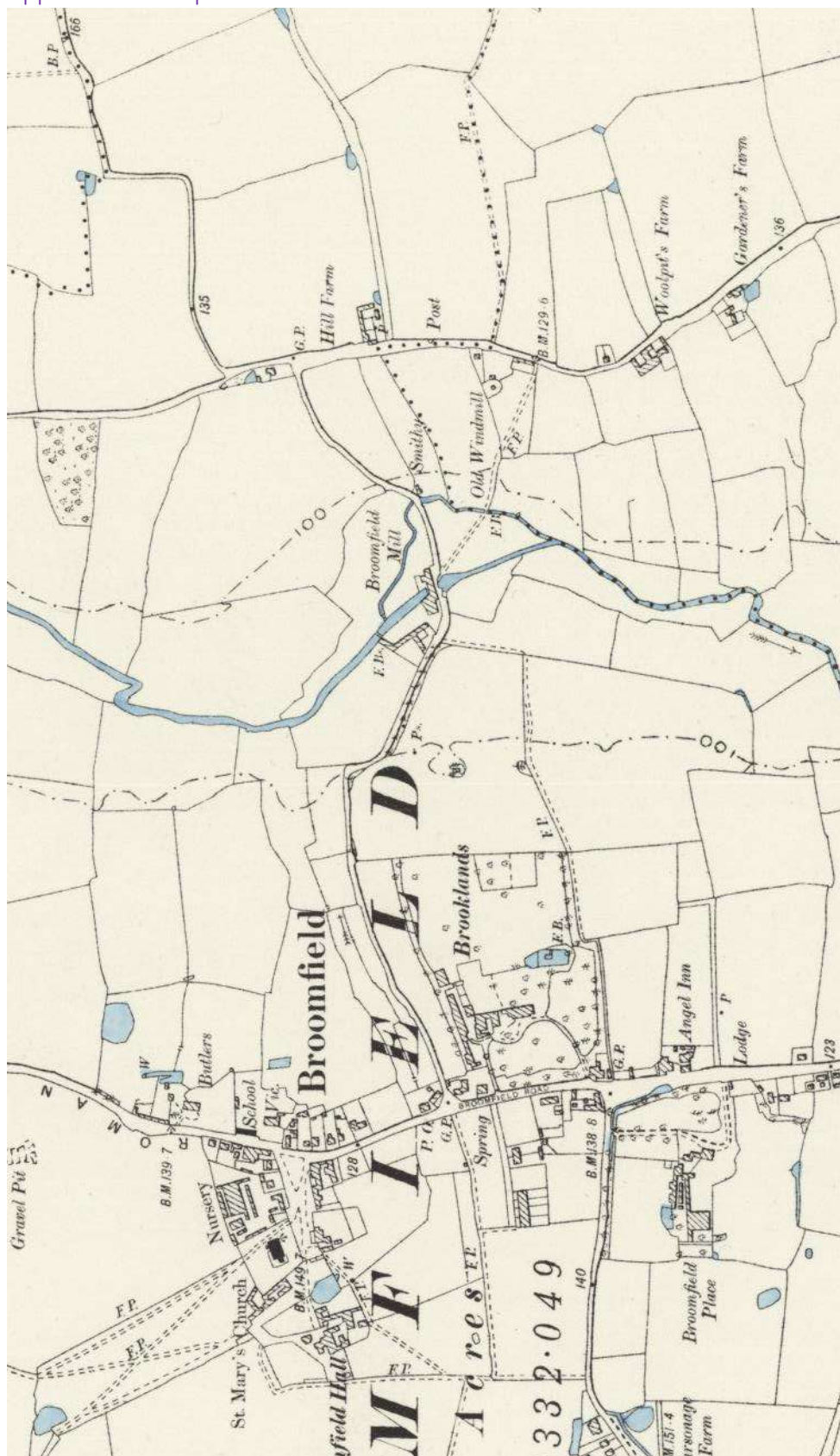


Figure 50 - 1900 OS Map

Appendix 3 – Non-designated Heritage Asset Description



Pillboxes west of the River Chelmer:
East of Butlers Farm (Grid References: TL 7120 1126, TL 7129 1119 and TL 7131 1090);
North and south of Broomfield Mill (TL 7134 1036, TL 7139 1011, TL 7132 1006 and TL 7137 0993);
South-east of Roselawn Farm (TL 7153 0947) and;
East and south of Campions Farm (TL 7148 0921 and TL 7124 0900)

Pillboxes, c.1940. Rectangular form with gun apertures. Standard ministry of defence Type FW2/28A and FW3/24 units. Positioned to the west of the River Chelmer forming a defensive line.

Significance

Part of the GHQ defence line which ran the length of the borough. An important remaining feature of Chelmsford's WWII defences, of historic interest. Group value with the other remaining GHQ line pillboxes.



Mill Lane, Broomfield Mill

House, C18 or earlier origin, with early C19 front and early and late C19 additions. Formerly a mill house attached to Broomfield watermill (demolished c.1918). Associated with the Marriage Family: local millers and farmers. Roughly square plan with splayed wing to the northeast corner. Main range: timber framed, hipped roof clad in plain tiles with gabled rear wings,

Appendix 4 - Historic Environment Records (HER)

Search: Broomfield

Accessed: 29/07/20

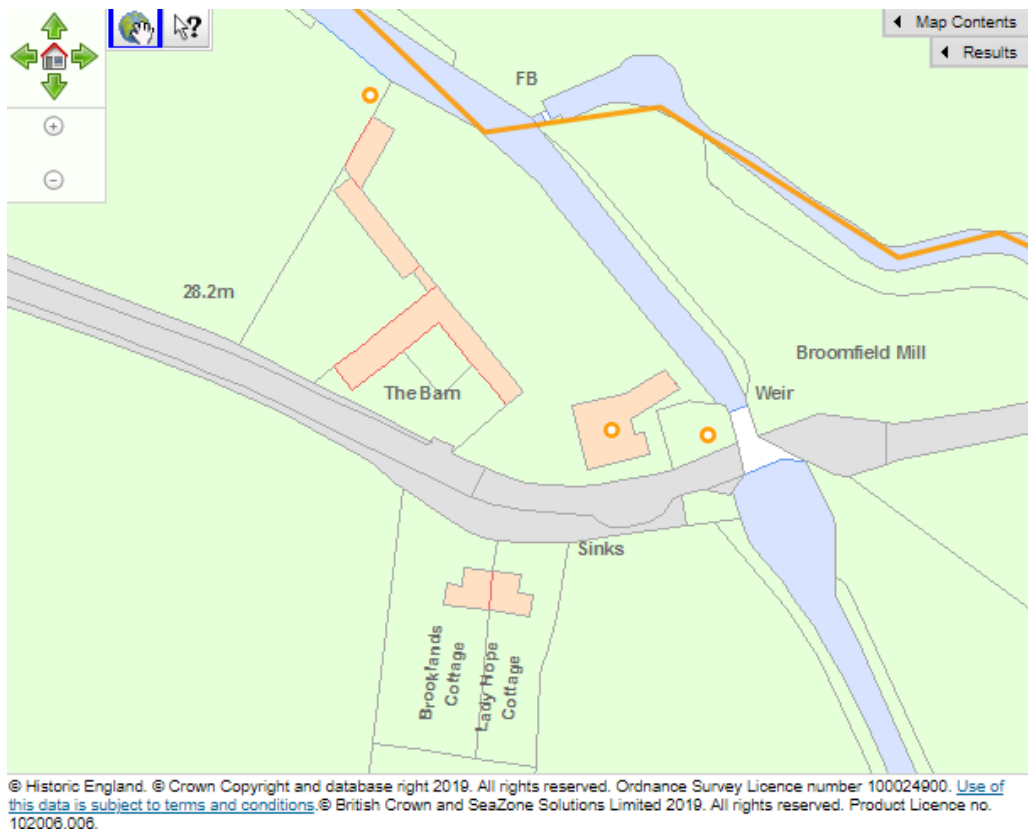
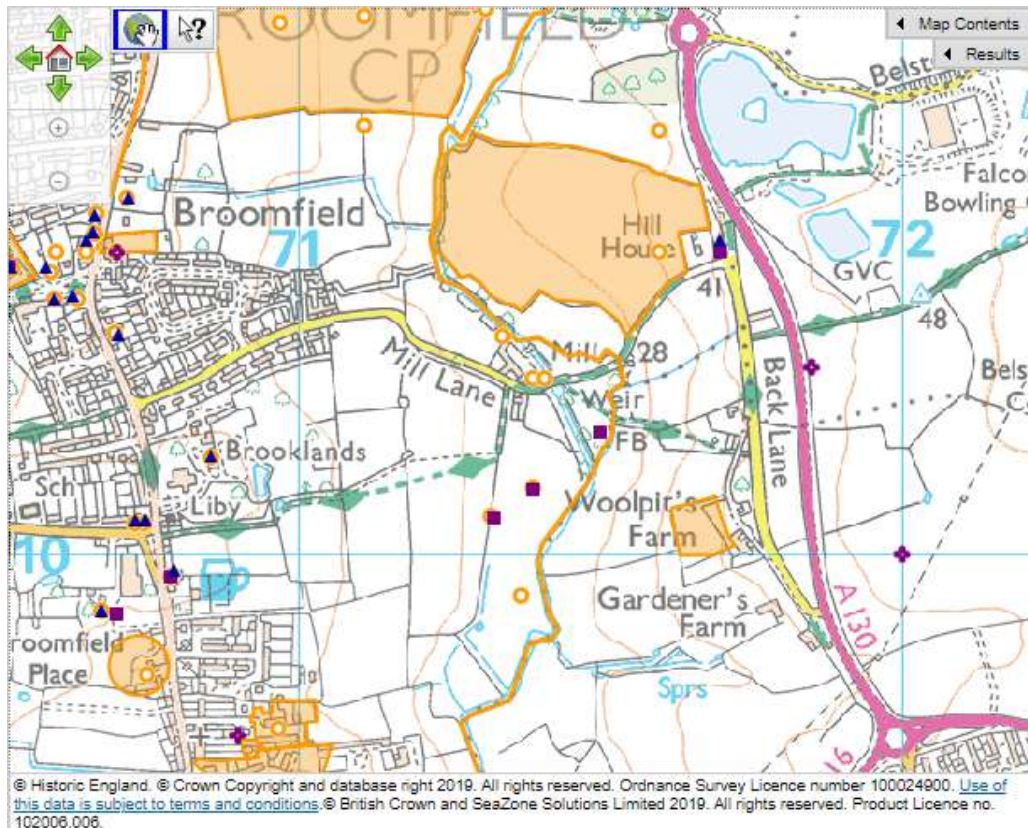









Figure 51 - HER's. Taken from <https://www.heritagegateway.org.uk/Gateway/Results.aspx>



















Statutory Data

<u>The National Heritage List for England</u>	135 results	  
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National Designation Decisions

<u>Designation Decision Records (De-listed entries)</u>	No records matched your search	 
<u>Designation Decision Records (Non-designated entries)</u>	1 results	 

Non-Statutory National Data

<u>Historic Milestone Society Database</u>	18 results	  
<u>HE PastScape</u>	139 results	  
<u>National Trust HBSMR</u>	86 results	 
<u>Parks and Gardens UK</u>	14 results	  
<u>PMSA</u>	An error occurred	
<u>NMR Excavation Index</u>	79 results	  
<u>Church Heritage Record</u>	4 results	  

Local Records

<u>Essex HER</u>	218 results	  
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Local Heritage Points not available on Heritage Gateway

Pillboxes of the GHQ Line in mid-Essex:

The defence of Croxton's and Broomfield Mills

by
Neil Wiffen

Recent anniversaries mean that the events of 70 years ago have been re-imagined in the national psyche. Who but the British could commemorate to such a degree the disastrous retreat to Dunkirk and the miraculous salvation of 'our' army? However, Churchill was acutely aware that wars are 'not won by evacuations', and that at the beginning of June 1940 the fate of Britain was in the balance. In the period before Fighter Command was fully tested, and the Battle of Britain fought and won, and when so much heavy equipment had been left in France, the prospect of invasion was, contemporaries thought, very real. In order to offset the lack of tanks and vehicles to prosecute mobile warfare and to combat the free flowing German tactics of *Blitzkrieg*, a series of stop lines and fortified towns were created using pillboxes as a major part of the defensive works. Such is their durability that 70 years on their unsightly forms dot the countryside in, sometimes, surprising numbers. One such stop line was the General Headquarters (GHQ) Line which bisected Essex. From the Thames estuary in the south to Saffron Walden in the north-west, it ran around Chelmsford, through Springfield, Broomfield and on to Little and Great Waltham and beyond. This article will consider the surviving pillboxes for just a small part of the line as it follows the banks of the River Chelmer north of Chelmsford (Plate 1).

The dictionary definition of a pillbox is 'a small enclosed, partly underground, concrete fort used as an outpost'.¹ While they are relatively small and concrete they are not necessarily submerged in the ground to any degree or used just

as an outpost. Their use in the Second World War was prolific and many of us will be familiar with their presence in the landscape and will have some understanding of their function. Appreciation of the historical value of pillboxes has increased gradually especially since Henry Wills wrote his pioneering work on them in 1985.² Far from being seen as eyesores in the landscape, which to a certain degree they are, they are now appreciated as rightfully taking their place in a long line of fortifications stretching back into pre-history.³

Second World War defences as a whole have been surveyed nationally through the Council for British Archaeology's *Defence of Britain Project*. Running from 1995 to 2002 it recorded almost 20,000 military sites in the UK. More recently, the excellent *Defence of East Sussex Project* aims to record the anti-invasion defences of East Sussex using a combination of documentary sources, field-work and oral evidence⁴, a model for us all.⁵ Whilst there is no equivalent of these specific projects in Essex we are in the fortunate position of having Essex County Council's *Unlocking Essex's Past* Sites and Monuments Record (SMR) database which is an invaluable tool when looking for pillboxes and other defensive structures.⁶ Finally the county has been well served by local authorities funding specific projects to record pillboxes and defensive structures

in their own areas with subsequent reports by Fred Nash.⁷ This article attempts to build on existing research as well as encouraging others to get out and about to look at the defences in their own locality.⁸

Perhaps because of the number of pillboxes built during 1940-41, estimated at upwards of 18,000,⁹ it could be assumed that they were very much a product of their time. However pillbox origins have been traced back to pre-history and their use in more recent nineteenth and early twentieth century conflicts has been recorded.¹⁰ Widespread use on the Western Front, as well as surviving First World War examples in Britain attest to the universality of these hardened concrete defences. So much so that during the 1920s and 30s the French and Germans adopted their use so fully that the *Magnet* and *Siegfried Lines* were the cutting edge of defensive systems. The British Army was well acquainted with pillboxes during its stay in France, over the winter of 1939-40, preparing defensive positions and constructing 400 or so of them before the German attack on May 10th.¹¹ When the army shook itself down after Dunkirk it was quickly realised that with very few tanks, artillery pieces or automatic weapons it would be hard pressed to resist a German invasion. General Sir Edmund Ironside, Commander-in-Chief Home Forces devised a scheme of defence to slow down any German



Plate 1. A recent example of a pillbox, built by the Home Guard, on the GHQ Line, in the area of Croxton's and Broomfield Mills, Essex. (Photo by Neil Wiffen, 2000)

Pillboxes of the GHQ Line in mid-Essex

Sites & Monuments Record number and map reference	Pillbox type
SMR 10859, TL709122	Eastern Command type (ECT)
SMR 10860, TL706121	FW3/22, (Destroyed)
SMR 10861, TL708121	ECT
SMR 10862, TL711118	FW3/24
SMR 10863, TL711115	ECT
SMR 10864, TL710111	FW3/28a
SMR 10865, TL712112	FW3/24
SMR 10866, TL712111	FW3/24
SMR 10867, TL709111	FW3/24? (Destroyed)
SMR 10868, TL713109	FW3/24
SMR 10869, TL709108	FW3/24 (Destroyed)
SMR 10870, TL713103	ECT (Bespoke)
SMR 10871, TL713101	ECT
SMR 10872, TL713100	FW3/28a
SMR 10873, TL713099	ECT
SMR 10874, TL715094	FW3/24
SMR 10875, TL714092	FW3/24
SMR 10876, TL712090	FW3/24
SMR 10138, TL715089	FW3/24
SMR 10140, TL716088	ECT

Table 1. Pillboxes discussed in article.
(For clarity only the last three digits of the SMR reference are used in the main text of the article to identify the pillboxes.)

forces that attempted to invade Britain.¹³ This was based on a coastal 'crust' of defences while inland there were further 'stop-lines', anchored by defended towns and villages, which would prevent the very mobile German forces from racing all over the country, and allow the limited British mechanised mobile reserve forces the time to position themselves to undertake a counter-attack. Stop-lines were based along rivers and natural obstacles or railway

embankments with pillboxes and anti-tank defences built to strengthen them. The GHQ Line was a stop-line which was designed to protect London and the mid-land industrial heart of Britain from being directly over-run.

The plan to construct these defences was published on 25th June 1940 when the *Home Forces Operation Instruction No.3* was issued.¹² However, work on defences, in at least some areas, was already in hand. The civil

engineer I.D. Greeves recalls how 'On the morning of 18 June 1940, a meeting was arranged at the Esplanade Hotel, Seaford [East Sussex], between representatives of the military and contractors. The bare outlines of the proposed defences were discussed'.¹⁵ However as early as 29th June there were concerns about the nature of the plan Ironside was putting forward.¹⁴ By 19th July such was the change of mood in the country that Ironside resigned and was replaced by General Alan Brooke, who had fought in France in May and was well aware of how effective the German army was.¹⁵ He was concerned that all available units should be stationed as near to the coast as was practical in order to be able to counter-attack quickly when an invasion force was at its weakest. To him the idea of linear defences far away for the cost was a waste of time and effort. At the beginning of August a halt was called to building the GHQ Line, except for those works already started which were to be finished. It had advanced so far in the south and east of the country that by the end of the month it was essentially complete. Work in Sussex carried on into November.¹⁶ The following year work continued on fortifying villages and towns into anti-tank islands in a series of fortified 'nodal' points, the emphasis being placed on countering an invasion with mobile forces. Limited work on constructing hardened defences continued into 1942.¹⁷

The study area for this article (Map 1), runs for approximately 3 kilometres from the southern boundary of Broomfield to just north of Croxton's Mill in Little Waltham. Included is an interesting point in the defences - the end of the anti-tank ditch that ran from the River Thames to Chelmsford. This man-made ditch was the equivalent of a river where there was no river to act as an obstacle. It terminated when it met the River Chelmer at a point where the river formed the parish boundary between Springfield

Pillboxes of the GHQ Line in mid-Essex

and Broomfield (TL715091).¹⁴

In the event of a successful German invasion on the east coast, the River Chelmer would have performed the function of a moat, slowing an invading army from advancing on London and further inland. Pillboxes were constructed to strengthen the defences and are the most obvious surviving feature of the GHQ Line. However, on their own they were of limited use for once inside, their defenders would have had very little vision to the outside world. The pillboxes would have been supported by barbed wire obstacles and extensive field defences, such as slit-trenches and foxholes, whilst existing hedges, ditches and buildings would have also been put to good use by defending infantry.

The most vulnerable points to attack on the river were bridges, especially those bridges strong enough to support the weight of tanks. It is easy today to forget, as we easily motor through the county, that even as recently as 30 years ago many of the bridges that we take for granted did not exist and that river crossings were fewer and further apart than we are now accustomed to. In 1940 the only way for vehicles to easily cross the River Chelmer immediately to the north of Chelmsford was the bridge at Broomfield Mill and the Winckford Bridge in Little Waltham. There were smaller foot bridges at Croxson's Mill and just to the south of Little Waltham at the site of a former mill. It is this landscape into which pillboxes were constructed to best defend against a crossing of the River Chelmer.

Designs for these pillboxes were issued by the Fortification and Works department of the War Office (DFW 3). Osborne states that 'they were simply a suite of drawings from which both R.E [Royal Engineer] officers in the field and building contractors could draw, in order to produce effective hardened defences which had been given the official seal of approval'.¹⁵ Various other commands throughout the UK also issued



designs for pillboxes and the Eastern Command Type (ECT) is an example of a local design.¹⁶ Surviving pillboxes in the study area all appear to be 'shell-proof', with walls that are 25-54 inches thick as opposed to thinner 'bullet-proof' versions.¹⁷ A comparable section of the defences of GHQ Line at Hartford End in Great Waltham has been recorded in detail by William Foot.¹⁸ He describes the defences by the former Ridley's brewery with 'heavier pillboxes [FW3/24s] at the front edge of the defences by the anti-tank obstacle of the river, with lighter defence positions [FW3/22s] to the rear covering the ground in between with interlocking machine-gun fire'. By 'lighter' Foot may mean that the FW3/22 pillboxes would have housed fewer men (six as opposed to eight in a FW3/24) with fewer automatic or heavy weapons,¹⁹ rather than the pillboxes being thinner walled. Of course this would need to be confirmed. It will be interesting to see if the defensive layout in Broomfield mirrors that a few miles to the north-west.

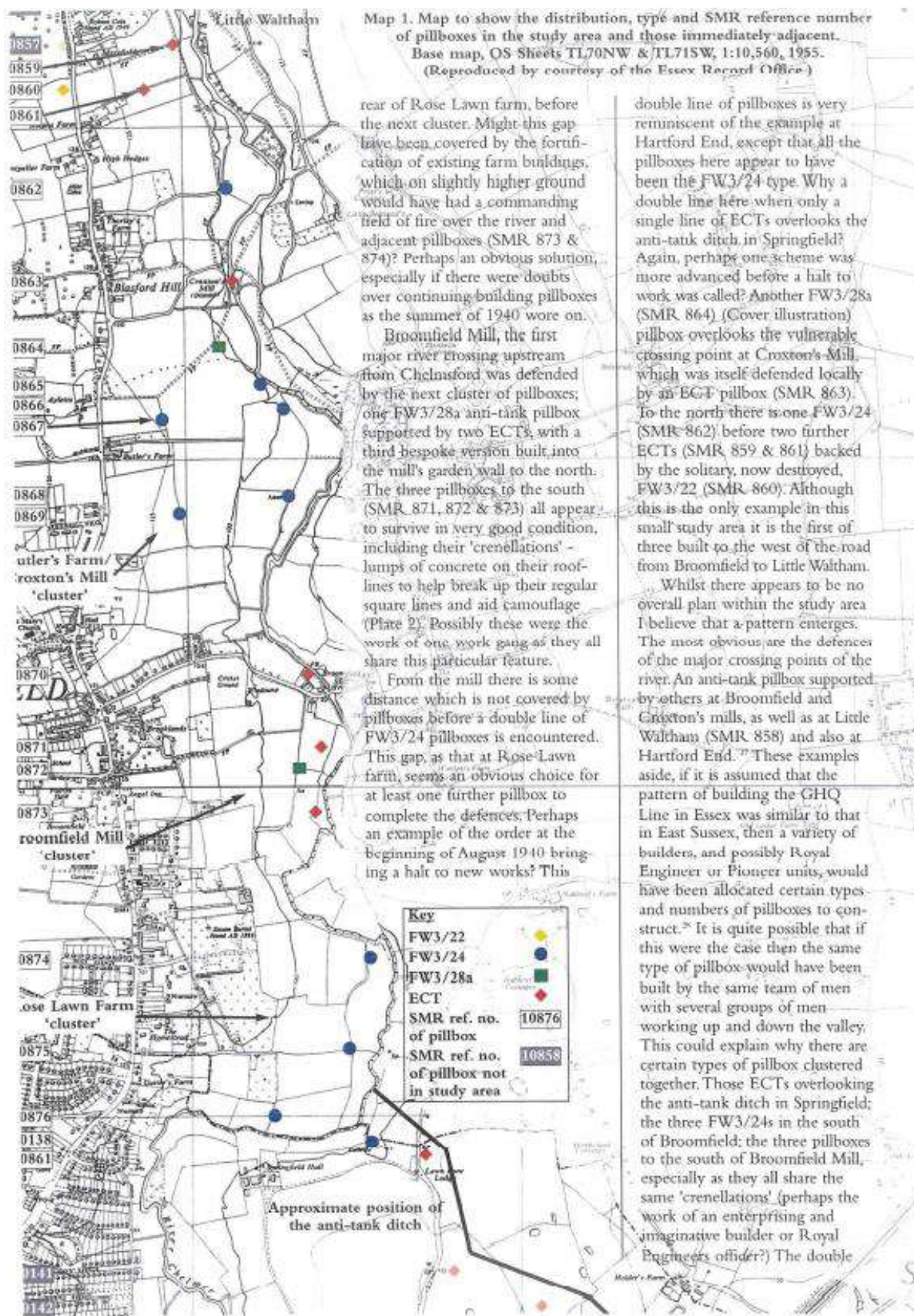
Taken as a whole there are 17 surviving pillboxes within the study area, with a further three, now destroyed, known from the SMR.²⁰ As can be seen from Table 1 there are four types of pillbox (Fig. 1) present in the study area of which there are the following numbers:

FW3/22	1
FW3/24	10
FW3/28a	2
ECT	7



Plate 2. The FW3/28a 2 pounder anti-tank pillbox to the south of Broomfield Mill (SMR 10872). Inset, a detail of a 'crenellations' and an interior view of a loop-hole for a Bren LMG.

Map 1 plots the 20 pillboxes situated within the study area. Ignoring the solitary FW3/22 pillbox (SMR 860) and assuming that the now destroyed pillboxes at Butler's Farm (SMR 867 & 869) were FW3/24s, then there are only three types of pillbox used, two if we ignore the specific use of the anti-tank FW3/28a (Plate 2).²¹ Left with ten FW3/24 and seven ECT pillboxes it can be seen that there is no discernible coherent pattern of use along the sample length of the GHQ Line. There is a cluster of FW3/24s at the southern end where the anti-tank line joined the river and this feature seems to have been defended in Springfield by a solitary line of ECTs facing the anti-tank ditch as it ran from the railway to the Chelmer.²² The pillbox (SMR 140) on Lawn Lane is an ECT and overlooks the anti-tank ditch and Chelmer and it is reinforced by a FW3/24 to the west. From here, in Broomfield, there is a cluster of four of these types before a change. There is a large gap between these, to the



Pillboxes of the GHQ Line in mid-Essex

line of pillboxes behind Butler's Farm also fits this picture very well with a further section up around Little Waltham busily defending this important crossing point of the Chelmer. If one looks further north to Langley's, in Great Waltham, there was much building going on here with at least another ten pillboxes along a very short stretch of river. Gaps inbetween the clusters may represent work that was never started, before the order ending construction of new works was issued, or that they were filled by the fortification of existing buildings?

Within the 20 pillboxes of the study area there are some interesting examples of variation of design and camouflage. The pillbox built into the garden wall at Broomfield Mill (SMR 870) is described as being a purpose built ECT in the shape of an 'irregular diamond', demonstrating the ingenuity involved in planning these defences. Building this pillbox into the red-brick garden wall would have also camouflaged it. The wall in this case was the camouflage but in two other examples the builders had to work a little harder. The pillbox at Croxton's Mill (SMR 863) was disguised as a small wooden cottage with a tiled roof whilst an ECT (SMR 859) (Plate 3) is reported to have been disguised as a thatched cottage, again in the interests of camouflage.

This highlights the importance of the SMR for without it we would have only been left with the concrete remains of the pillboxes, having lost the thatch and the tiles and other temporary camouflage to time and the elements. These different ways of camouflaging pillboxes are not restricted to this study area, Henry Wills has many examples of disguised pillboxes, but it is interesting to see their presence here.²⁹ It is also pertinent to consider those temporary ways of camouflaging which would have disappeared in a matter of days perhaps. A very simple way of disguising a pillbox would have

been to 'paint' it with liquid mud which would not have survived the next rain showers. The lumps of concrete on the pillboxes around Broomfield Mill would have helped to have broken up their outlines but so would have foliage, logs or netting. While we may see a pillbox isolated in the middle of a field we must consider that it may not have always been the case. An old map or aerial photo could show the long lost hedgerow that the pillbox was built into. Once this was removed the main element of camouflage was also removed. Picture this and all those temporary trenches and earthworks that would have been dug to support the pillbox and a much more complex defensive landscape can be envisaged.

As the prospect of invasion receded in 1940, especially so after the German invasion of Russia the following summer, pillboxes still had a function to perform. They were relegated to be manned by members of the Home Guard who became responsible for their upkeep. It is still remembered how the Springfield Home Guard undertook at least one night-time exercise to attack Broomfield Mill which was defended by the Broomfield Home Guard.³⁰ One assumes that the pillboxes we have discussed (SMR 870, 871, 872 & 873) were used for what they were originally planned for if only in a training capacity.

To fully understand the pattern of pillboxes we have discussed, further research is desirable. It may be possible to discover in the war diaries of the army units stationed in the area during the construction of the pillboxes more about the whole exercise. Were small numbers of pillboxes constructed by the same teams as I have suggested? Were more planned but never built? Had some existing buildings been identified for fortifying? This study of a small section of the GHQ Line is an initial exploration of some of its features. Further study may increase our understanding of the bigger

Fig. 1. Approximate floor plans, and garrison, of the pillboxes present in the study area.
(Based on Osborne and Wills.)



FW3/22
5 LMGs, 1 Rifle, - 6 men



FW3/24
5 LMGs, 2 Rifles, - 8 men

1m
Approx.



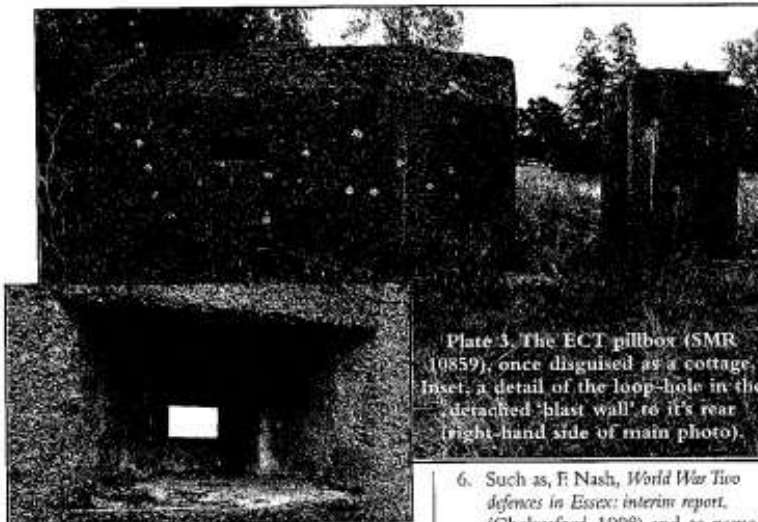
FW3/28a
2 pounder anti-tank gun,
3 LMGs - 10 men



ECT, enlarged FW3/26, 4 LMGs,
- 5 men

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Pillboxes of the GHQ Line in mid-Essex



picture. Whilst it complements some of the studies already undertaken it would probably be worthwhile to enlarge the study area to see how representative it actually is. Perhaps a fuller county-wide study of the remains of the GHQ Line would be apposite now we are 70 years on from when it was built. I also hope that this article will encourage others to go out and discover their local pillboxes. Do similar patterns exist in other areas as tentatively discussed here? However, some sites will be inaccessible, completely camouflaged and existing only as a 'bulge' in a Blackthorn hedge (SMR 876), while others will show signs of occupation with the detritus of old mattresses and food and drink cans (SMR 864 & 872). Whatever we think of them, pillboxes are worthy subjects for study even if we are still beginning to fully understand them and their place in the landscape.

References

1. <http://oxforddictionaries.com>, (10/10/2010).
2. H. Wills, *Pillboxes: A Study of U.K. Defences 1940*, (1985).
3. M. Osborne, *Pillboxes of Britain & Ireland*, (Stroud, 2008).
4. <http://www.britarch.ac.uk/cha/projects/dob> & <http://www.pillbox.org.uk>, (19/10/10).
5. <http://unlockingessex.essexcc.gov.uk>, (19/10/10).

6. Such as, F. Nash, *World War Two defences in Essex: interim report*, (Chelmsford, 1998) and, to name but a few, *Survey of World War Two Defences in the Boroughs of Brentwood* (1999), *Southend-on-Sea* (2001) & *Colchester* (2007).
7. Please respect private property and seek permission from landowners if you would like to examine at close quarters pillboxes that are not adjacent to public rights of way. In this study area a footpath ran for most of its length enabling me to visit seven of the pillboxes discussed.
8. Osborne, p.75.
9. *Ibid*, pp.13-40.
10. *Ibid*, p.
11. J.C. Cairns, 'Ironside, (William) Edmund, first Baron Ironside (1880-1959)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Oct 2007 <http://www.oxforddnb.com/view/article/34113>, (05/10/2010); C. Alexander, *Ironside's Line*, (Storrington, 1999), pp.15-23.
12. *Ibid*, p.15.
13. I.D. Greeves, 'The Construction of the GHQ Stop-Line: Eridge to Newhave, June-November 1940', *Fortress*, XVI, (1993), p.53.
14. Alexander, pp.15 & 29.
15. D.W. Fraser, 'Brooke, Alan Francis, first Viscount (1883-1963)', rev *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2008 <http://www.oxforddnb.com/view/article/32091>, (05/10/2010); Alexander, pp.29-30.
16. Greeves, p.61.
17. Alexander, pp.31-32.

18. This ditch was 6 metres wide by 2.5-3.7 metres deep. S. Tyler & H. Major, *The Early Anglo-Saxon Cemetery and Later Saxon Settlement at Springfield Lyons, Essex*, (Chelmsford, 2005), p.2. I am grateful to Mrs Gail Sanders for this reference.
19. Osborne, p.91.
20. *Ibid*.
21. The SMR refers to them as 'thick-walled' which, I assume, means shell-proof and therefore the terms are interchangeable.
22. The very scarce *Beaches, fields, streets, and hills...: the anti-invasion landscapes of England, 1940*, (York, 2006), pp.416-425 and the more easily available *The Battlefields That Nearly Were: Defended England 1940*, (Stroud, 2007), pp.140-149.
23. Alexander, pp.93-94.
24. The pillboxes described in this article are all recorded on Essex County Council's Sites and Monuments Record (SMR).
25. There appears to be no examples in the immediate vicinity of the more complex FW3/27 type with an anti-aircraft mounting as exists in the Hartford End case-study. Is this an example of a different workforce with differing skill levels or instructions from those working downstream? Foot, *Battlefields*, p.142.
26. Most of these were demolished to make way for the housing estate so it is difficult to be precise but entries on the SMR suggest this to be the case.
27. Foot, *Battlefields*, p.145.
28. Greeves, pp.54-55.
29. Wills, pp.58-64.
30. My late Grandfather, Redvers Wiffen, was a member of the Broomfield Home Guard and he recounted this story to my Dad, Michael Wiffen.

Acknowledgements

I would like to thank the very helpful staff of Broomfield Library who have been invaluable in sourcing books and articles for this project. I would also like to thank Dr Sarah Honour for her comments on the draft of this article.

The Author

Neil Wiffen lives in Broomfield and has long been interested in the history of the Second World War. He is Hon. Ed. of the *Essex Journal*.

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30 June 2021

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Dear

Broomfield Mill Annexe Development

Introduction

This is a small but important application utilising previously developed land formed by change of use of existing residential greenhouse building, a change of use of a heritage asset of a Second World War Pill Box and rebuilding on the footprint of a former residential greenhouse utilising extant garden walling.

The development is all within an existing residential curtilage and does not extend into open countryside although the whole grouping of buildings at Broomfield Mill falls within a defined Green Wedge.

Development Plan Policies

The Key Development Plan policies are addressed below and also responds to policy matters raised in a pre-application response dated 8 June 2020 under reference 20/08345/PE.

Strategic Policy S1 Spatial Principles

The development promotes the principles of Policy S1 where appropriate in that it optimises the use of suitable previously developed land and buildings for development. It respects the character and appearance of the landscape and the built environment and preserves or enhances the historic environment and biodiversity.

In terms of Strategic Policy S2 – addressing climate change and flood risk it is an energy-efficient design which reduces emissions which provides opportunities for renewable and low carbon energy technologies. A flood risk assessment has been carried out that protects the development from all types of flooding and appropriate mitigation measures are identified and will be implemented. The flood risk assessment confirms that it does not worsen flood risk elsewhere.

Regulated by RICS

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Consultants: G D Frail DipBldgCons FRICS N J Pryor MRICS **Finance Manager:** Lynda Sherwin MInstLM

Strategic Policy S3 Conserving and Enhancing the Historic Environment

The attractive scheme including reusing buildings and ensuring their longevity enhances the significance of non-heritage assets and their settings.

In this respect a detailed Heritage Statement has been prepared which considers the importance of both Broomfield Mill and Broomfield Mill World War II Pill Box. This includes a supporting statement from Mike Osborne Ph.D., M.Ed. (research), Mike Osborne is a recognised expert of World War II Pill Boxes.

Policy DM7

Policy DM7 is concerned with New Buildings and Structures in the Green Wedge.

The development is pursued under Policy DM7: B) Redevelopment of previously developed land (whether redundant or in continuing use and excluding temporary building/s). The policy sets out:

"Planning permission will only be granted where the role and function of the Green Wedge, in maintaining open land between built up areas, protecting biodiversity and promoting recreation would not be materially harmed, and where the development would have no greater impact on the character and appearance of the area than the existing use and/or development. 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".*

The relevant text supporting the policy is set out in paragraph 8.54 of the adopted Plan.

As the scheme proposes to utilise either existing buildings i.e. the greenhouses or are a replacement on the footprint of a former residential greenhouse utilising a substantial containing garden wall and renovating an existing Pill Box it is all previously developed land. It is shown by the photographic evidence that falling within an existing residential curtilage there is no greater impact on the characteristics and attractiveness of the landscape.

By reference to the July heritage statement section 4.5 the proposed scheme:

"The proposed scheme looks to reinstate the Glasshouse on its former footprint, incorporating the Pill Box (which was originally part of the Fern House).....".

The summary of the report includes (paragraph 6.3) as follows:

"As historic England clarify,

"Listed buildings are to be enjoyed and used, like any other building. Listed buildings can be altered, extended and sometimes even demolished within government planning guidance. The local authority uses listed building consent to make decisions that balance the site's historic significance against other issues, such as function, condition or viability".

The same theory should be applied to non-designated heritage assets. This site has two different assets, the mill house and its polite gardens. And the pillbox. The mill provided flour to a developing and prosperous Essex and London. The pillbox was formed to protect the bridge and the wider community.

The proposed scheme looks to form a self-contained annexe on the footprint of the original glass house, incorporating the pillbox which was inserted into the Fern House. Many pillboxes are at risk of loss due to the deterioration and degrading of the structure. Many see them as eye sores on the rural landscape, but they form part of the history of the country. As part of the overall scheme, the works will also include the replacement of the Glass House in the Walled Garden and overhauling of the potting shed.

The proposed scheme is considered to protect the heritage assets and their significance, whilst adding to the next layer of history of Broomfield Mill and its association with the Marriages. Such a conclusion is reinforced by the strong support for the scheme by Dr Mike Osborne”.

The report earlier on (Section 6.2) recognises that:

“The whole scheme looks to offer long term protection to the unusual Pill Box and provide a new interpretation of the Glasshouse that was lost within the rear garden of Broomfield Mill House. Perhaps more importantly the scheme allows the Marriages, who are part of the significance for the recognition of the houses as a non-designated heritage asset, to continue to live in the house at least another generation”.

Policy DM10 – Change of Use (Land and Buildings) and Engineering Operations

B) Green Wedge

“Planning permission will be granted for the change of use of buildings in the Green Wedge 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 are proportionate in size in relation to the existing building and do not harm its character; and*
- iii. the use of any land within the curtilage of the building, and which is to be used in association with that building, would not conflict with the purposes of the Green Wedge designation; and*
- iv. the building was constructed less than ten years ago for the purpose of agriculture, but it can be demonstrated that it is no longer required for agriculture.*

In addition to criteria i to iv above, where the proposed use is for a dwelling or dwellings, the building must have been constructed more than ten years ago.

Changes of use of land and engineering operations will be permitted where the development would not adversely impact on the role, function, character and appearance of the Green Wedge as set out in Strategic Policy S11.

Policy DM11 – Extensions to Existing Buildings Within the Green Belt, Green Wedge and Rural Area

B) Green Wedge

“Planning permission will be granted for extensions or alterations to existing buildings where the building is located within the Green Wedge and the extension or alteration would not:

- i. be disproportionate in size and scale in relation to the existing building; and*
- ii. be out of keeping with its context and surroundings or result in any other unacceptable harm; and*
- iii. conflict with the purposes of the Green Wedge designation”.*

The proposals provide for part conversion of the existing green house and the new build element is a proportionate extension in size in relation to the existing building and does not harm its original character.

The building is totally in keeping with its surroundings and provides for the long-term retention of an important ancillary building – see objectives.

Having regard to sub-criteria iii all of the land is currently within the residential curtilage of Broomfield Mill and is in residential use and thus does not conflict with the purposes of the Green Wedge designation.

The reasoned justification in paragraph 8.70 acknowledges that the Council recognises that the re-use and adaption of existing buildings in the countryside can provide opportunities for residential, commercial and industrial development. Having regard to paragraph 8.71 whereas it proposed here there is an element of re-building by creating an extension, it may be seen that it is not disproportionate in relation to the existing green house and adjoining structures. Finally having regard to paragraph 8.72 the curtilage will remain largely unchanged where an existing parking area that serves both the mill, existing residential barn will be retained and shared. This residential annex sitting within the curtilage of Broomfield Mill House. It being intended that family will still retain the freehold ownership of Broomfield Mill which will be occupied by a younger generation of Marriages.

Policy DM14: Non-Designated Heritage Assets

“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:

- i. *the level of harm or loss is justified following a balanced judgement of harm and the significance of the asset; and*
- ii. *harm is minimised through retention of features of significance and/or good design and/or mitigation measures”.*

The proposals include non-designated heritage assets both Broomfield Mill House and a historic World War II Pill Box which are referred to in greater detail in response to the 8 June 2020 pre-application consultation. In this respect as requested a full Heritage Statement has been prepared by Janice Gooch which is dated 20 July 2020 which concludes that the heritage assets and their significance will be protected.

DM16: Ecology and Biodiversity

The application is not supported by an ecological assessment as it is previously developed land within a residential curtilage utilising in part existing buildings and no particular mitigation measures are necessary in accordance with Policy DM16 D) ii there are no negative impacts.

Policy DM18: Flooding/SUDS

The application site falls within Flood Zone 3 and is subject to Policy DM18. Thus, a full Flood Risk Assessment has been carried out. The proposed development site is classified in the Chelmsford Strategic Flood Risk Assessment as Flood Zone 3B. However, within the Flood Risk Assessment Section 3.4.2, it is argued that the proposed development site has been classified incorrectly, as the site is currently developed and was developed prior to the introduction of the NPPF and Flood Zone Classifications.

The assessment explains in Section 4 that the revised NPPF advocates a risk-based approach to flood risk management in terms of appraising, managing and reducing the consequences of flooding both to and from a development site. The assessment explaining that the primary objectives of this FRA are to determine the following:-

- Whether the site is at significant risk from any forms of flooding;
- The risks of all forms of flooding to and from the development, and to demonstrate how these flood risks will be managed so that the development remains safe throughout its lifetime taking climate change into account;
- Determine if safe access to and from the site will be maintained during an extreme flood event;
- The impact of the development on flood risk elsewhere.

The assessment in Section 4.1 considers historical flooding and the fact that no internal flooding has ever occurred within Broomfield Mill within the house with a threshold level of 28.7m AOD.

In Section 4.2.3 reference to the Environment Agency's risk of flooding from surface water (RoFSW) shows the extent of surface water flooding within the vicinity of the site. The data shows that the majority of the site is at very low risk of flooding from surface water because it sits slightly higher than the adjoining flood plain – see Figure 4-4 Risk of Flooding from Surface Water.

Section 4.2.5 considers climate change and advises that the maximum modelled water levels adjacent to the proposed annexe conversion should be used to set the finished floor levels.

Section 7 Flood Risk Mitigation Measures set out all the recommendations to be incorporated into the development to make the site flood resilient.

Section 7.5 under Surface Water Management concluding:

"There is currently minimal risk of surface water flooding within the development site. The proposed development should consider a range of sustainable drainage systems (SuDS) solutions such as green roofs and water butts to minimise impact of increased run-off due to redevelopment of land to impermeable uses"

The report also addresses the fact that the property is not on mains foul drainage and the flood resilience should be built into the design of the foul sewerage and package treatment unit setting out a number of measures.

Section 8 Conclusions sets out that the site is shown to be at a high flood risk and that the site's classification within Flood Zone 3B in the 2016 Chelmsford SFRA is wrong.

The application FRA has challenged that classification on the basis that the site has been developed and occupied for industrial and residential usage since at least the 16th century and, therefore, should not be classified as functional flood plains.

It is concluded that classification as Flood Zone 3A where more vulnerable developments, such as residential dwellings may be permitted following application of a Sequential and Exception Test is deemed appropriate for the site.

It is highlighted that the site is situated approximately 20cm above the surrounding flood plain, also that the historic EA flood map and evidence from the client indicates that fluvial flooding has impacted the site previously, although the flood level has not reached the threshold of the existing house. As the site is classified as a minor development, the proposed development is exempt from satisfying the Sequential Test and, therefore, does not need to meet the Exception Test.

DM23: High Quality and Inclusive Design

The requirements of that policy under A) responding to context are fully met where the development respects the character and appearance of the area in which it is located.

Under sub criteria B) Design of all new Buildings and Extensions the criteria i-vii are fully met.

The client has given much thought and detailed consideration to the design of the extensions providing a contemporary glazed structure where the green house was formerly sited.

Policy Overview

The proposed small-scale development conforms with the policies of the adopted Chelmsford Local Plan and relevant policies of the NPPF. Importantly, it contributes significantly to the non-designated heritage assets of the site and ensures the continued future of the greenhouse building, garden wall and Pill Box which contribute to the immediate character of this small grouping of residential buildings.

In this respect, attention is drawn to an appeal decision that was granted for the change of use of the adjoining barn appeal reference APP/5213/A/76/5685/G9 dated 24 January 1977 (**Appendix A**). More is said in relation to that decision under final section of this letter.

The Inspector found that this was an important grouping of buildings that would benefit from the maintenance assured by the change of use.

Pre-Application Formal response dated 8th June 2020

That pre-application response had identified that the whole site is located within a Green Wedge, explaining that the Green Wedge is a local landscape designation, recognises the crucial role of the main river valleys and providing important green networks for wildlife, flood storage capacity, leisure and recreation, etc. Further explains that new buildings within the Green Wedge will be restricted to ensure the openness, role and function of these landscapes are not adversely affected. The response went onto identify key policies DM7 and DM10.

It is also highlighted that Policy DM7 allows for the redevelopment of previously developed land and in reviewing the policies above, it has been confirmed that all of this site is within an existing residential curtilage and none of the buildings are associated with agriculture or horticulture but are associated with the existing house at Broomfield Mill. The adjoining barn building may once have been linked with agriculture but went over to residential use in approximately 1978 following the successful appeal decision (Appendix A). The lawful use falls within Class C3. It will be seen from the photographic evidence that the buildings are of permanent and substantial construction.

Proportionate in Size and Landscape Character

The plans demonstrate that the size, scale and massing incorporating the existing buildings and as a replacement of a former greenhouse retaining existing substantial garden wall are all of appropriate scale. In terms of landscape character, as with the identified appeal decision

above, the buildings will all be seen in the context of the existing built curtilage and with the high quality of materials, interesting design and layout, contribute to the immediate character.

Historic Importance

The pre-application response highlighted that Broomfield Mill House is included on the Council's Register of Buildings of local importance for its architectural and historic interest. It is, therefore, a non-designated heritage asset. The heritage response confirmed also that in the northern corner of the plot, is a World War 2 Pill Box also included as an important building of local architectural and historic interest. The design approach includes the Pill Box within the development scheme and converts it into a study. The proposals have been set back from the Pill Box reflecting the heritage comments from the Conservation Officer. His conclusion was that:

"There is a benefit in repairing and reusing the Pill Box if it can be done sensitively. Subject to the amendments above, the scheme can minimise any harm that the setting of the heritage assets and the impacts justified in heritage terms by the re-use. A Heritage Statement will be required to be submitted as part of any application".

Accordingly, a full Heritage Statement by Janice Gooch has been submitted, which is supportive of the proposals together with strong support from a Pill Box expert, Michael Osborne. This is a significant material consideration as to the merits of this proposal.

Self-Build

This is a self-build application by the long-standing owners of Broomfield Mill, which as previously explained, is to meet their needs having reached retirement. It is supported by the self-build policies of the Local Authority

Policy DM1 – Size and Type of Housing

The Council will protect existing housing from redevelopment to other uses

"...(C) within all developments of more than 100 dwellings, the Council will require (A)i, (A) ii (B)i above; and 5% self-build homes which can include custom house building. At the time an application is submitted, the Council will review this percentage against the latest local housing need requirement for self-build/custom-build homes; and provision of Specialist Residential Accommodation (including independent living and non-nomadic gypsy and traveller needs) taking account of local housing needs.

The inclusion of self-building and custom-build homes and Specialist Residential Accommodation on smaller sites will also be encouraged".

The reason justification sets out in Paragraph 8.2 the NPPF requirements for LPA's to plan for a mix of housing to meet the different needs of the community, including older people and people with disabilities.

In Paragraph 8.3 it is explained that the SHMA indicates that the greatest need for market homes is 2- and 3-bedroom units, due to the projected increase in single occupancy households, smaller family units and older people. Such considerations applicable to this application where the applicants are retired and are downsizing planning for ease of accessibility and disability in the future.

The text in Paragraph 8.5 highlights that the development of self-build/custom-build properties can also contribute to meeting the need for additional housing and provide a more diverse housing stock.

Paragraphs 8.6 to 8.9 focus on the justification for meeting the needs of older people which can be through a range of independent living schemes etc.

Specialist Elderly Housing

The NPPF under the Section Delivering a Sufficient Supply of Homes sets out at Paragraph 61 the following:

"Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes".

Thus, there is both emphasis for specialist needs of older people and for people wishing to commission or build their own homes.

Under the Section of Rural Housing, Paragraph 77, it is identified that in rural areas, planning policies and decisions should be responsive to local circumstances as support housing developments that reflect local needs. This self-build proposal for specialist elderly housing brought forward by a family associated with Broomfield for over 200 years meeting the needs of the ageing occupiers is a perfect example of Government policy and the housing policies within the Local Plan.

Character of the Countryside and Grouping of Buildings

As has been identified in the Heritage Assessment by Janice Gooch this is an important grouping of buildings and the proposals will contribute to the longevity and setting of the Mill House. The proposals as prepared by the applicant Mr Marriage for his own family use continue the historical linkage of the Marriage family to the site.

As pointed out by the applicant there is considerable expenditure necessary to maintain the outbuildings and garden wall structure. Given the importance of the Pill Box and its locally listed status to find an appropriate use to ensure its future is a major material consideration.

This significant issue was considered by an Inspector in his appeal decision dated 24 January 1977 in considering the reuse of the existing stable barn building. In that decision granted consent he reached the following conclusion:

"...The agricultural buildings under appeal have an intimate visual relationship with Mill House, the whole forming an important and attractive feature of The Chelmer Valley which should be retained, but the probability is that they will deteriorate and become dilapidated if left in their present unused condition"

The Inspector has been proved right where he highlighted:

"....There is no doubt in my mind that what you propose is a particularly sensitive conversion which is likely to enhance the setting of Broomfield Mill House"

The attractive proposals envisaged are again a particularly sensitive conversion which will enhance the setting of Broomfield Mill House.

In summary the quality of this submitted scheme makes a positive contribution to the character of the countryside and grouping of buildings in accordance with local policies and the NPPF, whilst contributing to housing stock for both self-build and well planned single storey elderly accommodation.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'NJP' followed by a stylized surname.

Nicholas J Pryor BSc (Est Man) MRICS
For THE JTS PARTNERSHIP LLP

Enc: Appendix A- Appeal Decision January 1977

Appendix A



Department of the Environment
Becket House Lambeth Palace Road London SE1 7ER

Telephone 01-928 7855 ext 384

Mr P Marriage
Lady Hope Cottage
Mill Lane
Broomfield
CHELMSFORD
Essex

Your reference

Our reference

T/APP/5213/A/76/5685/69

Date

24 JAN 77

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPLICATION NO:- CHL/1877/75

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Chelmsford District Council, to refuse planning permission for the conversion of agricultural buildings to residential purposes adjacent to Broomfield Mill, Mill Lane, Broomfield. I have considered the written representations made by you and by the council and also those made by other persons. I inspected the site on Wednesday 5 January 1977.

2. From my inspection of the site and its surroundings and from my study of the submissions made I am of the opinion that the determining issue in this case is what impact would result from the conversion of the existing agricultural buildings at Broomfield Mill into a dwelling. Your site is outside the established residential boundary at Broomfield and is within an attractive rural area which is defined as an area of great landscape value on the Review County Development Plan. It would be normal planning policy to require that any proposal for a new dwelling in this area, and I see your proposal as coming within this context, should be supported by reference to a demonstrable agricultural need. Much of the charm of this part of Broomfield results from the open nature of the countryside and preservation of its charm depends to a large extent on prevention of development which is not essential to rural needs. Your proposal is not essential in this context but I feel that there are special circumstances in this case which warrant further consideration. The agricultural buildings under appeal have an intimate visual relationship with Mill House, the whole forming an important and attractive feature of the Chelmer Valley which should be retained, but the probability is that they will deteriorate and become dilapidated if left in their present unused condition. I note that part of the council's policy is to allow the conversion of existing non-residential buildings into a dwelling where the location is suitable and the work involved appropriate in size, character, siting, materials and design. Whilst I have some reservations about the location there is no doubt in my mind that what you propose is a particularly sensitive conversion which is likely to enhance the setting of Broomfield Mill House. You propose to follow the original foundation lines of the agricultural buildings and the only major alteration is the replacement of a dilapidated thatched roof with tiles. The general appearance after conversion would in my opinion be largely retained and I see your proposal as coming within the scope of the policy to which I have referred. I note that your site is within the Chelmer flood plain but a floor level above 94.1 ft AODN is likely to mean that water would not enter the house, even in extreme conditions such as were experienced in 1947. This I consider to be an acceptable risk. Finally I note that, although no objection was taken to your proposal on traffic grounds in the reasons for refusal, the council do refer to such matters in their statement. The access to your site is close to bends in Mill Lane but it is unlikely

that the traffic generated by one additional dwelling would lead to any unacceptable hazards. I have taken into account the other matters raised but they are insufficient to override the considerations leading to my decision.

3. For the above reasons and in exercise of the powers transferred to me I hereby allow your appeal and I grant planning permission for the conversion of agricultural buildings at Broomfield Mill into a dwelling in accordance with an application (and accompanying plans) dated 21 December 1975 subject to a condition that the development hereby permitted shall be begun not later than 5 years from the date of this letter.

4. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Sir

Your obedient Servant

K. Cleaver

K CLEAVER, CEng, MICE, MIMunE, AMCT
Inspector

T4 ECOLOGY LTD

ECOLOGY CONSULTANCY SERVICES, MALDON, ESSEX



Preliminary Roost Assessment

Broomfield Mill Outbuilding
Broomfield Mill
Chelmsford
Essex
CM1 7BQ

Prepared for:

Mr P. Marriage

November 2021

T4 Ecology Ltd

Heybridge
Maldon
Essex

Email: pete@train4ecology.co.uk

Website: www.t4ecology.uk

Report Reference MH1395 V1 – 30/11/2021

Pete Harris MCIEEM FRGS – Principal Ecologist/Director

John Dobson FBNA – Licenced Bat Worker

This report is for the sole use of the client Mr P. Marriage. No liability is accepted for conclusions/actions by any third party. All rights reserved t4ecology Ltd 2021.

Executive Summary

T4ecology Ltd working with working with Licenced bat worked and trainer John Dobson of Essex Mammal Surveys were instructed to undertake a Preliminary Bat Roost Assessment (PRA) of a small outbuilding at Broomfield Mill, Chelmsford, Essex, CM1 1BQ.

No evidence of bat activity was identified during the internal/external inspections of the outbuilding. Externally, there was a tight seal to the roof tiles, but where gaps existed, they were inspected with an endoscope, with no evidence of bats being found inside or outside of the building. As such, based upon the absence of evidence noted, it is not considered that bats are utilising building and more specifically, the gaps underneath the tiles.

In respect of potential impact, it is understood that the tiles of the survey building would be left in place as part of the development, with insulation installed underneath the existing felt lining from the inside of the building. As such, the tiles would be left in place.

Taking into account the absence of evidence, in addition to the limited scope of works as described, it is not considered that further survey works are necessary.

No vegetation with roosting potential would be lost to or affected by the proposals. Although no evidence of bats was found, it is probable that bats from nearby roosts will forage across the site and along the adjacent river. This behaviour would be expected to continue after the insulation work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population.

Small scale, proportionate recommendations for ecological enhancements have been provided in Section 4.0.

Contents

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1) Survey Brief

T4ecology Ltd working with working with Licenced bat worked and trainer John Dobson of Essex Mammal Surveys were instructed to undertake a Preliminary Bat Roost Assessment (PRA) of a small outbuilding at Broomfield Mill, Chelmsford, Essex, CM1 1BQ. The purpose of the PRA was to identify whether any buildings that may be subject to future development proposals provide potential habitat for roosting bats, and whether any further survey works were required.

Bats are a strictly protected species under UK Legislation. In this regard, given presence of building where works/demolition may be proposed, the survey was undertaken in order to meet the specific requirements of the legislation to inform design, mitigation and if appropriate, inform Protected Species (PS) License Applications.

1.1 Development Proposal

The proposal is for conversion/restoration of the existing building for residential use.

Specifically, it is understood that the tiles of the survey building would be left in place, with insulation installed underneath the existing felt lining from the inside of the building.

1.2 Scope of Survey

The purpose of this report is to describe any evidence of bat activity on site at the time the surveys were undertaken, and therefore represents a snapshot in time. This report can be utilised to draw conclusions as to the likely presence or absence of bats on a site and the potential impact of proposed development. In this regard, the report describes the bat activity found, with recommendations as considered appropriate in respect of further works and/or mitigation.

Every effort has been made to provide an accurate assessment. However, it should be noted that bats are an active, transient and highly mobile species.

This report has a validity of 12 months from the date which the survey was undertaken. Beyond 12 months, it is unsuitable for use in planning and should be updated given the transitory nature of the species concerned.

2) Methodology

2.1 Timings & Personnel

The survey was undertaken by Licenced Bat Worker & Trainer John Dobson FBNA & Consultant Ecologist Peter Harris BSc (hons) MCIEEM FRGS on the 17th November 2021. Weather conditions were dry and clear, with an ambient air temperature of 13°C.

John Dobson, a bat worker and trainer licensed by Natural England (Licence No. 2015-15258-CLS-CLS), and author of *Mammals of Essex* (Essex Field Club, 2014), John Dobson has been elected a Fellow of the British Naturalists' Association and received the David Bellamy Award for natural history in 2015.

Peter Harris is a full member of the Chartered Institute of Ecology & Environmental Management (CIEEM) and a Fellow of The Royal Geographical Society (FRGS). The surveyor is licenced by Natural England for surveying great crested newts. The surveyor is an ecologist with over 14 years of experience, and has been involved in a wide range of projects from single dwelling developments to large strategic urban renewal schemes subject to full Environmental Impact Assessment (EIA).

2.2 PRA Methodology

The PRA was undertaken employing methods based on the guidance described in the Bat Workers' Manual, English Nature's Bat Mitigation Guidelines and updated Bat Conservation Trust Bat Surveys Guidelines for Professional Ecologists (2016).

However, the first page of all three editions includes the following:

'The guidelines should be interpreted and adapted on a case-by-case basis according to site-specific factors and the professional judgement of an experienced ecologist. Where examples are used in the guidelines, they are descriptive rather than prescriptive'.

Surveyors are expected to make judgements in respect of methodology appropriate to the survey conditions/evidence noted, and make conclusions based upon experience.

Ref: Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London.

2.3 External/Internal Inspection

The first section of the survey involved an external inspection of the external surfaces of the building to identify any features that could be potentially be utilised by bats for roosting purposes. Such features may include small gaps and openings in brick work/roof structure, broken or missing tiles, or gaps in the soffits. During the external inspection, the buildings were also examined for key indicators of bat activity, such as droppings/staining in areas such as window ledges, walls other suitable external structural features.

The second section of the survey involved an inspection of internal areas of the buildings where safe access was possible. The purpose of the inspections was to identify whether there is any evidence of bat activity/roosting. Again, indicators of evidence such as droppings, fur deposits, scratching and staining were searched for, in addition to features such as insect remains that may have been brought into a building by a bat. In addition, issues such as structural integrity of the buildings, and whether the building has structural features such as enclosed/hidden roof spaces are taken into account.

The internal survey was conducted using a powerful torch. The roof of the building was searched for evidence of roosting, the floor areas for droppings and the beams for crevices and staining indicative of the presence of roosting bats. An Xtend & Climb Pro Ladder and a ProVision 300 endoscope were available to inspect crevices in brickwork, under tiles and around beams as applicable.

2.4 Constraints

Full access was available to all building sections/voids where applicable. It is not considered that the survey was subject to constraints.

2.5 Biological Records

Since the early 1980s, the Essex Bat Group has monitored the status and distribution of bats in this area. Records occurring within a 2km radius of the site are as follows:

24 Jun 2003	Noctule recorded foraging
04 Apr 2003	Soprano pipistrelle recorded foraging
04 Apr 2003	Common pipistrelle recorded foraging
04 Apr 2003	Daubenton's bat recorded foraging
04 Apr 2003	Common pipistrelle recorded foraging
04 Apr 2003	Soprano pipistrelle recorded foraging
24 Jun 2003	Noctule recorded foraging
11 Aug 1998	Pipistrelle recorded foraging

2.6 Additional Information

Freely available on-line mapping information and Ordnance Survey Maps were consulted as part of the background assessment.

3) Results

3.1 Site Location

Photographs are included as Annex 2.

The site is neither situated within nor bounding a statutory or non-statutory designated location.

Broomfield Mill is situated approximately 0.5km to the east of Broomfield, located on the River Chelmer.

Broomfield Mill comprises a managed, maintained dwelling with associated gardens and grounds. The application buildings including survey building are situated approximately 70m to the north west of the main house.

3.2 Internal/External Inspections

The survey building is a shed used for storage and horticulture at the north-western end of a line of greenhouses. The small building is aligned NW-SE and has approximate dimensions of 7m x 6m. The interior receives daylight illumination from windows in the south-western wall (see Photo 1-Annex 2), conditions in which bats seek out dark areas or crevices in which to roost. The lack of such features in the machine cut beams meant that the building was less suitable as a roosting place for bats. The building also received regular disturbance. Externally, there was a tight seal to the roof tiles, but where gaps existed, they were inspected with an endoscope, with no evidence of bats being found inside or outside of the building.

3.3 Vegetation/Foraging/Commuting Networks

There is no vegetation affected by the project that has crevices, loose bark or woodpecker holes that might be colonised by bats.

No vegetation with roosting potential would be lost to or affected by the proposals. Although no evidence of bats was found, it is probable that bats from nearby roosts will forage across the site and along the adjacent river. This behaviour would be expected to continue after the insulation work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population.

Small scale, proportionate recommendations for ecological enhancements have been provided in Section 4.0.

4) Conclusion / Recommendations

No evidence of bat activity was identified during the internal/external inspections of the outbuilding. Externally, there was a tight seal to the roof tiles, but where gaps existed, they were inspected with an endoscope, with no evidence of bats being found inside or outside of the building. As such, based upon the absence of evidence noted, it is not considered that bats are utilising building and more specifically, the gaps underneath the tiles.

In respect of potential impact, it is understood that the tiles of the survey building would be left in place as part of the development, with insulation installed underneath the existing felt lining from the inside of the building. As such, the tiles would be left in place.

Taking into account the absence of evidence, in addition to the limited scope of the proposed works as described, it is not considered that further survey works are necessary.

No vegetation with roosting potential would be lost to or affected by the proposals. Although no evidence of bats was found, it is probable that bats from nearby roosts will forage across the site and along the adjacent river. This behaviour would be expected to continue after the insulation work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population.

Small scale, proportionate recommendations for ecological enhancements have been provided below:

Recommendations

- It is advised that 1 x tree mounted Schwegler 2fe bat box be installed as part of the development as an appropriate, proportionate ecological enhancement.
- It is advised that 1 x tree mounted bird box be installed on site.

Bats & Lighting

- As a general principal for the good of bats and all biodiversity, a low impact lighting scheme is advised:
 - a) Brightness of lights should be as low as possible, and in accordance with British Standard Institute (BSI) and Bat Conservation Trust (BCT) guidance. Where possible, low pressure sodium lights are advised.
 - b) Lighting should not be directed at features that may be utilised by bats such as woodland, tree lines, hedgerows and water bodies/water courses.
 - c) Directional lighting and/or fittings with hoods and cowls should be utilised.
 - d) Where possible, security lighting should be motion sensitive and timers to minimise the amount of time that lights are on.
 - e) Where possible, directional low impact solar bollard lighting should be used to illuminate roads, paths and parking areas.

Annex 1-Bat Protection in the UK

All bat species in Britain are protected under the Wildlife and Countryside Act 1981 through inclusion on Schedule 5. They are also protected under the Conservation (Natural Habitats &c.) Regulations 1994 (which were issued under the European Communities Act 1972), through inclusion on Schedule 2. On 1st April 2010, these Regulations, together with subsequent amendments, were consolidated into the Conservation of Habitats and Species Regulations 2010.

Protected animal species and their breeding sites or resting places are protected under Regulation 39. It is an offence for anyone to deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. It is an offence to damage or destroy a breeding or resting place of such an animal. It is also an offence to have in one's possession or control, any live or dead protected species.

The threshold above which a person will commit the offence of deliberately disturbing a wild animal of a protected species has been raised. Now, a person will commit an offence only if he deliberately disturbs such animals in a way as to be likely significantly to affect (a) the ability of any significant groups of animals of that species to survive, breed, or rear or nurture their young, or (b) the local distribution or abundance of that species. However, please note that the existing offences under the Wildlife and Countryside Act (1981) as amended which cover obstruction of places used for shelter or protection (for example, a bat roost), disturbance and sale still apply to protected species.

This legislation provides defences so that necessary operations may be carried out in places used by bats, provided the appropriate Statutory Nature Conservation Organisation (in England this is Natural England) is notified and allowed a reasonable time to advise on whether the proposed operation should be carried out and, if so, the approach to be used. The UK is a signatory to the Agreement on the Conservation of Bats in Europe, set up under the Bonn Convention. The Fundamental Obligations of Article III of this Agreement require the protection of all bats and their habitats, including the identification and protection from damage or disturbance of important feeding areas for bats.

Paragraph 98 of Circular 06/2005 states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'*.

Section 9 of the National Planning Policy Framework 2012 (NPPF) states that *'the planning system should contribute to and enhance the natural and local environment byminimising impacts on biodiversity and providing net gains in biodiversity where possible.'*

Since August 2007, building development that affects bats or their roosts needs a Protected Species Licence under The Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 administered in England by Natural England.

Annex 2 - Photographs



Photo 1: South-western elevation. The proposal is to insulate the roof on the inside of the building. The existing pantiles and roofing felt are unaffected by the proposal



Photo 2: North-eastern elevation

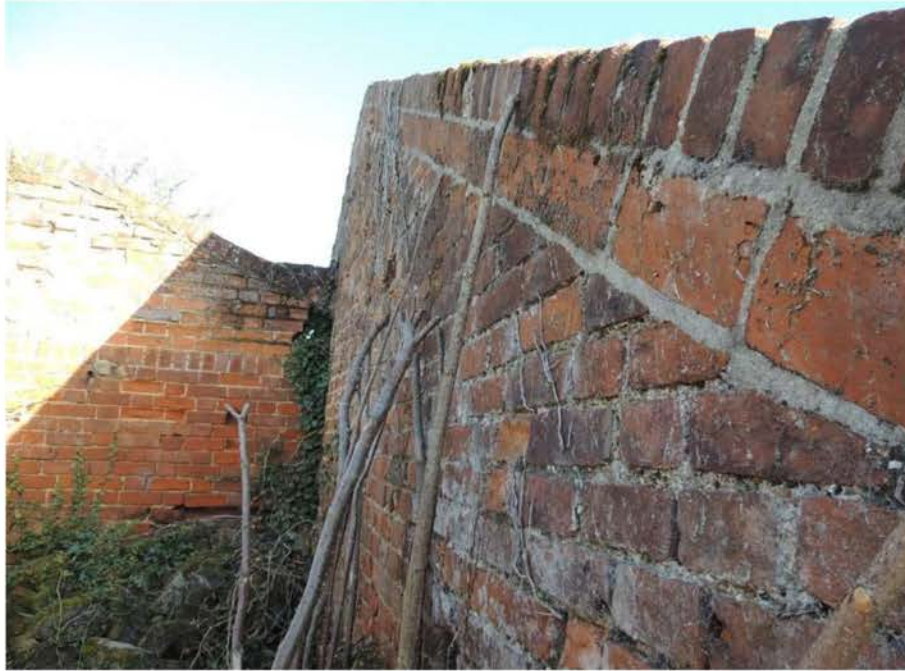


Photo 3: North-western elevation



Photo 4: The entrance into the building from the greenhouse



Photo 5: Looking north-westwards in building



Photo 6: Insulation is to be placed between the rafters. The roofing felt is unaffected



Photo 7: Note tight seal to pantiles



Photo 8: Gaps at the end of the tiles were examined with an endoscope. No evidence of bats was found



Planning Committee

Application No	:	22/00274/FUL Full Application
Location	:	259 Baddow Road Great Baddow Chelmsford CM2 7QA
Proposal	:	Two storey side extension and single storey side/rear extension, raising the height of the existing rear first floor external walls and adding a new pitched roof.
Applicant	:	Mr & Mrs Maltby
Agent	:	Mr Colin Henderson
Date Valid	:	10th February 2022

Contents

Appendices:

Appendix 1 Consultations
 Appendix 2 Drawings

1. Executive summary

- 1.1. The application has been referred to the Planning Committee because the applicant is a Council employee and objection has been received from Great Baddow Parish Council.
- 1.2. The proposal is for the construction of a two-storey side extension and single storey side & rear extension, raising the height of the existing rear first floor external walls and adding a new pitched roof to the property, which is located within the Urban Area of Chelmsford.
- 1.3. The proposed development has an acceptable design in relation to the host dwelling and would not result in any harm to the visual amenities of the area. By virtue of its size, siting and use the proposed development would not adversely affect the amenity of any neighbouring residential properties. Adequate parking and garden space would be retained to serve the property.
- 1.4. The application is recommended for approval, subject to the conditions set out at the end of this report.

2. Description of site

- 2.1. The property lies within the Chelmsford Urban Area, where the principle of development is acceptable.
- 2.2. The application property is a two-storey end of terrace house, that sits within a small block, on the northern side of Baddow Road.
- 2.3. The street scene comprises largely of groups of two storey terraced properties set out in a linear pattern fronting onto the road, which vary in design and appearance. There are also both detached and semi-detached properties and examples of extensions within the street.

3. Details of the proposal

- 3.1. The application is seeking permission for the construction of a two-storey side extension to create an open carport on the ground floor with bedroom and ensuite above. The extension measures 4.3m in width, 5m in depth and 6.8m in height, which would be set back 4.8m from the property frontage.
- 3.2. The proposal also includes the construction of a single storey flat roofed side and rear extension measuring a maximum of 7.9m in width, 4.9m in depth and 3.5m in height.
- 3.3. The application also seeks to raise the height of the walls of the existing first floor rear projection and change the roof form.

4. Other relevant applications

- 4.1. N/A

5. Summary of consultations

- Great Baddow Parish Council
- Local residents
- Essex County Council Highways
- Public Health & Protection Services (PHPS)

- 5.1. Great Baddow Parish Council have objected to the proposal as they consider that the proposed scheme would be an overdevelopment of the site with poor parking provision.
- 5.2. Essex County Council Highway Authority have stated that the proposal is acceptable to them subject to conditions.
- 5.3. No comments have been received from any members of the public.
- 5.4. PHPS have raised no comments with regards to the application.

6. Planning considerations

Main Issue

- 6.1. Whether the proposal constitutes an acceptable form of development , complying with relevant planning policies.
- 6.2. The development would see the property enlarged; however the extensions would fit comfortably within elongated plot and would relate suitably to the existing property. The development is set back notably from the property frontage and street scene, with the scale and proportions of the extension being subservient to the original terrace. The property has not been previously enlarged and whilst the extended property would be larger than its immediate neighbours, this would not result in any harm to the character of the area.
- 6.3. The house would retain an enclosed private rear garden area of over 420sqm which significantly exceeds the minimum standard of 80sqm for houses of 3 or more bedrooms, as set out in the adopted local plan. As such the development fits comfortably within the plot and would not be considered disproportionate or constitute overdevelopment of the site.
- 6.4. The house would retain two parking spaces, one within the new car port and one in front of the car port. Planning conditions are suggested to ensure the retention of the two spaces.
- 6.5. The extension would site adjacent the flank wall of a commercial property with flat above. The side windows in the neighbour's flank wall relate to a staircase and bathroom. The proposed extension would not adversely impact upon the amenities of the occupiers of the neighbouring flat. The ground floor rear extension is offset 2.2m from the boundary shared with no 261 Baddow Road ensuring that it would not be overbearing upon this neighbour.

Conclusion

- 6.6. The principle of development is acceptable as the property lies within the Urban Area. The proposed scheme would comply with Policies DM29 DM27 and DM23 and is acceptable.

7. Community Infrastructure Levy (CIL)

- 1.1. The proposed works are 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

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Where the new materials differ from those of the existing building, details of the materials to be used shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with those details.

Reason:

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

Condition 4

Prior to the first occupation of the extensions hereby approved, the vehicular access width must be increased to 3 metres, as measured from the neighbouring site boundary to the west, from the back edge of the footway. This will require the removal of the existing dwarf side wall and part of the existing front wall to provide unobstructed level access.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

Condition 5

Prior to the first occupation of the development hereby approved the two parking spaces identified on drawing No. 004 Rev A shall be ready and available for use and shall thereafter be always kept available for the parking of vehicles in connection with the residential use of 259 Baddow Road.

Reason:

To ensure that the property is provided with sufficient parking provision in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 6

The car port hereby approved and shown on drawing No.006 Rev A shall remain permanently open and not be fitted with a garage door.

Reason:

To ensure appropriate parking is provided and to prevent vehicles parking in the adjoining streets in the interests of highway safety in accordance with Policy DM27.

Condition 7

No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

Condition 8

There shall be no discharge of surface water from the development site onto the Highway.

Reason:

To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

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.

Background Papers

Case File

Essex County Council Highways

Comments
<p>03.03.2022 - Your Ref: 22/00274/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/22/274/52675</p> <p>Date:- 3rd March 2022</p> <p>' The proposal includes two off-street parking spaces; a car-port and a parking space to the front.</p> <p>' To enable vehicular access the drive width would need to be increase at the crossover by removal of the west side dwarf wall to provide a 3 metre width drive from the back edge of the footway to the front of the house.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <p>1. Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.</p> <p>Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.</p> <p>Note - MUD / DEBRIS ON HIGHWAY - Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence.</p>

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.

2. The existing vehicular access at its centre line shall be provided with visibility splays with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of obstruction above 1000mm at all times.

Reason: To provide adequate inter-visibility between vehicles using the vehicular access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

3. The vehicular access width must be increased to 3 metres, as measured from the neighbouring site boundary to the west, from the back edge of the footway:

' This will require removal the existing dwarf side wall to provide level access and part of the existing front wall at the back edge of the footway.

' No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

' The existing vehicle crossover of the footway would be satisfactory.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to avoid displacement of loose material onto the highway in the interest of highway safety to ensure accordance with policy DM1.

4. There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

5. The 2no. vehicle parking spaces shown in the Proposed Ground Floor Plan, drawing no. 004; the car port and the parking space to the front shall be appropriately hard surfaced:

' The vehicle parking area shall be retained in this form at all times.

' The car port shown in the drawing no. 004, shall not be fitted with door. This is because it does not meet the minimum internal dimensions of width 3 metres by 7 metres long, recommended for a garage, in the Parking Standards.

' The vehicle parking shall not be used for any purpose other than the parking of vehicles.

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 in accordance with Policy DM8.

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

Informatives:

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

Great Baddow Parish Council

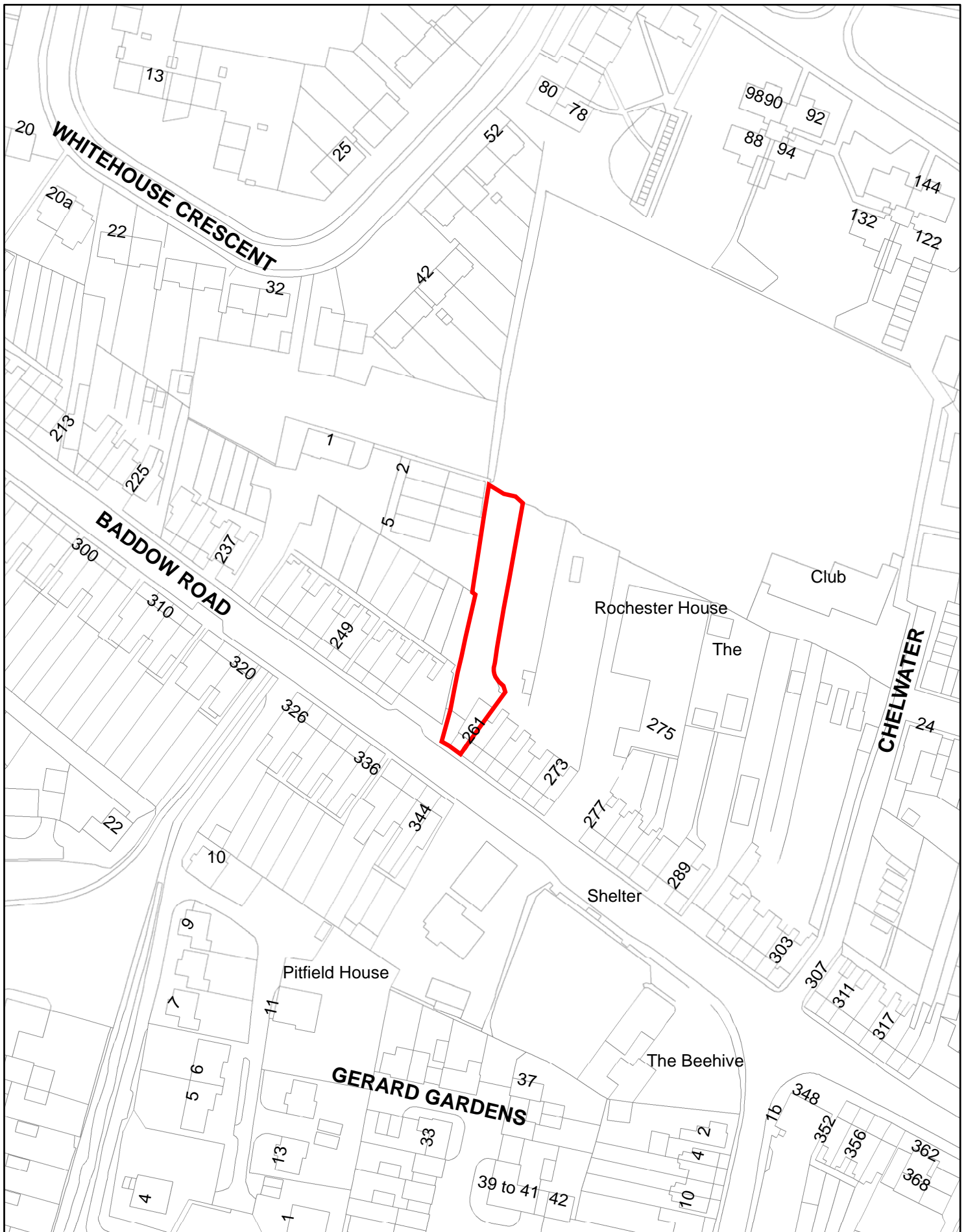
Comments

01.03.2022 - The Parish Council objects to this planning application as it is considered an overdevelopment of the site.

Public Health & Protection Services

Comments

19.04.2022 - No PH&PS comments with regard to this application.



0 12.5 25 50 Metres

1:1,250



Planning Committee
22/00274/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

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CH BUILDING DESIGNS

Chartered Building Surveyors

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Telephone (01245) 281950

Client

MR & MRS MALTBY

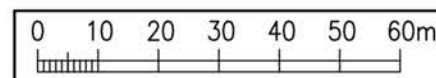
Title

LOCATION PLAN

Project

259 BADDOW ROAD
CHELMSFORD
ESSEX CM2 7QA

Page 196 of 203



Original Size: Scale:

A4

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Drawn:

CGH

Date:

FEB. 22

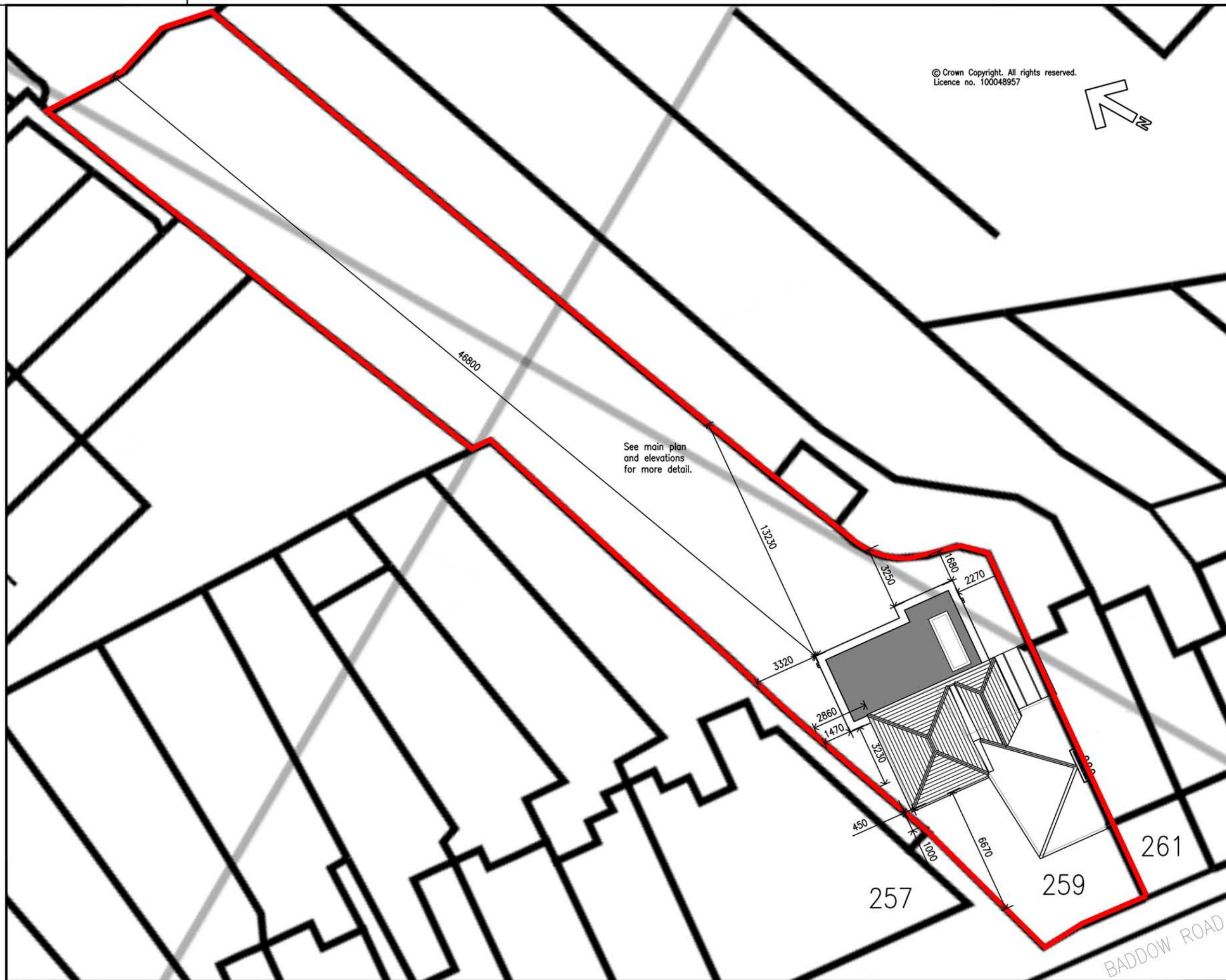
Project No.

0538

Drawing No.

001

Rev:



Rev	Modifications	Date
PLANNING APPLICATION		10/02/22
Purpose of issue	Rev	Date

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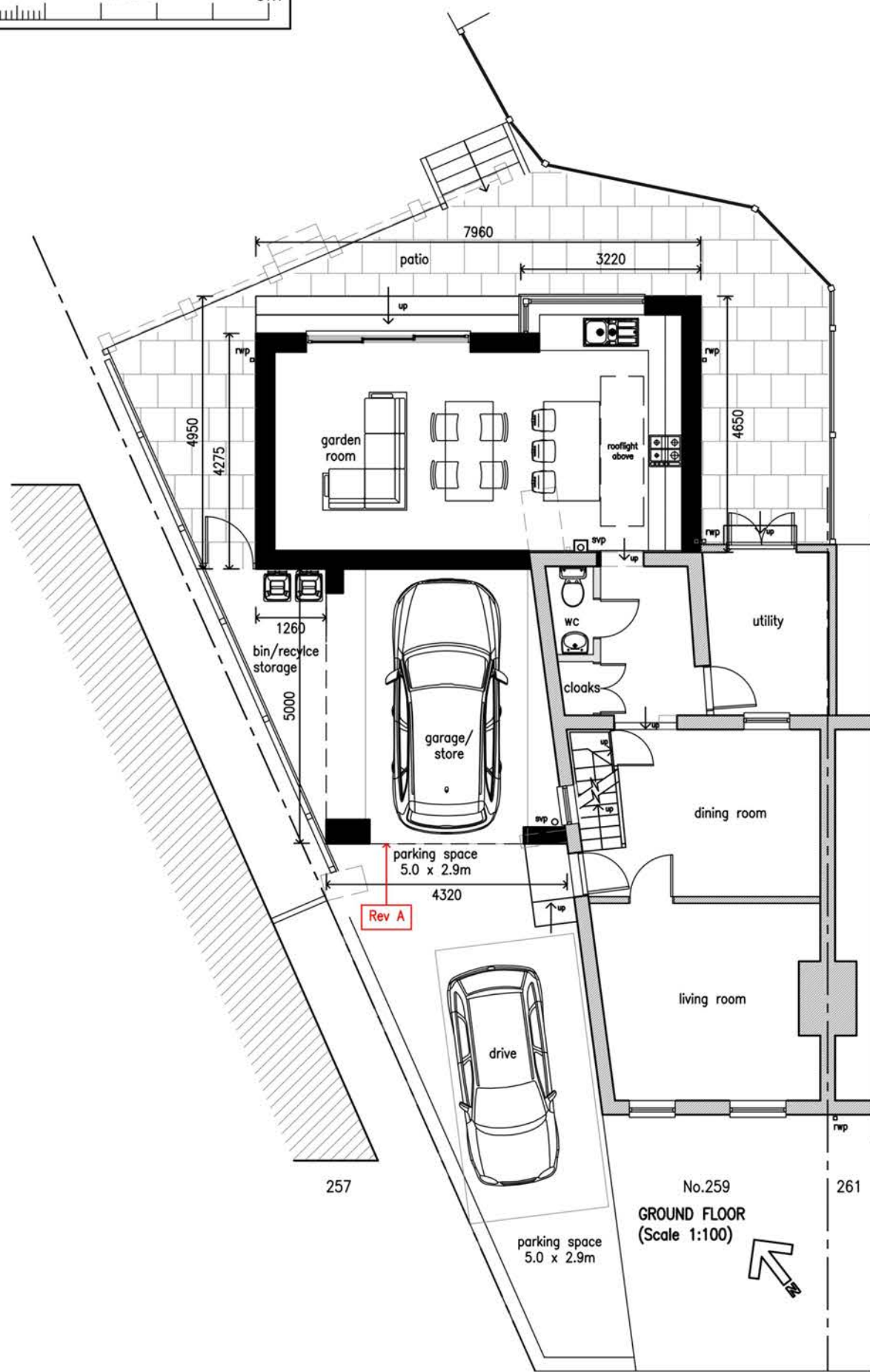
Client
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Project
259 BADDOW ROAD
CHELMSFORD
ESSEX CM2 7QA

Title	BLOCK PLAN
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Original Size:	Scale:	Drawn:	Date:
A3	1:200	CGH	JAN. 22

Project No.	Drawing No.	Rev:
0538	007	



Project No.	Drawing No.	Rev:
0538	004	A

Annual Appeals Report

Appeal decisions received between 01/04/2021 and 31/03/2022

All Appeals

All Appeals	2020/2021		2021/2022	
	No	%	No	%
All Dismissed	57	71%	57	78%
All Allowed	18	23%	13	18%
All Split	5	6%	3	4%
All Total	80	100%	73	100%

- 9% reduction in appeals against Council decisions.

Planning Appeals

Planning Appeals	2020/2021		2021/2022	
	No	%	No	%
Planning Dismissed	45	67%	54	83%
Planning Allowed	17	26%	11	17%
Planning Split	5	7%	0	0%
Planning Total	67	100%	65	100%

- 3% reduction in planning appeals against Council decisions.
- 20% increase in dismissed planning appeals.
- National average is 25% of planning appeals are allowed (compared to 17% in Chelmsford).

Of the 11 allowed appeals in 2021/2022 8 were primarily refused in relation to the impact of the development on the openness of the Green Belt, the impact on the character of the Rural Area and general design matters including amenity. These are all subjective considerations where the Inspectors, in allowing the appeals, found the developments to have an acceptable impact.

One allowed appeal, for Cards Road in Sandon, was for an electricity generation facility. Despite allowing the appeal, the Inspector agreed with the Council that the proposal would be intrusive and incongruous in the field, and that there would be an impact on the nearby non-designated heritage assets. The Inspector allowed the appeal because they found that other considerations, such as the support the proposal would add to the electricity supply network, outweighed these harms.

Whilst technically allowed, the Inspector for an appeal on School Road in Downham agreed with the Council that a condition was needed to restrict the glazing type and opening of some windows in an extension. The appeal was allowed because the Inspector felt it was reasonable to change the wording of the conditions the Council had used. The outcome was that restrictions remained to specific windows in order to safeguard amenity.

In all instances there were no suggestions that the adopted Local Plan policies were inconsistent with the National Planning Policy Framework (NPPF). Officer's will continue to learn from appeal decisions and the approaches Inspectors have towards considerations.

Enforcement Appeals

Enforcement Appeals	2020/2021		2021/2022	
	No	%	No	%
Enf Dismissed	7	88%	2	40%
Enf Allowed	1	13%	0	0%
Enf Split	0	0%	3*	60%
Enf Total	8	100%	5	100%

* Enforcement appeals can have a 'split' decision where the timeframe for compliance with the Enforcement Notice is varied by the Inspector. Where this happens, the Enforcement Notice is upheld with a slight variation.

Tree Appeals

Tree Appeals	2020/2021		2021/2022	
	No	%	No	%
Trees Dismissed	5	100%	1	33%
Trees Allowed	0	0%	2	67%
Trees Split	0	0%	0	0%
Trees Total	5	100%	3	100%

The number of Enforcement and Tree appeals have reduced in comparison to the number of appeals received in 2020/2021. The numbers are small so there is no indication of trends. Officer's will continue to learn from appeal decisions and the approaches Inspectors have towards considerations.

Appeals Report

Appeal Decisions received between 23/03/2022 and 19/04/2022

PLANNING APPEALS

Total Appeal Decisions Received	5	
Dismissed	3	60%
Allowed	2	40%
Split	0	0%

Written Reps

Stockbrook Orchard Stock Road Stock Ingatestone Essex

Reference	21/00018/FUL
Proposal	Construction of new building to accommodate ancillary tearoom
Appeal Decision	Appeal Allowed - 04/04/2022
Key Themes	- Whether the proposal amounts to inappropriate development in the Green Belt.- Whether there are any very special circumstances which would outweigh any harm to the Green Belt.
Agreed with CCC on	- The proposal amounts to inappropriate development in the Green Belt
Disagreed with CCC on	- The improved trading position for the business amounts to very special circumstances which would overcome the harm arising from the inappropriate development.
Costs Decision	None

Buildings At Wakerings Farm Leighs Road Great Leighs Chelmsford Essex

Reference	21/00569/CUPAQ
Proposal	Determination as to whether the prior approval of the local planning authority is required for the proposed change of use from Agricultural Buildings to 5 dwellings (Class C3).
Appeal Decision	Appeal Dismissed - 24/03/2022
Key Themes	Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change use.
Agreed with CCC on	Heritage harm and the siting of the building would make it undesirable for the building to change use.
Disagreed with CCC on	
Costs Decision	None

Land North Of Mill Road North End Dunmow Essex CM6 3PE

Reference	21/00200/FUL
Proposal	Conversion of one existing building to a single residential dwelling and the conversion of one other building to an ancillary residential use with associated garden, landscaping and wildlife mitigation area.
Appeal Decision	Appeal Dismissed - 25/03/2022

Key Themes	- whether the site is unsustainable for development- whether there would be a poor standard of living for future occupants.
Agreed with CCC on	- agreed that the site is unsustainable for the development proposed. - agreed that there would be poor standard of living for future occupants.
Disagreed with CCC on	
Costs Decision	Appellant's application for costs: Costs refused

Site At 6 Well Lane Stock Ingatestone Essex

Reference	21/00143/FUL
Proposal	Demolition of existing dwelling and construction of 2 detached dwellings with integral garages. New formation of access.
Appeal Decision	Appeal Allowed - 28/03/2022
Key Themes	Character and Appearance
Agreed with CCC on	
Disagreed with CCC on	Acceptable impact on the character and appearance of the area.
Costs Decision	None

154 Arbour Lane Chelmsford CM1 7SD

Reference	21/00628/FUL
Proposal	Construction of a new dwelling.
Appeal Decision	Appeal Dismissed - 29/03/2022
Key Themes	Character and appearance; living conditions - internal living space & garden size; RAMS
Agreed with CCC on	Harmful to character; No RAMS mitigation
Disagreed with CCC on	Living conditions acceptable re space standards & garden sizes
Costs Decision	None