



Planning Committee
5th March 2024

Application No	:	23/01654/FUL Full Application
Location	:	Strategic Growth Site 7A Moulsham Hall Lane Great Leighs Chelmsford Essex
Proposal	:	Formation of a temporary construction vehicle access from Moulsham Hall Lane to facilitate the future development of Strategic Growth Site 7A.
Applicant	:	C/o Savills Bellway Homes Limited (Essex) & Redrow Homes Limited, Har...
Agent	:	Mr J Daniels
Date Valid	:	17th October 2023

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Appendices:

Appendix 1 Drawings

1. Executive summary

- 1.1. The proposed temporary access would enable initial access to the Strategic Growth Site in advance of construction of a new roundabout off the A131, enabling preparatory works offline to the new roundabout and access road which will serve Growth Site 7a.
- 1.2. The loss of a Category A oak tree can be compensated through other planning applications, as it would be lost in any event.
- 1.3. Highway safety can be suitably maintained subject to compliance with a number of planning conditions.
- 1.4. The application is recommended for approval.

2. Other relevant applications

22/00002/MAS - approved – 28 February 2023
Masterplan Stage 1.

23/01583/OUT & FUL – pending consideration

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

1. Outline application with all matters reserved for residential development of up to 800 homes (Use Class C3) including affordable and self/custom-build homes; a Neighbourhood Centre comprising commercial, business and service (Use Class E) of which the anchor retail store is not more than 500 sqm (GIA); medical services (Use Class E(e)), a children's nursery (Use Class E(f)) and a residential care home (Use Class C2) of up to 80 beds; a new primary school (Use Class F1); landscaping works, provision of strategic and local open space; biodiversity enhancements, all associated highways infrastructure, pedestrian, cycle, PROW and bridleway routes; drainage infrastructure and all associated ancillary works including services and utilities.
2. Full application for the principal means of vehicular access to the site, on site highways works, surface water attenuation basins and associated ancillary works including services and utilities.

23/01769/FUL - pending consideration

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

23/05132/TPO – Approved 25 August 2023

W2 - Oak x 6 - Crown Lift of up to 2.4m - Reason: To allow clear sightlines to temporary speed signage.

Commentary

- 2.1 The hybrid planning application (23/01583/OUT & FUL) covers Site 7a, which represents the largest element of the Strategic Growth Site 7. A separate full application has been submitted for the spine road and its access off Moulsham Hall Lane (23/01769/FUL), in anticipation that its eventual approval will streamline construction of the access and main road network into the site. The planning application for the temporary access (23/01654/FUL) will serve as access for construction activities to allow some initial infrastructure works to progress, and the site access roundabout to be delivered. The access will be a simple priority junction onto Moulsham Hall Lane, as opposed to the new (larger)

roundabout access being created through the other full applications. The temporary access does overlay the final route, albeit located slightly further north. This temporary access, and the final access and roundabout, could not be used simultaneously as a vehicular access into the site (and this is not the intention in any case).

- 2.2 In advance of this application works to preserved trees north of the access were approved (23/05132/TPO), which included a crown lift for six oak trees.

3. Description of site

- 3.1. The planning application site envelops a proposed temporary access related to the wider Development for Strategic Site 7a.
- 3.2. The application site is located on Moulsham Hall Lane, off the A131 roundabout. The eastern field includes heavy tree coverage, the northern section of the application site includes trees forming part of a preserved grouping. Great and Little Leighs Bridleway 13 exits onto Moulsham Hall Lane to the south side of the widened access.

4. Details of the proposal

- 4.1. The temporary construction access is proposed to be formed at the location of an existing field access, between two large oak trees along Moulsham Hall Lane approximately 110m north of its junction with the A131. The access will be 8m in width and extend its gravel route approximately 21m into the field. A gate and gatehouse at the back edge of the access will restrict access into the wider field.
- 4.2. The temporary access will be in use for a period of approximately 12 months whilst the main access roundabout from Moulsham Hall Lane is constructed. Following completion of the roundabout, construction vehicles will revert to using the roundabout and development spine road.
- 4.3. Following an amendment to the layout, in response to comments from the highway authority, one preserved tree (category A - oak) will be removed.

5. Summary of consultations

- Essex County Council Highways – no objection subject to conditions
- Public Health & Protection Services – no objection
- Great & Little Leighs Parish Council – no comment
- Ramblers Association – no comment as Bridleway 13 Great and Little Leighs is to be maintained
- Local residents – no comments

6. Planning considerations

Main Issues

- 6.1. The main issues for consideration are the principle of development, visual impact, highway safety and impact on natural environment.

Principle of development

- 6.2. The site is located within the boundary for Strategic Growth Site Allocation 7, more specifically 7a, which occupies land surrounding Moulsham Hall, off Moulsham Hall Lane. It is within the new Defined Settlement Boundary for Great Leighs, as noted on the Adopted Policies Map which forms part of the Chelmsford Local Plan.
- 6.3. The access is required to facilitate early on site works (tree removal, surveys, site setup) associated with the roundabout and access to serve the Site 7a allocation. This permission should therefore in theory facilitate an earlier start on site for what will be more comprehensive works.
- 6.4. The principle of the development is acceptable within the Settlement Boundary and within the Growth Site allocation.

Visual impact

- 6.5. The field edge will be altered in order to facilitate access into 7a. The fields beyond are allocated for housing. The temporary access will be an urbanising feature along a rural lane; but this area will be subject to significant physical change through development of the allocated Growth Site. Although the details of the current scheme are temporary, they will be superseded by works which are more significant in terms of form and scale.

Highway safety

- 6.6. The temporary access will facilitate two-way vehicle movements. Mitigation measures, including signage and the use of banksman, are to be provided to ensure the continued safe passage of the public on the definitive right of way (bridleway 13). The bridleway will be physically unaffected by the widened access, but users will be protected by new signage and a banksman will be present during the movement of construction vehicles to ensure priority is provided to any user crossing the access to reach the Public Right of Way 13.
- 6.7. From a highway and transportation perspective the impact of the proposal is acceptable to the highway authority subject to conditions.

Natural environment

- 6.8. Permission has been granted for tree works (prune/crown lift) to create the required visibility splays to facilitate the temporary access works (under ref 23/05132/TPO). Following comments from the highway authority requesting for the access to be widened, to enable two HGVs to enter and egress simultaneously, this will necessitate the removal of one oak tree (labelled T177 in arboricultural report attached to 23/01769/FUL). The oak is a Category A (high quality) tree and its loss is therefore regrettable. However, it is clear from plans associated with the spine road applications that this tree is intended to be removed in order to facilitate the new roundabout and access road into 7a in any event.
- 6.9. The planning application site for this temporary access is relatively small in comparison with the wider 7a allocation, therefore the ability (and desire) to install a replacement tree is limited. The felling of the tree is also to be considered as part of the other planning applications as it will form part of a cumulative loss of trees, which will require mitigating at a later date. In short, replacements can be secured through other applications.

6.10. The ecological impact assessment submitted under ref 23/01769/FUL notes the oak tree to be of low bat roost suitability.

7. Community Infrastructure Levy (CIL)

7.1. This application is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

The trees preserved under TPO/2007/116, that are located within the application site, shall be protected by a barrier erected in accordance with BS 5837: 2012 - Trees in relation to design, demolition and construction - Recommendations Figure 2. The fence shall be erected before the commencement of any clearing, demolition and building operations. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area subject to such minor variations as may be agreed in writing by the local planning authority.

Reason:

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

Condition 4

Prior to the commencement of the development, an inspection report of Moulsham Hall Lane shall be submitted to and approved in writing by the local planning authority.

Reason:

To preserve the integrity and fabric of the highway, in the interests of highway safety. This detail is required prior to commencement in order to ensure highway safety.

Condition 5

Prior to the first use of the temporary construction access, as shown in principle on submitted drawing 2107731- SK01 Rev. 1 (dated – 31/01/2024), the vehicular access shall be constructed at right angles to Moulsham Hall Lane with appropriate radii and shall be provided with clear to ground visibility splays with minimum dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the

nearside edge of the carriageway. The associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner in a forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

Condition 6

No unbound material shall be used in the surface treatment of the vehicular access within 15 metres of the highway boundary.

Reason:

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

Condition 7

Any proposed boundary features along the site boundary, such as temporary hoarding, shall be placed a minimum of 1 metre back from the highway boundary and definitive width of public bridleway no. 13 (Great and Little Leighs).

Reason:

To ensure that the boundary features do not encroach upon the highway or interfere with the passage of users of the public right of way, in order to preserve the integrity of the highway and in the interests of highway safety.

Condition 8

The temporary construction access should not be used simultaneously with any other access permitted within the application site. At the point it is no longer required for access it shall be suitably and permanently closed.

Reason:

To preclude the existence of unnecessary points of traffic conflict in the highway following any future development, in the interests of highway safety.

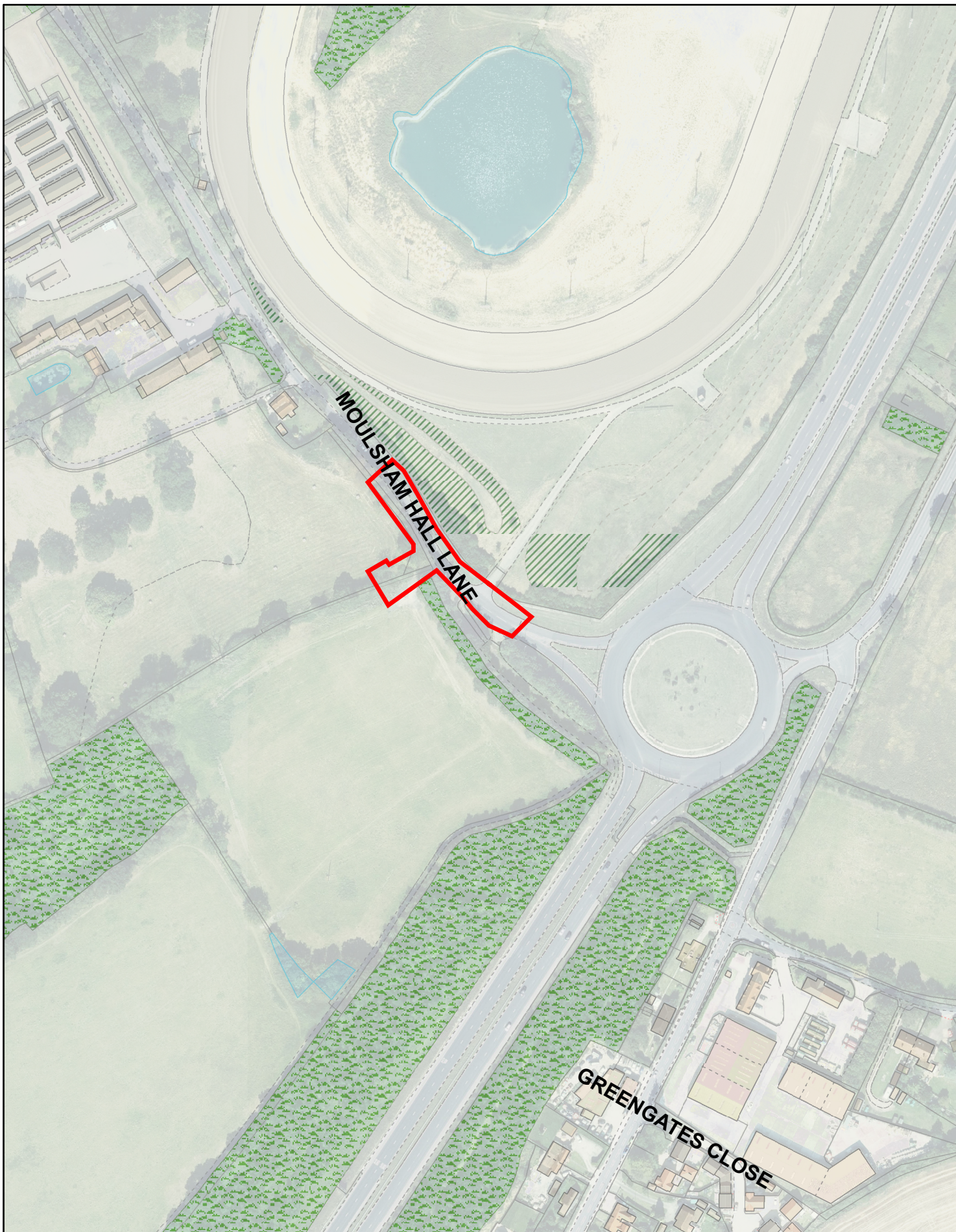
Notes to Applicant

- 1 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org
- 2 The developer will need to apply for and obtain a Temporary Traffic Regulation Order for a temporary reduction of the speed limit from 60 mph to 30 mph on Moulsham Hall Lane at and in the vicinity of the temporary construction access.
- 3 Full details of temporary traffic management / signage / banksmen control / mitigation / delivery timing restrictions required in connection with the construction traffic routing will need to be agreed in full with the Development Management Team at Essex Highway, as part of the highway works agreement and ongoing construction management.

- 4 Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works. This will include the submission of detailed engineering drawings for approval and a safety audit.
- 5 The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.
- 6 Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- 7 The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public bridleway no. 13 (Great and Little Leighs) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure

- 8 The Highway Authority may wish to secure a commuted sum for special maintenance to cover the damage caused to the existing roads used as access by construction vehicles.
- 9 Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River. If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding.
- 10 With regard to condition 4 (Moulsham Hall Lane inspection report), it is recommended that the scope and methodology of the report is agreed in advance with the Highway Authority and should include appropriate photographic evidence. Other matters of relevance for inclusion would be that the route should be inspected regularly during construction with any damage arising from construction traffic being dealt with expediently; on completion of the development any damage to the highway resulting from construction traffic movements generated by the application site should be identified in a remediation plan and should be repaired within 3 months of initial detection to an acceptable standard and at no cost to the Highway Authority.



0 25 50 100 Metres

1:2,500



Planning Committee
23/01654/FUL

Planning & Development Management
Directorate for Sustainable Communities

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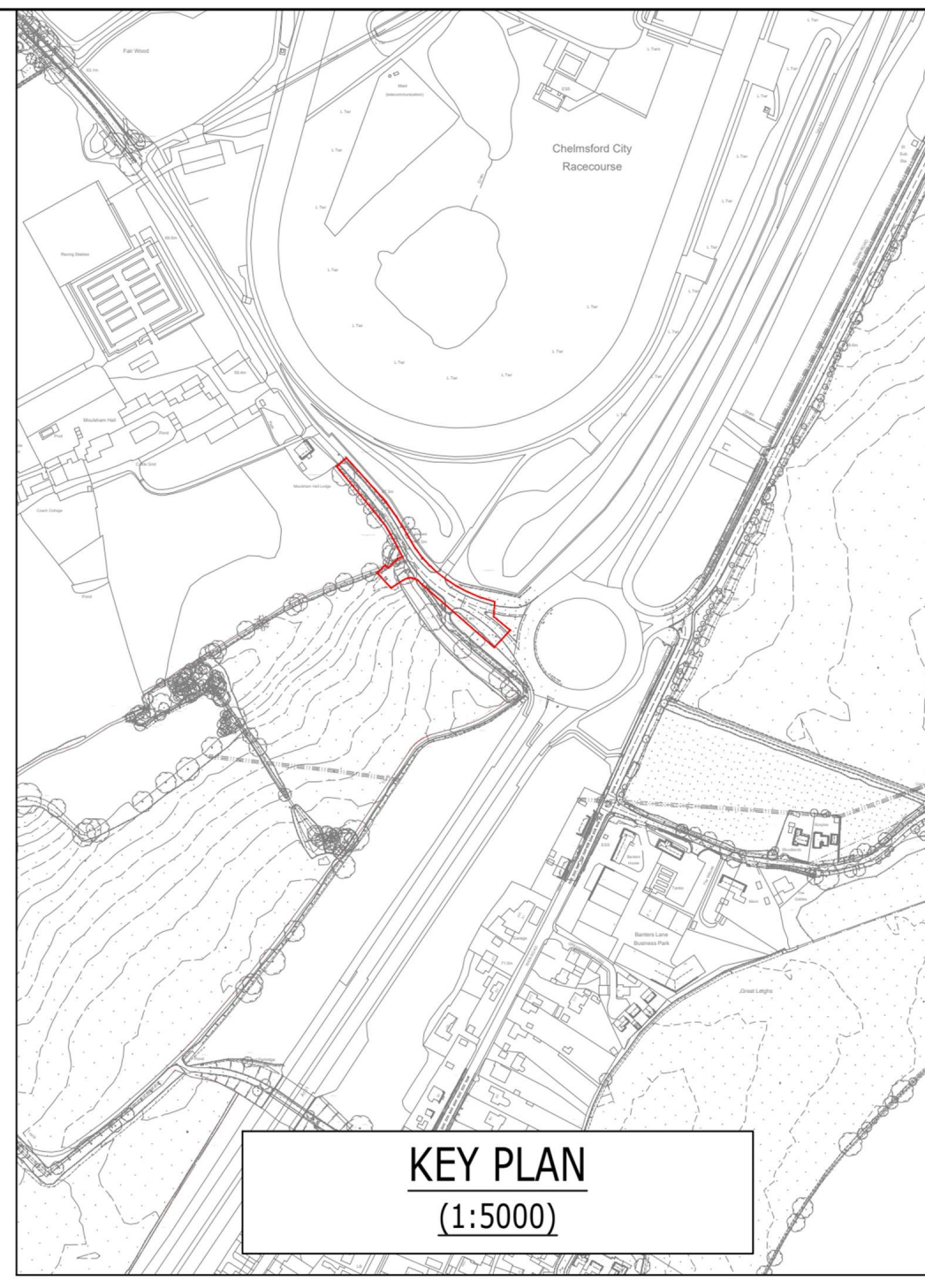
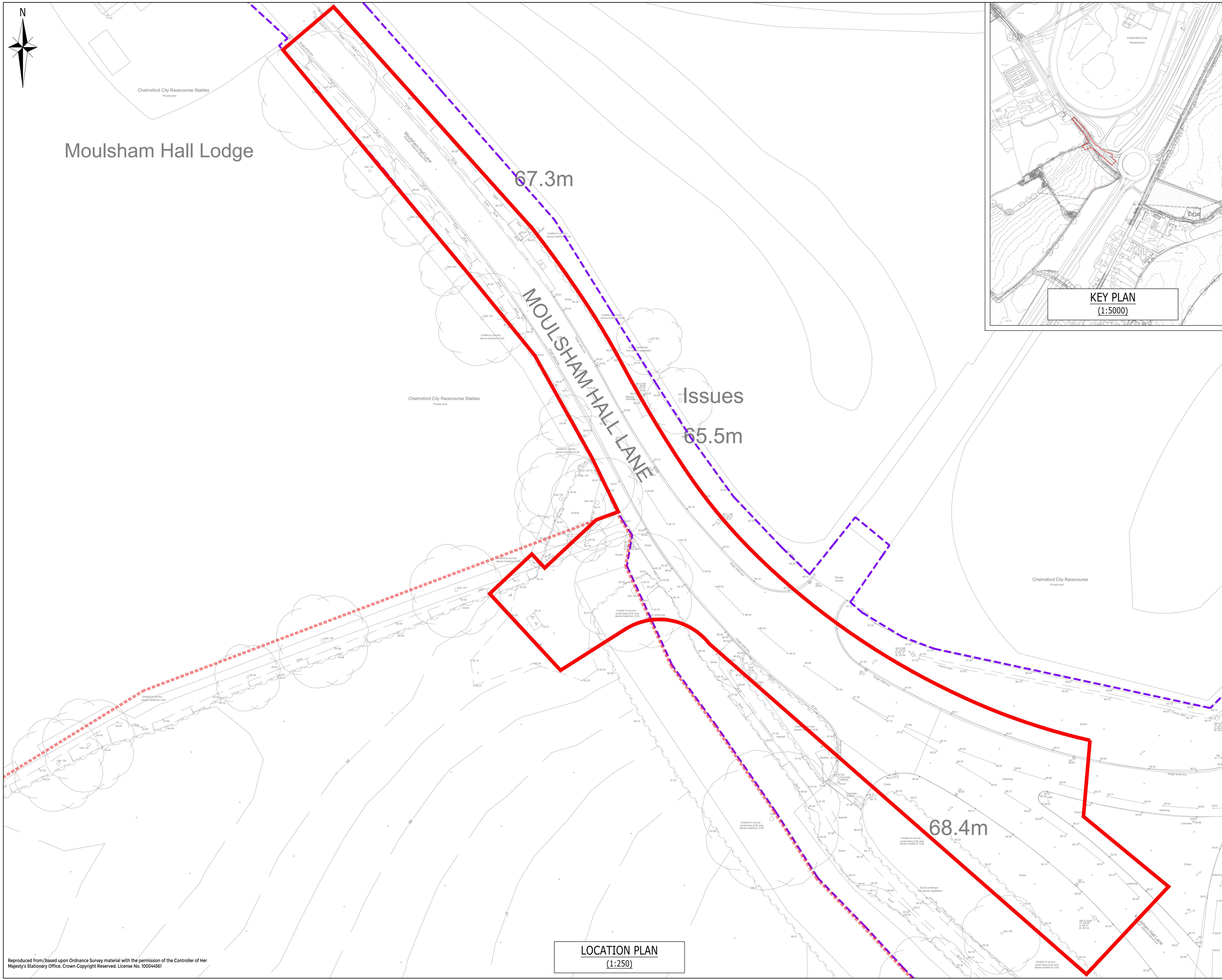
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Moulsham Hall Lodge



KEY PLAN
(1:5000)

- NOTES:**
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE RELEVANT SPECIFICATION AND ALL OTHER RELATED DRAWINGS ISSUED BY THE ENGINEER.
 2. DO NOT SCALE FROM THIS DRAWING. WORK FROM FIGURED DIMENSIONS ONLY.
 3. ALL DIMENSIONS SHOWN ON THIS DRAWING ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
 4. ALL DIMENSIONS, LEVELS AND SURVEY GRID CO-ORDINATES ARE TO BE CHECKED ON SITE AND THE ENGINEER NOTIFIED IMMEDIATELY OF ANY DISCREPANCIES PRIOR TO THE COMMENCEMENT OF THE WORKS.
 5. NO DEVIATION FROM THE DETAILS SHOWN ON THIS DRAWING IS PERMITTED WITHOUT PRIOR PERMISSION FROM THE ENGINEER.
 6. ALL MATERIALS AND WORKMANSHIP SHALL COMPLY FULLY WITH THE MANUAL OF CONTRACT DOCUMENTS FOR HIGHWAY WORKS, VOLUME ONE, (MCHW1) SPECIFICATION FOR HIGHWAY WORKS AND TO KENT COUNTY COUNCIL'S DESIGN GUIDE 'MAKING IT HAPPEN - HIGHWAYS'.
 7. THE CONTRACTOR SHALL UNDERTAKE SUCH MATERIALS TESTING AS INDICATED IN THE SPECIFICATIONS AND SHALL INCLUDE THE COST OF TESTING IN THE TENDER.
 8. WHERE NECESSARY, ALL EXCAVATED MATERIAL SHALL BE DISPOSED OF AT AN APPROVED TIP OFF-SITE.
 9. CORES OF EXISTING ROAD CONSTRUCTION TO BE TAKEN PRIOR TO PLANNING TO CONFIRM THICKNESS OF EXISTING SURFACE COURSE.

- CDM NOTES**
- THE ATTENTION OF THE CLIENT AND THE PRINCIPAL CONTRACTOR IS DRAWN TO THE FOLLOWING POTENTIAL RISKS IN CONJUNCTION WITH THE PROPOSED ON-SITE AND OFF-SITE WORKS AS DESIGNED FOR THIS PROJECT:
1. WORKS IN THE VICINITY OF LIVE SERVICES WILL BE NECESSARY AND THE ADVICE OF ALL STATUTORY SERVICE COMPANIES MUST BE SOUGHT BEFORE ANY WORKS COMMENCE.
 2. WORKS WITHIN AND ABUTTING THE EXISTING HIGHWAY WILL ENTAIL TRAFFIC HAZARDS AND ALL APPROPRIATE SAFETY MEASURES INCLUDING BARRIERS, SIGNS AND LIGHTING MUST BE UNDERTAKEN TO THE APPROVAL OF THE LOCAL AUTHORITY, THE HIGHWAY AUTHORITY AND THE POLICE.
 3. HAZARDOUS MATERIALS INCLUDING CEMENT AND BITUMINOUS MATERIALS ARE SPECIFIED AND THE MANUFACTURER'S ADVICE ON SAFE HANDLING PROCEDURES MUST BE OBTAINED AND MADE CLEAR TO ALL OPERATIVES.
 4. THE CONTRACTOR WILL BE RESPONSIBLE FOR LOCATING ALL EXISTING SERVICES WITHIN THE VICINITY OF THE WORKS AND ENSURE THESE ARE PROTECTED THROUGHOUT THE DURATION OF THE WORKS. ALL UTILITY PLANT SHOULD BE CLEARLY MARKED ON THE GROUND PRIOR TO COMMENCEMENT OF THE WORKS.
 5. THE CONTRACTOR MUST ENSURE ALL WORKING AREAS ARE FULLY SECURE.

- KEY:**
- HIGHWAY BOUNDARY TRANSCRIBED FROM ECC RECORDS
 - - - LAND OWNERSHIP BOUNDARY
 - APPLICATION BOUNDARY



Scale: 1:250 @ A1

PRELIMINARY

A	APPLICATION BOUNDARY UPDATED	JEC	MJR	JEC	14.02.24
Rev	Description	Drm	Chk	App	Date

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Client: **BELLWAY HOMES LTD (ESSEX), REDROW HOMES LTD - HARROW ESTATES DIVISION AND MOULSHAM HALL ESTATES**

Project Title: **MOULSHAM HALL, GREAT LEIGHS**

Drawing Title: **TEMPORARY CONSTRUCTION ACCESS - LOCATION PLAN**

A1 Scale	Date	Designed by
AS SHOWN	11.10.23	JEC
Drawn by	Checked by	Approved by
JEC	MJR	JEC

Drawing Number: **2107731-100** Rev **A**

LOCATION PLAN
(1:250)

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