

4 July 2023 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor J. Sosin (Chair)

and Councillors

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

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 Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 email dan.sharma-bird@chelmsford.gov.uk

PLANNING COMMITTEE

4 July 2023

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 20 June 2023. *(To Follow)*

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. 23/00525/FUL – Land Between Peartree Cottage and Daffodil Cottage, North East of Ponside Nursery, Braintree Road, Little Waltham, Chelmsford

7. 23/00116/FUL – Land Rear of 17 to 37 Beachs Drive, Chelmsford

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

- NPHOUS** NPPF Part 5 Delivering a sufficient supply of homes Paragraph 80 advises that planning policies and decisions should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker; would represent the optimal viable use of a heritage asset; would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; would involve the subdivision of an existing dwelling; or be of exceptional quality in that it is truly outstanding and would significantly enhance its immediate setting.
- DM8** Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- DM15** Policy DM15 - Archeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
- DM16** Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
- DM17** Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
- 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.
- SPS1** Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
- SPS11** Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.

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
4th July 2023

Application No	:	23/00525/FUL Full Application
Location	:	Land Between Peartree Cottage And Daffodil Cottage North East Of Ponside Nursery Braintree Road Little Waltham Chelmsford
Proposal	:	Demolition of existing storage buildings and construction of replacement 3-bedroom chalet bungalow and single cart lodge. To include a new access from the A131 via existing gateway.
Applicant	:	Mr & Mrs Andrew And Diana Parker Evergreen Landscapes
Agent	:	Mr Dean McLeod
Date Valid	:	14th April 2023

Appendices

Appendix 1 Consultations
Appendix 2 Drawings

1. Executive summary

- 1.1. This application is referred to planning committee at the request of a local ward councillor because the planned Chelmsford North East Bypass should be a material consideration both in terms of highway safety considerations and the impact of the development on the rural area. The development is smaller than Daffodil Cottage and would blend into the countryside and the lack of sustainability is subjective.
- 1.2. The application is for the demolition of the existing timber storage sheds and construction of a 3-bedroom chalet bungalow and single cart lodge, with new access and driveway.
- 1.3. The proposed scheme would contribute to the site having a significantly more developed and urbanised appearance than is the current situation. The resulting intensification of built form would detract from the wider character of the countryside. This would have a harmful visual impact on the simple rustic rural character of the area, which in turn harms the intrinsic character and beauty of the countryside.
- 1.4. The site is not in an area where growth is sought, and residential development of the site would conflict with the Spatial Strategy in the Chelmsford Local Plan.
- 1.5. Occupiers of the site would be solely reliant on private vehicle movements for their day to day trips and needs. The proposal would have a negative impact on the environment, with limited economic benefits. As a result the scheme does not represent or constitute sustainable development.
- 1.6. The new access would result in an unacceptable degree of hazard for both emerging and approaching vehicles and to other highway users to the detriment of highway safety and efficiency. The new access and associated use would lead to increased likelihood of conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the through road as a traffic carrier.
- 1.7. The application is recommended for refusal.

2. Description of site

- 2.1. The site is located outside of any defined settlement and within land designated in the Local Plan as Rural Area.
- 2.2. The site lies on the west side of the A131 which is designated as a strategic route, whose main function is to carry traffic safely and efficiently between major centres.
- 2.3. The site is in-between Peartree Cottage and Daffodil Cottage. It measures approximately 700sqm, containing three single storey timber sheds, with mature hedging and well-established trees. To the rear is a small landscaping contractors yard within the applicant's ownership.
- 2.4. The wider land surrounding the site consists of undeveloped arable farmland and clusters of wooded areas. The hamlet of Chatham Green lies about 300m to the west.

3. Details of the proposal

- 3.1. The application proposes to demolish two of the three existing single storey timber sheds and construct a detached one and half storey property and cart lodge. The application also includes a new access from the A131 and shows a large driveway to serve the new dwelling.
- 3.2. The existing buildings to be demolished together measure approximately 11.5m in width, 4m in depth and do not exceed 2.8m in height, providing 46sqm of floor space.
- 3.3. The proposed 3 bedroom dwelling measures approximately 14m in width, 10.55m in depth and 6m in height, providing 155sqm of floor space over two floors.
- 3.4. The proposed cart lodge would measure 7m in depth, 4m in width, providing a further 23sqm of floor space.
- 3.5. The drawings show a new driveway to serve the property which measures up to 20m in width and 9.3m in depth, measuring approximately 140sqm.
- 3.6. Part of the land proposed to site the dwelling and cart lodge constitutes previously developed land following the recent granting of a Lawful Development Certificate (LDC) 22/01735/CLEUD refers. The proposed driveway area falls outside of the area of the LDC.

4. Other relevant applications

- 4.1. 22/00850/FUL - Formation of access with associated trackway - Refused 24.06.23
- 4.2. 22/01735/CLEUD - Certificate of lawful use or development to regularise the use of the workshop and storage buildings in connection with a landscape contractor's business. The use to include outside storage for associated landscapers/building materials and equipment. Storage of antique furniture in the large storage building. – Certificate issued on 16.01.23
- 4.3. 17/01942/FUL - Construction of two 3 bedroom detached houses and associated cart lodge garages - Refused on 12.01.2018 - Associated appeal dismissed on 30.04.2018.
- 4.4. 16/02218/FUL - Construction of two 3 bedroom dwellings with two detached double cart lodges. – Refused on 20.02.2017 – Associated appeal dismissed on 30.04.2018

5. Summary of consultations

- ECC Historic Environment Branch – Recommends conditions for Archaeological trial-trenching and excavation
- Public Health & Protection Services – Recommends conditions for provision of EV charging points
- Essex County Council Highways - Proposal is not acceptable - The new access and associated use would likely to lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the through road as a traffic carrier. This is detrimental to highway safety.

- Recycling & Waste Collection Services - No comments received
- Little Waltham Parish Council –Traffic concerns raised. the proposed property should not conflict with the public highway especially as this is an area where there will be a new road configuration as a result of the construction of the Chelmsford North East bypass
- Local residents – No comments received

6. Planning considerations

Main Issues

- 6.1. Whether the proposal would adversely impact the intrinsic character and beauty of the Rural Area.
- 6.2. Whether the proposal would accord with the spatial principles and strategy within the Chelmsford Local Plan with reference to locating development at well-connected and sustainable location as sought by the National Planning Policy Framework.
- 6.3. Whether the new access would lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the through road as a traffic carrier.

Intrinsic character and beauty of the Rural Area.

- 6.4. Chapter 12 of the National Planning Policy Framework 2021 (NPPF) sets out planning principles and guidance in achieving well-designed places. This includes seeking to secure good design that would be sympathetic to local character and setting. Paragraphs 130 and 174 refer to development being sympathetic to and adding to the overall quality of an area, protecting and enhancing natural environments recognising the intrinsic character and beauty of the countryside.
- 6.5. Strategic Policy S11 states that when determining planning applications, the Council will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with the Spatial Strategy, and to support thriving rural communities whilst ensuring that development does not have an adverse impact on the different roles and character of the countryside. All new development within the countryside will be considered within this context and against the specific planning objectives for each of the areas.
- 6.6. Section B of Local Planning Policy DM8 regarding the redevelopment of previously developed land states Planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area. The Council will assess the development based on the following:
 - i. the size, scale, massing and spread of the new development compared to the existing; and
 - ii. the visual impact of the development compared to the existing; and

- iii. the impact of the activities/use of the new development compared to the existing; and
- iv. the location of the site is appropriate to the type of development proposed.

- 6.7. Policy DM10 (Change of Use (Land and Buildings) and Engineering Operations) states that: engineering operations will be permitted within the Rural Area where they do not adversely impact upon the identified intrinsic character, appearance and beauty of the Rural Area.
- 6.8. A LDC was issued earlier this year relating to the use of 3 small timber sheds and a small area of land surrounding in connection with a landscaping business. The current proposal is to replace this development with a single house and garage and this amounts to a proposal to redevelop previously developed land. Policy DM8 is applicable.
- 6.9. The proposed scheme proposed represents a considerable increase in size, scale, volume and spread of development when compared to the existing. The proposed house, on its own, would be over double the height, depth and volume of the structures identified to be replaced, with the proposed cart lodge adding further bulk and built form onto the land. The scheme would provide 178sqm of floor space, which represents a 314% increase in terms of floor space, over the structures to be replaced. The development departs from the simple and minor low-level form, appearing unduly bulky and prominent.
- 6.10. The increased dimensions, height, spread and volume of the proposed development, results in buildings that are bulkier and more imposing than the existing. There is a new gravel driveway identified to serve the property, which measures 20m in width and 9.3m in depth, and would see the replacement and removal of approximately 140sqm of grassland. The driveway sits outside of the land covered by the LDC. The proposal would result in the siting of an incongruous and visually dominating dwelling and cart lodge. The visual intrusion of the proposal would detract from the character of the area and would cause material harm to the intrinsic character and beauty of this part of the countryside. Whilst the site is located in-between Peartree Cottage and Daffodil Cottage, these open spaces are extremely important as they provide both visual and physical separation and prevent the countryside from appearing as a built-up area.
- 6.11. Given the siting and scale of the development it would be highly visible from the adjacent highway.
- 6.12. As a result the proposal fails to comply with the requirements of Policies DM8, and SP11 of the Local Plan and the objectives of Chapter 12 & 15 of the NPPF.

Spatial Strategy and Sustainability

- 6.13. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 10 states that a presumption in favour of sustainable development is at the heart of the NPPF and should be pursued in a positive way. Paragraph 8 sets out the three dimensions to sustainable development: economic, social, and environmental roles. The roles should not be undertaken in isolation because they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.
- 6.14. At a local policy level Strategic Policy S1 of the Chelmsford Local Plan sets out the Councils Spatial Principles. These principles include locating development at well-connected and suitable locations.

Policy S7 sets out the spatial strategy. This states that new housing should be focused in the most sustainable locations in accordance with the settlement hierarchy.

- 6.15. The site is located outside of any defined settlement. It is clear that occupiers of the proposed dwelling would be reliant on the private car to access a full range of community facilities such as shopping, healthcare, leisure and entertainment, given the distance to any services. Walking to local services would be unlikely to be a safe or desirable option. Although there is a bus stop located relatively close to the site (0.2km to the south), there are no pavements outside the application site or alongside the connecting roads, nor are there any streetlights. As a result individuals attempting to walk to the bus stop or the nearest settlement would need to walk on the grass verge, when available, and cross the highway which has the national speed limit in place. This would result in people walking in and adjacent the public highway where cars would be travelling at high speeds, meaning that walking these roads would be dangerous and undesirable for day to day services for the occupiers of the property. Even more so in poor weather conditions and within the autumn and winter months when the daylight is notably reduced. The proposal therefore fails to meet the social strand of sustainable development.
- 6.16. The proposal would have an economic role in supporting/creating jobs during the construction stage of the scheme and the new dwelling would provide a home to people who would be likely to support the existing local services and businesses in the nearby villages. However, this development would only provide one new dwelling and the growth needs of the Council's administrative area is being realised through the ability to demonstrate five years' worth of specific deliverable sites. Taking into consideration the minimal economic benefits, limited weight is attributed to the scheme in fulfilling its economic role of sustainable development.
- 6.17. In respect of the environmental role of sustainable development, the NPPF refers to protecting and enhancing the natural, built and historic environment. When considering the overall differences between the existing building and the proposed development, the dwelling would be notably greater in width, height, scale, volume and have a significantly larger floor area. The proposed dwelling would be significantly more visible, bulky and prominent within the plot, than the existing building. The dwelling would represent a substantial increase in built form, when compared to the existing. The dwelling would contribute to the site having a more developed and urbanised appearance, which would have a harmful visual impact on the rural character of the area. The proposal would therefore have a negative impact on the environment.
- 6.18. Overall, the site is located in an inaccessible location for day to day needs. It is not in an area where growth is sought and residential development of the site would conflict with the Spatial Strategy in the Chelmsford Local Plan. Occupiers of the site would be solely reliant on private vehicle movements for their day to day trips and needs. Walking to local services would not be a safe or desirable option.
- 6.19. Two planning applications relating to the land outlined in Blue, to the rear of the application site were refused planning permission (16/02218/FUL & 17/01942/FUL) with the subsequent appeals dismissed¹ Both appeals related to the construction of residential properties. The inspector stated that the schemes “*would not provide a suitable site for housing with regard to the location and would cause harm to the character of the appearance of the area*”. They further stated that the proposals “*would not be sustainable development*” and “*would conflict with the development plan*”.

¹ Appeal references APP/W1525/W/17/3169976 & W1525/W/17/3193972

6.20. In conclusion, the principles of sustainable development are not fulfilled, and the development does not amount to sustainable development of the purposes of paragraphs 8 and 10 of the National Planning Policy Framework and Strategic Policies S1 and S7 of the Chelmsford Local Plan, and Policy DM8(iv).

Highway Matters

6.21. The proposal includes a new vehicular access onto the adjacent A131, which is a Strategic Route in the Development Management Policies Route Hierarchy and carries high volumes vehicles, which travel at high-speed.

6.22. The new access associated with the proposed dwelling would allow for additional vehicular movements, into and emerging from the site on a fast section of carriageway, where the speed limit is 60 mph. This would lead to an increased chance of conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the through road as a traffic carrier.

6.23. Any large vehicles making left turn manoeuvres into the site on this fast section of carriageway would need to slow and swing out close to or over the centre line and with vehicles making right turn manoeuvres needing to cross the centre line completely. This would introduce additional points of conflict onto the carriageway, across the path of high-speed approaching traffic. These additional slow and oblique manoeuvres would lead to an increased likelihood of conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the route as a traffic carrier.

6.24. The Chelmsford North East Bypass (CNEB), was granted approval 4th April 2022. The new vehicular access proposed would be located approximately 115m north west from the new Chatham Green roundabout stop line, in the approach arm. As a result this would introduce further points of conflict between vehicles approaching north east to the new roundabout and for those exiting the new roundabout from the south east. The conflict and risk would be further exacerbated by the presence of an existing gated field access opposite the proposed vehicular access and the associated slow and oblique manoeuvres with this. Therefore the proposal would likely to lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the route as a traffic carrier.

6.25. Having regard to the comments of the Highway Authority, the proposed development would result in an adverse impact on highway safety and is not supported on this ground.

7. Community Infrastructure Levy (CIL)

7.1. This application may have been CIL liable. If the application had been recommended for approval, a CIL charge may have been payable.

RECOMMENDATION

The Application be REFUSED for the following reasons:-

Reason 1

Paragraph 174 of the National Planning Policy Framework 2021 (NPPF) states that decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside.

Strategic Policy S11 of the Chelmsford Local Plan relates to the role of the countryside. Part C relates to new development within the rural area. It states that within the rural area the intrinsic character and beauty will be recognised and assessed and development will be permitted where it would not adversely impact upon its identified character and beauty.

Policy DM8 of the Chelmsford Local Plan relates to new buildings in the rural area. It states that planning permission will be granted for new buildings where the development would not adversely impact upon the intrinsic character and beauty of the countryside. 6.8.

Section B of Local Planning Policy DM8 relates to the redevelopment of previously developed land. It states Planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area. The Council will assess the development based on the following:

- i. the size, scale, massing and spread of the new development compared to the existing; and
- ii. the visual impact of the development compared to the existing; and
- iii. the impact of the activities/use of the new development compared to the existing; and
- iv. the location of the site is appropriate to the type of development proposed.

The proposed development would represent a considerable increase in size and scale compared to the existing development appearing unduly bulky and prominent. The proposal would result in the siting of a visually dominant dwelling and cart lodge. The visual intrusion of the proposal would detract from the character of the area and would cause harm to the intrinsic character and beauty of this part of the countryside.

The increased dimensions, height, spread and volume of the proposed development, creates buildings that are much bulkier and more imposing than the existing. This would have an adverse impact on the character and appearance of the countryside.

The associated driveway would consume undeveloped and vacant grassland considerably beyond anything currently in situ and would see development encroaching onto open and undeveloped land resulting in further harm to the rural character of the countryside.

As a result the proposal would be contrary to the objectives of Chapter 12 & 15 of the NPPF 2021 and local planning policies DM8, DM10 and SPS11.

Reason 2

Paragraph 8 of the National Planning Policy Framework 2021 (NPPF) sets out the dimensions of sustainable development: economic, social and environmental. Paragraph 10 of the NPPF sets out the approach to the presumption in favour of sustainable development.

Strategic Policies S1 and S7 of the adopted Chelmsford Local Plan reflects the sustainability objectives of the NPPF and seeks to locate new housing in the most sustainable location.

The development is contrary to the Council's development plan. It would lie outside of any Defined Settlement and would conflict with the Council's Borough-wide spatial strategy.

There is a very limited bus service from the nearby bus stops with limited pavement links and no street lighting leading to the bus stops. Future residents of the large family home would be reliant on private vehicles for accessing almost all day-to-day needs. Such reliance is clearly at odds with the Framework's objectives to promote sustainable transport and a reduction in carbon emissions. This lack of choice would lead to a car orientated modal form of development which weighs significantly against the development.

Taking into consideration the economic benefits, limited weight is attributed to the proposal for one dwelling in fulfilling its economic role of sustainable development. The new dwelling would be harmful to the character of the site, it would be visually prominent from Main Road and not protect or enhance the rural environment.

The principles of sustainable development are not fulfilled, and the development does not amount to sustainable development of the purposes of paragraphs 8 and 10 of the National Planning Policy Framework and Strategic Policies S1 and S7 of the Chelmsford Local Plan.

Reason 3

The proposed access introduces an unnecessary new point of conflict onto an A-road that carries high volumes of vehicles travelling at high speeds. The proposal would allow additional vehicular movements, into and emerging from the site on a fast section of carriageway. The slow and oblique manoeuvres required by larger vehicles attending the site across the path of high-speed approaching traffic, would add further pressure and increased likelihood of conflict and risk of collisions to the general detriment of highway safety for all highway users.

The proposal does not ensure that safe and suitable access to the site can be achieved for all users and would instead increase the likelihood for conflicts between vehicles. The new access would result in an unacceptable degree of hazard for both emerging and approaching vehicles and to other highway users to the detriment of highway safety and efficiency. As a result the proposed development would be in direct conflict with the objectives of the National Planning Policy Framework 2021.

Positive and Proactive Statement

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

ECC Historic Environment Branch

Comments

The above application has been identified on the weekly list by the Historic Environment Advisor to Chelmsford City Council as having archaeological implications.

The Essex Historic Environment Record (EHER) shows that Braintree Road is on the line of the Chelmsford-Braintree-Long Melford Roman Road (EHER 6057). Archaeological remains relating to this historic routeway, such as roadside ditches and metalling, may survive and be impacted by the proposed development. Extramural Roman remains may survive on either side of this routeway, including evidence of agricultural features, subsistence activity and land management.

Additionally, in close proximity to the proposed development several Medieval and post-medieval coins have been recovered.

Archaeological features or deposits relating to the remains described above may project into the proposed development site and be negatively impacted by the groundworks associated with the development.

Given the above, this office recommends that the following conditions are placed on any consent, in line with the National Planning Policy Framework, paragraph 205:

RECOMMENDATION: Archaeological trial-trenching and excavation

(i) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the Written Scheme of Investigation defined in (i) above.

(iii) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning

Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The work will comprise an archaeological trial-trenching evaluation of the proposed development site before the commencement of the development. Depending on the results of this evaluation, it may then be followed by excavation areas focused on any archaeological deposits identified, and/or monitoring of groundworks associated with the development.

An archaeological brief will be produced from this office detailing the work required, on request, and should be acquired prior to the submission of a Written Scheme of Investigation.

Public Health & Protection Services

Comments

This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).

Essex County Council Highways

Comments

Recommendation for Refusal

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

1. The Highway Authority will protect the principle use of the highway as a right of free and safe passage of all highway users. This proposal for a new vehicular access to the A131 Braintree Road, which is a Strategic Route in the Development Management Policies Route Hierarchy and which carries high volumes of high speed traffic.

2. The proposal to create a new access on the A131, outside the defined settlement area, is contrary to the policies listed below.

A. General Policy DM1 - The Highway Authority will protect the highway network for the safe and efficient movement of people and goods by all modes of travel by ensuring that:

- i. all proposals are assessed and determined in relation to the Development Management Route Hierarchy Policies (Policies DM2 ? DM5);
- ii. where vehicular access is accepted in principle; the number of access points will be kept to a minimum on roads designated within the Development Management Route Hierarchy;
- v. all proposals are assessed and determined against current standards for the category of road having regard to the capacity, safety and geometry of the highway network;
- vii. proposals will not create a significant potential risk or be detrimental to the safety of the highway network.

B. Policy DM2 Strategic Routes/Main Distributors - The Highway Authority will protect the function of Strategic Routes/Main Distributors between defined settlement areas by:

- ii. prohibiting direct access;

2. The proposal site has benefit of vehicular access via an existing and satisfactory gated vehicular access to the rear from Chatham Green, which is a lower category road. There is therefore no need for an additional access to the property in highway terms.

3. The proposed new access would introduce additional turning movements, into and emerging from the site where they are not expected on a fast section of carriageway, where the speed limit is 60 mph. This would likely to lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the through road as a traffic carrier.

4. Large vehicles making left turn manoeuvres into the site on this fast section of carriageway would need to slow and swing out close to the centre line and vehicles making right turn manoeuvres would need to cross the centre line across the path of high speed approaching traffic crossing the carriageway centre line. These additional slow and oblique manoeuvres would likely to lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the route as a traffic carrier.

5. The Chelmsford North East Bypass (CNEB), planning application reference CC/CHL/85/21, was granted approval 4th April 2022. The new vehicular access proposed would be located 115 metres north west from the new Chatham Green roundabout stop line, in the approach arm. The concerns raised in condition 3 and 4 above would apply, for vehicles approaching north east to the new roundabout and for those exiting the new roundabout from the south east. The conflict and risk would be further exacerbated by the presence of an existing gated field access opposite the proposed vehicular access and the associated slow and oblique manoeuvres would likely to lead to increased conflict and risk of collisions to the general detriment of highway safety for all highway users and to the efficiency of the route as a traffic carrier.

Recycling & Waste Collection Services

Comments

No response received

Little Waltham Parish Council

Comments

17.05.2023 - Little Waltham Parish Council wishes to comment that it is concerned that any access to the proposed property should not conflict with the public highway especially as this is an area where there will be a new road configuration as a result of the construction of the Chelmsford North East bypass.

Local Residents

Comments

Representations received – No comments received



0 10 20 40 Metres

1:1,000



Planning Committee
23/00525/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

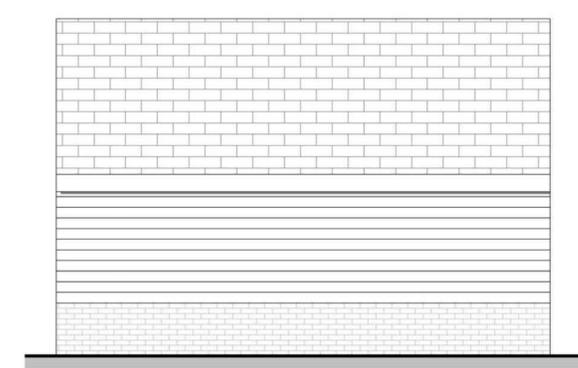
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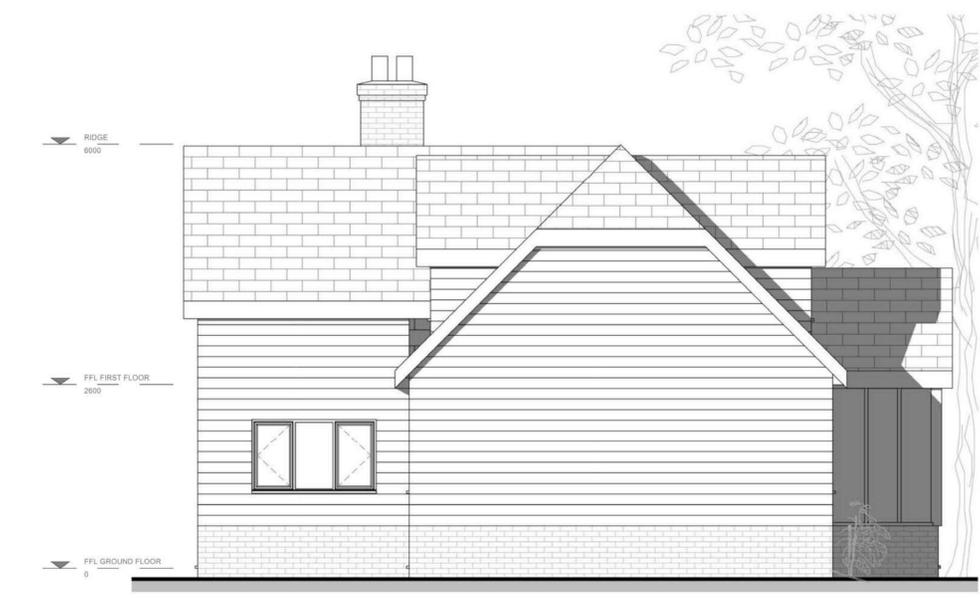
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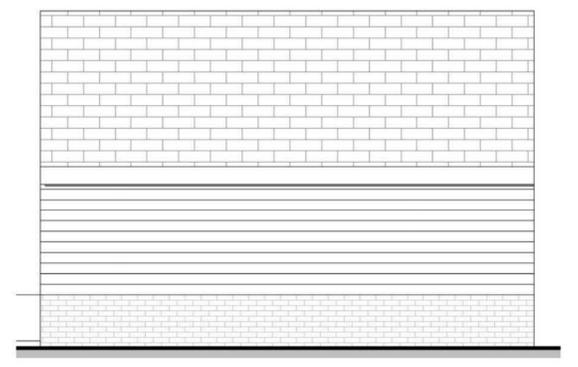
1 SIDE ELEVATION 1
1 : 50



3 GARAGE SIDE ELEVATION 1
1 : 50



2 SIDE ELEVATION 2
1 : 50



4 GARAGE SIDE ELEVATION 2
1 : 50

MATERIALS
ROOF - GREY TILES
WALLS - TIMBER WEATHERBOARD CLADDING AND RED BRICK PLINTH
DOORS AND WINDOWS - DARK GREY FRAMES

DEMOLITION OF EXISTING OUTBUILDINGS AND
CONSTRUCTION OF CHALET BUNGALOW AND
DETACHED GARAGE. NEW ACCESS FROM A131 AT
EXISTING GATE LOCATION

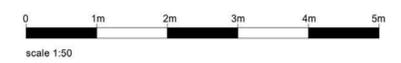
Pondside Nursery and Yard, Chatham Green Lane, Little
Waltham, Chelmsford CM3 3LE

No	Description	Date
Revisions		

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A1
SIDE ELEVATIONS

Drawn by Author

1164-05



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1 FRONT ELEVATION
1 : 50

MATERIALS
ROOF - GREY TILES
WALLS - TIMBER WEATHERBOARD CLADDING AND RED BRICK PLINTH
DOORS AND WINDOWS - DARK GREY FRAMES



2 REAR ELEVATION
1 : 50

DEMOLITION OF EXISTING OUTBUILDINGS AND
CONSTRUCTION OF CHALET BUNGALOW AND
DETACHED GARAGE. NEW ACCESS FROM A131 AT
EXISTING GATE LOCATION

Pondside Nursery and Yard, Chatham Green Lane, Little
Waltham, Chelmsford CM3 3LE

No	Description	Date
Revisions		

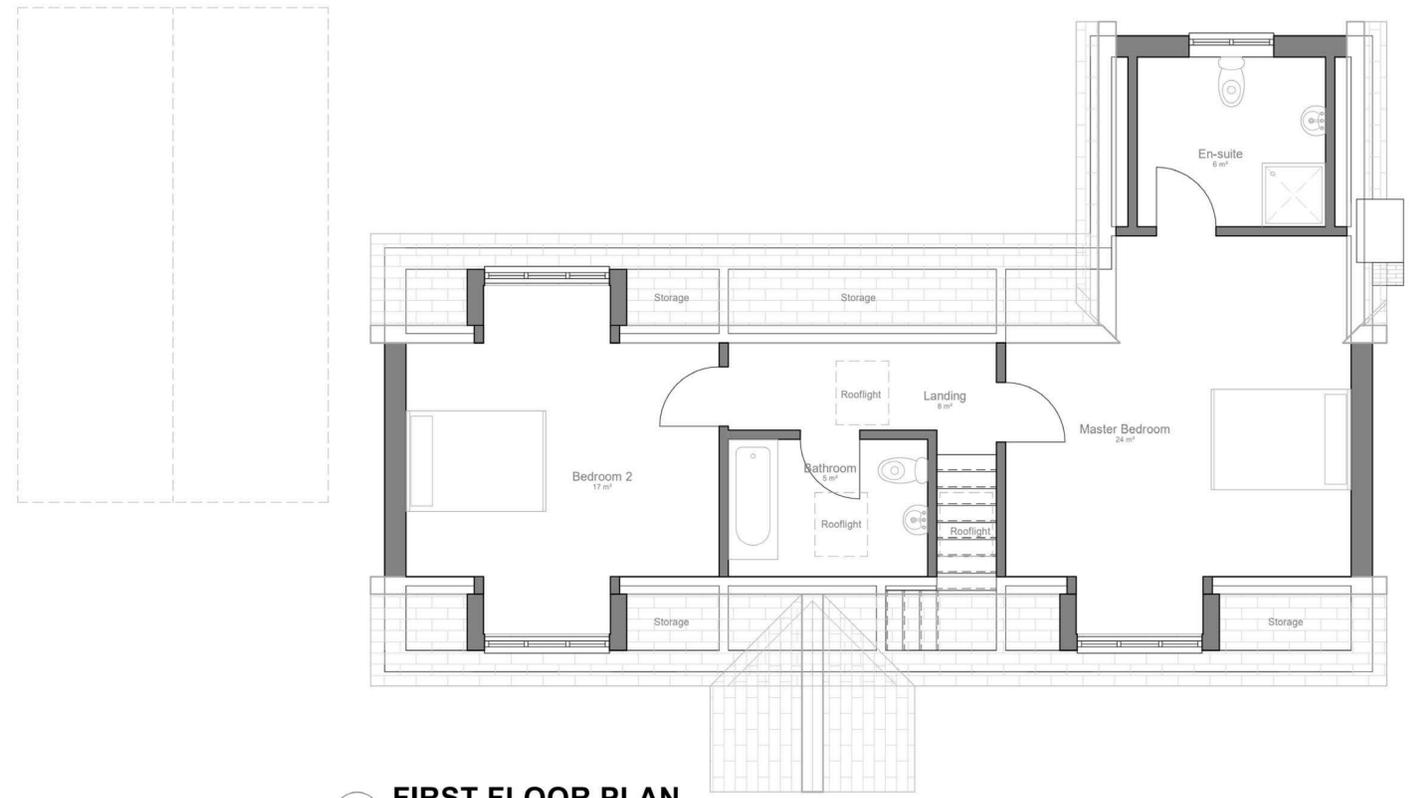
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**FRONT AND REAR
ELEVATIONS**

Drawn by Author

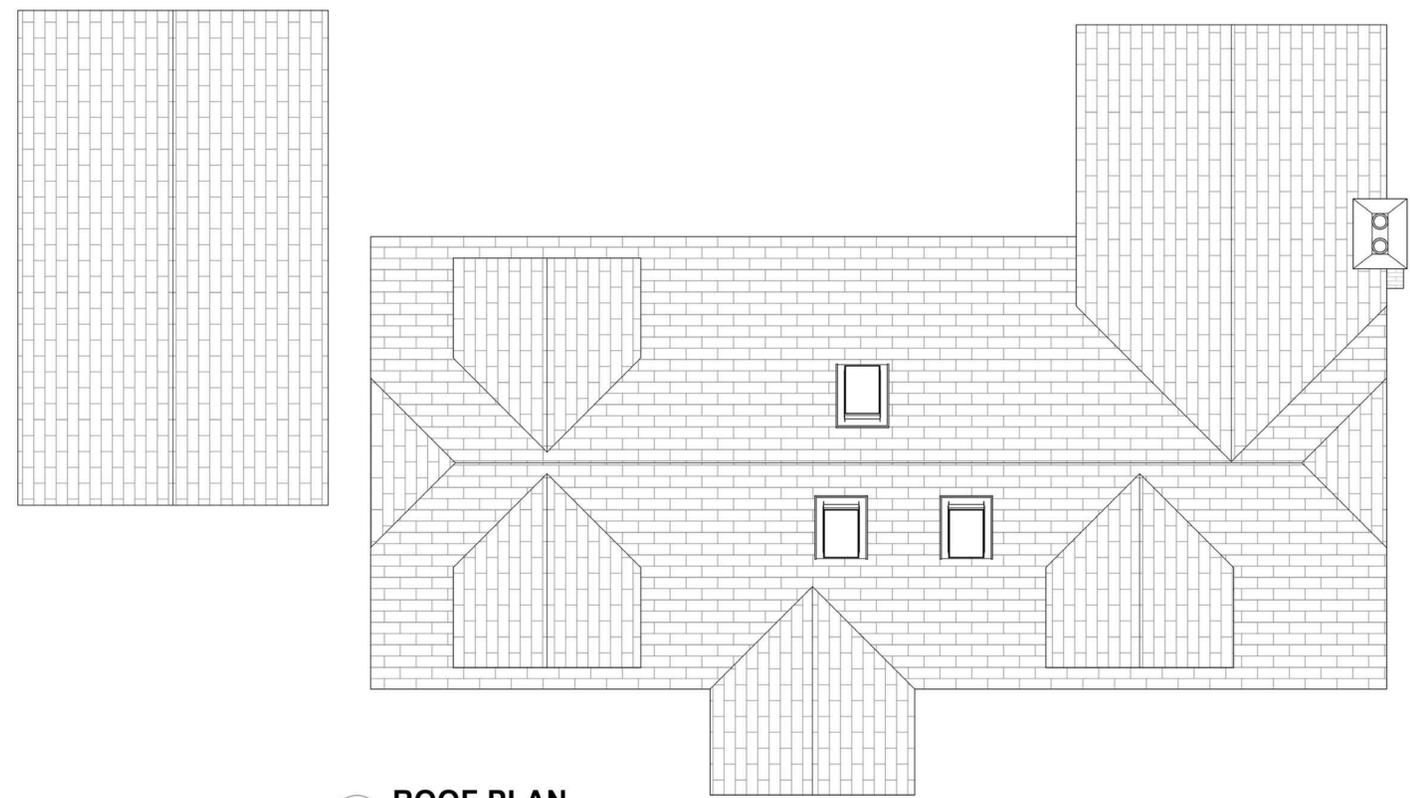
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1 FIRST FLOOR PLAN
1 : 50



2 ROOF PLAN
1 : 50

DEMOLITION OF EXISTING OUTBUILDINGS AND
CONSTRUCTION OF CHALET BUNGALOW AND
DETACHED GARAGE. NEW ACCESS FROM A131 AT
EXISTING GATE LOCATION

Pondside Nursery and Yard, Chatham Green Lane, Little
Waltham, Chelmsford CM3 3LE

No	Description	Date
Revisions		

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FIRST FLOOR AND ROOF PLANS

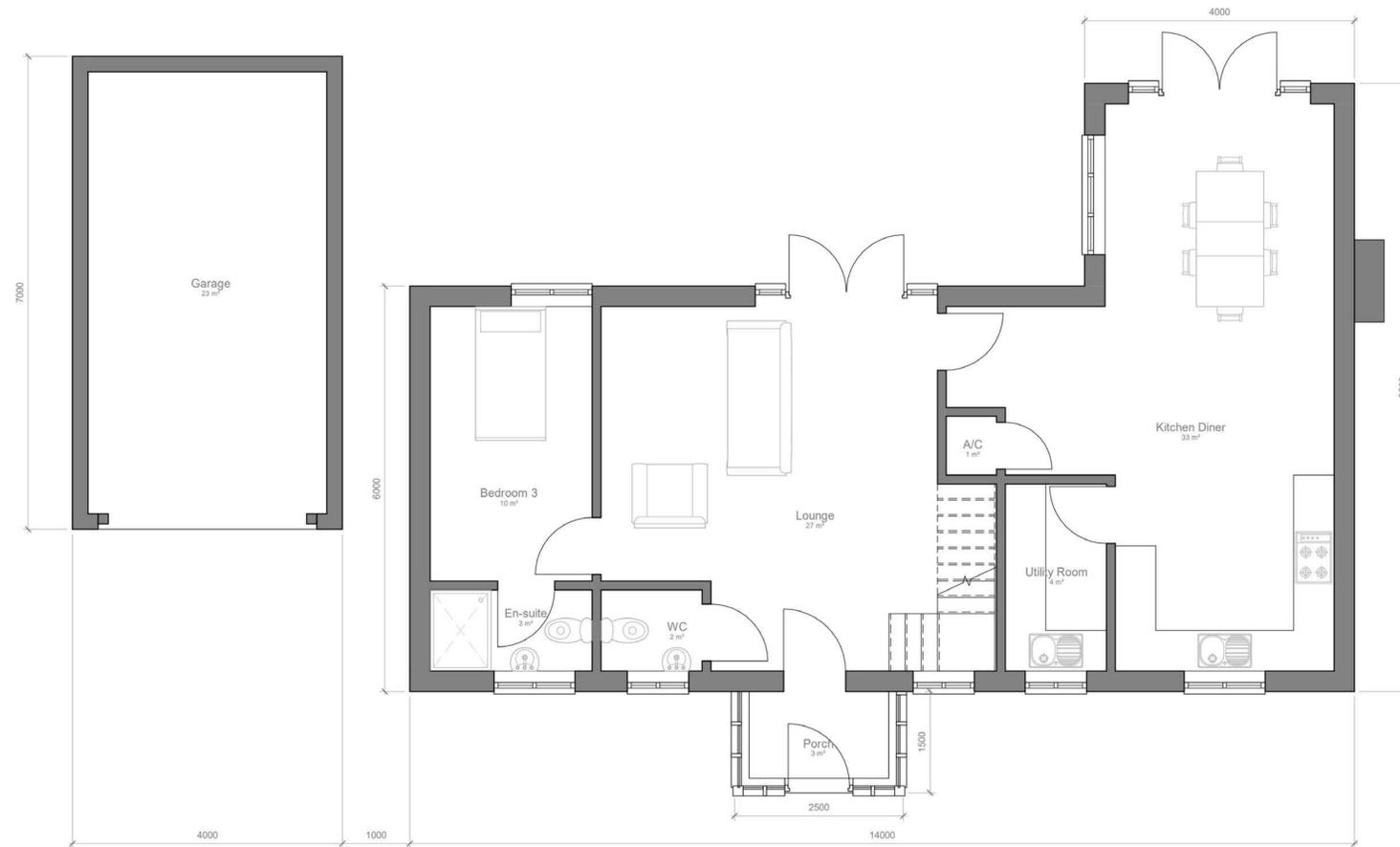
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1 GROUND FLOOR PLAN
1 : 50

DEMOLITION OF EXISTING OUTBUILDINGS AND CONSTRUCTION OF CHALET BUNGALOW AND DETACHED GARAGE. NEW ACCESS FROM A131 AT EXISTING GATE LOCATION

Pondside Nursery and Yard, Chatham Green Lane, Little Waltham, Chelmsford CM3 3LE

No	Description	Date
Revisions		

1 : 50 @ Sheet Size A1
GROUND FLOOR PLAN

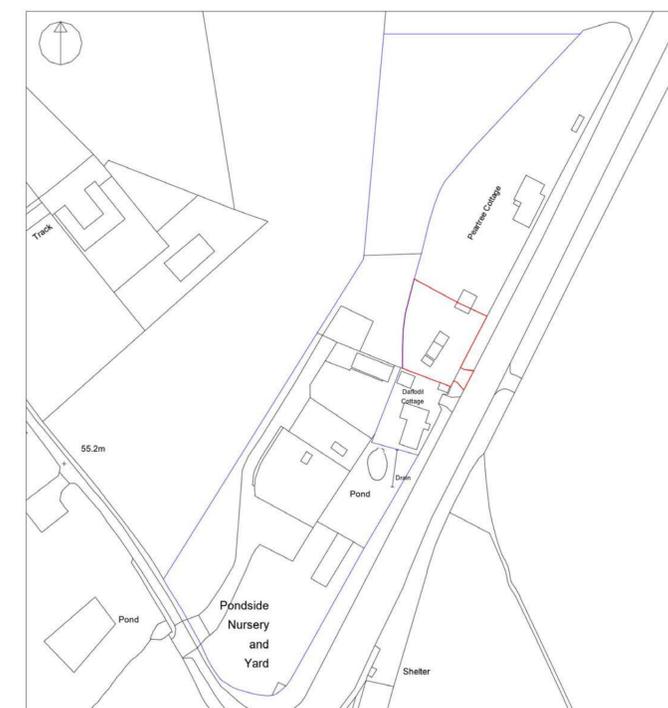
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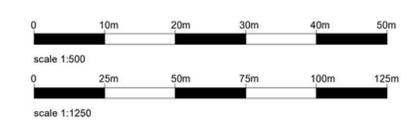




1 EXISTING BLOCK PLAN
1 : 500



2 SITE LOCATION PLAN
1 : 1250



CROXTONS MILL, BLASFORD HILL
LITTLE WALTHAM, CHELMSFORD
ESSEX, CM3 3PJ
01245 363421

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DEMOLITION OF EXISTING OUTBUILDINGS AND CONSTRUCTION OF CHALET BUNGALOW AND DETACHED GARAGE. NEW ACCESS FROM A131 AT EXISTING GATE LOCATION

Pondside Nursery and Yard, Chatham Green Lane, Little Waltham, Chelmsford CM3 3LE

No	Description	Date
Revisions		

As indicated @ Sheet Size A1
EXISTING SITE LOCATION AND BLOCK PLANS

Drawn by Author

1164-07

PLANNING, DESIGN & ACCESS STATEMENT

Demolition of existing storage buildings and construction of replacement 3-bedroom chalet bungalow and single cart lodge. To include a new access from the A131 via existing gateway.

Pondside Nursery & Yard, Chatham Green, Little Waltham

Applicant: Mr & Mrs A Parker

Agent: DLM Design

Date: 24 March 2023

3D IMAGES OF PROPOSAL



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1. INTRODUCTION

This statement has been prepared to accompany a planning application submitted to Chelmsford City Council regarding Pondside Nursery and Yard, Chatham Green. This application outlined in red on the accompanying site plan, seeks consent to change the current use to residential with the demolition of existing commercial buildings and replacement with a modest one and a half storey 3-bedroom dwelling and single cart lodge, plus the construction of a new access from the A131 via existing gates.

The purpose of this statement is to assess and justify the proposed development within the planning policy context. The statement will seek to establish that a change of use to residential development of this site is achievable, deliverable and suitable, and will enhance the site and the surrounding area.

2. PREVIOUS PLANNING APPLICATIONS RELATING TO THE SITE

22/00850/FUL - Formation of access with associated trackway – Refused.

22/01735/CLEUD Site for the use of the workshop and storage buildings in connection with a landscape contractors' business. The use to include outside storage for associated landscapers/building materials and equipment. Storage of antique furniture in the large storage building. – Approved.

3. SITE & SURROUNDINGS

The site is situated adjacent the A131 in the village of Chatham Green, close to the two major settlements of Braintree and Chelmsford city which are approximately 6 miles away in each direction. The site is served by a good regular bus service with bus stops within 100m walking distance to the site and is also on a main transport corridor. Both Braintree and Chelmsford provide a wide range of services to an extensive rural catchment area.

Application Site

The application site relates to an area of Pondside Nursery and Yard situated between Daffodil Cottage and Peartree Cottage.

The site is an irregular shaped parcel of land that was purchased by the applicant from the owner of Peartree Cottage in 2001, as residential garden land and is approximately 712sqm in total, fronting onto the A131 at Chatham Green.

The site lies within a rural area outside the green belt and is not within any special landscape areas or nature conservation zones.

The site benefits from a recently acquired CLEUD ref 22/01735/CLEUD, which regularised the use of the workshop and storage buildings in connection with a landscape contractor's business. The use set out in the CLEUD to include the outside storage for associated landscaper's/building materials and equipment, including the storage of antique furniture in the large storage building.

There are 3 timber clad storage/workshop buildings [1 of which is to stay to serve as a shed for the property]. The other two buildings to be demolished, together measure approximately 11.5 metres x 4 metres in total with a floor area approximately 46 square metres. The maximum height of the buildings is 2.8 metres. See photos below.

Photo 1 - Buildings to be demolished



Photo 2 - Building to remain as shed for occupants



There is a hard standing area to the back of the buildings to be demolished, approximately 4.3 metres x 13.3 metres currently used for **unrestricted** open outside storage of landscapers/building materials and equipment. See photo 1 above. There is also a metre wide strip of hard standing at the front of the buildings. The total area equates to approximately 70.5 square metres, making the total area for development as 116.5sqm.

The site is fenced on three sides with a partly piped ditch to the rear. (The partly piped ditch will not form part of the application site). The area outside the buildings and storage area is laid to grass.

There are existing shrubs at either side of the site, plus an Oak, Field Maple, Black Ash and a large Leylandii to the back of the site.

The site also has an existing 4m wide gate to the front of the site for pedestrian use only. The front hedging consists of Leylandii, which are very old, thick, and woody and will be replaced as part of the application.

The application site is located within the rural area and is currently outside the Defined Settlement Boundary of Chatham Green.

4. THE PROPOSAL

Description of Development

The application is submitted as a full application.

Details provided demonstrate how the application seeks to change the use of the site to residential from the current B1, B8 Sui Generis Business uses, thereby making as much use as possible of a brownfield site in line with the NPPF Policy 11 para 119 and point 4.5 of the adopted local plan.

Permission is sought to demolish two existing storage buildings and change the current use of the site from B1, B8, Sui Generis use to residential, replacing the storage buildings and outside unrestricted storage area with a carefully designed one and a half storey 3-bedroom dwelling and single cart lodge. Permission is also sought to include a new residential access from the A131 via the existing gates.

The design of the dwelling has been carefully considered to appeal to a range of occupiers including the elderly/disabled, who may appreciate the downstairs living arrangements and growing families and commuters working locally or in the capital.

The irregular shaped application site is made-up of previously developed land which is easily big enough for the dwelling, cart lodge, L shaped driveway and garden.

Access

Access to the site will be from the existing gates onto the A131.

Pre-application Discussions

This planning application follows on from a pre application submitted late in 2019 refers: 19/08580/PE, enquiring about the possible residential redevelopment of the site.

Relevant issues from the Council suggested that:

- i. an application for a Certificate of Lawfulness to prove the commercial use of the land would be beneficial in order to establish the use of the site as previously developed land (Brownfield Land).*

This has now been processed and the site benefits from a recently acquired CLEUD, ref 22/01735/CLEUD as follows: *site for the use of the workshop and storage buildings in connection with a landscape contractors' business. The use to include outside storage for associated landscapers/building materials and equipment. Storage of antique furniture in the large storage building.*

- ii. The Council did not consider the site to be sustainable or well-connected and that sustainability would be a major issue in respect of any future plans for the site.*

Item ii. above and other issues will be addressed further on in this document.

Whilst the pre application is now three years old, it should be noted that the prospects for this site have significantly and positively changed as follows:

- the site being now classified as Previously Developed land (Brownfield Land)
- Chatham Green has now been proven to be sustainable. This is evidenced as part of the Chelmsford Local Plan Review in the Sustainable Accessibility Mapping & Appraisal document, Appendix E RAG Assessment for each settlement area, as carried out by Essex Highways; (see table discussed under Section 6 Sustainability - later on in this document)
- the new access will be onto a road that is expected to have significantly reduced traffic levels, also with slower moving traffic due to the building of CNEB and Chatham Green Roundabout. This is evidenced by emails from CNEB Essex Highways (copies included later in this document)
- the first stages of the New Local Plan issues and options, that recognise Chatham Green as a place for housing and growth along transport corridors

Some of these views will be more fully addressed further on in this document.

5. PLANNING ASSESSMENT

The following key considerations are identified as being important to the determination of this application. An assessment of these principles against the relevant Development Plan policy and the NPPF is set out below.

The starting point for the determination of all planning applications is the adopted Local Development Plan.

The NPPF is also a material consideration in determining applications. As stated in the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. This means contributing to the following objectives: • Economic; • Social; and • Environmental.

The NPPF also states that decisions should apply a presumption in favour of sustainable development.

Policy DM8A of the Chelmsford Local Plan states that *“planning permission will be granted for new buildings in the rural area where the development will not adversely impact on the identified intrinsic character and beauty of the countryside”*.

Part B of this policy is of relevance to this application and relates to the redevelopment of previously developed land. It states that *“planning permission will be granted where the proposed development would not result in harm to the identified intrinsic character, appearance and beauty of the area”*.

This assessment is based on the following:

- i] The size, scale, massing and spread of the development compared to the existing, and
- ii] The visual impact of the development compared to the existing, and
- iii] The impact of the activities/use of the new development compared to the existing, and
- iv] The location of the site is appropriate to the type of development proposed.

i] The size, scale, massing and spread of the development compared to the existing:

The two existing buildings to be demolished, together measure approximately 11.5 metres x 4 metres in total with a floor area of approximately 46 square metres. The maximum height of the buildings is 2.8 metres.

The hard standing area to the back of the buildings which we believe should also be included in the footprint, which is discussed further on, is approximately 4.3 metres x 13.3 metres and used for unrestricted amounts of open outside storage of landscapers/building materials and equipment. There is also a metre wide strip of hard standing storage area at the front of the buildings. The total area equates to 70.5 square metres. If you add this to the area for the buildings to be demolished the total footprint area = 116.5 square metres. The total area outlined in red by the Council on the decision notice for 22/01735/CLEUD equates to approximately 193 square meters.

The new one and a half storey dwelling being proposed will have a L shaped footprint and sit centrally on the plot. It would have a width of 6m enlarging to 9m when including the L shape with an overall length of 14m. The roof would be hipped at either end to help reduce the bulk and presence and match Daffodil Cottage next door. The new dwelling will have a height of approximately 6m and an overall footprint of approximately 99sqm which includes the porch. **This is less than the current combined buildings and open storage area footprint of 116.5sqm.** The proposed single cart lodge would sit to the south of the new dwelling but sit slightly further back. This proposed new dwelling would also have a smaller footprint to Daffodil cottage which is approximately 113 sqm.

Photo Showing the neighbouring property Daffodil Cottage



This is relevant to this application **because Daffodil Cottage was also part of Pondside Nursery and Yard, also PDL, and was allowed to the size it currently is after several applications to increase the size.** See Applications 14/00386/OUT 14/00386/MAT 14/00386/MAT/1 and 16/01463/FUL.

The size, scale, massing and spread of the development would not have a significant impact and would not appear visually out of place on the site and the area as it is very similar in design to Daffodil Cottage.

The officers report to planning permission 16/01463/FUL, regarding Daffodil Cottage, argued information pertinent to this current application and to the footprints points above, relating to policy DM8 part B. Relevant points are shown in bold in the following text taken from the officer's report:

"The starting point for this application is whether or not the development would be more harmful to the intrinsic character and beauty of the countryside than the existing situation. The three approved planning applications are, however, material planning considerations as they constitute a fall-back position. The existing building on the site is low rise and unobtrusive. In considering the previous applications for the site, weight was given to the fact that there were no restrictions on the land in relation to outdoor storage. The commercial use would have had outdoor storage of plant machinery, materials and equipment; this would not be the case with a domestic use. The proposed dwelling would be larger than the existing building on the site; it would also be larger

than the two previous permissions. That said, the roadside frontage is the most prominent elevation and the rear of the building would barely be visible from public vantages due to the presence of the neighbouring boundary vegetation and a horticultural business on the land behind the site. The only really perceptible difference to the building compared with the most recent permission would be its increase in height and depth. The increases are, however, minor only at 0.48 metres and 1 metre respectively. Where the additional space has been gained in the new full height wing to the rear, this would not be readily visible from the roadside. Given the specific circumstances and layout of the site and the fall back position of the previous permissions, the size of the dwelling is, on balance, acceptable and would result in no harm to the intrinsic character and beauty of the countryside. The building is clearly larger than the existing workshop structure and is at the upper limit of acceptability. A dwelling any larger than that now proposed would be likely to tip the balance of acceptability the other way.

For the reasons given above and having regard to all other matters raised it is concluded that the proposed development is acceptable in accordance with the adopted Development Plan Policies.”

Whilst this application was in 2016, it is still relevant to the argument regarding the intrinsic character and beauty of the countryside in this location - which is about to change with the building of the new Chelmsford North East Bypass and new roundabout. It is also relevant because this was based on a footprint of 113sqm with a height of 5.98m. The applicant's proposal is of a smaller footprint of approximately 99sqm with a height of 6m (2cm taller) but on a bigger piece of land 712sqm, so therefore should be considered within the realms of acceptability in relation to size.

ii] The visual impact of the development compared to the existing

It is considered that the visual impact of the development of one single dwelling will be insignificant compared to the development which has been permitted and shortly to be built as part of the CNEB application CC/CHL/85/21. This is a material and significant consideration.

When the new dwelling is finally built the visual impact of this area will have significantly altered, with the building of the large new Chatham Green roundabout which is virtually opposite to the application site. See map below for comparison. The impact of this large new roundabout approximately 115 meters from the application site, with all the paraphernalia that goes with it, will far outweigh the impact of a modest new one-and-half storey dwelling. However, even excluding this large new roundabout, the new dwellings impact will be minimal, and blend with its surroundings and adjacent dwellings like Daffodil Cottage. Properties along this stretch of road are all different in design and size, most of which are larger.

In addition, as part of the landscaping detail, the front boundary will be replaced with new evergreen hedging of a standard which will screen the dwelling for the occupiers, from the A131 and new Chatham Green roundabout.

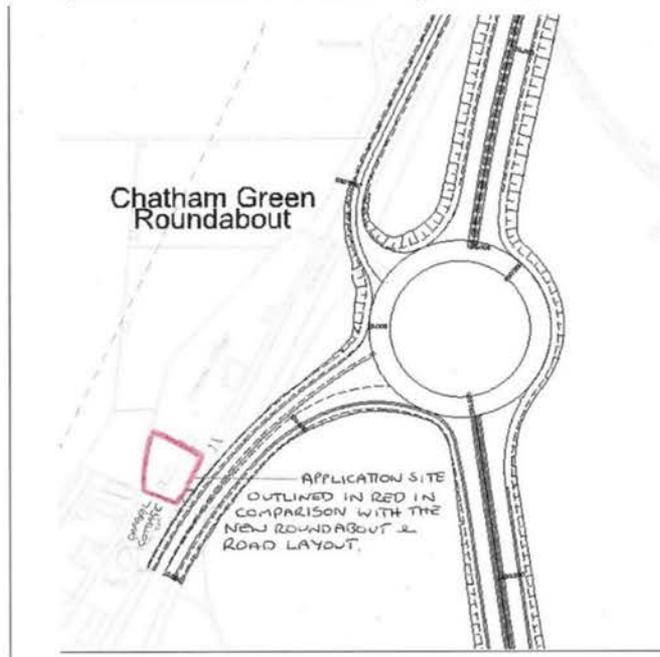
The image below shows the application site outlined in red, against the new roundabout layout highlighting the impact of the new road and roundabout against the new dwelling.

speed is less than the current 100kph design speed for the A131 and would therefore require the introduction of a speed limit of 50mph on the approach to the junction (Figure 37).

For access to properties to the north of Chatham Green roundabout along the existing A131 and into Whitbread Farm Lane a 6m wide service road could be provided along a section of A131 made redundant by the new bypass (Figure 38).

For properties in Main Road/ Strawbrook Hill access to the highway network would be via Main Road and the existing link to Deres Bridge roundabout (Figure 39).

Figure 37: connection from Chatham Green roundabout to existing A131 south of the junction



CNEB-JAC-GEN-00-TN-Z-0002

33

It should also be noted that during the consultation process, in respect of the application for the new CNEB, Chelmsford City Council Planning department did not indicate that they had any concerns regarding the visual impact of the new large roundabout and how it will affect the intrinsic character and beauty of the countryside. It is therefore reasonable to concur that a small dwelling would also have no impact on the intrinsic character and beauty of the countryside in this location.

We will detail the CNEB and any highway issues and how the new entrance and dwelling will fit in with the existing A131 later under a separate paragraph.

Photo showing view from the site access which will be significantly changed when new roundabout is built.



iii] The impact of the activities/use new development compared to the existing

The proposed development would create a change of use of the site from commercial to domestic. The current commercial business/use with the buildings and unrestricted open outside storage of associated landscapers /building materials and equipment would change to a new domestic use comprising of a single dwelling/cart lodge and garden. Whilst the two uses are very different, the new use would be less harmful to the area than the existing use **which could intensify in its activities**. Weight should also be given to the fact that there are no restrictions on the site in relation to outdoor storage on the application site. It should also be noted that a new residential use would fit better with the neighbouring properties of Daffodil Cottage and Peartree Cottage rather than the existing unrestricted commercial use, which could cause commercial disturbance to domestic properties. The new dwelling would have an independent access point so there would be no conflict between any activity or movements associated with the neighbouring dwellings.

There would be no loss of employment by developing the site to residential, as the applicant will relocate their business activities to the adjoining commercial site in his ownership.

6. SUSTAINABILITY

iv] The location of the site is appropriate to the type of development proposed.

Under Policy S1 – Spatial Principles Point 4.9 of Chelmsford current Local Plan states “development will be focused at well connected locations for example along strategic transport corridors close to existing local services and in areas with a good level of existing or **proposed transport infrastructure** including sustainable transport. This will help reduce the need to travel and encourage the use of non-car modes”.

The application site is situated on the A131 strategic transport corridor, in an area with a **good level of existing AND proposed transport infrastructure** including sustainable transport links via a regular bus service linking villages and major towns. Local services include a Public House, 2 shops, a Village Green and Whitbread’s Business centre. Chatham Green comes under the Parish of Little Waltham. The village of Little Waltham – 1 mile south of Chatham Green - is recognised in the Local Plan as a service settlement. The village includes a Primary School, Doctors, Village Halls, Church, a Public House, recreation grounds and a shop. To the north, at just over a mile away, the key service settlement of Great Leighs is situated, where 1100 houses are to be built under the current Local Plan and where further facilities such as a school, nursery, village hall, recreation ground, post office and other shops, can be found. **Chatham Green is therefore a well-connected location as it meets all the criteria of point 4.9 above.**

In addition, the newly approved bypass will provide cycle lanes and foot paths directly outside the application site further meeting the criteria of point 4.9 by encouraging the use of non-car modes.

Point 4.10 of Policy S1 states “Creating development that is accessible by different modes of transport, especially walking and cycling and the use of public transport is essential in promoting sustainable development as it reduces car dependency”.....“All major development should follow the modal hierarchy by providing access for all of the following:

i. Walking and providing access for people with mobility impairment ii. Cycling iii. Public transport”

The development will be accessible by different modes of transport as the newly approved bypass application will enhance the transport modes by providing new footpaths and cycle lanes in addition to the already existing excellent bus service, thereby reducing the need of car dependency and enhancing the site locations sustainability. **The application site therefore meets all the criteria of 4.10 above.**

In the most recent review of the Chelmsford Local Plan Issues and Options Stage, under the heading **Growth Along Transport Corridors**, Chatham Green has been recognised as providing opportunities for locating growth in a sustainable way. Whilst this is the first stage of the review of the Local Plan, it is significant as it adds weight to the sustainability claims.

The following tables display the sustainability of the application site and Chatham Green. It can no longer be argued therefore that Chatham Green is not a well-connected and sustainable location.

Table 1 has been prepared by the applicant. Table 2 has been prepared by **Essex Highways**.

TABLE 1

PONDSIDE NURSERY AND YARD, CHATHAM GREEN
<p><u>Settlement boundary</u> Chatham Green has a defined settlement boundary and is therefore considered sustainable – (small settlement under the settlement hierarchy) even though there is no direct footpath from the main village centre to the bus stops. The bus stops are, however, directly opposite and adjacent to the application site, making the application site much more sustainable than the main village.</p>
<p><u>Roads</u> The site is directly adjacent to the A131 strategic trunk route and is therefore easily accessible and well connected</p>
<p><u>Bus service</u> The site is virtually opposite the bus stop that serves Little Waltham (the very next stop). Little Waltham has a school, doctors’ surgery and pharmacy. The same bus also serves Broomfield Hospital, (Chelmsford’s largest employer), Chelmsford City and Chelmsford Railway station with further links to London. The bus stop on the same side of the road as the application site serves Great Leighs, Braintree and Colchester. The bus service is from 7am till 11pm and every 30 minutes</p>
<p><u>Footpaths</u> There is a footpath and verges on the main A131 where the bus stops are situated and there will be new lit footpaths and cycleways built as part of the CNEB directly outside the site</p>
<p><u>Public houses</u> There is a public house in the village</p>
<p><u>Village Green</u> There is a village green/recreation area</p>
<p><u>Shops</u> There are 2 shops selling non-essential items ie Grasshopper Garden Machinery and Zigis Fireplaces both within walking distance of the application site</p>
<p><u>Other amenities</u> The Wilderness Foundation serves the local area with learning activities for local children also within walking distance</p>
<p><u>Doctors Surgery</u> The doctor’s surgery at Little Waltham & Brook Hill Pharmacy are situated 1.25 miles from the site or one bus stop away</p>
<p><u>Rural employment</u> Rural employment opportunities are available at Whitebreads Business Centre</p>
<p><u>Neighbouring settlements</u> The villages of Little Waltham – 1 mile away and identified as a service settlement in the local plan and Great Leighs – just over 1 mile away and identified as a key service settlement in the local plan (settlement hierarchy)</p>
<p><u>Hospitals</u> The nearest general hospital, Broomfield Hospital is 3 miles away accessible via regular bus transport</p>

Schools

The nearest school is Little Waltham Primary School approximately 1 mile away, which can be reached via bus and Great Leighs Primary School is also a short distance accessible by bus in the opposite direction

Towns

Chelmsford City is the nearest major town/city at 6.3 miles with major shops & railway station

Park & Ride

The nearest park and ride is at Chelmer Valley at 2.5 miles away

The following document, prepared by **Essex Highways**, as part of the supplementary information for the local plan review, **shows Chatham Green with a higher score for sustainable accessibility than Great Leighs** particularly in respect to accessibility to healthcare, internet connectivity and public transport. Officers will note from this chart that Chatham Green, being a small settlement, scores higher with 1.79 than some Key Service Settlements and Service Settlements.

The application site itself is within 100m walking distance to the bus stops which is closer than the main village centre of Chatham Green, so the application site would score 1.80 if assessed in isolation. For comparison, Great Leighs scores 1.57 where 1100 new homes are being built.

TABLE 2

Chelmsford Local Plan Review
Sustainable Accessibility Mapping & Appraisal: Appendix
Appendix E – Results of the RAG assessment
Table E.7 – RAG assessment for each proposed settlement area (SA)



	SA 1a, Chigwellbourne	SA 1b, Springfield	SA 1c, City Centre	SA 1d, North Hill	SA 1e, Great Waltham	SA 1f, West Chelmsford	SA 1g, East Chelmsford	SA 1h, North of South Woodham Ferris	SA 1i, NE Chelmsford - Easting	SA 1j, NE Chelmsford - Westing	SA 1k, Rickmansworth	SA 1l, Boreham	SA 1m, Broomfield	SA 1n, Danbury	SA 1o, East Hemmingfield	SA 1p, Fort End	SA 1q, Great Waltham	SA 1r, Little Waltham	SA 1s, Little Waltham	SA 1t, Woodham Ferris	SA 1u, Chatham Green	SA 1v, Horse Green	SA 1w, Boreham Common	SA 1x, Hornwode Farm
Accessibility to urban centres	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Accessibility to employment locations	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Accessibility to rail stations (walking and cycling)	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Accessibility to rail stations (public transport)	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Weekly bus services and frequency	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Satellite bus services and frequency	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Sunday and night (Dart) frequency	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Walking access to bus stops	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3

Chelmsford Local Plan Review
Sustainable Accessibility Mapping & Appraisal: Appendix



	SA 1a, Chigwellbourne	SA 1b, Springfield	SA 1c, City Centre	SA 1d, North Hill	SA 1e, Great Waltham	SA 1f, West Chelmsford	SA 1g, East Chelmsford	SA 1h, North of South Woodham Ferris	SA 1i, NE Chelmsford - Easting	SA 1j, NE Chelmsford - Westing	SA 1k, Rickmansworth	SA 1l, Boreham	SA 1m, Broomfield	SA 1n, Danbury	SA 1o, East Hemmingfield	SA 1p, Fort End	SA 1q, Great Waltham	SA 1r, Little Waltham	SA 1s, Little Waltham	SA 1t, Woodham Ferris	SA 1u, Chatham Green	SA 1v, Horse Green	SA 1w, Boreham Common	SA 1x, Hornwode Farm
5G/4G internet connectivity	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Car driver mode share	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Accessibility to healthcare	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Accessibility to nurseries	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Accessibility to primary schools	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Accessibility to secondary schools	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Site average RAG score	2.57	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66	2.66
Location average RAG score	2.66																							

7. NEW ACCESS AND HIGHWAY ISSUES

As part of this application for a new single dwelling, a new access from the A131 Braintree Road and a driveway is also being sought.

The new access would be from the existing 4m gates that are currently being used for pedestrian access. The gates are currently over 6m from the curb and will be more when the new road is built.

Photo showing existing access



View showing visibility splay travelling south from the site



It should be noted that the leylandii conifer trees on the front of the site, will be removed as part of this application and replaced with something more suitable making for a clearer site line looking north. In addition, and with consideration of the new CNEB and the positioning of the Chatham Green roundabout, the visibility splays will also be vastly improved.

See new road layout plan below with application site outlined in red.

BEAULIEU PARK JUNCTION AND DERES BRIDGE
STUDIES TECHNICAL NOTE

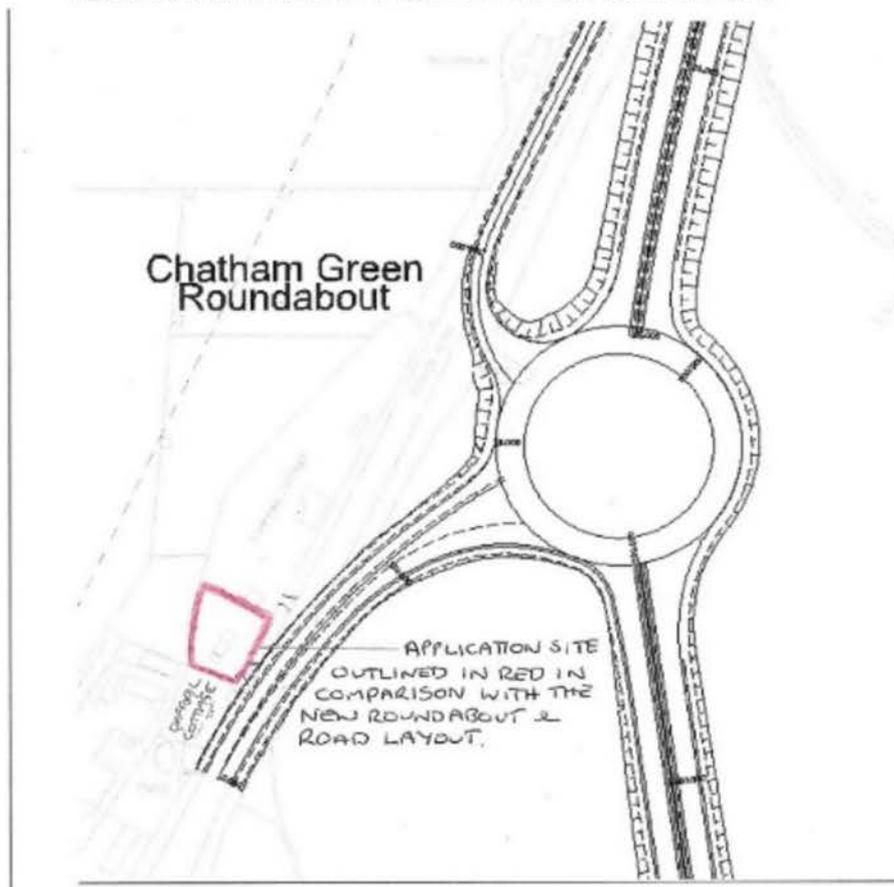
JACOBS

speed is less than the current 100kph design speed for the A131 and would therefore require the introduction of a speed limit of 50mph on the approach to the junction (Figure 37).

For access to properties to the north of Chatham Green roundabout along the existing A131 and into Whitbreads Farm Lane a 6m wide service road could be provided along a section of A131 made redundant by the new bypass (Figure 38).

For properties in Main Road/ Strawbrook Hill access to the highway network would be via Main Road and the existing link to Deres Bridge roundabout (Figure 39).

Figure 37: connection from Chatham Green roundabout to existing A131 south of the junction



Provision of New Access

It is anticipated that given the size of the dwelling, there would be a limited number of vehicular movements totaling around two to six movements a day, i.e., the same as Daffodil Cottage which has never caused any highway problems to date.

The Highways recommendation for Daffodil Cottage application ref 14/00386/OUT formally known as Chatham Green Yard, and formerly in the ownership of the applicant, stated that *“the NPPF requires only significant traffic impacts to result in rejecting development”*. The NPPF 2021 now states *“Development should only be prevented or refused on Highways grounds if there would be an unacceptable impact on Highway safety, or the residual cumulative impacts on the road network would be severe”*.

As the Highway Authority did not raise an objection in 2014 to the access (for the dwelling that is now Daffodil Cottage), from commercial to residential, it can be assumed that the Highway Authority believe that a residential use would not be in direct conflict with the objectives of the NPPF.

It should be noted that it would not be possible to have access to this new dwelling via the access from Chatham Green Lane as this serves the businesses that use the area covered by application 17/00539/CLEUD. Should the dwelling on the application site ever be sold off, it would need its own independent access.

The dropped curb required to access the application site from the A131, can be facilitated in conjunction with the construction works being installed as part of the CNEB. (This was suggested by Mark Eves project sponsor for this project). We therefore believe this application will not interfere with the works soon to start regarding the CNEB and the applicants are happy to work with the CNEB project so as not to cause any problems.

Prior to this application and the previous CLEUD application, an application for an access and associated trackway for the commercial business was refused refers. 22/00850/FUL . The reasons for this in Highway terms are set out below:

The proposed access introduces an unnecessary new point of conflict onto an A-road that carries high volumes of vehicles travelling at high speeds. The proposal would allow additional vehicular movements, into and emerging from the site on a fast section of carriageway. The slow and oblique manoeuvres required by larger vehicles attending the site across the path of high-speed approaching traffic, would add further pressure and increased likelihood of conflict and risk of collisions to the general detriment of highway safety for all highway users. The proposal does not take the opportunity to improve the area and would instead increase the chances of conflict between users of the highway. The proposal does not ensure that safe and suitable access to the site can be achieved for all users and would instead increase the likelihood for conflicts between vehicles. The new access would result in an unacceptable degree of hazard for both emerging and approaching vehicles and to other highway users to the detriment of highway safety and efficiency. As a result the proposed development would be in direct conflict with the objectives of the National Planning Policy Framework 2021

In response to the statement the following should be taken into account:

1. This application is for a residential access rather than a new access for potentially busier commercial access, with larger /slower vehicles. The new access will be from an existing 4m gateway and be situated next to Daffodil Cottages access.
2. This application would create an insignificant amount of additional movements i.e. approx. 2-6 a day and therefore would not cause an unacceptable impact on highway safety and would not be in conflict with the NPPF Policy 9 para 111 and the residual cumulative impacts on the road network would not be severe.
3. This application is insignificant in Highway terms compared to the new access that has been approved and is being constructed on the A131 just down the road from the application site with a maximum of a 100 HGV movements a day [large slow-moving lorries] into and emerging onto a fast section of the carriageway. - refers application ESS/01/18/CHL land at Sheepcotes Farm. This access has been allowed on the basis that it is temporary for 5-6 years, and a splitter island is being built. However, the above risk would still be present and just because the access is temporary does not negate the safety concerns. In addition, the application site for the new dwelling will no longer be positioned on a fast section of the carriageway due to the highway improvements being undertaken and confirmed in our correspondence with CNEB – Essex Highways (see emails below)

If necessary, a splitter island approach for the access on to the site could be imposed rather than refusing this new access. However, any vehicles exiting the site would most likely turn left and go around the new roundabout to be situated just 115 metres away, even if they wanted to ultimately travel south. The same approach might also be taken by the occupants of Daffodil Cottage and Peartree Cottage.

4. The applicant is happy to negotiate a contribution towards the new dropped curb which would need to be created and has already spoken to Mark Eves Project Sponsor for the CNEB regarding this. Mr Eves also stated that in his opinion this new access for one single dwelling should not cause any issues regarding the changes/improvements to this part of the road regarding the CNEB project.
5. The planned improvements to this stretch of road as part of the CNEB, will significantly benefit this new access and existing accesses.
6. The gated entrance opposite Peartree Cottage is a rarely used agricultural access and may be relocated as part of the CNEB. This has been confirmed by the farmer who owns the field beyond this access.

The applicant has had direct communication with the Stakeholder Engagement Team who has answered his questions as set out in the email extracts below:

The following 3 emails, between the Stakeholder Engagement Team, Essex Highways and the applicant, demonstrate that the stretch of road outside the application site will be vastly improved with reduced traffic, slower moving traffic, and new advanced direction signs on

all approaches to the Chatham Green roundabout, advising of the junction ahead. New footpaths, toucan crossing and cycleways etc making it easier to get to the bus stops at Chatham Green and making it safer for pedestrians, cyclists and horse riders, will also be built and in addition the road surface will be quieter for the residential properties that front this road including the new dwelling at the application site.

Email 1

Mon, Aug 2,
2021, 8:49 PM

CNEB <CNEB@essexhighways.org>
to me, CNEB

Dear Andy ,

Apologies for the delay in responding.

In response to your question **there will be a footpath in the plans from the entrance of Chatham Green Lane on the A131 to the new toucan crossing next to the proposed roundabout as part of the CNEB.**

More details will be released during planning submission later this summer. Information regarding the planning submission will be featured on he website.

Many thanks

Stakeholder Engagement Team
Essex Highways

Email 2

RE: CNEB Questions



CNEB <CNEB@essexhighways.org>

Fri, Sep 23,
2022, 9:09 AM

Email2

Dear Mrs Parker,

Thank you for your email and interest in the Chelmsford North East Bypass. Please see our responses to your questions below.

1. Do you envisage the traffic being drastically reduced on the current A131 outside Chatham Green as part of this new Bypass?

Based on our latest traffic modelling, a small decrease in traffic flows is predicted on the A131, west of the scheme, after the opening of the Chelmsford North East Bypass.

- 2 Will the speed of the traffic going past Chatham Green in both directions, but particularly towards the new Chatham Green Roundabout and crossing, be reduced with warning signs to tell traffic to slow down, so it's safe to use the proposed toucan crossing to access the bus stop on the other side of the road?

A speed limit of 50mph will be imposed between the new roundabout and a point just south of the existing Braintree-bound bus stop. The signals at the crossing point should be visible for some distance given the straight alignment of the road, and new Advanced Direction Signs (ADS) will be provided on all approaches to the roundabout, advising of the junction ahead.

3. Do you envisage the CNEB with the New Chatham Green Roundabout, pathways and Toucan crossing making this existing stretch the A131 road past Chatham Green, being safer than the current 60mph fast flowing road?

The separation of pedestrians, cyclists and horse-riders from the existing road/verge on to dedicated routes broadly between Deres Bridge and the Chatham Green bus stops should make it safer for these more vulnerable road users. The proposed route is not anticipated to create an adverse impact on other road users.

4. Will this stretch of the current A131 road past Chatham Green, be reduced to 50mph from the current 60mph speed limit, and be made into a B road once the new CNEB is finished?

As noted above, the speed limit will be reduced to 50mph for a stretch. The route strategy is still to be finalised, however the existing A131 south of Chatham Green is likely to be reduced in priority (i.e. not a major or locally strategic route) and take a different route number, but is still likely to be 'A' classification. The route strategy will be published as part of the Side Roads Order in due course.

5. Will this stretch of the current A131 road past Chatham Green be quieter?

All new and improved roads are required to be paved with low noise surfacing. Additional planting and bunding will also help mitigate the noise impact of the scheme.

For all the latest information about the Chelmsford North East Bypass scheme and to subscribe to our project e-newsletter, please visit: www.essex.gov.uk/chelmsford-north-east-bypass.

Kind regards,

The Chelmsford North East Bypass engagement team

Email 3

CNEB <CNEB@essexhighways.org>

Tue, Nov 15,
2022, 11:29 AM

to me, CNEB

Dear Mrs Parker,

Thank you for your emails and apologies for the long delay in replying.

We can confirm that it is the same road, between Sheepcotes Roundabout and the new Chatham Green Roundabout.

As you have highlighted from the planning application documentation, the Chelmsford **North East Bypass scheme is expected to provide significant relief to the existing north to south routes between Braintree and Chelmsford, including the A131 south of the new roundabout in Chatham Green and various other routes.**

Based on our latest traffic modelling, it is predicted that traffic levels will decrease by about 15% to 20% on the A131 west of the scheme after the opening of the bypass.

Describing the scale or significance of something is always slightly subjective, which may explain some of the misunderstanding, but we would expect this reduction in traffic levels to provide significant relief. We are sorry for any confusion caused and hope this response has helped to clarify matters.

Please let us know if you have any further queries.

Many thanks.

Chelmsford North East Bypass & Beaulieu Station Scheme Engagement Team

8. DEVELOPMENT STANDARDS & LANDSCAPING

Policy DM26 of the Chelmsford Local Plan requires that all new dwellings achieve suitable privacy and living environment for future occupants, provide a suitable private amenity space and achieve appropriate internal space.

The dwelling would have a private rear garden/amenity area of 250sqm which would be in excess of the required 100sqm and so would be of an appropriate size for a dwelling of this proportion.

The garden/amenity area would be made up of grassed areas, patios areas and shrub borders.

The boundaries will be made up of new and existing 6ft close boarded fencing to all sides.

The patio will be of an L shaped design, at the rear of the dwelling, which will complement the design of the dwelling.

Shrub borders will consist of mixed existing and new shrubs. The existing Oak, Field Maple and Ash tree will remain at the rear boundary but may need to be reduced in size. The large Leylandii conifer tree at the rear will be removed.

The Leylandii trees at the front of the dwelling nearest the road, will be removed and replaced with a more suitable evergreen hedge which will enhance the visual impact for the occupants.

The existing workshop/shed adjacent to the garage of Peartree Cottage will remain in place for the benefit of the occupants of the new dwelling. This could be used as a cycle store, alongside the cart lodge.

Sufficient space would be allocated to provide a storage area for bins and recyclables. This would be situated next to the gate area by the front of the dwelling. See plans.

The dwelling will be served by adequate windows allowing for a good level of light and a good living environment for future occupants and would therefore comply with the Nationally Described Space Standards. It would also meet the Development Standards in terms of internal spaces.

Other

Renewable and low energy technologies will be used where possible.

Sustainable urban drainage techniques will be employed. A private drainage system will be employed for foul water discharge (bio-disk/Klargester or similar). All surface water discharge will be to soakaways set within garden areas.

The dwelling will be provided with an Electric Vehicle (EV) charging point in conjunction with **policy DM25** of the Chelmsford Local Plan.

Adequate parking including the cart lodge, in conjunction with **Policy DM27 Parking Standards** of the Local Plan will be provided, in addition to adequate turning space to allow for front facing manoeuvres onto and off the site. See plans.

9. CONCLUSION & PLANNING BALANCE

This Statement has comprehensively assessed the proposals against national and local planning policy. It demonstrates that:

- **the site is a brownfield site as evidenced by the CLEUD.** Point 4.5 of the current Local Plan states *“In order to make the best use of land and to ensure that new development is located in sustainable locations, there is a need to make the most of PDL, provided that it is not of high environmental value and represents a sustainable location.* The site is also in line with the NPPF Policy 11 para 119.
- **the application site is located in a sustainable location** as evidenced in the statement by Essex Highways Sustainable Accessibility Mapping and Appraisal as part of the supplementary information for the Local Plan Review. This scores Chatham Green higher for sustainability than many other villages including Great Leighs where many houses are being built. **The site is situated next to bus stops at a well-connected location along a strategic transport corridor** in conjunction with point 4.9 of the current Local Plan. Chatham Green has also been identified for growth in the first review of the new Local Plan as a sustainable location along transport corridors. The CNEB including a new Chatham Green Roundabout and improvements to the area, which are soon to be built, makes the application site an even more viable option.
- the NPPF 2021 states *“Development should only be prevented or refused on Highways grounds if there would be an unacceptable impact on Highway safety, or the residual cumulative impacts on the road network would be severe”.*
The impact of a new access with approximately 2 to 6 car movements a day will not be significant and therefore would not have an unacceptable impact on Highway safety (much the same as Daffodil Cottage which was acceptable by Highways on this stretch of road), and the cumulative impact of a single dwelling would not be severe. **In addition, as part of the CNEB the updated A131 will be slower and safer for road users.**

- **the visual impact of the one and a half storey dwelling in this location would have no more of an adverse effect than Daffodil Cottage** which the Council found to be acceptable and will be insignificant compared to the impact that the new large roundabout which will significantly alter the character of the area.
- there are **no technical reasons that prevent the delivery of the site** and its development on a Brownfield site will make a positive contribution towards meeting sustainable housing need in Chelmsford and this area.
- the reuse of the site from business use with all the unrestricted outside storage to a well-designed residential dwelling will make a **positive contribution to the intrinsic character and beauty of the countryside** and will blend in with the neighbouring properties in contrast to its current use which could intensify in both activities and noise. The **development will be less intrusive than the new roundabout** shortly to be built at Chatham Green some 115m from the application site.
- the development is deliverable in the next 1-5 years.

We trust that the Officer of the Council will acknowledge all the above information this planning statement presents and grant planning permission for the proposal.

However, the applicants would like to be pro-active in the processing of this application and would welcome any discussions with the planning officer.



Planning Committee
4th July 2023

Application No	:	23/00116/FUL Full Application
Location	:	Land Rear Of 17 To 37 Beachs Drive Chelmsford
Proposal	:	Demolition of the existing buildings and structures and construction of 18 new dwellings with associated parking, private amenity space, open space, hard and soft landscaping and pedestrian link.
Applicant	:	SJT Developments
Agent	:	Mr James Firth
Date Valid	:	2nd February 2023

Contents

1. Executive summary	2
2. Description of site	2
3. Details of the proposal	3
4. Other relevant applications	
5. Summary of consultations	4
6. Planning considerations	4
7. Community Infrastructure Levy (CIL)	11

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application has been called to Committee by a local ward Member. Matters raised include neighbour amenity; scale, design and appearance; safety and security; parking and access.
- 1.2. The application is for 18 new dwellings with associated access works, parking, landscaping and public open space on a former industrial site located in Beachs Drive. The site lies within Chelmsford Urban Area and is allocated for housing in the Chelmsford Local Plan under Growth Site 1q.
- 1.3. The site is surrounded on all sides by residential development located in Beachs Drive, Clivedon Close and Windley Tye. The ground levels of the site are noticeably lower than the surrounding built form with a levels difference ranging between approximately 1m-2.5m.
- 1.4. The site lies within flood zones 2 and 3a, and as the majority lies within 3a this means no habitable accommodation can be located on the ground floor of the properties. This has influenced the scale and the design of the scheme, with the proposal taking a contemporary design approach and properties ranging from 2-3 storeys. However, the scale is mitigated by the lower ground levels. The scheme also employs some roof variation, building articulation and good fenestration detailing. The development would not sit significantly higher than the existing surrounding built form and it would be an interesting addition to the locality that would not be unacceptably out of keeping.
- 1.5. It is considered the site's lowered ground levels, the distance between properties and the design of plots means the scheme would have an acceptable relationship with the surrounding neighbouring properties.
- 1.6. Parking provision and access would be acceptable, and no objections have been raised by the Highway Authority.
- 1.7. The scheme would deliver five affordable housing units, including 3 x 4 bed social/affordable rent properties.
- 1.8. The development includes local open space and a footpath link to the existing Public Right of Way (PROW) to the south. Contributions will be sought to upgrade the PROW to improve linkages to Admirals Park and the City Centre.
- 1.9. All relevant local plan policies have been met. It is recommended that the application should be approved by the Director of Sustainable Communities subject to the completion of the S.106 agreement.

2. Description of site

- 2.1. The application site lies within Chelmsford Urban Area and is allocated for housing in the Chelmsford Local Plan under Growth Site 1q.
- 2.2. It is a former industrial site. It was previously used for workshop/light industrial purposes and car parking in association with the use of the buildings. The site is characterised by hardstanding and single storey buildings. There is limited vegetation along the boundaries of the site.
- 2.3. Existing access is via Beachs Drive, between no. 23 Beachs Drive and no. 27 Beachs Drive.

- 2.4. The site is surrounded by residential properties. Clivedon Close lies to the north, Windley Tye lies to the east, and to the west and south are the properties in Beachs Drive. The character of the area is therefore mixed; properties to the south are late 80's/early 90's, those to the west and north are earlier and to the east, the Windley Tye development is early 2000's.
- 2.5. The ground levels of the site are noticeably lower than the surrounding built form. The difference in levels compared to the surrounding properties ranges between approximately 1m-2.5m.
- 2.6. The site falls within Flood Zones 2 and 3a.
- 2.7. To the south is a Public Right of Way (PROW 44), an unmade path which leads east into Admirals Park.

3. Details of the proposal

- 3.1. The application seeks full planning permission for 18 new dwellings with associated access works, parking, landscaping and public open space.
- 3.2. The accommodation mix will be as follows:

Affordable Housing

2 x 1 bedroom First Homes (flats)
3x 4 bedroom Social/Affordable Rent

Market Housing

2 x 2 bedroom
8 x 3 bedroom
3 x 4 bedroom

- 3.3. 1 car parking space would be provided for the First Home units (1bed) and 2 car parking spaces would be provided for the remainder of the properties. All parking will be allocated. 5 visitor spaces would also be provided on site.
- 3.4. Private amenity space is provided for each of the dwellings and communal space is provided for the First Home flats (plots 1 and 2).
- 3.5. The existing access would be utilised with improvements as required by the Highway Authority.
- 3.6. The buildings would be in a "horseshoe" arrangement, around a circular internal road. Within the centre of the site would be a landscaped green space that would contain seating and also include a pedestrian route leading to the southeast corner of the site. This would connect into the existing PROW to the south via a ramp. There would be a further area of open space within the southeastern part of the site which would include a dry attenuation basin.
- 3.7. The design of the development employs a contemporary approach with the scale ranging between 2-3 storeys.

4. Summary of consultations

- ECC Mills Officer – no response.
- Mid And South Essex Integrated Care Board – financial contributions sought to mitigate health impacts.
- Public Health & Protection Services – no objections, conditions recommended.
- Environment Agency – no objections.
- Essex County Council Highways - no objections, conditions recommended.
- Ramblers Association – amendments suggested.
- ECC Historic Environment Branch - no objections, conditions recommended.
- Emergency Planning – no objections.
- ECC Minerals & Waste Planning – site not within a Mineral Safeguarding Area, Mineral Consultation Area or Waste Consultation Area.
- Housing Standards Team – no response.
- ECC Infrastructure Delivery Team – no response (development under 20 units)
- Essex County Council (SUDS) – no objections, conditions recommended.
- Recycling & Waste Collection Services – no response.
- Police - Designing Out Crime – no objections.
- UK Power Networks (Network Planner) – no response.
- Anglian Water Services Ltd – no objections, conditions recommended.
- Essex and Suffolk Water – no response.
- ECC Community Infrastructure Planning (Education) - no response (development under 20 units)
- Parks & Open Spaces – no objections, recommendations on financial contributions.
- Essex County Fire & Rescue Service – no objections, conditions recommended.
- Local residents – 8 respondents, including a letter from Ward Members. Comments mainly relating to scale and design, parking, and neighbour relationships.

- 4.1. The comments received have been considered as part of the planning assessment of the development proposals. Planning Considerations are summarised at the end of this report. There are however no sustainable grounds for refusing the application based on comments received.

5. Planning considerations

Main Issues

Principle (Strategic Policy S7 – Spatial Strategy)

- 5.1. The site lies within the Chelmsford Urban Area and is allocated in the Chelmsford Local Plan. It is an historic allocation, brought forward from the Site Allocations Document DPD (SAD) which formed part of the now superseded Local Development Framework. As such, redevelopment of the site dates back to 2012 when SAD was first adopted.
- 5.2. The site is identified as a Growth Site in the current Chelmsford Local Plan – these are effectively brownfield sites in the City Centre where there are opportunities for sustainable development.
- 5.3. Policy GR1 sets out the overarching policy requirements for Growth Sites 1g-1v, which includes this site (Growth Site 1q). It includes the need to provide a mix of homes, opportunities for connectivity and sets out potential financial contributions. Policy GR1 should be considered in conjunction with Growth Site Policy 1q which sets out the site specific requirements:

- Around 14 new homes
- Main access from Beachs Drive
- Pedestrian and cycle access should be created into Admirals Park at the south-east of the site to connect to safe pedestrian/cycle routes to the City Centre to the east and wider countryside to the west
- Character and scale determined by adjacent residential development
- Development layout should respect neighbouring rear boundaries.

5.4. Accordingly, the principle of development is accepted, subject to the proposal complying with the relevant Local Plan policies.

Housing mix (Policy DM1 – Size and Type of Housing and Policy DM2(a) – Affordable Housing)

5.5. For housing proposals of 11 or more units, 35% affordable housing should be provided. However, paragraph 5.17 of Planning Obligations Supplementary Planning Document (SPD) (January 2021) states:

“A Ministerial statement issued on the 28th November 2014 stated that where a vacant building is brought back into lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the relevant vacant building when the local planning authority calculates any affordable housing contribution. Affordable housing contributions will be required for any increase in floorspace.”

5.6. This is known as Vacant Building Credit (VBC) and is also referenced at paragraph 64 of the National Planning Policy Framework.

5.7. There are currently three vacant buildings on site and the existing floorspace of these buildings applied against the scheme results in an affordable housing provision of 5 units.

5.8. On the size of the affordable housing, the Chelmsford Housing Strategy Consultation (July 2021) states:

“The shortage of affordable housing is felt most by those who become homeless and must be housed in temporary accommodation. Currently the Council is at a critical stage of being at risk of being unable to meet its statutory duties to some of those in most urgent need, particularly families with children, so our priority must be to improve the supply of larger, affordable homes for rent.”

5.9. To address the shortfall in supply of new four-bedroom affordable homes and given the proposal is for 18 units, which is 4 more dwellings than the Local Plan allocation, the Council has stipulated that the social/affordable rent units should all be 4 bedroom properties.

5.10. The scheme therefore proposes the following affordable housing mix which is considered policy compliant:

- 2 x 1 bedroom, 2 person First Homes (flats)
- 3x 4 bedroom, 7 person Social/Affordable Rent units

5.11. The tenure mix reflects the Government requirement of 25% of affordable homes delivered as First Homes.

- 5.12. On the private housing mix, a higher proportion of larger units are being provided than the housing mix set out at Table 1 of Policy DM1. However, given the site's urban location, its constraints, particularly flood mitigation (set out further below), the size of the development and ensuring the development is well designed, in this circumstance the market mix is considered acceptable.

Flooding (Strategic Policy S2 – Addressing Climate Change and Flood Risk and Policy DM18 – Flooding/SuDS)

- 5.13. The site predominantly lies within Flood Zone 3a, therefore having a high probability of flooding. This has clear implications for any residential development which is classed as more vulnerable. Through the Local Plan process the site has been assessed in the Council's Strategic Flood Risk Assessment (SFRA) in two stages:
- Level 1 – assesses flood risk of all the site allocations, identifying the level and sources of flooding.
 - Level 2 – where sites fall within flood zones 2 & 3, a more detailed assessment is undertaken, setting out the flood risk implications, as well as guidance on the preparation of site-specific flood risk assessments (FRA). The Level 2 assessment can be found in Appendix G of the SFRA.
- 5.14. The SFRA together with the Spatial Strategy and the Local Plan Sustainability Appraisal form part of the sequential and exception tests for the Local Plan site allocations. There are some sites, therefore, in the Chelmsford Urban Area that, whilst falling within flood zones 2 & 3, are allocated because they are in a highly sustainable location, and Chelmsford is at the top of the Settlement Hierarchy. As such, it has been demonstrated through the Local Plan that for these sites the sustainability benefits to the community outweigh flood risk.
- 5.15. A site-specific flood risk assessment (FRA) and flood response plan has been submitted with the application. It proposes to discharge surface water to an Anglian Water surface water sewer in compliance with the surface water hierarchy when using infiltration/watercourse is not possible. To reduce the flow of surface water discharge, tanked permeable paving and swales in the central open space is proposed.
- 5.16. An attenuation basin has also been designed to provide surface water flood storage compensation due to the increased area of buildings proposed, which will remove areas of the site from flooding. This will be located in the lowest part of the site to the south-eastern corner. Surface water flood flows will be directed to this area of the site and be allowed to pond.
- 5.17. A crucial mitigation measure that is integral to the scheme to safeguard against flooding is that no habitable accommodation is located on the ground floor. This has, in turn, influenced the design and scale of the scheme.
- 5.18. The Environment Agency, the Lead Local Flood Authority and the City Council Emergency Planner raise no objections to the proposal subject to conditions.

Layout, scale, design and appearance (Policy DM23 – High Quality and Inclusive Design and Policy DM24 – Design and Place Shaping Principles in Major Developments)

- 5.19. Site levels, flooding and the location of neighbouring properties are the key site constraints that have driven the design, layout and appearance of the scheme.
- 5.20. The layout of the scheme follows a circular internal road in a “horseshoe arrangement” which is broken up into two sections by a pedestrian footpath and open space within the southeast corner. The scheme has good street enclosure and activation with the buildings joined together and facing the central open space. Views through to the site would be an acceptable balance of built form and landscaping.
- 5.21. As set out in paragraph 5.17, to mitigate against flooding, the dwellings are designed to have all habitable accommodation on the upper floors which in turn impacts on the scale of the units. The overall height of all of the dwellings is 3 storeys but this is mitigated by the use of mono-pitched roofs, building articulation, 2-2.5 storey elements and good fenestration detailing. In addition, and crucially, the site sits notably lower than the surrounding neighbours with the ground levels differing in some areas of site between 1m-2.5m. As a result, the scheme would not be significantly higher than the surrounding existing pattern of development, in particular the Windley Tye development to the east which ranges from 2.5-3 storeys.
- 5.22. The design and appearance of buildings is contemporary. Given the mixed character of the locality, the site’s constraints and its backland location, the more traditional vernacular of the area, i.e., two-storey semi-detached houses, could not be achieved and would not make efficient use of brownfield land. The buildings’ form, articulation and materials - which are now a lighter palette than the original submission drawings – break up the mass and bulk and would make the scheme an interesting and complementary addition to the locality.
- 5.23. Overall, the layout, scale, design and appearance of the scheme is acceptable. Therefore, on this basis, the number of units (18) is also accepted and would not adversely impact on design and place-making principles.

Neighbour relationships (Policy DM29 – Protecting Living and Working Environments)

- 5.24. Neighbour representations have been received expressing concern on the impact of the proposal on their living conditions.
- 5.25. To assess whether a proposal may cause unacceptable impact on neighbouring properties a number of relationship and proximity standards are published as part of the Chelmsford Local Plan (Appendix B) and are assessed as part of a planning application.
- 5.26. None of the neighbouring properties would be subject to unacceptable overshadowing, overbearing, loss of light or loss of privacy as a result of the proposals.
- 5.27. There are plots that sit in close proximity to shared boundaries with neighbours, but the site’s ground levels and the design of the scheme would ensure there would be no unacceptable impact. The details of relevant neighbour relationships are set out below.
- 5.28. Plots 1 & 2 (1 bed) would sit at an oblique angle to the adjacent neighbours, nos. 19 & 21 Beachs Road, at a distance ranging between 2.3m-7m away from the shared boundary. However, the houses of nos. 19 & 21 sit approximately 21m-23m away from the boundary. Furthermore, there is an approximate 2m difference between the ground levels of nos. 19 and 21 (taken from the properties’ rear walls) and the application site. The first-floor windows of plots 1 & 2 (a bathroom and kitchen respectively) would be obscured glazed and would open away from the neighbouring properties, i.e., only oblique views would be afforded to the end of their gardens. It is considered there would be an acceptable relationship between plots 1 and 2 and nos. 19 & 21 Beachs Drive.

- 5.29. Regarding properties in Clivedon Close, there would be, at a minimum, a 15m distance between the rear elevation of plots 3-7 and the shared boundary with these properties. Also evidenced by the street scene drawing (no. 956-PL-19), section drawing (no. 956-PL-14) and an officer site visit, there is an approximate 2.3m-2.8m difference between the ground levels of the Clivedon Close properties and the application site (with Clivedon Close being higher). The relationship between the development and properties in Clivedon Close would be acceptable.
- 5.30. On the eastern boundary, the relevant neighbouring properties are nos. 29 & 31 Windley Tye. Plot 12 of the development would face the blank side elevation of no. 29 such that there would be no adverse impact.
- 5.31. On no. 31 Windley Tye, there is an approximate 2.5m difference between the ground levels of this property and the application site. Section drawing 956-PL-23 demonstrates that plot 9, the relevant plot to this property, would not sit higher than its neighbour, notwithstanding its overall height of 10.5m, at its highest point. At its closest, the plot 9 unit would sit approximately 15m away from the shared boundary with no. 31. The back to boundary distance then further increases to approximately 16.5m-19m, on account of the 'horseshoe' arrangement of the scheme. With these distances, together with the approximate 2.5m difference in ground levels, it is considered there would be a satisfactory relationship between the development and no. 31 Windley Tye.
- 5.32. To the south, there is less of a difference in ground levels – approximately 1m – between nos. 53-57 Beachs Drive and the application site. However, there would be a minimum 15m back-to-boundary distance and a minimum 23m back-to-back distance between the development plots and nos. 53-57 Beachs Drive. This is acceptable in the context of Appendix B of the Local Plan.
- 5.33. Plot 13 of the development would have a back-to-side garden relationship with no. 79 Beachs Drive. However, there would be an approximate 15m distance between the two, and the upper floors of plot 13 would serve non-habitable accommodation (kitchen and ensuite). The relationship is considered acceptable.
- 5.34. Finally, a distance of approximately 20m (at its closest point) would sit between nos. 27-29 Beachs Drive and the flank wall of plot 18. There would be no unacceptable impact to these properties.

Parking and access (Policies DM25 and DM27)

- 5.35. The Local Highway Authority has been consulted on the scheme and has raised no objections but has recommended some conditions.
- 5.36. Parking provision is in accordance with adopted standards with two spaces for 2bed+ properties, one space for 1bed properties, in addition to five visitor spaces.
- 5.37. Concerns have been raised on the width of the parking spaces at the entrance to the carports of the dwellings where gates are proposed. However, there would still be a minimum width of 2.5m which is acceptable. The internal size of the carports meets parking standards.
- 5.38. The existing access is to be utilised but redesigned to ensure pedestrians on Beachs Drive are given priority over the site access. The existing bell-mouth arrangement would be altered, and a vehicle crossover / hybrid dropped kerb arrangement provided, with a raised table to reduce vehicle speeds when entering the site.

- 5.39. Safety and congestion concerns regarding the development and the one-way system of the internal road have been raised in representations. 18 dwellings would not generate an excessive number of trips as demonstrated by the submitted Transport Statement, and indeed would be a reduction to the former use of the site. Given the scale of the development, the internal road is acceptable, and it is unlikely to lead to significant tailback onto Beachs Drive. Furthermore, the access arrangements are the same for when the site was an industrial use and there were a greater number of vehicle movements and use of commercial vehicles.
- 5.40. Regarding any on street parking issues currently experienced in Beachs Drive, these are not directly related to the site. The development meets parking standards and therefore is unlikely to unacceptably exacerbate this.
- 5.41. Included in the Highways consultation response is the requirement to upgrade PROW 44 to the south of the site to an all-weather surface. This is an important development requirement to encourage sustainable travel as the PROW leads directly to Admirals Park and into the City Centre. The City Council currently maintains and manages the PROW as per an arrangement with Essex County Council (ECC) and will be the one to carry out the improvement works with the final specifications agreed firstly with ECC. However, principally a more durable permeable surface will be installed, together with a set of informal steps across the flood defence embankment into Admirals Park. A commuted sum of £6,200 will be sought from the applicant via a S106 Agreement for the City Council to carry out these works.

Development standards and sustainable construction (policies DM1, DM23, DM24, DM25 and DM26)

- 5.42. The development is compliant with Nationally described space standards for housing.
- 5.43. 12 of the units, representing more than 50% of the development, would look to meet Approved Document M4(2) (accessible or adaptable dwellings), including the three social/affordable rent units. However, M4(2) requires living areas to be located on the entrance storey of dwellings. As previously detailed, the flooding constraints of the site mean that no habitable accommodation can be located on the ground floor. The units would not, therefore, be wholly compliant with M4(2) requirements, but it is considered there are reasonable mitigating circumstances. In specific reference to the social/affordable rent units (plots 3-5), the following is proposed to ensure the dwellings are accessible and adaptable as much as possible such that a Registered Provider would accept the units:
- The ground floor WC has a 'potential level access shower'
 - Bedroom 4 of the dwellings could be a principal bedroom
 - The upper most floor can be access via a stair lift.
- 5.44. The Council's housing enabling officer considers the above acceptable.
- 5.45. A condition will be attached for the dwellings to have access to electric vehicle charging points and be designed to use less than 110 litres of water per day as required by Policy DM25.
- 5.46. The dwellings meet, or have in excess, private amenity space in accordance with Appendix B of the Local Plan. Plots 1 and 2 have the required communal garden area (20 sqm per unit) but due to the relationship with neighbours and design principles, they do not have private balconies. This is acceptable in this circumstance given the site's proximity to Admirals Park.
- 5.47. The development includes on site local open space in accordance with Appendix B.

Biodiversity net gain, RAMS, ecology and tree planting (Policy DM16, RAMS Supplementary Planning Document, Planning Obligations Supplementary Planning Document and Tree Planting Advice Note)

- 5.48. The site is hard surfaced and has some limited trees and landscaping along the edges of the site. The Ecology Appraisal submitted with the application concludes no further assessment or surveys are required. The Appraisal does make recommendations for enhancements including the provision of bat, bird and invertebrate boxes, wildlife friendly lighting and new tree and hedgerow planting.
- 5.49. On biodiversity net gain, the change of use alone from a former industrial site to residential development is likely to achieve or exceed 10% betterment. However, a number of conditions will be included to secure ecological and biodiversity enhancements.
- 5.50. Paragraph 9.13 of the Planning Obligations Supplementary Planning Document (SPD) (January 2021) states that where practicable, all new housing development should seek to plant three new trees per net new dwelling.
- 5.51. Tree planting should take place on site. On small or more dense urban sites, where some or all on-site planting is impractical, a commuted sum of £300 per new house will be sought for planting on Council owned land or other sites agreed by the Council.
- 5.52. The proposal includes some tree removal and the planting of new trees. However, there would be a tree planting deficient of 30 trees. A commuted sum of £3,000 would therefore be sought.
- 5.53. The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitat Regulations) require all new residential developments that have the potential to cause disturbance to European designated sites to provide appropriate mitigation. To deal with this, an Essex County wide strategic approach to considering and mitigating potential harm has been produced - the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). An Appropriate Assessment has been carried out which concludes that a contribution of £2,821.68 towards off-site mitigation (RAMS contribution) is necessary to mitigate the potential disturbance to European designated sites arising from this development growth.

Contamination (Policy DM30- Contamination and Pollution)

- 5.54. An initial contamination report has been submitted which recommends that further intrusive investigations are undertaken. A condition will be attached requiring a scheme to assess and deal with any contamination be submitted and agreed prior to commencement. This includes asbestos which will be required to be removed in accordance with current guidelines.

Health (Strategic Policy S9 – Infrastructure requirements)

- 5.55. The proposed development is likely to have an impact on the services of surgeries which operate within the vicinity of the site. It is estimated that the development would generate approximately 43 new residents which would increase demand on existing services.
- 5.56. The Integrated Care Board has requested £8,700 to be secured through a S106 Agreement to mitigate the impacts of the development, to be used to for appropriate measures to increase capacity.

Other Matters

Boundaries

- 5.57. Concerns have been expressed on the proposed boundaries to the development, both in terms of their appearance and robustness, particularly in relation to the neighbouring properties' ground levels and the need for reinforcement.
- 5.58. There are existing retaining walls around the boundaries of the site. These are to be retained and their appearance approved subject to the recommendations of a structural engineers. A condition will be attached requiring details of the boundary treatments to be submitted and approved by the Council prior to their installation and/any works to boundaries.

Lighting

- 5.59. Concerns have been raised on the safety of future residents at ground level of the development and the need for lighting details. A condition will be attached requiring this.

6. Community Infrastructure Levy (CIL) and Section 106 Agreement

- 6.1. The development is CIL liable. CIL payments are required to help pay for general infrastructure arising from development.
- 6.2. In addition, there are site specific payments towards works and obligations in order for the development to accord with national and local planning policies. These would be secured via a S106 Agreement and the expected drafts heads of terms are as follows:
- Affordable Housing delivery - 2 no. First Homes and 3 no. Social/Affordable Rented
 - First Homes Contribution to make up the 5% difference in the discount applied to Shared Ownership vs. First Homes. This will be £247 per sq. m for each First Home flat. As an alternative to paying the First Homes Financial contribution the s.106 will provide scope for the developer to either discount First Homes at 40% or 50% from market value
 - Open space delivery
 - Open space maintenance and management commuted sum if the land is to be transferred to the Council
 - Conditional performance bond if the open space is to be privately maintained and managed
 - Upgrading of PROW 44 to an all-weathered surface - £6,200
 - Healthcare contributions - £8,700
 - Tree planting contribution - £3,000
 - RAMS - £2,821.68.

7. Conclusion

- 7.1. The proposal is a sustainable use of previously development land in the Chelmsford Urban Area and represents the delivery of an allocated housing site which will include affordable housing.
- 7.2. 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 as the development is assessed to be acceptable in relation to those concerns raised.

- 7.3. The proposals are compliant with the standards and objectives of the National Planning Policy Framework and Chelmsford Local Plan (May 2020). Across all material planning considerations the development is assessed to be acceptable.

RECOMMENDATION

Subject to a S106 Agreement (as indicated in the report presented to the Committee) being entered into pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

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

Reason:

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

Condition 4

a) No development shall take place until a scheme to assess and deal with any contamination of the site has been submitted to and approved in writing by the local planning authority.

b) Prior to the occupation or first use of the development, any remediation of the site found necessary shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

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

Condition 5

a) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of archaeological work has been submitted to and approved in writing by the local planning authority.

b) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation and a copy of the final report of findings has been submitted to and approved in writing by the local planning authority.

Reason:

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

Condition 6

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

- i. the parking of vehicles of site operatives and visitors
- ii. 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. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

Reason:

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

Condition 7

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

- o Limiting discharge rates to 1l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.
- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- o Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- o Final modelling and calculations for all areas of the drainage system.
- o The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- o Detailed engineering drawings of each component of the drainage scheme, including any safety barriers and/or features
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- o A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason:

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

Condition 8

No development shall take place, including any works of ground clearance or site preparation, until a scheme to minimise offsite flooding caused by surface water run-off and groundwater during construction works and measures to prevent pollution has been submitted to and approved in writing by the local planning authority.

The approved scheme shall be adhered to throughout the construction period for the development.

Reason:

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

Condition 9

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 10

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a written request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Condition 11

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

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

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

Reason:

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

Condition 12

Prior to occupation of the development details of a scheme of improvements to the site access to prioritise pedestrians shall be submitted to and agreed in writing by the Local Planning authority. These works shall include but are not limited to;

- Appropriate alterations to the existing bell-mouth arrangement to provide an access arrangement which gives priority to pedestrians on the footway on Beachs Drive, including removal of the existing radius kerbs and extension of highway verge.
- Access to accommodate the swept paths of a refuse vehicle.
- Measures to control the speed of vehicles along the site access road.

Thereafter the agreed works shall be carried out prior to occupation of the development.

Reason:

In the interests of highway safety and accessibility.

Condition 13

The development shall not be occupied until such time as the visitor vehicle parking area and internal road as shown on the approved drawing no. 956-PL-03 Rev B has been provided. The visitor parking area and road shall be retained in this form at all times.

Reason:

To ensure that appropriate parking and turning is provided in the interests of highway safety.

Condition 14

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

Reason:

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

Condition 15

a) Details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings, piers and any proposed boundaries to the rear of the carports shall be submitted to and approved in writing by the local planning authority.

b) The development shall not be occupied until the boundary treatments have been provided in accordance with the approved details.

Reason:

To ensure the proposed development is visually satisfactory, does not prejudice the appearance of the locality and to safeguard the residential living environment the existing neighbouring dwellings in accordance with Policy DM23 and Policy DM29 of the Chelmsford Local Plan.

Condition 16

Notwithstanding drawings no. PR226-01 Rev L and PR226-02 Rev C details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, visitor spaces and how they are marked out and other hard landscape features and materials;
- b) seating
- c) bins
- d) ramp
- e) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- f) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;

Reason:

In order to add character to the development, to integrate the development into the area and to ensure the landscaping is acceptable should the open space be transferred to the City Council in the future in accordance with Policy DM23 of the Chelmsford Local Plan. Also, to promote biodiversity in accordance with Policy DM16.

Condition 17

A landscape management plan, including long term design objectives, management responsibilities and schedule of landscape maintenance for a minimum period of five years for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that the landscaping and planting is appropriately maintained in the interests of the character and appearance of the area in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 18

No trees or hedges within the site other than those shown on drawing no. OS 2308-22.1 Rev A and the Arboricultural Impact Assessment prepared by Open Spaces, March 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 and Policy DM23 of the Chelmsford Local Plan.

Condition 19

Prior to the first occupation of the dwellings hereby permitted, 18 electric vehicle charging points shall be installed and retained in accordance with details that that shall have been previously submitted to and agreed in writing by the local planning authority.

Reason:

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

Condition 20

Prior to their installation details of any means of external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings and the interests of the safety of future residents of the development in accordance with Policy DM23 and Policy DM29 of the Chelmsford Local Plan.

Condition 21

Before the surface water pumping station is used, it shall be enclosed with sound-insulating material in accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority. The measures implemented as approved shall be retained thereafter.

Reason:

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

Condition 22

Prior to their installation, details of the carport gates for the dwellings shall be submitted to and approved in writing by the local planning authority. The gates shall then be installed in accordance with the approved details.

Reason:

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

Condition 23

Prior to their installation, details of the obscure glazing and opening of the bathroom and kitchen windows of plots 1 and 2 as shown on drawing no. 956-PL-04 Rev A, shall be submitted to and approved in writing by the local planning authority. The windows shall then be installed in accordance with the approved details and thereafter retained in the approved form.

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 24

No dwelling shall be occupied until secure and covered bicycle parking has been laid out within the site in accordance with details which shall previously have been submitted to and approved in writing by the local planning authority. Those spaces shall thereafter be kept available for the parking of bicycles only.

Reason:

To ensure that sufficient bicycle parking is available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 25

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 26

A minimum of 50% of new dwelling units as hereby approved shall be constructed to comply with Building Regulations Approved Document Part M4(2) Category 2 (2010 - as amended) unless otherwise agreed in writing with the local planning authority.

Reason:

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

The site has considerable flooding constraints and measures to mitigate the development include no habitable accommodation being contained on the ground flood. This will impact on the development meeting all of the M4(2) requirements.

Condition 27

All new dwelling units as hereby approved shall be constructed to achieve increased water efficiency to a standard of no more than 110 litres of water per person per day in accordance with Building Regulations Approved Document Part G (2015 - as amended).

Reason:

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

Condition 28

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Preliminary Ecological Appraisal prepared by Open Spaces, March 2022 subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

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

Condition 29

Prior to occupation of the proposed development, the Developer shall provide to each household a copy of the Flood Risk Emergency Plan dated May 2023, prepared by Create Consulting Engineers Ltd.

Reason:

In the interest of the safety of all future residents, in accordance with Policy DM18 and Policy DM24 of the Chelmsford Local Plan.

Condition 30

Prior to first occupation, the refuse and recycling stores for Plots 1 and 2 as shown on approved drawings 956-PL-26 and 956-PL-04 Rev A shall be made available for use

Reason:

To ensure satisfactory waste and recycling collection points are available to for the occupiers of plots 1 and 2 in accordance with Policy DM26 of the adopted Chelmsford Local Plan

Condition 31

Prior to occupation of the proposed development, the Developer shall provide to each household a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason:

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

Condition 32

The carports hereby approved for plots 1-18 shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.

Reason:

To ensure that sufficient parking is available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 33

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), the dwellings hereby permitted shall not be enlarged or extended without the grant of an additional planning permission by the local planning authority.

Reason:

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

Condition 34

The second floor ensuite window in the south elevation of plot 13 and shown on approved Drawing No. 956-PL-25 shall be:

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

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 35

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 windows or other openings other than those expressly authorised by this permission shall be constructed or inserted within the north west elevation of plot 18 and south western elevation of plot 1 of the development hereby permitted.

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 36

The open rear elevation of the ground floor car ports as shown on drawing nos. 956-PL-04 Rev A, 956-PL-05 Rev B, 956-PL-06 Rev A, 956-PL-07 Rev A, 956-PL-08 Rev A, 956-PL-09 Rev A, 956-PL-10 Rev A, 956-PL-11 Rev A, 956-12 Rev A, 956-PL-25 shall remain open in perpetuity and shall not be filled in or enclosed in any manner without the prior written approval of the local planning authority.

Reason:

To ensure that sufficient parking is available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Notes to Applicant

1 Hours of work during construction

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

Noisy work:

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

Light work:

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

In some circumstance further restrictions may be necessary.

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

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>

2 The proposed demolition in the scheme should not be carried out until you have given notice to the Chelmsford City Council (Building Control Manager) of your intention to do so pursuant to Section 80 of the Building Act 1984.

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

3 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are: Telephone: 0845 603 7631. Email: development.management@essexhighways.org.

4 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.

5 The proposed development may be liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended). If applicable, a Liability Notice will be sent as soon as possible to the applicant and any other person who has an interest in the land. This will contain details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.chelmsford.gov.uk/cil, and further information can be requested by emailing cilenquiries@chelmsford.gov.uk. If the scheme involves demolition, for the

purposes of the Regulations the development will be considered to have begun on commencement of the demolition works.

- 6 Your attention is drawn to the consultation response of Anglian Water regarding the ability to connect drainage from this site to the public sewer and related information. A copy of the response is available via Public Access, or a copy can be provided to the applicant on request.
- 7 It is recommended that an asbestos survey is undertaken prior to demolition. Any asbestos found must be removed by a qualified contractor and disposed of at a licensed facility.

Positive and Proactive Statement

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

ECC Mills Officer

Comments
No response received

Mid And South Essex Integrated Care Board

Comments
The development would have an impact on healthcare provision in the area where there is already a deficit of primary care facilities. If unmitigated, the development would be unsustainable. The ICS therefore requests that the sum of £8,700 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase capacity.

Public Health & Protection Services

Comments
Please put on an ENV07 condition. The Phase 1 Assessment indicated the need for an intrusive investigation to be undertaken.
Asbestos surveys have found asbestos in 3 buildings. The asbestos must be removed prior to demolition in line with current guidelines. A report must be submitted to show how the works are to be carried out and a validation report to show that the asbestos has been removed.
The residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).

Environment Agency

Comments
No objections.

Essex County Council Highways

Comments
The Highway Authority has undertaken a site visit and has thoroughly assessed the submitted information and plans received throughout the course of this planning application. The Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity, or efficiency.
From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following condition:
- Works to the existing access

- Provision of visitor parking prior to occupation
- Cycle parking
- Construction Management Plan
- Residential Travel Information Packs with travel vouchers
- Upgrading of Public Right of Way 44 to an all-weather surface
- No unbound materials within 6m of the highway boundary.

Ramblers Association

Comments
<ul style="list-style-type: none"> - No reference is made to PROW 44 on the submitted plans but is referenced in the Design and Access Statement. - A significant level difference exists between the PROW and the proposed site which is at a lower level. The ramp will need to comply with Building Regulation guidance, including gradient, guarding and be suitable for wheelchair use. - The construction of the ramp should not impact on the width and use of the PROW at any time. - The northern side of the PROW facing the site should have suitable protection from falling noting the difference in level highlighted above.

ECC Historic Environment Branch

Comments
<p>The Historic Environment Record (EHER) shows that the proposed development is in an area with the potential for archaeological remains. To the south-west of the development site a series of cropmarks have been identified from aerial photography that appear to show field boundaries and ring-ditches, speculated to be of a prehistoric date (EHER 853). To the south of the proposed development, near the River Can, Neolithic worked flint tools, alongside prehistoric and Roman pottery, have been recovered (EHERs 699, 700, 701 and 702). In particular, a Bronze Age bucket-shaped urn from this assemblage would seem to suggest prehistoric burial activity in the vicinity.</p> <p>To the north-east of the proposed development more Roman pottery (EHER 697), as well as a prehistoric flint spearhead (EHER 698), were recovered during excavations for a gravel pit.</p> <p>Later archaeological remains nearby include medieval and post-medieval pottery uncovered to the north-west, at the southern end of Chignal Road (EHERs 825 and 826).</p> <p>In view of the above, a condition is recommended for archaeological trial-trenching and excavation.</p>

Emergency Planning

Comments
Emergency Flood Plan acceptable.

ECC Minerals & Waste Planning

Comments
The site is not within a Mineral Safeguarding Area, Mineral Consultation Area or Waste Consultation Area.

Housing Standards Team

Comments
No response received

ECC Infrastructure Delivery Team

Comments
No response received

Essex County Council (SUDS)

Comments
Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based subject to conditions covering as follows: <ul style="list-style-type: none">- Submission and LLFA approval of the technical SUDS scheme- Scheme to minimise offsite flooding- Maintenance regime (including keeping of yearly logs)

Recycling & Waste Collection Services

Comments
No response received

Police - Designing Out Crime

Comments
Whilst there are no apparent concerns with the layout to comment further we would require the finer detail such as the proposed lighting, and physical security measures.

We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these policies by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring the risk commensurate security is built into each property and the development as a whole.

UK Power Networks (Network Planner)

Comments

No response received

Anglian Water Services Ltd

Comments

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that a text is added to the Notice advising of this and the requirements.

The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have available capacity for these flows

This response has been based on the following submitted documents: Application Documents - Flood Risk Assessment Vols 1-6 - the proposed connection is acceptable. A pumped connection is proposed, the rate will be assessed a S106 stage, the site must have a gravity length of sewer to connection into the Anglian Water network, in line with DCG requirements. We do not require a condition in planning for foul water.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Anglian Water has reviewed the submitted documents Application Documents can confirm that a connection with a maximum rate of 1l/s discharging into the Anglian Water surface water sewer is acceptable to us, subject to site investigations being provided at S106 (water industry act) stage. We require these documents to be listed as approved plans/documents if permission is granted.

Essex and Suffolk Water

Comments

No response received

ECC Community Infrastructure Planning (Education)

Comments
No response received

Parks & Open Spaces

Comments
Proposals are acceptable and we would accept adoption of local open space, if offered, subject to a commuted sum.

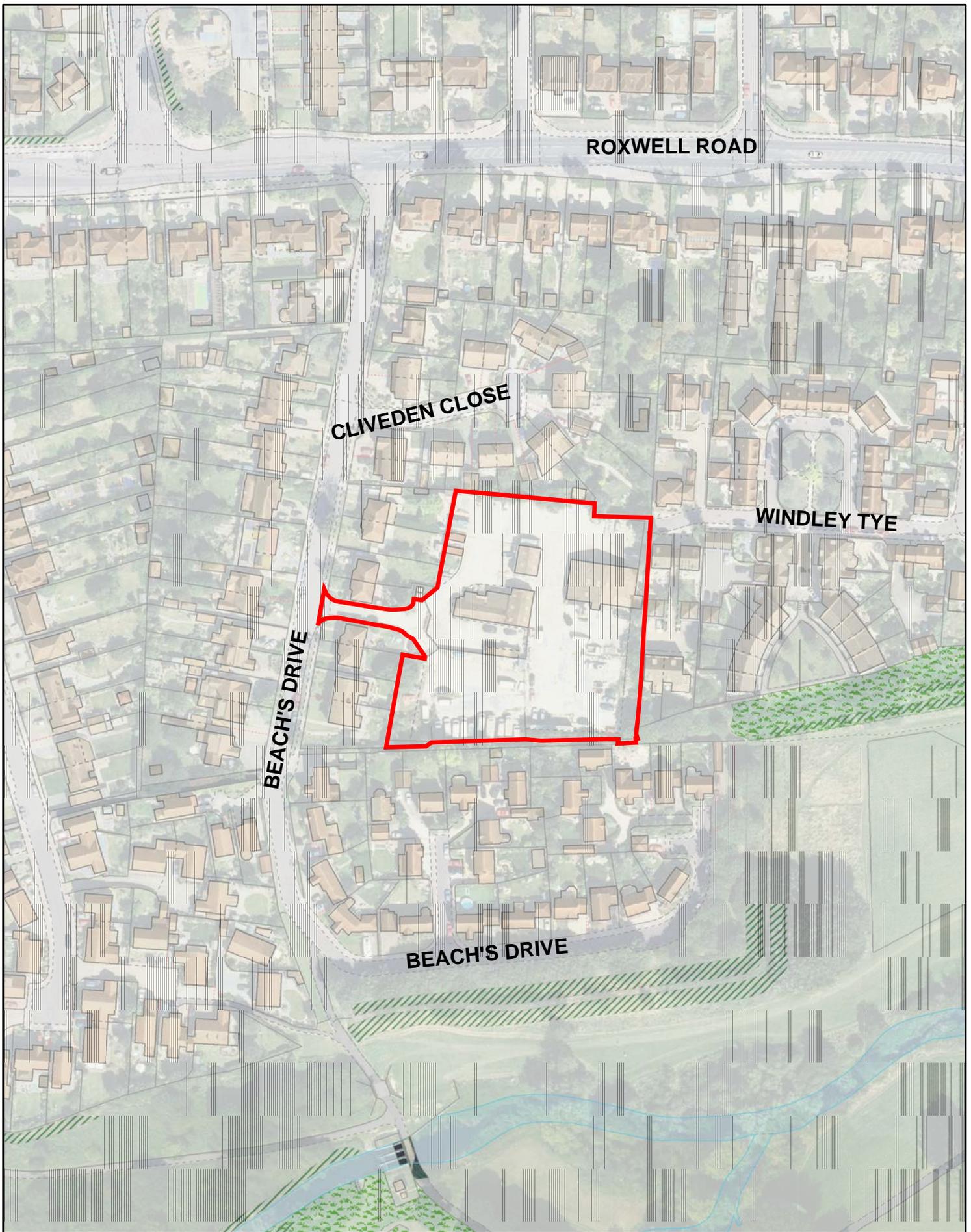
Essex County Fire & Rescue Service

Comments
<p>Access for fire service purposes is considered satisfactory.</p> <p>It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.</p> <p>The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development.</p>

Local Residents

Comments
<p>8 representations, including from local ward Members, were received raising the following:</p> <ol style="list-style-type: none">1. Development not in keeping with the surrounding neighbours and the locality2. Concerns on loss of light, overlooking and the development being overbearing to neighbours3. Concerns on the number, scale and design of the development4. Concerns on the appearance and robustness of boundary treatments given the levels difference at the site.5. Concerns on construction methods6. Concerns on asbestos7. Concerns on noise from construction and work hours8. Concerns on access arrangements due to parked cars9. Concerns on parking, access, congestion and safety in Beachs Drive and the development would exacerbate these issues.10. Parking restrictions should be implemented on Beachs Drive11. Conditions required for the developer make good any damage caused to Beachs Drive12. Concerns on the access and internal road13. Concerns on safety and security14. Would like to see more sustainability measures incorporated into the development15. Would like details on the upgrading of the footpath link16. Questions over plans. <p>Officer response</p>

1. See paragraphs 5.19-5.23
2. See paragraphs 5.24-5.34
3. See paragraphs 5.19-5.23
4. See paragraphs 5.57-5.58
5. Construction impacts are not material to whether the proposal is acceptable or not, but note that a construction method plan is included as a condition
6. See paragraph 5.54
7. An informative is included setting out hours of construction
8. See paragraphs 5.35-5.41
9. See paragraphs 5.35-5.41
10. See paragraphs 5.35-5.41. The development meets parking standards such that it is not considered justified to impose parking restrictions.
11. Construction impacts are not material to whether the proposal is acceptable or not, but note that a construction method plan is included as a condition
12. See paragraphs 5.35-5.41
13. See paragraphs 5.57-5.59
14. See paragraphs 5.42-5.47. There are policies to secure sustainable measures for all developments. The development is also located in a highly sustainable location.
15. See paragraph 5.41
16. Amendments have been made through the life the application and any anomalies have been rectified.



0 15 30 60 Metres

1:1,663



Planning Committee
23/00116/FUL

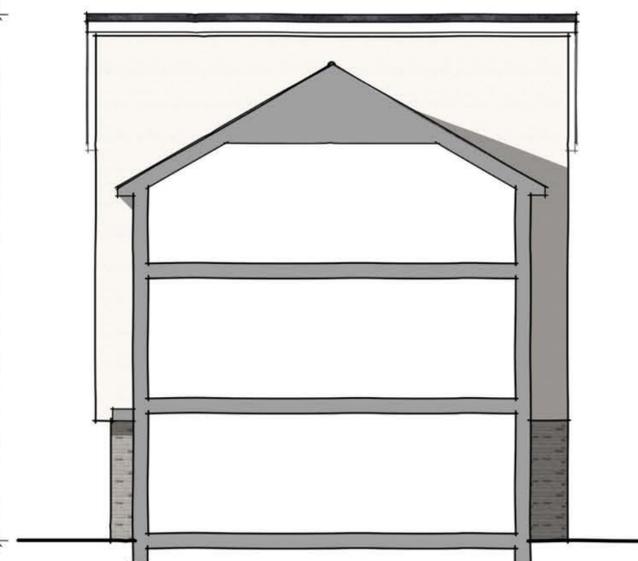
Planning & Development Management
Directorate for Sustainable Communities

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

Telephone: 01245 606826



FRONT ELEVATION



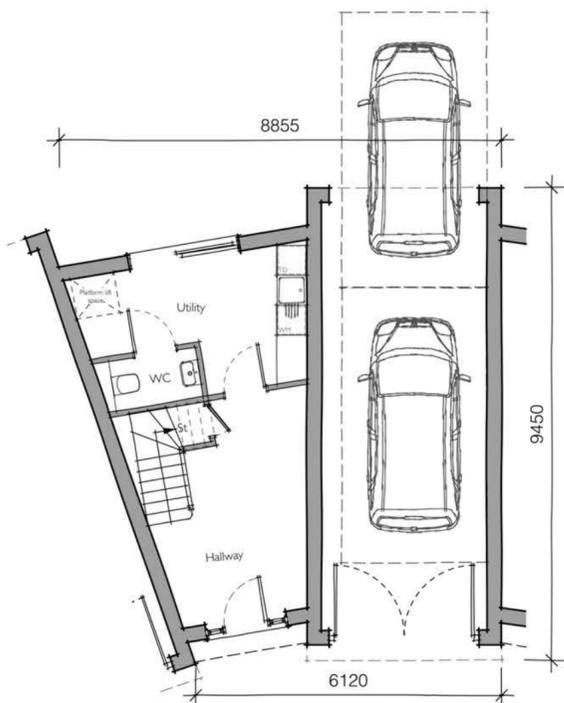
SECTIONAL SIDE ELEVATION



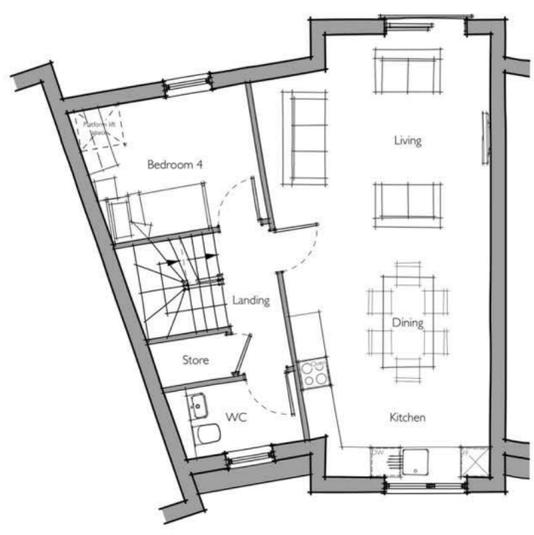
REAR ELEVATION



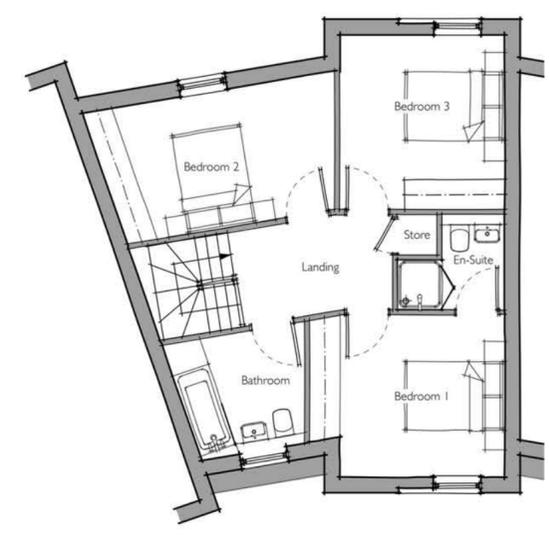
SECTIONAL SIDE ELEVATION



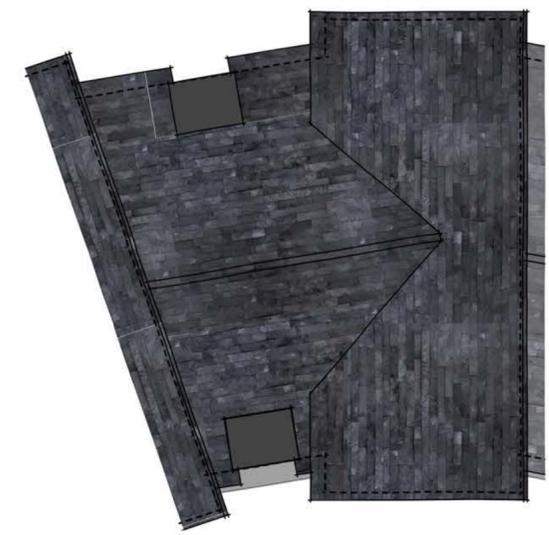
GROUND FLOOR PLAN



FIRST FLOOR PLAN



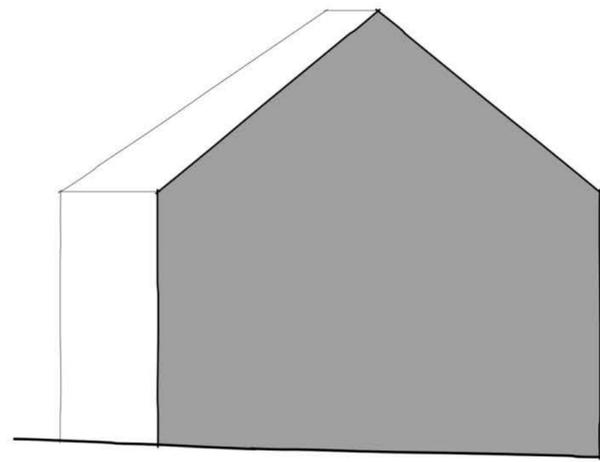
SECOND FLOOR PLAN



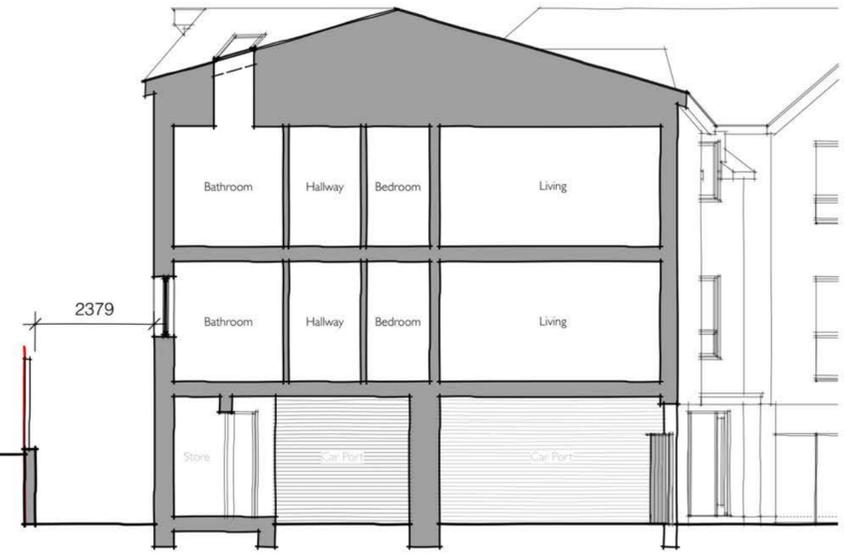
ROOF PLAN

HT-J. 4B 7P
PLOTS 7,8,9
143.4m² / 1544ft²



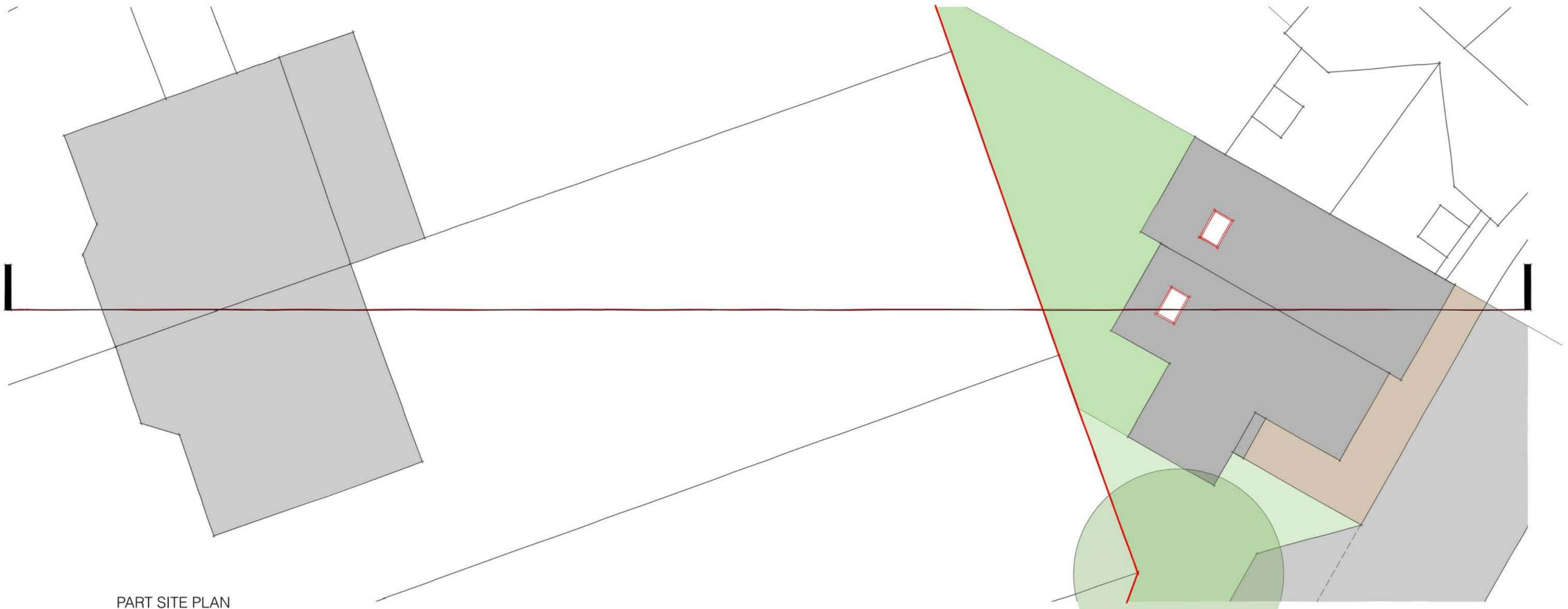


PART SITE SECTION

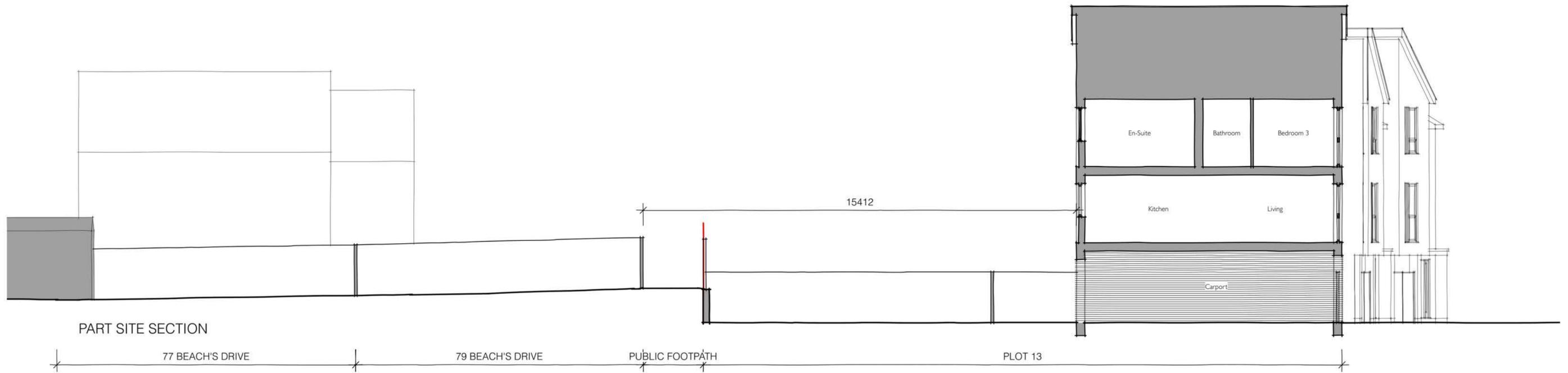


17 & 19 BEACH'S DRIVE

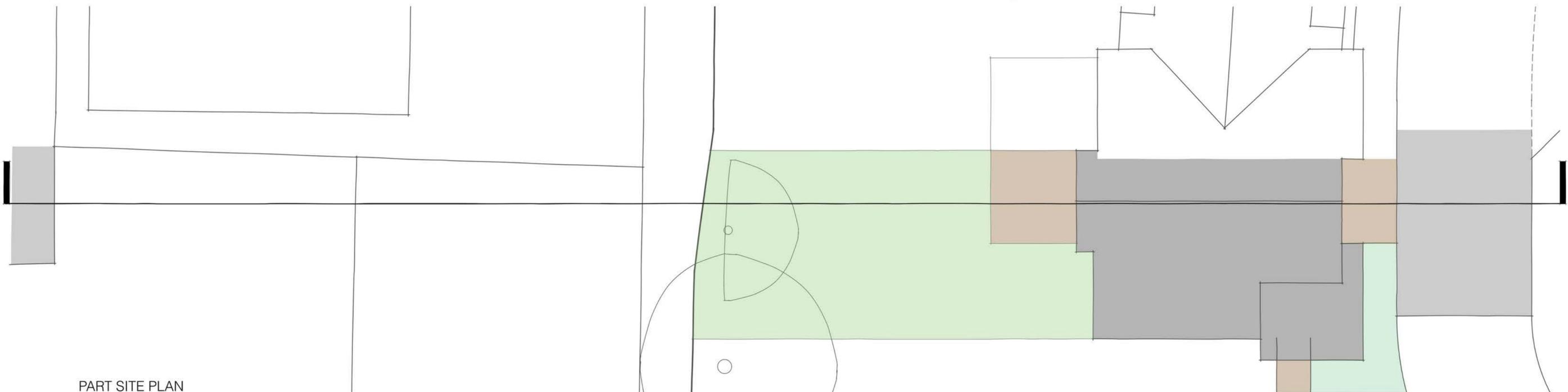
PLOTS 1 & 2



PART SITE PLAN

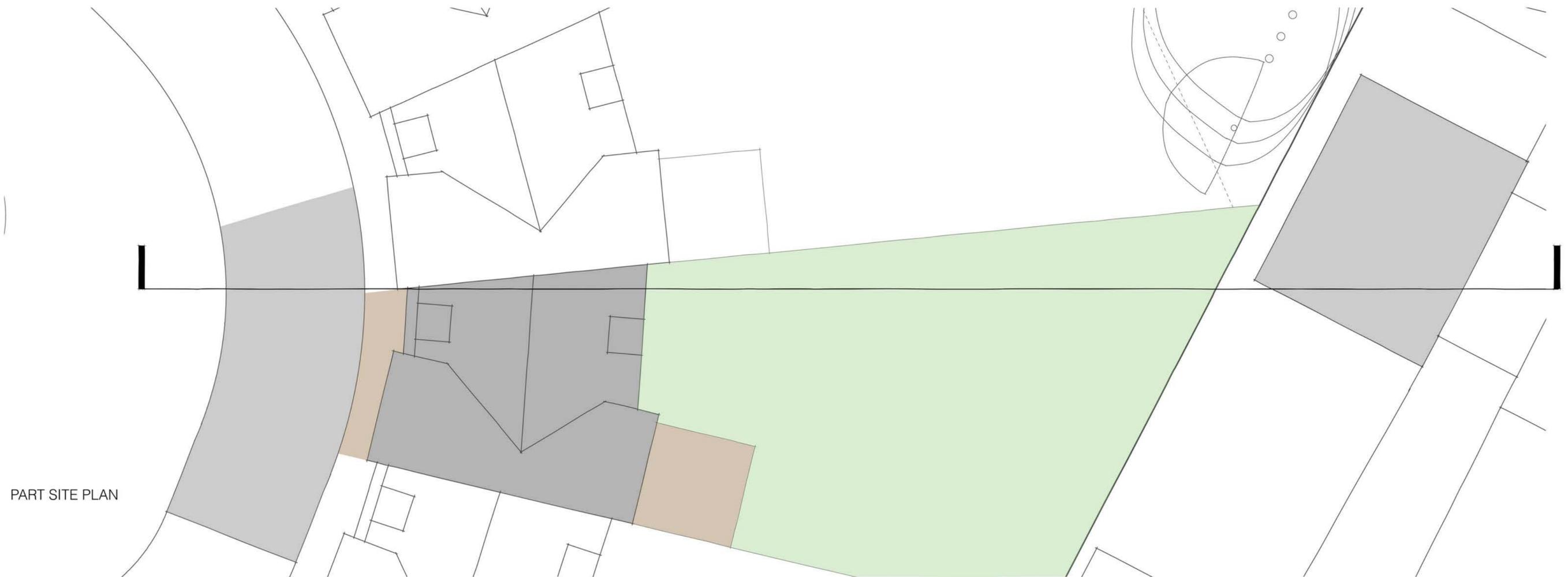
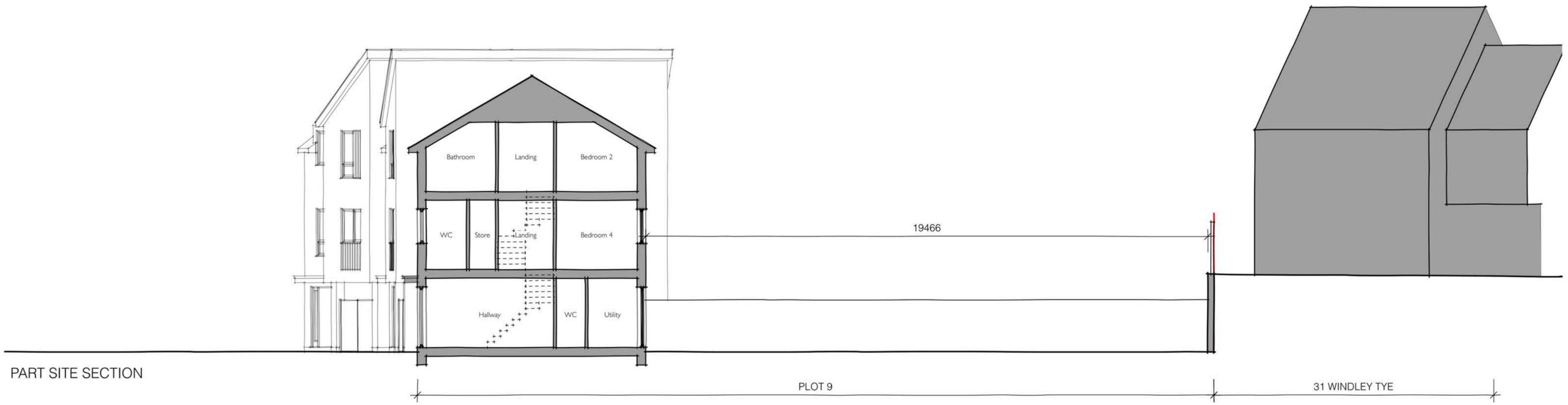


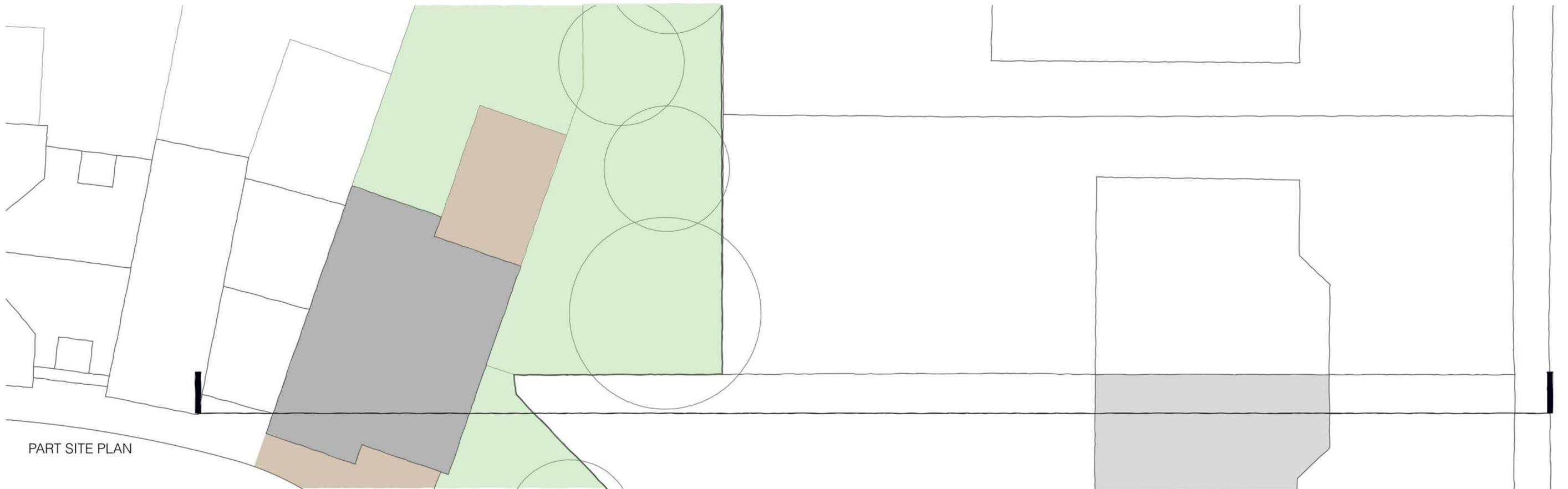
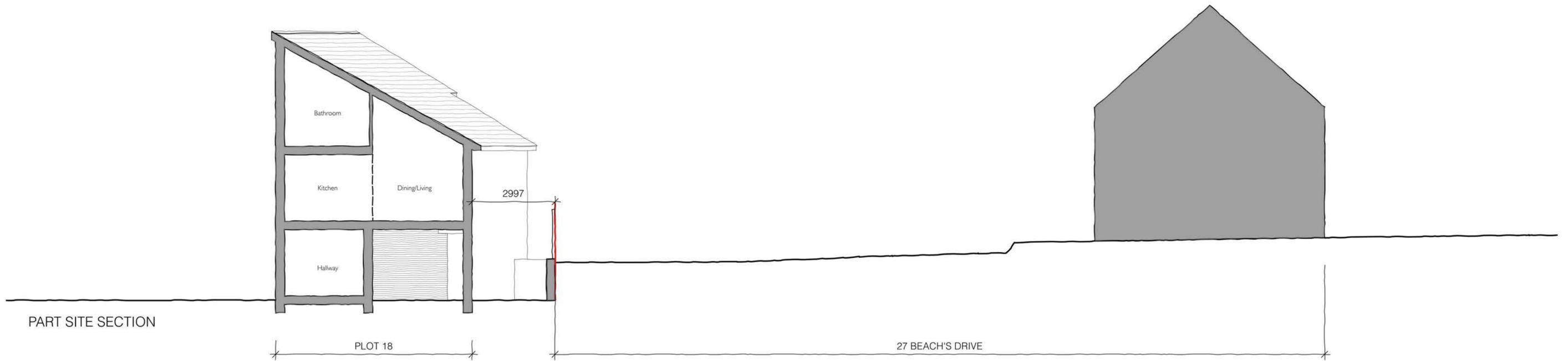
PART SITE SECTION



PART SITE PLAN



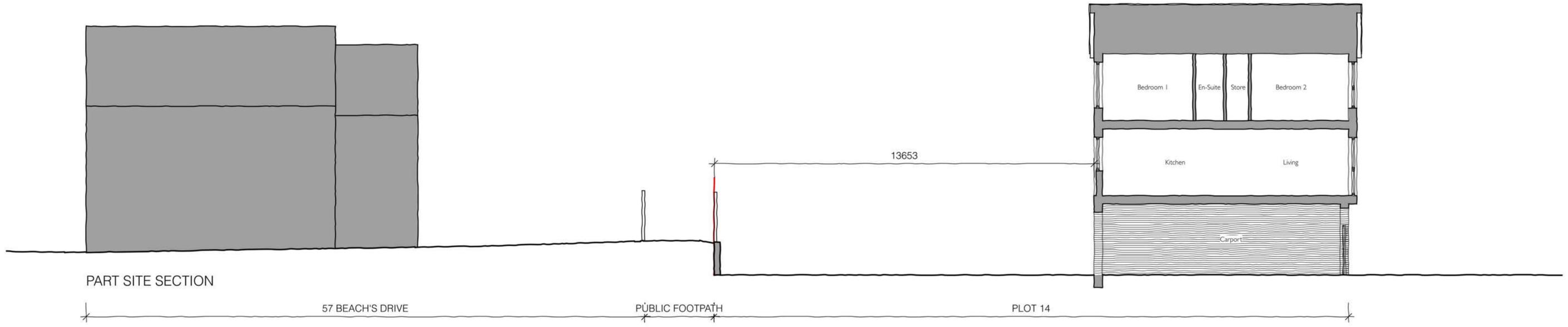




PART SITE SECTION

PART SITE PLAN





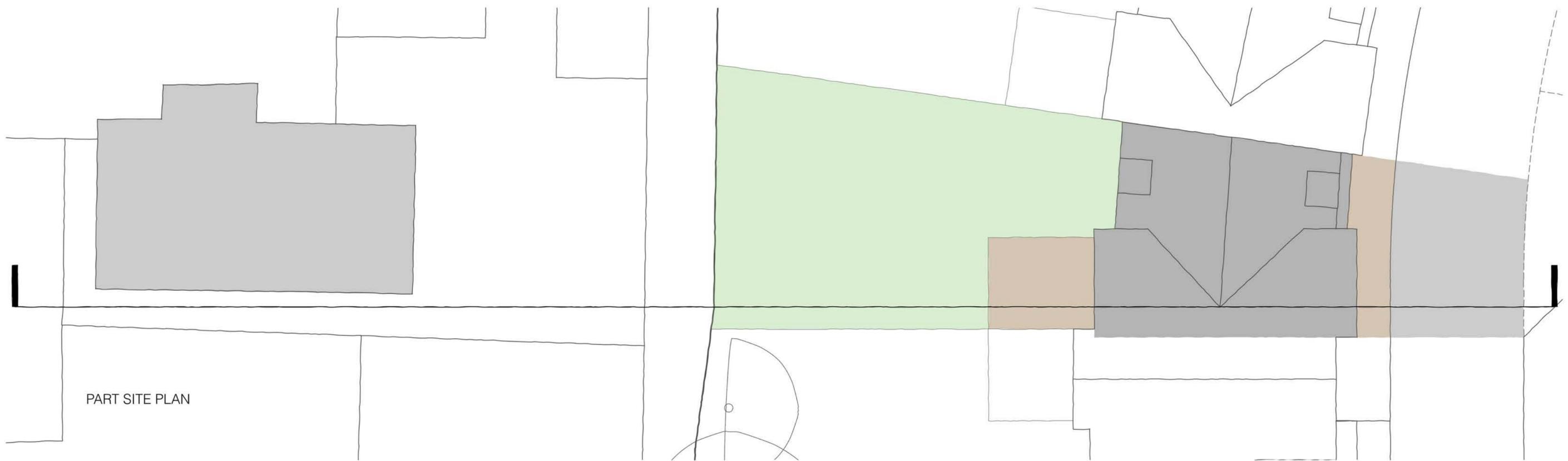
PART SITE SECTION

57 BEACH'S DRIVE

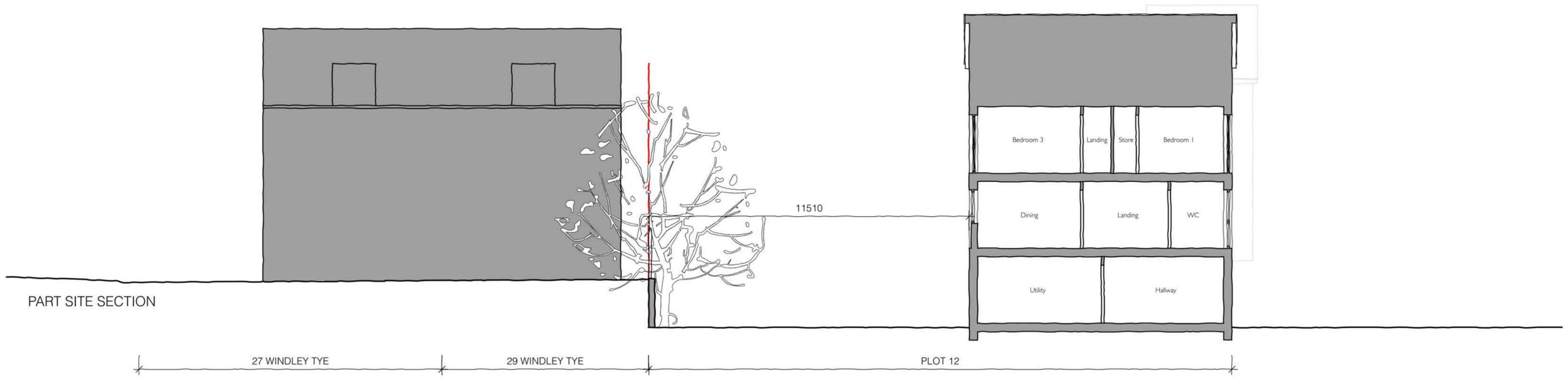
PUBLIC FOOTPATH

PLOT 14

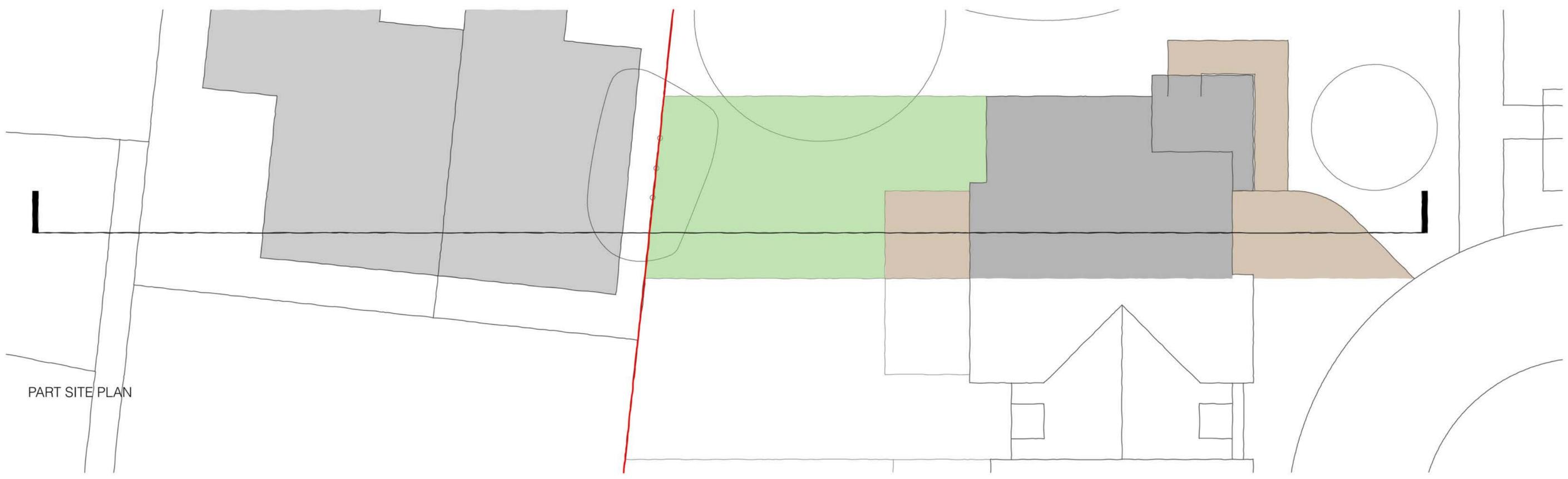
13653



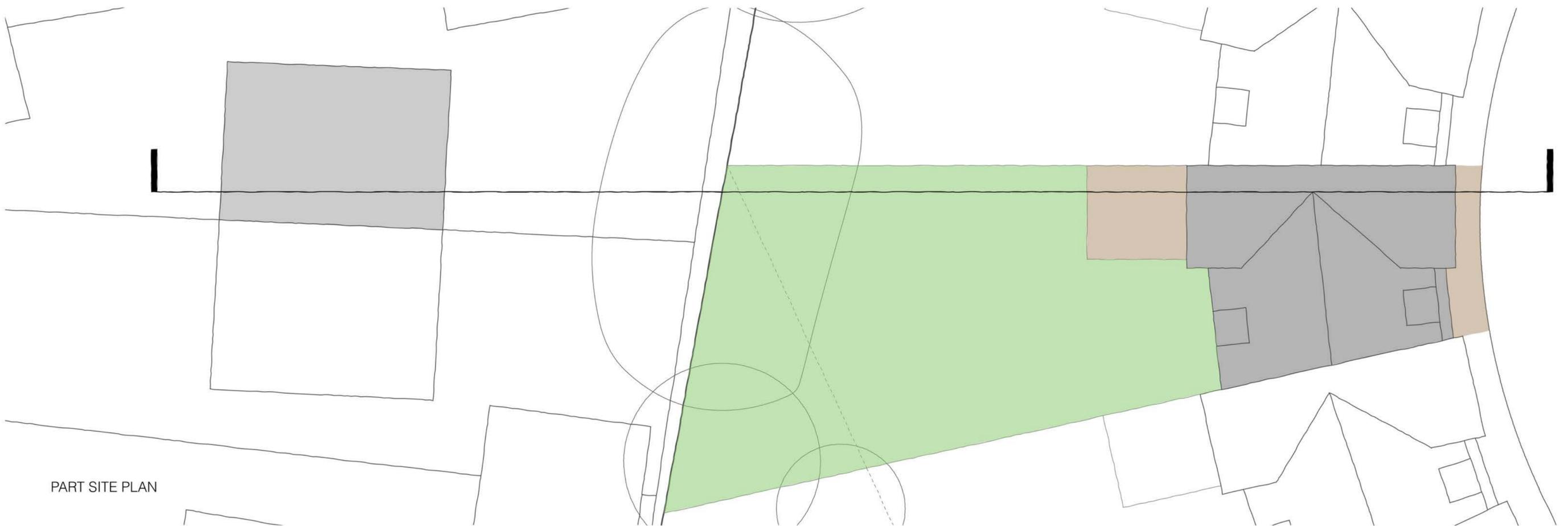
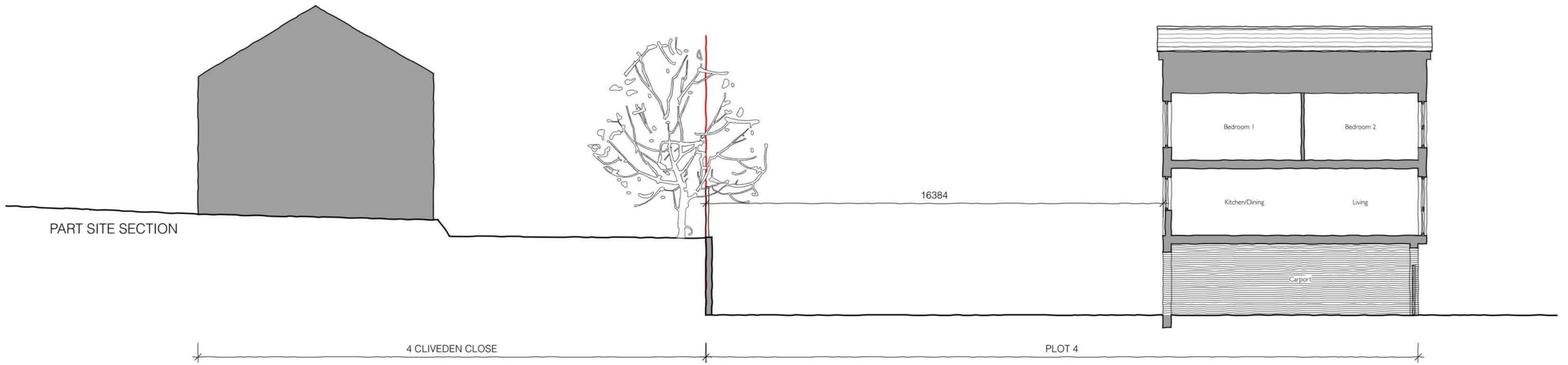
PART SITE PLAN



PART SITE SECTION



PART SITE PLAN



PART SITE PLAN



Trees



Gleditsia triacanthos 'Skyline'



Alnus glutinosa 'Imperialis'



Acer campestre (Field Maple)



Sorbus aucuparia 'Sheerwater Seedling'



Lilac (Syringa reticulata 'Ivory Silk')



Corylus avellana (Hazel)

Hard Landscaping



Omega Flow in 'Autumn Gold' colour



Brett Omega Flow Block Paving in 'Charcoal' colour or similar approved.

Features



bradstone natural sandstone paving fossil buff



Chronos FSC Hardwood & Stainless Steel 90 degrees radial bench by Factory Furniture Ltd.



Legend

Paving / Surfacing

- 200 x 100 x 80mm PERMEABLE blocks in 'Autumn Gold' colour laid in 90 degree herringbone pattern with stretcher border to shared drives, parking courts and private driveways
- 200 x 100 x 80mm PERMEABLE blocks in 'Charcoal' colour laid in 90 degree herringbone pattern with stretcher border to shared drives, parking courts and private driveways
- Buff paving slabs in 'Natural' colour to front paths and rear patios
- Public paths in Buff coloured permeable macadam

Landscaping

- Amenity grass to be Emorsgate EM1 Flowering Lawn mix
- Proposed ornamental groundcover planting
- Low maintenance planted area at higher retained level
- Wildflower grassland (Emorsgate EM8 Seed Mix)
- Existing trees retained
- Proposed tree and code (see schedule)
- Specimen architectural accent evergreen shrub
- Proposed Low hedge (0.5m high)

Features

- 1.1m high handrail
- Existing retaining wall to be assessed by structural engineer, made good as necessary.
- Existing concrete block wall to be reduced in height, painted and retained
- Proposed brick garden wall 1.8m high
- Proposed close board fence 1.8m high
- Existing low wall to be capped and 1.1m high railings added above
- Existing concrete post and panel retaining fence (to be replaced)
- Gabion wall
- 6 inch square 600mm high chamfered top treated timber droppable lockable bollards. Timber to have 25 year in-ground life-span
- 1.8m dia tree grille. NOTE: Green - Blue Urban Rootspace pavement support system beneath to achieve 18m² root volume per Gleditsia tree
- Play Sculpture
- Chronos bench by Factory Furniture Ltd (Straight and 90 degree radial)
- Private foul water pumping station, control kiosk and 10.0 m cordon sanitaire.
- Surface water pumping station:- peak flow: 1.0 l/s CL: 25.35m aod IL: 23.55m aod

L	Pumping stations amended	MLD	21.06.23
Issue	Revision	Initial	Date



9, The Street, Manuden, Bishop's Stortford, Herts CM23 1DD
 email: matt@ml-landscapearchitecture.com
 office: 01279 819195

Project
BEACH'S DRIVE

Client
S.J.T. DEVELOPMENTS

Title
LANDSCAPE MASTER PLAN

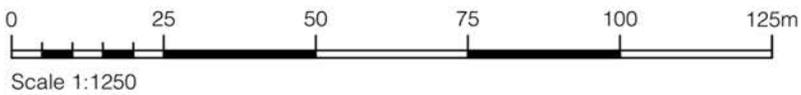
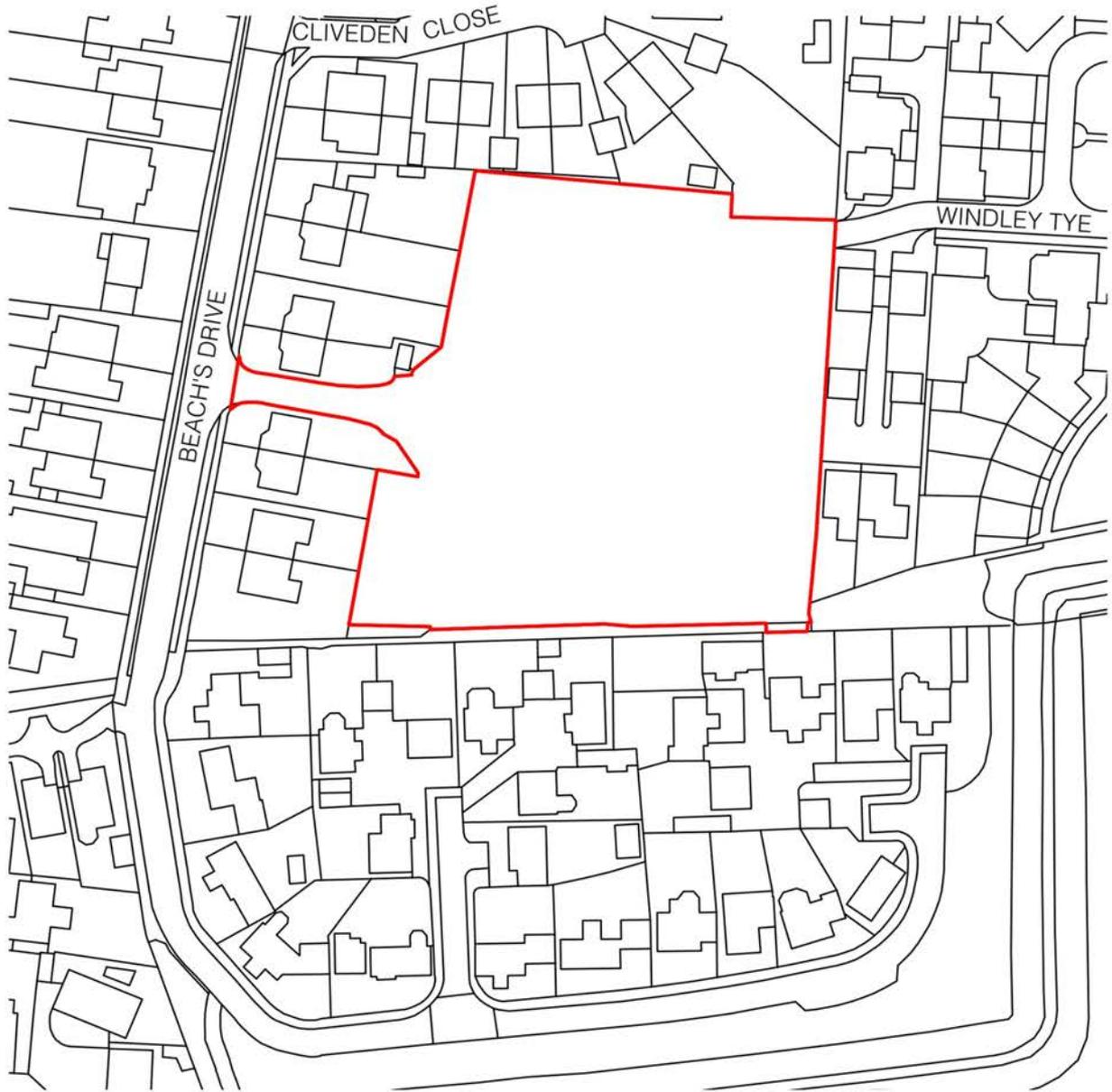
Date FEB 2022 Scale 1@200@A0

Job No. PR226 Drawing No. PR226-01 Rev. L

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TREE SCHEDULE - Beach's Drive

No	Code	Latin Name	Common Name	Girth	Height	Specification
2	Ac	Acer campestre	Field maple	14-16cm	4.25-6.0m	Extra Heavy Standard C.G. - Clear Stem to 2.1m
1	Al	Alnus glutinosa 'Imperialis'	Cut-leaved common alder	16-18cm	4.5-6.5m	Advanced Nursery Stock C.G.
3	Ca	Corylus avellana	Common hazel	-	1.5-1.8m	Feathered
3	GS	Gleditsia triacanthos 'Skyline'	Honey locust	16-18cm	4.5-6.5m	Advanced Nursery Stock C.G.
2	Sa	Sorbus aucuparia 'Sheerwater Seedling'	Rowan	14-16cm	4.25-6.0m	Extra Heavy Standard C.G.
2	Sr	Syringa reticulata 'Ivory Silk'	White flowering Lilac	-	1.5-1.8m	Feathered
Total	13					



Client: SJT

Drawing: Location Plan

Status: Planning

Project: Beach's Drive,

Scale: 1:1250 @ A4

Revision:

Location: Roxwell

Drawn: MP

Number: 956-PL-01





0 10 20 30 40 50m
 Page 88 of 88
 Scale 1:500



Client: SJT	Drawing: Site Layout	Status: Planning
Project: Beach's Drive,	Scale: 1:500 @ A3	Revision: B - 22/05/2023 - Gardens amended
Location: Roxwell	Drawn: MP	Number: 956-PL-03 B

The Mill - The Tye - East Hanningfield - Essex - CM3 8AE - mail@acanthusra.co.uk - 01245400808

All dimensions are to be checked on site, drawing to read in conjunction with all contract documents. Any discrepancies should be reported to the contract administrator. Do not scale this drawing.