

26 May 2026 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor H. Ayres (Chair)

and Councillors

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

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

PLANNING COMMITTEE

26 May 2026

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 held on 24 March 2026.

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. 22-01950-OUT - Zone 1 Chelmsford Garden Community, Pratts Farm Lane, Little Waltham, Chelmsford, Essex

7. 22-01950-FUL - Zone 1 Chelmsford Garden Community, Pratts Farm Lane, Little Waltham, Chelmsford, Essex

8. 23-00124-FUL - Zone 3 Chelmsford Garden Community, Beaulieu Parkway, Chelmsford

9. 23-00124-OUT - Zone 3 Chelmsford Garden Community, Beaulieu Parkway, Chelmsford

10.25-01780-OUT - Land North East Of Little Fields, Danbury, Chelmsford, Essex

11. 25-00339-FUL - Land East Of Premier Lodge Hotel, Main Road, Boreham, Chelmsford, Essex

12. Planning Appeals

MINUTES
of the
PLANNING COMMITTEE
held on 24 March 2026 at 7pm

Present:

Councillor R. Lee (Chair)

Councillors, J. Armstrong, H. Clark, R. Hyland, J. Lardge, J. Raven, A. Thorpe-Apps and C. Tron

1. Chair's Announcements

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

2. Apologies for Absence

Apologies for absence were received from Cllrs Dobson, Frascona, Hall, Pappa, Sampson and Wilson. Cllr Raven substituted for Cllr Dobson.

3. Declarations of Interest

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

4. Minutes

The minutes of the meeting on 24th March 2026 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

One public statement had been submitted in advance for Item 6 which is summarised under the relevant item and [can be viewed via this link](#).

6. 25/01563/FUL - Twitty Grange, Twitty Fee, Danbury, Chelmsford, Essex, CM3 4PG

Cllr Armstrong declared a non registrable interest and left the Committee for this item, to instead speak as the local ward member.

The Committee considered an application for a change of use from retail members only club (Sui Generis) to flexible employment use (use class E(g)(iii), B2, B8), which covered the carrying on of an industrial process, the use as storage or as a distribution centre or for any industrial process which can be carried out in any residential area without detriment to the amenity of that area. The Committee were informed that the application had been called in, by a Local ward member due to concerns about intensification of use, harm to the character of the rural area and protected lane, insufficient weight placed on the Danbury Neighbourhood Plan dark skies policy, insufficient planning balance placed on consultees, past enforcement records and complaints or retrospective elements within the application.

The Committee heard that the site was located within open countryside in the Rural Area, approximately 300m northeast of the defined settlement of Danbury and set back approximately 27m from the road. The Committee were informed that in 2022 the building had received permission to change to a sui generis use and currently remained in that use. It was also noted that the site was on a protected lane, with two Grade II listed building within the vicinity, with the closes neighbouring dwelling 200m from the site. The Committee also heard that no external changes were proposed to the building, the proposed uses would have no greater impact on the protected lane or listed buildings than previous uses and that due to distance, the uses would not adversely affect the neighbouring amenities of the nearest dwellings. It was also noted that the proposed uses were unlikely to generate unacceptable traffic levels, it complied with the objectives of the Chelmsford Local Plan and Danbury Neighbourhood Plan and had therefore been recommended for approval, subject to conditions.

The Committee heard from a member of the public who spoke in support of the application. They highlighted that the proposed use would not be an intensification of use, in fact the opposite, it would provide local jobs and was fully in line with national and local policies. They also stated that there would be no physical changes to the building, previous lighting concerns had been dismissed, the suggested condition for any new lighting was acceptable and everything on the site had already been agreed and approved, this was simply a change of use application.

The Committee also heard from a Local Ward Member who highlighted concerns from the local Parish Council regarding, issues for the protected lane, the removal of roller shutters being unsympathetic to the rural area, and regarding the effect on the dark skies policy. They also highlighted the previous uses on the site and previous change of use applications and issues regarding the shutters not being installed after the previous change of use and then their installation not being enforced afterwards. They also highlighted to the Committee that the request for B8 use, could lead to issues for the character of the area and the protected lane and also that bright lights from the building had been seen in neighbouring listed residential properties, which was distressing for the rural area. The Committee also heard that the requested class E use was much more appropriate for the site than the B2 and B8 classes that had also been requested.

In response to the points raised, officers confirmed that;

- No shutter doors were currently fitted, or proposed as part of the application and it was acceptable to officers without the shutter doors.
- The internal lighting was not viewed as harmful and conditions were proposed to restrict external lighting, it would be unusual for planning conditions to be placed on internal lighting.
- The previous non installation of the shutters had not been one officers felt needed to be enforced, as it was deemed acceptable with or without them and was therefore not harmful enough to warrant enforcement action.

In response to questions from the Committee, officers stated that;

- The E(g)(iii) use class, covered any light industrial type use that could be carried out in a residential area, without any harm to nearby residents living conditions, examples were provided such as a painting studio or pottery studio. The B2 use had been viewed as acceptable, due to the distance between the site and the nearest residential property.
- The Highways Authority had considered the application and were content with it, had not raised any objections, nor had they requested any further information. The site was of a limited floor area, that would lead to lower traffic levels and was viewed as unlikely to be above what already takes place on the lane. Officers were also content that sufficient information on that topic had been provided.
- The 200m distance to the nearest residential property had satisfied officers, that the uses would not impact on those properties and there were also conditions proposed that would restrict timings of deliveries and the hours of operation.
- Conditions had not previously been used to restrict internal lighting and officers did not feel there would be harm from the internal lighting.

RESOLVED that the application be approved subject to the conditions detailed in the report.

(7.03pm to 7.28pm)

[7. 25/01448/FUL – Land Rear of 7 The Greenway, Runwell, Wickford, Essex](#)

The Committee considered an application for the demolition of existing outbuildings and construction of four bungalows with a new access road. The Committee were informed that the application had been called in, by a Local ward member due to concerns from local residents. The Committee heard that the site had been in equestrian use for some time and part of the site had been used as a residential garden with a number of single storey storage/domestic/equestrian buildings at the eastern and northern end of the land, with open land to the west enclosed by a heavy tree and hedgerow boundary.

The Committee were informed that the proposal followed a previous grant of planning permission for the demolition of existing buildings and construction of two new bungalows with a new access road, rather than the four bungalows now under consideration. It was noted that the application was on previously developed land to the edge of Runwell and was considered to be acceptable development in the Green Belt and acceptable in all other matters of consideration. The Committee were informed that the new dwellings were in a sustainable location, bringing positive weight to the planning balance and that economic and social benefits were also present. The Committee heard that due to the lack of a five year housing land supply, the titled balance in favour of development was engaged and there were no strong reasons to recommend the application for refusal. The Committee also noted that the proposal

was also considered appropriate development under National Planning Policy Framework Grey Belt Policy. The Committee heard that the development would only result in a limited impact on the openness of the Green Belt, partly offset by new landscaping including tree planting and had therefore, been recommended for approval, subject to the recommended conditions.

[The Committee were also reminded of the Green Sheet of amendments which can be viewed here, which detailed amended conditions, due to two of the proposed properties now being allocated as self build properties.](#)

The Committee heard from a Local Ward Member who highlighted the strong objections from local residents and the Parish Council, the disappointment of the 2024 application being granted and then the further distress of a larger replacement application. They stated that there had been delays in contacting residents and that they had not had a fair and reasonable opportunity to participate and that the item should be deferred for that reason. They also informed the Committee that the new application was a 100% increase against the already approved one, there would be substantial increases in vehicle movements, fences, outbuildings, parked vehicles and light pollution. They also raised concerns regarding a precedent for the road being extended for even more development, a lack of enforcement of nearby Tree Preservation Orders, gardens being classed as previously developed land, flood risks and that it was outside of the defined settlement boundary. They also highlighted that it was too easy to circumvent greenbelt protections, that grey belt land was open to interpretation and that they did not feel the development was of very special circumstances and would be harmful to the greenbelt.

In response to the points raised, officers confirmed that;

- Site notices had been correctly issued at the appropriate times and photographic evidence was provided to the Committee. The site notices, contained all of the necessary information to make comments on the application and how to view drawings etc.
- A local resident had submitted concerns later than the consultation period, which had also been extended and these had instead been highlighted on the green sheet. That resident had not been sent notification of the Committee meeting, as their objection had been received after letters had been emailed notifying of the Committee date, to those who had made comments during the consultation period. Officers confirmed that the application did not need to be deferred.
- The Committee could only consider the application before them, not the potential spread from future applications. Future applications would instead be judged on their own merit, but it was noted that harm would increase exponentially if development was applied for further into the more open part of the site and that appeal precedents had considered that issue.
- The proposed dwellings did not impact on the trees due to the distance from them.
- Gardens were classed as previously developed land and this had been confirmed by appeal caselaw.
- The proposal met the parking standards, of two spaces per dwelling.
- The site was in Flood Risk Zone 1, and not an area with a high probability of surface water flooding and the driveways/access road would be made of permeable surfacing.

In response to questions from the Committee, officers stated that;

- The new road was between property numbers 6 and 7 and parking on those sites would be retained.
- The increase from two to four dwellings had likely come about due to the change in the NPPF, stating that development in the greenbelt had to cause substantial harm, instead of any harm, it was noted that this was a change in Government policy, rather than local policies.
- The 2023 application had been acceptable in all regards, but refused due to the lack of a bat survey, which had then been resolved before the grant of the 2024 application.
- Any future applications on the site, would be considered on their own merit, against the policies in place at that time and proposals for the open areas of the site would have to be considered differently as they would not be on previously developed land . Conditions could not be placed on the current application that would prejudice future applications.
- The proposal was compliant with greenbelt policy, irrespective of whether the tilted balance had been engaged as substantial harm wasn't evidenced.
- Tests against greenbelt and grey belt policies had been carried out, to cover all requirements, with both saying development should be approved.
- The development site did not strongly contribute to green belt purposes because the site sits within an inset corner relative to the Runwell Defined Settlement boundary, the heavy vegetative boundaries help to contain the site and the site is already developed.
- The site was instead seen as making a moderate contribution to green belt purposes, therefore not reaching the threshold for this to not be considered grey belt.
- The Highways Authority had no concerns about access or safety from the highway changes and the turning head on the site would allow for any vehicles to leave the site in a forward gear.
- Three nearby trees that had been subject to Tree Preservation Orders, were felled after approval from the Planning Committee due to subsidence concerns.
- The site was viewed as sustainable by officers, in terms of its relationships to community services and reasonable distances to shops or doctors for example. Runwell is a Key Service Settlement.

RESOLVED that the application be approved subject to the conditions detailed in the report and on the green sheet of amendments.

(7.29pm to 8.24pm)

8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 11th February and 6th March 2026 be noted.

The meeting closed at 8.25pm.

Chair

PLANNING POLICY BACKGROUND INFORMATION

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

Local Plan review

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

Policy	Policy Description
SPS1	Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
SPS2	Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.
SPS3	Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.
SPS4	Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
SPS5	Strategic Policy S5 Protecting & Enhancing Community Assets - The Council recognises the important role that community facilities have in existing communities and that they are also an integral part of any proposals for new residential and employment development. Existing community assets will be protected from inappropriate changes of use or redevelopment.

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

Policy	Policy Description
DM1	Policy DM1 - Size & Type of Housing - The Council will protect existing housing from redevelopment to other uses and will require an appropriate mix of dwelling types that contribute to current and future housing needs and create mixed communities. For developments of 10 or more dwellings, 50% of the new dwelling shall be constructed to meet requirement M4 (2) of the Building Regulations. On sites of 30 or more dwellings 5% off the affordable units shall also be provided as wheelchair user dwellings. Sites of 100 dwellings or more will need to comply with Ai), A ii) and Bi) and provide 5 % self-build homes which can include custom housebuilding; and provision of Specialist Residential Accommodation taking account of local housing needs.
DM2A	Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.
DM8	Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
DM13	Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.
DM14	Policy DM14 - Non-Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.
DM15	Policy DM15 - Archaeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
DM16	Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
DM17	Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.

Policy	Policy Description
DM18	Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.
DM23	Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.
DM24	Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.
DM25	Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.
DM26	Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.
DM27	Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications. The relevant standards are contained in the 2024 Essex Parking Guidance which were adopted by Chelmsford City Council in 2025.
DM29	Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.
DM30	Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.

Policy	Policy Description
SPDSD	The Sustainable Development Supplementary Planning Document contains guidance on how new development can include sustainable construction techniques, including how it can be energy efficient, minimise the production of waste and overall reduce the negative impacts of development.
NHP	The Neighbourhood Plan sets out the local community's aspirations for the area and establishes policies for development and land use in the area. A 'made' Neighbourhood Plan forms part of the adopted Development Plan. Where a plan has been drafted and consulted on, but not yet 'made', it is a material planning consideration.
POSPD	The Planning Obligations Supplementary Planning Document was adopted in January 2021 and sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.

VILLAGE DESIGN STATEMENTS

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

NATIONAL PLANNING POLICY FRAMEWORK

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

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

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

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



Planning Committee
26th May 2026

Application No	:	22/01950/OUT Outline Application
Location	:	Zone 1 Chelmsford Garden Community Pratts Farm Lane Little Waltham Chelmsford Essex
Proposal	:	Application for hybrid planning permission, seeking outline planning permission with all matters reserved, except means of access at Essex Regiment Way (including pedestrian and cycle bridge) and Belsteads Farm Lane (road to Park Farm), for a mixed use scheme comprising up to 1,500 new homes (use Class C3); a primary school including co-located early years nursery provision and associated playing fields (Use Class F1 and E(f)); employment areas (Use Class Ec,Eg (i)(ii)(iii) and associated ancillary uses); a mixed use neighbourhood centre (Use Classes Ea,b,c,d,e,f,g(i), and F1(e), F2(b); and associated green infrastructure, including public open space, formal and informal play and recreation areas; drainage features, and other associated works; and, diversion of public rights of way. Detailed planning permission is sought for the initial phase of on-site highway works comprising the east to west main street; north to south main street, including bus gates; and associated strategic ground re-profiling and strategic surface water attenuation and associated landscaping.
Applicant	:	Ptarmigan Chelmsford A Limited
Agent	:	Adam Kindred
Date Valid	:	18th November 2022

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current draft form at Appendix 5 (*to that report*)
- (ii) approval of the Stage 1 Masterplan which comprises the Development Framework Document, as agreed by Cabinet at its meeting on 24th January 2023 (minute CAB39-40), the Infrastructure Delivery Plan in its agreed form as contained within Appendix 4 and the completion of the PFA as set out in (i) above within six months from the date of resolution (*15th June 2026*)
- (iii) withdrawal of the National Highways holding objection
- (iv) completion of the required CIL Reinvestment Funding Agreement with the relevant parties, and that the Director of Sustainable Communities using their existing delegated powers to negotiate and settle the final form of the CIL Reinvestment Funding Agreement
- (v) completion of the s106 Agreement in accordance with the heads of terms set out within the report under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1972, and that the Director of Sustainable Communities use their existing delegated powers to negotiate, settle and complete the s106 Agreement and to agree any details/minor variations in liaison with the Chair and Vice Chair of Planning Committee
- (vi) the planning conditions as listed in the report, the details/minor variations of which are to be delegated to the Director of Sustainable Communities in liaison with the Chair and Vice Chair of Planning Committee.

Progress

Following the resolution to grant planning permission for all four applications in accordance with the terms and conditions set out in the committee reports; see here: [Planning Committee \(15 December 2025\)](#) and as set out on the green sheet, significant, and positive progress has been made as summarised below.

The Planning Framework Agreement was in a substantively agreed form at the time of 15th December Planning Committee pending final documentation being put in place to secure the funding of the A12 Junction 19 and Roundabout 5 Improvements (referred to as the Beaulieu Access Package). The total cost of the Beaulieu Access Package at that time was £36 million. The proposal at the time was for Homes England, the developer consortium and Essex County Council to each contribute £8 million to enable completion of the required works to roundabout 5 (total cost of that scheme is £24 million). Homes England had provisionally proposed £4 million towards the A12 Junction 19 Scheme with separate discussions underway with National Highways, at that time, to contribute the remaining required funds (£8 million) to enable delivery of the A12 Junction 19 Scheme (total cost of that scheme is £12 million). The total cost estimate for the Beaulieu Access Package is now £38 million and National Highways have agreed in principle to fund £14 million as opposed to £12 million at the time of Planning Committee.

Since the 15th December Planning Committee meeting, Homes England have confirmed conditional approval to a material amendment to the Housing Infrastructure Fund Funding Agreement with Essex County Council to introduce the Beaulieu Access Package (BAP) Works, primarily comprising the works to Junction 19 of the A12 and Roundabout 5 of Beaulieu Parkway, as set out above. The material amendment to the funding agreement is subject to a Deed of Variation to a Grant Determination Agreement which is expected to be signed by the end of July 2026.

Separate funding approvals are also required from Essex County Council, who are scheduled to present a report to their Cabinet on 23rd July 2026; and from National Highways who are expected to make recommendations to their Targeted Funds Investment Decision Committee on 16th July 2026. The timing and processes associated with those key funding decisions are outside of the local planning authority's control and mean that it would not be possible to complete the Planning Framework Agreement by 15th June 2026. A 4 month extension of time to the resolution is requested until 15th October 2026 to allow the necessary funding agreements to be put in place to enable the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971 (point (i) of the resolution).

Completion of the Planning Framework Agreement will then allow the approval of the Stage 1 Masterplan (point (ii) of the resolution).

National Highways removed their holding objection to both the Zones 1 and 3 outline and full applications on 16th January 2026. The decision was based upon the understanding that a Planning Framework Agreement would be signed and entered by the consortium of developers prior to the grant of outline planning permission for any of the three zones (which also includes Zone 2) and prior to work commencing on the construction of the Northern RDR; save for any tree surgery/tree removal works and archaeological works, which were required to be undertaken to ensure the timely delivery of the road.

National Highways acknowledged that the PFA contains obligations which only (i) allows the beneficial occupation of 558 dwellings within each of the Zone 1 and 3 developments until the Northern RDR is completed and 875 dwellings within Zone 2 until the A12 Junction 19 Scheme is completed and (ii) requires that Section 1a (Chelmsford North-East Bypass) remains restricted to bus use only until the A12 Junction 19 scheme has been completed and fully open to traffic; this to protect the A12 Junction 19 from unrestricted traffic flows from the west.

National Highways will be consulted on the wording and content of the PFA prior to its completion (point (iii) of the resolution).

The City Council has instructed its solicitors to progress work on the required CIL Reinvestment Funding Agreement (point (iv) of the resolution).

Positive progress has been made on the s106 Agreements for both the Zones 1 and 3 planning applications with several of the schedules drafted. Regular meetings are taking place between the respective solicitors, the two local authorities and the developers. Positive discussions have also been progressing in relation to community stewardship between both local authorities, the developers and the Chelmsford Garden Community Council (the intended stewardship body). All parties are working towards the s106 Agreement being finalised in June.

Having regard to the above, it is requested that members agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026 to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement. Completion of all three agreements would then enable approval of the Stage 1 Masterplan and the grant of planning permission.

RECOMMENDATION

A 4-month period from the expiry of the agreed resolution (minute PL-24) to 15th October 2026 be agreed to extend the period for completion of the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement.



Planning Committee
26th May 2026

Application No	: 22/01950/FUL Full Application
Location	: Zone 1 Chelmsford Garden Community Pratts Farm Lane Little Waltham Chelmsford Essex
Proposal	: Application for hybrid planning permission, seeking outline planning permission with all matters reserved, except means of access at Essex Regiment Way (including pedestrian and cycle bridge) and Belsteads Farm Lane (road to Park Farm), for a mixed use scheme comprising up to 1,500 new homes (use Class C3); a primary school including co-located early years nursery provision and associated playing fields (Use Class F1 and E(f)); employment areas (Use Class Ec,Eg (i)(ii)(iii) and associated ancillary uses); a mixed use neighbourhood centre (Use Classes Ea,b,c,d,e,f,g(i), and F1(e), F2(b); and associated green infrastructure, including public open space, formal and informal play and recreation areas; drainage features, and other associated works; and, diversion of public rights of way. Detailed planning permission is sought for the initial phase of on-site highway works comprising the east to west main street; north to south main street, including bus gates; and associated strategic ground re-profiling and strategic surface water attenuation and associated landscaping.
Applicant	: Ptarmigan Chelmsford A Limited
Agent	: Adam Kindred
Date Valid	: 18th November 2022

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current draft form at Appendix 5 (*to that report*)
- (ii) approval of the Stage 1 Masterplan which comprises the Development Framework Document, as agreed by Cabinet at its meeting on 24th January 2023 (minute CAB39-40), the Infrastructure Delivery Plan in its agreed form as contained within Appendix 4 and the completion of the PFA as set out in (i) above within six months from the date of resolution (*15th June 2026*)
- (iii) withdrawal of the National Highways holding objection
- (iv) completion of the required CIL Reinvestment Funding Agreement with the relevant parties, and that the Director of Sustainable Communities using their existing delegated powers to negotiate and settle the final form of the CIL Reinvestment Funding Agreement
- (v) completion of the s106 Agreement in accordance with the heads of terms set out within the report under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1972, and that the Director of Sustainable Communities use their existing delegated powers to negotiate, settle and complete the s106 Agreement and to agree any details/minor variations in liaison with the Chair and Vice Chair of Planning Committee
- (vi) the planning conditions as listed in the report, the details/minor variations of which are to be delegated to the Director of Sustainable Communities in liaison with the Chair and Vice Chair of Planning Committee.

Progress

Following the resolution to grant planning permission for all four applications in accordance with the terms and conditions set out in the committee reports; see here: [Planning Committee \(15 December 2025\)](#) and as set out on the green sheet, significant, and positive progress has been made as summarised below.

The Planning Framework Agreement was in a substantively agreed form at the time of 15th December Planning Committee pending final documentation being put in place to secure the funding of the A12 Junction 19 and Roundabout 5 Improvements (referred to as the Beaulieu Access Package). The total cost of the Beaulieu Access Package at that time was £36 million. The proposal at the time was for Homes England, the developer consortium and Essex County Council to each contribute £8 million to enable completion of the required works to roundabout 5 (total cost of that scheme is £24 million). Homes England had provisionally proposed £4 million towards the A12 Junction 19 Scheme with separate discussions underway with National Highways, at that time, to contribute the remaining required funds (£8 million) to enable delivery of the A12 Junction 19 Scheme (total cost of that scheme is £12 million). The total cost estimate for the Beaulieu Access Package is now £38 million and National Highways have agreed in principle to fund £14 million as opposed to £12 million at the time of Planning Committee.

Since the 15th December Planning Committee meeting, Homes England have confirmed conditional approval to a material amendment to the Housing Infrastructure Fund Funding Agreement with Essex County Council to introduce the Beaulieu Access Package (BAP) Works, primarily comprising the works to Junction 19 of the A12 and Roundabout 5 of Beaulieu Parkway, as set out above. The material amendment to the funding agreement is subject to a Deed of Variation to a Grant Determination Agreement which is expected to be signed by the end of July 2026.

Separate funding approvals are also required from Essex County Council, who are scheduled to present a report to their Cabinet on 23rd July 2026; and from National Highways who are expected to make recommendations to their Targeted Funds Investment Decision Committee on 16th July 2026. The timing and processes associated with those key funding decisions are outside of the local planning authority's control and mean that it would not be possible to complete the Planning Framework Agreement by 15th June 2026. A 4 month extension of time to the resolution is requested until 15th October 2026 to allow the necessary funding agreements to be put in place to enable the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971 (point (i) of the resolution).

Completion of the Planning Framework Agreement will then allow the approval of the Stage 1 Masterplan (point (ii) of the resolution).

National Highways removed their holding objection to both the Zones 1 and 3 outline and full applications on 16th January 2026. The decision was based upon the understanding that a Planning Framework Agreement would be signed and entered by the consortium of developers prior to the grant of outline planning permission for any of the three zones (which also includes Zone 2) and prior to work commencing on the construction of the Northern RDR; save for any tree surgery/tree removal works and archaeological works, which were required to be undertaken to ensure the timely delivery of the road.

National Highways acknowledged that the PFA contains obligations which only (i) allows the beneficial occupation of 558 dwellings within each of the Zone 1 and 3 developments until the Northern RDR is completed and 875 dwellings within Zone 2 until the A12 Junction 19 Scheme is completed and (ii) requires that Section 1a (Chelmsford North-East Bypass) remains restricted to bus use only until the A12 Junction 19 scheme has been completed and fully open to traffic; this to protect the A12 Junction 19 from unrestricted traffic flows from the west.

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Having regard to the above, it is requested that members agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026 to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement. Completion of all three agreements would then enable approval of the Stage 1 Masterplan and the grant of planning permission.

RECOMMENDATION

A 4-month period from the expiry of the agreed resolution (minute PL-24) to 15th October 2026 be agreed to extend the period for completion of the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement.



Planning Committee
26th May 2026

Application No	:	23/00124/FUL Full Application
Location	:	Zone 3 Chelmsford Garden Community Beaulieu Parkway Chelmsford
Proposal	:	Application for Hybrid planning permission at Powers Farm, Chelmsford; Outline Planning Permission with all matters reserved except means of accesses from/to the proposed Northern Radial Distributor Road (NRDR). Residential development of up to 1250 units, which comprises market/affordable and single family rental (SFR) / Build to Rent (BTR). Provision of Discovery Park North which will include open space, landscaping, formal sports pitches, pavilion and associated car parking. Internal vehicular carriageways, footways, cycleways and all pedestrian routes with associated landscaping and green infrastructure. Phased development (each and every phase (and/or sub-phase) being a separate and severable part of the development. Detailed planning permission for two spine roads north/south carriageway(s), cycleway(s) and footway(s) from/to the proposed Northern Radial Distributor Road North (NRDR) and one east/west spine road to Great Belsteads Village. Drainage and sustainable urban drainage systems (SUDs) throughout the development with all associated engineering and infrastructure works including strategic ground re-profiling, stockpiling, and below ground works
Applicant	:	Halley Developments Ltd
Agent	:	Anthony Aitken
Date Valid	:	9th February 2023

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current draft form at Appendix 5 (*to that report*)
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- (iii) withdrawal of the National Highways holding objection
- (iv) completion of the required CIL Reinvestment Funding Agreement with the relevant parties, and that the Director of Sustainable Communities using their existing delegated powers to negotiate and settle the final form of the CIL Reinvestment Funding Agreement
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- (vi) the planning conditions as listed in the report, the details/minor variations of which are to be delegated to the Director of Sustainable Communities in liaison with the Chair and Vice Chair of Planning Committee.

Progress

Following the resolution to grant planning permission for all four applications in accordance with the terms and conditions set out in the committee reports; see here: [Planning Committee \(15 December 2025\)](#) and as set out on the green sheet, significant, and positive progress has been made as summarised below.

The Planning Framework Agreement was in a substantively agreed form at the time of 15th December Planning Committee pending final documentation being put in place to secure the funding of the A12 Junction 19 and Roundabout 5 Improvements (referred to as the Beaulieu Access Package). The total cost of the Beaulieu Access Package at that time was £36 million. The proposal at the time was for Homes England, the developer consortium and Essex County Council to each contribute £8 million to enable completion of the required works to roundabout 5 (total cost of that scheme is £24 million). Homes England had provisionally proposed £4 million towards the A12 Junction 19 Scheme with separate discussions underway with National Highways, at that time, to contribute the remaining required funds (£8 million) to enable delivery of the A12 Junction 19 Scheme (total cost of that scheme is £12 million). The total cost estimate for the Beaulieu Access Package is now £38 million and National Highways have agreed in principle to fund £14 million as opposed to £12 million at the time of Planning Committee.

Since the 15th December Planning Committee meeting, Homes England have confirmed conditional approval to a material amendment to the Housing Infrastructure Fund Funding Agreement with Essex County Council to introduce the Beaulieu Access Package (BAP) Works, primarily comprising the works to Junction 19 of the A12 and Roundabout 5 of Beaulieu Parkway, as set out above. The material amendment to the funding agreement is subject to a Deed of Variation to a Grant Determination Agreement which is expected to be signed by the end of July 2026.

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Having regard to the above, it is requested that members agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026 to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement. Completion of all three agreements would then enable approval of the Stage 1 Masterplan and the grant of planning permission.

RECOMMENDATION

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Planning Committee
26th May 2026

Application No	:	23/00124/OUT Outline Application
Location	:	Zone 3 Chelmsford Garden Community Beaulieu Parkway Chelmsford
Proposal	:	Application for Hybrid planning permission at Powers Farm, Chelmsford; Outline Planning Permission with all matters reserved except means of accesses from/to the proposed Northern Radial Distributor Road (NRDR). Residential development of up to 1250 units, which comprises market/affordable and single family rental (SFR) / Build to Rent (BTR). Provision of Discovery Park North which will include open space, landscaping, formal sports pitches, pavilion and associated car parking. Internal vehicular carriageways, footways, cycleways and all pedestrian routes with associated landscaping and green infrastructure. Phased development (each and every phase (and/or sub-phase) being a separate and severable part of the development. Detailed planning permission for two spine roads north/south carriageway(s), cycleway(s) and footway(s) from/to the proposed Northern Radial Distributor Road North (NRDR) and one east/west spine road to Great Belsteads Village. Drainage and sustainable urban drainage systems (SUDs) throughout the development with all associated engineering works including strategic ground re-profiling, stockpiling, and below ground works
Applicant	:	Halley Developments Ltd
Agent	:	Anthony Aitken
Date Valid	:	9th February 2023

Members considered the outline and full applications for Zone 1 (22/01950/OUT & 22/01950/FUL) and Zone 3 (23/00124/OUT & 23/00124/FUL) of the Chelmsford Garden Community at the meeting of the Planning Committee on 15th December 2025 (minute PL21-24) where it was resolved that the applications be approved subject to the following:

- (i) the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971, and that the Director of Sustainable Communities use their existing delegated powers to settle the final form and complete the Planning Framework Agreement, set out in its current draft form at Appendix 5 (*to that report*)
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Progress

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Separate funding approvals are also required from Essex County Council, who are scheduled to present a report to their Cabinet on 23rd July 2026; and from National Highways who are expected to make recommendations to their Targeted Funds Investment Decision Committee on 16th July 2026. The timing and processes associated with those key funding decisions are outside of the local planning authority's control and mean that it would not be possible to complete the Planning Framework Agreement by 15th June 2026. A 4 month extension of time to the resolution is requested until 15th October 2026 to allow the necessary funding agreements to be put in place to enable the completion of the Planning Framework Agreement to be made under s106 of the Town and Country Planning Act 1990 and s111 of the Local Government Act 1971 (point (i) of the resolution).

Completion of the Planning Framework Agreement will then allow the approval of the Stage 1 Masterplan (point (ii) of the resolution).

National Highways removed their holding objection to both the Zones 1 and 3 outline and full applications on 16th January 2026. The decision was based upon the understanding that a Planning Framework Agreement would be signed and entered by the consortium of developers prior to the grant of outline planning permission for any of the three zones (which also includes Zone 2) and prior to work commencing on the construction of the Northern RDR; save for any tree surgery/tree removal works and archaeological works, which were required to be undertaken to ensure the timely delivery of the road.

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Having regard to the above, it is requested that members agree a further 4 month period from the expiry of the agreed resolution to 15th October 2026 to allow officers time to negotiate, settle and complete the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement. Completion of all three agreements would then enable approval of the Stage 1 Masterplan and the grant of planning permission.

RECOMMENDATION

A 4-month period from the expiry of the agreed resolution (minute PL-24) to 15th October 2026 be agreed to extend the period for completion of the Planning Framework Agreement, the CIL Reinvestment Funding Agreement and the s106 Agreement.



Planning Committee
26th May 2026

Application No	:	25/01780/OUT Outline Application
Location	:	Land North East Of Little Fields Danbury Chelmsford Essex
Proposal	:	Outline planning application for the erection of up to 26 residential dwellings with new access, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks. Access is being sought, all other matters are reserved.
Applicant	:	Miss Alice Lack Martin Grant Land Ltd
Agent	:	Mr Owen McLeod
Date Valid	:	12th January 2026

Appendices:

Appendix 1 Drawings
Appendix 2 Consultations

1. Executive summary

- 1.1. This application has been called in for Committee decision by Councillor Armstrong (Ward Member) in the main due to conflict with the Neighbourhood Plan. Councillors Jeapes and Scott (Ward Members) also endorse this application being considered by the Planning Committee.
- 1.2. The application site is previously developed land, albeit physical development presence on site is very minimal and the site remains predominantly open with a low-key horse grazing use. The site directly adjoins the eastern edge of Danbury, a Key Service Settlement, with access via Little Fields. The application is for 26 new homes and is seeking outline planning permission with all matters except access reserved for later consideration.
- 1.3. In principle, this development is finely balanced despite it being located in the Rural Area. As a prospective housing scheme, it complies with Spatial Principles and is very well related to the village envelope, yet is not a housing site allocated through the Danbury Neighbourhood Plan, a valid and up-to-date part of the local development plan.
- 1.4. The current local plan age and housing need position (5-year housing supply shortfall) would usually require the Council to engage ‘tilted balance’ to consider planning applications for net new housing. However, Danbury has a valid and up-to-date Neighbourhood Plan which allocates housing sites, which means the application must be considered based on ‘standard balance’. On standard balance, factoring in the development being in the Rural Area and contrary to the Danbury Neighbourhood Plan, there is nonetheless a clear weight in favour of granting planning permission overall against all material considerations – the explanation for which is set out in Sections 6 and 7 of this report. The positive weight of delivering housing at a time of evidenced need and with an identified shortfall of supply, and the delivery of policy-compliant Affordable Housing, must still be weighed in the planning balance also, although these considerations do not carry as much weight as they usually would due to the status of the Danbury Neighbourhood Plan.
- 1.5. Individual considerations and impacts including landscape, heritage, highways, design and amenity, trees and ecology, drainage and contamination do not give rise to any overriding planning concerns and in many cases the outcome is considered to be positive – these matters are set out in Sections 6 and 7 of this report.
- 1.6. Officers recognise the status of the Neighbourhood Plan throughout the consideration of this application, with it forming part of the development plan and the strong objection to this application from Parish Council and local residents. Whilst the principle of development does not accord with the development plan, namely the Danbury Neighbourhood Plan site allocations, the proposal does not give rise to any clear planning harms that would justify refusal. The development is considered to demonstrate an acceptable outcome of relatively minimal impact, and with mitigation various positive impacts, matched with an overall positive and sustainable pattern of housing delivery at a time of need.

2. Description of site

- Site approximately 1.15 hectares; generally open, with marginal landscaping, and a small stable building in the north-east corner with track leading to it from gated field access connected to Little Fields turning head adjacent Nos. 8 and 10
- Rural Area: outside of Danbury Defined Settlement – immediately adjacent to boundary
- Little Fields is a 1980’s housing extension to the village served by an adopted carriageway and footways
- A land parcel directly to the south of the site has been allocated for housing development (10 alms houses – single storey) through the Danbury Neighbourhood Plan (2024) – this is known as Site A in the Danbury Neighbourhood Plan (NHP)
- There are no designated or non-designated assets within the site. Garland Farmhouse (circa 275m to the east) is Grade II listed
- Existing field drainage to site edges
- The Landscape Character Assessment (2006) characterizes land in Danbury and Little Baddow (including the proposal site) as wooded farmland
- The site is not subject to any statutory or known non-statutory wildlife designations.
- A Site of Special Scientific Interest (SSSI) is located circa 370 metres to the north
- The site has a minor overlap with a Mineral Safeguarding Area – but is mostly excluded and in any event below a consultation threshold by reference to Policy S8 of the Essex Minerals Local Plan 2014.

3. Details of the proposal

- 3.1. This is an application for outline planning permission with all matters except access reserved for later consideration.
- 3.2. The proposal is for the development of the site for up to 26 new homes with access, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks.
- 3.3. A Parameter Plan (Revision D) confirms a development parcel within which development up to 2 storeys would be sought under a future Reserved Matters application. The Parameter Plan also confirms the singular access point from Little Fields, land to be dedicated to No. 10 Little Fields and the land for green infrastructure (non-development area) which will support public open space, children’s play provision, landscaping, footpaths, drainage, pedestrian connections and associated infrastructure.
- 3.4. An illustrative masterplan provides demonstration of an example layout containing 26 units. This plan holds no determinative status as it is illustrative only.
- 3.5. A Site Access Arrangement Plan (Revision C) confirms the design of vehicular access to the site from Little Fields. This plan also shows pedestrian access along the southern side of the access road. The access would continue one arm of the Y shaped turning head in Little Fields providing road and footway access into the proposal site. The access would include a narrowing to 3.7m where it passes Nos. 8, 10 and 12 Little Fields, but would then widen to a 6m carriageway with a 1.5m wide footway. A Stage 1 Road Safety Audit of the access arrangement has been carried out, and this document and designer’s response have been submitted as supporting documents to this application.
- 3.6. The Planning Statement provides an indicative housing mix – as reflected below. A final housing mix would be confirmed at Reserved Matters stage once the final scheme layout is known so this is illustrative only and holds no determinative status.

	Total	Market	Affordable
Total	26	17	9
1 bedroom (flat)	6	2	4
2 bedroom	9	5	4
3 bedroom	9	8	1
4 bedroom	2	2	0

- 3.7. The developer has committed to providing 35% of new homes as affordable housing – the actual breakdown of housing number, tenure and mix will be a matter to be agreed at Reserved Matters stage but mechanism for how Affordable Housing is to be delivered would be secured by S.106 Agreement (legal agreement).
- 3.8. A package of other infrastructure is also to be agreed via the S.106 Agreement – see ‘Planning Obligations’ section of this report.

4. Other relevant applications

- 4.1. In 2022 (22/00971/FUL) retrospective planning permission was granted for hard surfacing of the access track between Little Fields and the stable building in the northern corner of the site. A stable building has been in that position since the mid-1980’s and before that was in the south-western corner of the field.
- 4.2. In 2016 an outline application for 140 dwellings on land to the east of the application site was refused and dismissed at appeal. An application for 90 dwellings on the same parcel of land to the east of this application site was also refused in 2017 without appeal, but the proposal was referenced as part of the 2016 scheme appeal. Whilst a lot has changed in policy terms since this appeal was considered, the grounds for dismissing the appeal were due to the Council’s ability to demonstrate (at that time) a 5.9 year supply of housing, loss of the immediate agricultural setting to the front of Garlands Farmhouse (Grade II listed), likely impact to SSSI through weight of recreational pressure, and landscape impact. There were no site specific ecological grounds found to dismiss the appeal, no highways impacts could be sustained and the site was deemed to not constitute a valued landscape.

5. Summary of consultations

- 5.1 A more comprehensive summary of consultation replies and representations is provided at Appendix 2, below are brief summary positions of respondents.

Public Health & Protection Services – Add contamination and EV charging conditions

Parks & Open Spaces – No reply

Leisure & Heritage Services – No reply

Anglia Water – No reply

Essex County Council (SUDS) – No objection subject to control of SUDS through conditions

Essex and Suffolk Water – Sufficient capacity in network, water efficiency should be considered

Housing Standards Team – No reply

Recycling & Waste Collection Services – No reply

ECC Community Infrastructure Planning (Education) – contributions required

ECC Historic Environment Branch – Investigation needed to be controlled through condition
Essex County Council Highways – Acceptable in highway and transport terms, with conditions
Danbury Parish Council – Object for reasons covering as follows:

- Conflict with the NPPF December 2024
- Highways and Access Constraints
- Historic Environment
- Design, Character and Landscape
- Flood Risk
- Recreational Pressure and Ecological Impact
- Community Facilities

Local residents – 47 representations summarised as follows:

- Policy conflict
- Lack of housing need
- Character and landscape
- Design and scale
- Highways
- Amenity impacts
- Ecology
- Drainage
- Infrastructure

6. Planning considerations

Context: housing land supply

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken based on the development plan for that area unless material considerations indicate otherwise. The development plan for this area includes the Chelmsford Local Plan (2020), Danbury Neighbourhood Plan (2024), Essex Minerals Local Plan (2014) and the Essex and Southend on Sea Waste Local Plan (2017).
- 6.2 The Council is in the process of reviewing the Chelmsford Local Plan (May 2020) which will culminate in an updated version of the Chelmsford Local Plan being adopted early 2027 based on current timetable.
- 6.3 The current Chelmsford Local Plan was adopted on 27 May 2020 and is now more than 5 years old. Using the standard methodology for calculating housing need, which must now be applied, the Council cannot demonstrate a five-year housing land supply which is a position confirmed via recently published 'Five-Year Housing Land Supply Position Statement – April 2026' which confirms the Council has a 4.79 year supply at this time. A housing land supply shortfall was first reported August 2025. As such, the strategic policies within the Local Plan relating to the quantum of local housing need are to be considered out of date based on National Planning Policy Framework (NPPF) since the evidence base for housing need used for the production of current Local Plan policies would now be considered too old. In these circumstances the tilted balance as set out at paragraph 11(d) of the NPPF would typically apply. Tilted balance is a measure introduced by central government via the NPPF which is designed to ensure, where the

Local Plan is technically out of date due to housing supply shortfall, more housing is granted planning permission as a means to redress that identified shortfall.

6.4 However, unlike Neighbourhood Plans covering other areas of Chelmsford, Danbury Neighbourhood Plan (adopted on 20th December 2024) (NHP) contains its own housing allocations. These housing allocations were based on the evidence produced to support the Chelmsford Local Plan (2020). Although that evidence is now considered out of date and has been revisited as part of the Chelmsford Local Plan Review (the emerging Local Plan), the NHP allocations need to be considered relevant and 'in-date' given that they themselves were made less than 5 years ago.

6.5 National Planning Policy Framework paragraph 14 states:

In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).*

6.6 On this basis, the tilted balance would not be engaged. This is not because of a wider policy conflict with the NHP; the NHP does not contain policies that restrict the principle of development outside of its allocations. The application therefore is to be considered on merit based on a standard balance of planning assessment.

6.7 The reason for tilted balance being disengaged is because the NHP has made its own housing allocations and is still in date (less than 5 years old). The likely conflicts which may be expected to arise between a proposal for development and contrary development plan position are not present in this case since the Danbury Neighbourhood Plan does not itself restrict development by stated policy terms. This report reviews therefore whether there is any wider policy conflict with the Danbury Neighbourhood Plan with a conclusion reached that there is not a substantive conflict with its policies (as set out in the following sections of this report) and that on balance, housing on this site would not give rise to demonstrable harm that should give rise to a total outweighing of benefits of the proposal.

6.8 The Local Planning Authority (LPA) must consider the housing supply shortfall as a material planning consideration. The LPA must also consider whether any adopted policies of the current Chelmsford Local Plan (2020) must now be considered out of date and therefore not applicable in full or in part.

Principle of development

Strategic Policies: S1, S6, S7.

Danbury Neighbourhood Plan Policy: DNP1

6.9 Chelmsford Local Plan (2020) Strategic Policy S1 sets out the spatial principles which are to be considered for all new development where relevant. Policy S1 is an 'in date' policy since these principles remain sound and will be reflected in the emerging Local Plan. The spatial principles are listed below:

- a) Optimise the use of suitable previously developed land for development
- b) Continue the renewal of Chelmsford City Centre and its Urban Area
- c) Locate development at well connected and sustainable locations
- d) Locate development to avoid or manage flood risk
- e) Protect the Green Belt
- f) Respect the character and appearance of landscapes and the built environment, and preserve or enhance the historic environment and biodiversity
- g) Focus development at the higher order settlements outside the Green Belt and respect the existing development pattern and hierarchy of other settlements
- h) Ensure development is deliverable
- i) Ensure development is served by necessary infrastructure
- j) Utilise existing and planned infrastructure effectively.

- 6.10 With reference to criterion (a), the site has been previously developed by reference to the stable and track. Clearly the amount of development now sought exceeds what is present on the site as existing, which is to be considered against Policy DM8 of the Chelmsford Local Plan, but the proposal complies at a strategic level with this spatial principle as it is a previously developed site.
- 6.11 Criterion (b) is not relevant given the location of this site.
- 6.12 With reference to criterion (c), Danbury is a Key Service Settlement. The site is directly adjacent the Defined Settlement boundary with connection to public roads and footways. As a form of growth pattern, this strategic principle is met. This is also confirmation that criterion (g) is met.
- 6.13 The site is within Flood Zone 1 and does not fall within a critical drainage area, meaning spatial principle (d) is met.
- 6.14 The site is not within the Green Belt, meaning spatial principle (e) is met.
- 6.15 With reference to criterion (f), the site is not within a valued landscape, has a low level of ecological importance factoring in size, relationship and distance to the SSSI other statutory natural land designations, and does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed) owing to its remoteness and separation through landscaping and its long-term use as a non-agricultural site. Whilst all of these considerations are reviewed under Policies DM8, DM16 and DM13 of the Chelmsford Local Plan, at a strategic level there is no conflict with this spatial principle.
- 6.16 The application is made by a housing developer with a record of delivering housing sites rather than a land promoter without developer involvement. This serves to demonstrate, so far as possible to do so, that the development proposal is deliverable in accordance with spatial principle (h).
- 6.17 In relation to criteria (i) and (j) the application proposes to connect into the existing, adopted roadway and pavement and is providing on-site local open space contribution and a policy-compliant quantum of affordable housing. Through planning obligations the site is able to make all necessary contributions towards other forms of infrastructure which are referenced later in the report under 'S.106 Planning Obligations'. The development is also Community Infrastructure Levy liable. These spatial principles are met.
- 6.18 The application is able to demonstrate compliance with all relevant spatial principles in accordance with Policy S1.

- 6.19 Chelmsford Local Plan Strategic Policy S6 sets out the housing and employment requirements to be delivered through the Local Plan period. However, these requirements are now out of date so will carry limited to no weight in the planning assessment. On this basis, no further assessment of this policy is undertaken.
- 6.20 The Government's standard method of calculation sets the basis for housing requirement (how many new homes must be built) with the Strategic Housing Needs Assessment that is undertaken as part of the Local Plan (current and emerging) confirming that number. This identifies a requirement for an additional (around) 7,645 net new homes (allocated and windfall) at this time in addition to the new homes identified by the current Local Plan, on which the Danbury Neighbourhood Plan was based, factoring in sites already benefitting from planning permission. There is as a consequence an unmet need at this time relating to all areas of Chelmsford including Danbury, and that is a material consideration of this application for housing, even without tilted balance engaged.
- 6.21 This application for 26 new homes during a period of evidenced need would usually carry a significant positive weight. In juxtaposition, paragraph 14 of the NPPF gives substantial weight to the Neighbourhood Plan based on the housing site allocations it makes in accordance with NPPF paragraphs 69 and 70. In this case, the local housing need has increased significantly since the evidence produced to support the Local Plan (2020) which was used to support adoption of the NHP. At the time of this application, there is a recognised shortfall in housing provision which means the allocations contained within the Danbury NHP are out of step with current housing need - and as stated, the Local Plan is now considered out of date for this reason. Given the status of housing need despite the position of the development plan, it remains a material planning consideration that this application would supply new homes and affordable housing. This application is considered to be for a proportionate number of new homes and affordable housing relative to the number of new homes allocated through the NHP and in the context of net new housing that must be delivered to meet the evidenced need, which means the application would provide a strong positive benefit, but not a *significant* benefit to appropriately reflect the thrust of NPPF paragraph 14.
- 6.22 Chelmsford Local Plan Strategic Policy S7 sets out the spatial strategy to focus new housing in accordance with the Settlement Hierarchy. Danbury is a Key Service Settlement outside of the Green Belt in this hierarchy and is due to provide around 100 new homes, which it is doing so via allocations made within the Danbury Neighbour Plan. Whilst the Spatial Strategy is based on spatial principles which are fundamentally unchanged in the emerging Local Plan, the strategy itself as expressed in Policy S7 of the current Local Plan must be considered out of date. This is because it is based on now out-of-date housing and employment requirements and as a consequence it is known the spatial strategy must make further allowance for development outside of settlement boundaries beyond those as defined by the current Local Plan (2020).
- 6.23 The Danbury Neighbourhood Plan (NHP) Policy DNP1 confirms how the NHP will deliver around 100 new homes through allocations it makes. Policy DNP1 of the NHP identifies 5 sites across which 93 new homes are allocated. Danbury NHP does not contain any restrictive policies of its own with regard to housing not allocated by it, instead the NHP relies on the policies of the Chelmsford Local Plan and National Planning Policy.
- 6.24 A review of the NHP allocated sites in the context of current applications and known sites coming through the planning system has been carried out. Site B of the NHP has a Council resolution to grant planning permission for up to 72 units; this is the main allocation of the NHP. Other sites are for smaller schemes and are at varying planning or pre-planning stages. Overall,

93 homes are allocated through the NHP and a similar number is expected to be realised based on current standing of those proposals. In this context, 26 additional homes (this application) would amount to around 119 new homes for Danbury. The 26 proposed units will comprise a mix of house sizes as shown in the indicative housing mix. This is a proportionate increase in housing which is, in general, a reflection of the increased housing need that has materialised since the adoption of the current Local Plan (2020) which informed the allocations made through the NHP (2024) and would be a proportionate response to that current need position.

6.25 Notwithstanding this relatively minor uplift in housing provision, the NHP does not allocate the application site for housing.

6.26 The Danbury NHP sets out an assessment criteria which has been used to select the sites it has allocated.

6.27 The application site has been considered in the context of this assessment criteria. The application site demonstrates a general compliance, as follows:

- The site is sustainable based on its adjacency to Defined Settlement boundary and Danbury being a Key Service Settlement and there are local amenities for new residents,
- it is available for development and would meet Chelmsford City Council's evidenced housing need,
- it would utilise previously developed land (*technical compliance – development intensification*),
- it would occupy a space between existing housing and the newly allocated site for 10 alms houses which gives this development parcel an infill character meaning it would maintain separation between settlements/parishes,
- it would benefit from acceptable highway access and would have minimal impact on local highway network as confirmed by the Local Highway Authority,
- it would not have a direct or harmful impact on SSSI to the north,
- it would maintain a suitable remoteness and agricultural setting to Garlands Farmhouse (Grade II listed) to the east,
- it would maintain landscaped edges as existing with more structural landscaping introduced and would not diminish open views or designated open green spaces,
- residential amenity can be safeguarded through the development process,
- the site is Flood Zone 1 and not within an area of critical drainage risk,
- it is over 500 metres from Butts Lane where air quality was being monitored as part of the NHP,
- minerals assessment is not required.

6.28 On this basis, there is not a specific conflict with the Danbury NHP other than the site is not a site allocated by that process. Based on planning merit, the site demonstrates a soundness as a site for new housing.

6.29 The status of development plan for the area in the context of NPPF paragraph 14, current housing need and the Council's demonstrated inability, at this time, to meet that need, and the attributes of this site for housing considered in the round, the application amounts to a moderate weight of positive impact based on proportionate net increase in housing delivery.

Rural Area

Strategic Policy: S11

Development Management Policy: DM8

6.30 The site is within the Rural Area, adjacent to Danbury Defined Settlement boundary.

6.31 The application is submitted with a Landscape and Visual Appraisal dated 2025.

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6.32 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. Part C of this policy specifically relates to the Rural Area:

“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 outside of the Green Belt, and not designated as the Green Wedge, will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.”

6.33 Chelmsford Local Plan Policy DM8 allows new development, including redevelopment of previously developed land, in the Rural Area where it will not adversely impact on the identified intrinsic character and beauty of the countryside. Part B of the policy 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.

i. the size, scale, massing and spread of the new development compared to the existing

6.34 The existing development on the site comprises a small stable building and a track. The proposed housing development, in comparison to the existing development quantum and spread, would be a significant addition to the site. The scale would be greater and ultimately this would amount to a significant increase in development massing compared to the previous development. In terms of Rural Area impact this would be a significant harm to be weighed in the planning balance.

ii. the visual impact of the development compared to the existing

6.35 The development covers an area of 1.15ha in total. The Parameter Plan (revision D) shows development would be restricted to a smaller 0.8ha area which includes the access land. Development within this land would be limited to 2 storeys. The areas within the application site but outside of the development parcel would support green infrastructure, bolstering the existing vegetation to site edges.

6.36 To the north of the site, stretching three quarters along the site boundary, is Runsell View a street comprised of 1-1.5 storey houses backing onto the proposal site. To the west is Little Fields, a street comprised of 2 storey houses with mixed relationship to the application site. To the south is currently an agricultural field, but part of this field is allocated for housing development (10 alms houses – single storey) as Site A in the Danbury NHP and this stretches approximately two thirds along the application boundary. To the east are agricultural fields providing circa. 275m remoteness to Garlands Farmhouse.

6.37 The development, by comparison to the existing stable and track that is present on the site, is a substantial increase as identified under criterion i, but assessing visual impact means taking into

account the attributes of the site and its surroundings and reaching a judgement on whether that development would be harmful to the purpose of preserving the character and beauty of the countryside.

- 6.38 Given the developed context of the site, the harmful effects of the development are reduced. The proposed development would remove what is in essence an open and green site, so would introduce a harm, but the shape of the Defined Settlement (together with Site A as allocated) means this site is within an inset area which is surrounded on three sides by development. The existing and allocated development would filter, blend and ultimately mitigate views to the proposed development from all public vantages. This site would as a consequence appear as a logical continuation of developed edge of settlement rather than an irregular outcropping of development from the village envelope.
- 6.39 The site already has a strong vegetated edge to the east visible across fields. The openness of the site is not readily apparent from public vantage points to the north or east; the open setting is provided primarily by the agricultural fields (portion of which has been allocated as Site A by the NHP). Viewed from the east, the existing housing forming the edge of the village is openly visible even with trees in leaf. Therefore, whilst the countryside landscape in this area is more generally recognised for its wooded farmland character, the existing characteristics of this site are a more open agricultural landscape with visible edge of village development. The proposal would not fundamentally change this landscape character and the proposals consist of additional land reserved for landscaping which can further reduce the visibility of proposed development and in turn provide a more positive, landscaped edge to the village envelope. Landscape is considered further under sub-heading 'Landscape'.
- 6.40 Against that context, the development would only give rise to a limited (low-moderate) level of adverse visual impact without mitigation and with mitigation has potential for positive landscape approach to be confirmed via Reserved Matters stage. The limited visual impact (unmitigated harm) as a consideration of Rural Area impact in principle will nonetheless be weighed in the planning balance.

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

- 6.41 The existing stable and track amount to a very low key use. Giving consideration to activity in the context of its Rural Area setting, the development would give rise to a predicted overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a day (0700 – 2100) with 14 of those in AM and PM peaks. Although this would represent an increase based on existing site (vehicular) activity, the level of vehicular movement activity is very low in terms of highway impact and would be fed directly into an adopted roadway which already serves 16 homes, so this proposal would not introduce a new typology of vehicular activity to the Rural Area. In terms of the activity this would generate within Little Fields itself, there would likely be a perceivable increase in vehicle movements along the road, but there is not an absence of vehicle movement at present and the limited amount of vehicle movement increase associated with a 26 unit housing development would be of limited impact on local residential amenity in qualitative terms. This low impact would be weighed in the planning balance.
- 6.42 Other activity associated with residential use of the site would be de minimis in the context of ambient activity associated with existing housing. This is a neutral impact in the planning balance.

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

- 6.43 The development is located directly adjacent to the Defined Settlement boundary of a Key Service Settlement. This is an appropriate and sustainable site for new housing and relationship to neighbouring properties can be managed (through Reserved Matters stage) based on the parameters set by this outline application. This results in a net positive impact since this site would represent a legible and suitable pattern of growth and is a proportionate addition in the context of current housing land supply. This positive consideration will be weighed in the planning balance.

Landscape

Strategic Policy: S11. Development Management Policies: DM8, DM23 and DM24

Neighbourhood Plan Policies: DNP1, DNP4, DNP8, DNP11, DNP12

- 6.44 Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by, amongst other matters *“recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.”*
- 6.45 Policies S11 and DM8 of the Chelmsford Local Plan seek to ensure that the identified character and beauty of the countryside is not adversely impacted. Design Policies DM23 and DM24 reinforce the need for design of new development to respect and integrate with local landscape character.
- 6.46 The site also falls within the Danbury NHP. Policies of the NHP relevant to this application include Policy DNP1 which allocates new sites including land to the south of the application site for housing, DNP4 which sets guidance for built form, DNP8 which sets guidance including layout and content parameters for new open space, DNP11 which sets expectations for preservation of trees and hedges as part of the landscape setting, DNP12 which seeks to protect key views into and out of the village.
- 6.47 The site is adjacent to the eastern edge of Danbury Defined Settlement. The site already has a strong vegetated edge to the east, which is visible at distance across agricultural fields. The openness of the interior of the site is not readily apparent from limited public vantage points to the north or east; the open setting is provided primarily by the agricultural fields surrounding the site to the east and south. The field directly to the south however is allocated for housing development by the Danbury NHP.
- 6.48 The application is supported by a Landscape and Visual Appraisal dated December 2025 providing analysis of landscape character, value, susceptibility and sensitivity to change and conclusions on development impact.
- 6.49 The vegetation pattern of the areas beyond the Defined Settlement boundary are mixed with large swathes of agricultural land interrupted by vegetated field boundaries, roads and more sporadic housing (and other development) to the east in general, but with the village envelope stretching considerably further eastwards south of Maldon Road. Beyond the agricultural land there are extensive areas of woodland including ancient woodland.
- 6.50 In general, the landscape value of the area is moderate. It is of ordinary character and aesthetic appeal and it is not highly visible due to absence of PROWs and distance to nearest vantage points primarily along Runsell Lane, beyond which there are no longer range views. The site makes a limited contribution to an overall open and natural landscape setting by way of its

mature vegetation along site boundaries shared with the open, agricultural landscape beyond which currently helps to filter views to housing within the village envelope.

- 6.51 The proposal is suitably informed by landscape and visual constraints such that it would reasonably mitigate landscape harms. The Parameters Plan (revision D) confirms the introduction of housing would retain and enhance the mature trees and other boundary vegetation providing a filter between edge of settlement housing and open land beyond, integrate new built form with existing edge of settlement housing, limit housing to 2 storeys consistent with adjacent and prevailing scale to this edge of the settlement, provide opportunities for open space to the north and east of the site incorporating SUDS, recreation and ecology. These parameters would serve to successfully mitigate views towards the application site.
- 6.52 The allocation of Site A in the Danbury Neighbourhood Plan to the south is a material consideration. That site relates to part of an agricultural field with higher visibility to Maldon Road and Runsell Lane and at present benefits from no separation from the open landscape meaning it is more highly exposed to landscape change. Site A is required by site policy within the NHP to build up a landscaped edge and preserve views to Garlands Farmhouse so as to preserve both the landscape and heritage setting of the local area. The development of Site A would introduce a presence of housing development, albeit as single-storey scale development only, into the immediate setting of the application site and into what is at present an agricultural field with open aspect to the east and clear line of sight to Garlands Farmhouse, which must be factored into the landscape impact assessment of this application.
- 6.53 Overall, whilst the introduction or intensification of development relating to a predominantly open site would stand to introduce a harm to natural landscape setting in principle, the urban fringe attributes and limited views to the site (consisting of views met by taller vegetation along its boundaries with filtered views to housing within the village envelope) would mean this development would have only a minor to moderate impact on landscape character in the short to medium term, albeit these impacts would be very localised to glimpse views and would not harm the wider landscape setting. In the long term the enhancement to natural site edges would provide some opportunity for positive impact on village and countryside setting primarily through high quality landscaping to northern and eastern edges. Further, in the context of Site A coming forward to the south and needing to introduce new physical (natural) edge (to the east) to segregate it from the open landform that currently exists in that area, the proposed development (application) would not result in an irregular or encroaching shape of development parcel and would offer a better defined edge of settlement in the context of the housing to the south (Site A) and existing housing to the north, which can be viewed as a positive outcome. This limited positive consideration (moderated from a higher value of positive weight due to the short term negative impacts) will be weighed in the planning balance.
- 6.54 In summary taking Rural Area and landscape impacts together, the development would mean an intensification of development by comparison to the existing site, but would not adversely impact on the identified intrinsic character and beauty of the countryside given the attributes of the existing environment, including the limited nature of views into the site, and based on the scope of development which is sought by this outline planning application which includes enhanced landscaping to site boundaries. The overall planning balance is addressed later in the report.

Transport

National Planning Policy

Strategic Policies: S9, S10. Development Management Policies: DM24 and DM27

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- 6.55 The NPPF paragraph 116 states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.
- 6.56 A Transport Statement has been provided setting out the scope of transport activity arising from the proposed development. In addition, a Stage 1 Road Safety Audit (RSA) dated February 2026 has been carried out in relation to the proposed access and a designer’s response has been provided to the matters arising – this is a standard approach. The RSA is commissioned by the applicant’s transport consultant, but is subject to impartial assessment by the Local Highway Authority.

Access

- 6.57 As shown on the submitted Site Access Arrangement Plan (Revision C) a vehicular access connection to the adopted highway would be made via a connection into the existing turning head within Little Fields. This plan also shows pedestrian access along the southern side of the access road.
- 6.58 The RSA identifies issues relating to priority, visibility, on-street parking and kerb design. The designer’s response issued by i-Transport on 27th February acknowledges the issues raised and in most instances the resolution is either already the responsibility of the Local Highway Authority, such as vegetation management adjacent to the public highway, and/or the final highway scheme which is subject to separate approval process under the Highways Act, is able to pick those relatively minor adjustments or additional detailing up as part of the highways approval process in due course. The applicant’s transport consultant has confirmed via additional tracking that a refuse freighter is able to traverse both the existing turning head and the proposed access road alignment with space remaining to accommodate on-street parking which may occur in relation to the existing housing. Vehicles are not permitted to park in turning heads. Parking controls are not a planning control, they are a matter controlled under highway legislation.
- 6.59 The proposal incorporates an area as shown on the Parameters Plan (revision D) to be dedicated to No. 10 Little Fields as an alternative area for parking allowing them to use the current driveway area as a landscaped front garden rather than parking area should they wish. However, it has been confirmed with the Local Highway Authority that continued use of the existing driveway to No. 10 does not give rise to any safety concerns in relation to use of the new site access.

Sustainable travel infrastructure

- 6.60 Bus stops are located along Maldon Road within a 300m radius of the site access in either direction (travelling towards Chelmsford / travelling towards Maldon and onwards towards Burnham on Crouch).
- 6.61 First Essex operates an hourly service through Danbury connecting with Chelmsford City Centre. A school bus service to secondary schools operates in addition. The Local Highway Authority has identified that improved First Bus service frequency could be achieved via developer contribution, and is set to secure a contribution via planning obligation on the nearby allocated Site B of the NHP. A contribution is also sought from this development site (£95,000 index

linked) which will be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report. This would enable a phased subsidy facilitating a more frequent level of bus service over a longer period or related service improvements.

- 6.62 Segregated cycleways are not available within Danbury village. Therefore, cycling associated with new development would take place within the carriageway, the same as the current situation.
- 6.63 Table 3.1 of the submitted Transport Assessment confirms actual walking/cycling distances from the centre of the site, but in general terms (expressed as an ‘as the crow flies’ radius from the site entrance which is more common to planning assessment) there are a shop and takeaway within 200m, medical centre within 400m, village hall, sports fields, early years and primary school sites within 800m of the site. There are various other facilities located within Danbury village. Footpath connections would be available to all of these facilities and all are considered a reasonable walking distance from the site.

Transport Modelling

- 6.64 The Local Highway Authority has confirmed the prospective impact of the proposal is acceptable from a highways and transportation perspective. The Transport Statement identifies trip rates using TRICS data, which is recognised as appropriate methodology. The development would give rise to a predicted overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a 14 hour period (0700 – 2100) with 14 of those in AM and PM peaks. The level of vehicular movement activity is very low in terms of highway impact and would be fed directly into an adopted roadway. This would have a low impact on how the junction of Little Fields and Maldon Road would operate, and the local transport network in general. The Transport Statement concludes this level of trip generation is de minimis in transport terms. The Local Highway Authority has accepted the findings of the report.
- 6.65 Measures such as travel information packs to new residents and travel vouchers will encourage the use of public transport which will be imposed via condition in the interests of achieving more sustainable travel patterns from new development.

Parking

- 6.66 Chelmsford Local Plan Policy DM27 states that the Council will have regard to vehicle parking standards set out in the Essex Parking Standards – Design and Good Practice (2009) as or subsequently amended. The parking standards have been amended in 2024. Parking provision in accordance with the Parking Essex Standards (2024) would be secured via the Reserved Matters stage because at that stage the housing mix and detailed layout would be known. Whilst it is possible to condition parking at the outline planning stage, it is not necessary in this case since the parking standards have been acknowledged within the Transport Statement and are a material consideration in any event for the next stage of this process (Reserved Matters).

Heritage

National Planning Policy

Strategic Policy: S3. Development Management Policies DM13 and DM15

Neighbourhood Plan Policy: DNP16

- 6.67 Strategic Policy S3 states “When assessing applications for development, the Council will place great weight on the preservation or enhancement of designated heritage assets and their setting.”

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- 6.68 Policy DM13 states, “the impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development.” Part A of this policy states the Council will permit proposals where (ii) “development within the setting of a listed building would not adversely affect the significance of the listed building, including views to and from the building, landscape or townscape character, land use and historic associations.”

Garlands Farmhouse

- 6.69 The site does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed). The edge of the site is circa. 275m from Garlands Farmhouse separated by agricultural fields which are to remain. These fields in front of Garlands Farmhouse provide a suitable and relevant setting to the historic building, preserving its core cultural significance to the landscape. Since these agricultural fields would remain, the proposal would have no substantive impact on listed building setting.
- 6.70 The wider rural setting, in vastly more general terms, enhances the rural setting of the farmhouse which contributes to its significance. Whilst the modern edge of Danbury would come marginally closer to Garlands Farm as a consequence of the development proposal, it would still be distant from the listed building, partly filtered by the existing mature trees and hedges. The development would not have a notable impact on the experience of the listed building.
- 6.71 The Parameter Plan (revision D) confirms the development would not exceed 2 storeys, this has been revised from an initial proposal for 2.5 storeys maximum building height.
- 6.72 Additional landscaping to the eastern edge of the site will need to be introduced via the Reserved Matters stage, which can be controlled by planning condition. The retained and suitable additional landscaping (structural, native species) would help to filter views from the listed building towards the site. There would on that basis be no harm to the wider rural character of setting to this listed building. In relation to this outline stage of planning, the proposal therefore introduces nil harm to the significance of the listed building, which will not affect the planning balance.

Archaeology

- 6.73 Maldon Road has Roman significance as a likely route between Chelmsford and Heybridge, and post-medieval or earlier remains have been discovered within the Danbury area. Applying a precautionary principle, the County Archaeologist has recommended trial trenching prior to commencement of development, which can be secured by planning condition.

Trees and Ecology

Strategic Policy: S4. Development Management Policies: DM16 and DM17

Neighbourhood Plan Policies: DNP6, DN7, DNP9, DNP10, DNP11

Trees

- 6.74 An Arboricultural Impact Assessment dated December 2025 has been submitted with the application. Using the illustrative layout the report assesses the likely impact of development on existing vegetation. The report concludes that 1 tree, 1 hedge and 4 shrubs would be removed with partial removal of another shrub area. There are however 4 trees that are ungradeable

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due to poor health which will result in natural loss over time, not as a consequence of development (T5, T8, T14 and T18). The report identifies 7 B category trees which have a higher (moderate) value. The report also identifies an ancient/veteran tree on the north-eastern boundary (T10) which is an A category tree and has been afforded an extra large Root Protection Area to ensure it remains unimpacted by the development. The majority of trees on site are C category, which means they have a lower value, but are still a positive site attribute to be considered in conjunction with development.

- 6.75 Both T34 and H35 have been identified for removal and these are situated at the entrance to the site within the front garden of No.10 Little Fields. These features are a small Ash tree and leylandii hedge. The removal of these features would not be objectionable.
- 6.76 The remainder of the vegetation removal relates to ruderal vegetation which is not objectionable
- 6.77 There are no preserved trees or tree groups.
- 6.78 Policy DM17 (Part B) states that permission will be granted for development that does not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area. Harm or loss of natural landscape features will not be permitted unless a landscape strategy to compensate for the loss or harm is secured, or where there are overriding public benefits arising.
- 6.79 Based on the limited loss to trees and other vegetation and their limited value to the character and appearance of the area and the recognition afforded to trees which are of higher value and must be retained as part of the development proposals, there would be minimal impact on natural landscape features. The development is therefore in compliance with the policy.
- 6.80 In any event, a landscape strategy will be secured by planning condition to ensure green edges of the site are suitably landscaped for benefit to wider rural landscape setting.
- 6.81 In accordance with paragraph 9.13 of the Planning Obligations Supplementary Planning Document (2021) all new housing shall seek to plant three new (net) trees per dwelling – this is in response to the Council’s declared Climate and Ecological Emergency. This may be as part of the enhancement which would come in response to general needs of the development or on-site enhancement achieved through Biodiversity Net Gain. Given that this is an outline application the provision for this quantum of tree planting either on-site or via a contribution in lieu to facilitate delivery of trees on council land will be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.82 Based on the limited proposed or necessitated tree (and other vegetation) removal, and based on enhancement that can be achieved via new planting within the green zones identified on the Parameters Plan (revision D) and with new tree planting secured via s.106, the development is considered to result in moderate positive weight in the planning balance.

Ecology – designated sites

- 6.83 Scrubs Wood, and ancient woodland habitat, is a Site of Special Scientific Interest (SSSI) located approximately 370 metres to the north. This is a nationally designated site. The proposal does not generate any direct impact on this SSSI, through physical, light, pollution, or loss of connected habitat. Whilst this SSSI is within an accessible distance ‘as the crow flies’ and is therefore subject to potential recreational disturbance, the proposal site benefits from a clear

separation by site boundary, agricultural land and existing residential areas and no direct PROW connections between the site and SSSI exist. The development

- 6.84 DEFRA mapping (MAGIC) confirms the site is within a zone of influence of the SSSI. However, the application is for less than 100 net new residential units. In accordance with Natural England standing advice, the impact can be managed through strategic solutions to be agreed under Appropriate Assessment.
- 6.85 Similarly, the site is within a zone of influence of Blackwater Estuary SPA and Ramsar Site and Essex Estuaries SAC. Impact arising from recreational disturbance on these European designated sites is also managed through strategic solutions to be agreed under Appropriate Assessment.
- 6.86 The Appropriate Assessment concludes that a contribution in line with the Essex Coast RAMS strategic solution is adequate mitigation for the likely recreational impacts arising from this scale of development. In addition, the development is identifying on-site local open space which will further mitigate demand for recreational access to natural sites and as identified earlier, the site is within 800m of recreational and sports fields. A RAMS contribution is to be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.87 On this basis there would be no residual adverse effect on national or European designated sites to be factored into this decision in accordance with Policy DM16 and NPPF paragraph 193 and therefore, with mitigation, the proposal introduces nil harm which will not affect the planning balance.

Ecology - on-site

- 6.88 The application is submitted with a Preliminary Ecology Assessment and Bat Activity Surveys.
- 6.89 The following findings of the reports are accepted:
- 6.90 Bats – there is evidence of bats using the boundary vegetation for foraging and commuting. Whilst the level of activity is low and common species have been identified, the arboreal connections provided by this site to wider landscape are important features to support biodiversity, and potential nesting. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D), introduction of bat sensitive external lighting/dark zones adjacent to site boundaries and introduction of new roosting opportunities (bat boxes) would provide suitable mitigation of development on this species.
- 6.91 Nesting birds – the site contains tree and hedgerow lined boundaries which is suitable for bird nesting. There is no suitable habitat for ground nesting birds and no evidence of ground nesting birds. The site has recorded red list bird species within the last 10 years. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D) would maintain suitable depth of arboreal and mid-height vegetation to support nesting birds and provide suitable mitigation of development on this species.
- 6.92 Hedgehogs – the site is generally open with vegetated edges and there are nearby residential properties which are likely to attract this species based on foraging habits. Retention and enhancement of site boundary vegetation which is to be retained by virtue of the Parameter Plan (revision D) would maintain suitable routes for commuting and foraging and provide suitable mitigation of development on this species.

- 6.93 There is no evidence of badgers, reptiles, great crested newts or dormice and the site holds only limited suitability for these species. The retention of green zone to site edges would still allow for those vegetated corridors to facilitate foraging and commuting in connection with the wider natural landscape setting which would adequately support these species in the event they do interact with the site on a more ephemeral basis.
- 6.94 The mature and veteran trees are being retained which is of benefit to local ecology.
- 6.95 Based on these findings, the development is considered to satisfactorily conserve habit, network and connected spaces in support of protected species and the development would avoid unnecessary impact on biodiversity as a consequence of development. The outline proposals provide a suitable opportunity for enhancement of ecological corridors which is to be considered further at Reserved Matters stage which would be supported by further ecological assessment based on a detailed housing layout. The development is in accordance with Policy DM16 and paragraph 193 of the NPPF and on this basis the proposals would amount to nil adverse impact which will not affect the planning balance.

Biodiversity Net Gain (BNG)

- 6.96 The baseline value of the site is 3.93 area units, 3.19 hedgerow units and 0.55 watercourse units.
- 6.97 Post development, the proposed value would be 2.64 area units, 3.92 hedgerow units and 0.64 watercourse units.
- 6.98 This would amount to a net change of -33.55% area units, +22.93% hedgerow units and +15.96% watercourse units.
- 6.99 The loss of area units is to be expected due to the development proposal, and this results in a need for 2.32 habitat units to be secured to off-set that loss (including net gain). Based on this, the combined uplift satisfies trading rules and would achieve the required minimum 10% biodiversity net gain in compliance with Policy DM16 and the framework established by Environment Act 2021.
- 6.100 The Reserved Matters application is required to provide a final BNG Plan based on the definitive scheme layout. In addition, a Habitats Management and Monitoring Plan will need to be secured to ensure the gains are protected for a minimum 30 year term. These documents are to be secured by S.106 Agreement – see ‘Planning Obligations’ section of this report.
- 6.101 The development is in accordance with Policy DM16 and on this basis the proposals would provide an enhancement which will result in moderate positive weight in the planning balance.

Drainage

Development Management Policy: DM18

- 6.102 The site is in Flood Zone 1 and is not subject to critical drainage area designation. To site edges are field drainage ditches.
- 6.103 Policy DM18 requires surface water run off be managed to a rate no greater than the run off prior to development. Part C of Policy DM18 relates to major development and requires SUDS be incorporated into development schemes.

- 6.104 A Flood Risk Assessment and Drainage Report (March 2026) has been submitted in support of the application and this has been subject to assessment by the Lead Local Flood Authority. Since this is an outline application, the final scheme layout has yet to be established. However, a feasibility-based proposal to deliver SUDS on site and manage surface water run off has been provided to demonstrate that the development site is able to comply with Policy DM18. The SUDS approach would consist of permeable sub-bases within gardens linked to attenuation basin built into the green outer zone of the development site and sub-ground level attenuation tank which will limit outfall to an existing ditch at a greenfield equivalent runoff rate for this site. The scheme would manage rainfall events upto and including 1 in 100 year events plus climate change allowance (45% for 1 in 100 year events), plus a 10% 'urban creep' allowance to factor in future hard landscaping, extensions, etc. by occupiers of the proposed housing. The Lead Local Flood Authority confirms the approach is acceptable subject to condition to secure the final scheme prior to commencement of development. Such approach is standard practice and a condition forms part of the recommendation.
- 6.105 The SUDS scheme will be delivered in accordance with CIRIA which will manage water quality.
- 6.106 In addition, a scheme to minimise the risk of surface water flooding during construction will also be conditioned as identified by the Lead Local Flood Authority.
- 6.107 Based on the ability to demonstrate that the development can achieve a greenfield equivalent run off rate, the development would have no impact on water environment and would not worsen flooding elsewhere and therefore this matter will not affect the planning balance.

Design

Development Management Policies: DM1, DM23, DM24, DM25 and DM26

Neighbourhood Plan Policies: DNP2, DNP3, DNP4, DNP5, DNP8, DNP10, DNP11, DNP13

- 6.108 Policy DM1, under Part A (i), seeks the provision of an appropriate mix of dwelling types and sizes that contribute to current and future housing needs and create mixed communities. Danbury NHP Policy DNP2 seeks a mix of housing consistent with Policy DM1 of the Chelmsford Local Plan. The housing mix of the proposal is indicative but is generally acceptable. As the application is submitted in outline the future mix will be a matter to be secured through the Reserved Matters application.
- 6.109 Policy DM1 Part A (ii) requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). Danbury NHP Policy DNP2 states all developments must contribute to a balanced mix of housing, including those with disabilities. Whilst it is not feasible to secure tenure (market sale or market rent) of private units, Accessible and Adaptable homes can be secured through planning condition based on 50% of total number as secured by the Reserved Matters scheme.
- 6.110 Policies DM23 and DM24 set structuring design requirements. The outline application does not prejudice successful design outcomes being achieved under these policies. Detailed design, such as site arrangement and architectural design of individual houses, is a matter for Reserved Matters stage of the application process.
- 6.111 Policy DM25 states that all new dwellings should incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions, and the use of natural resources. All new dwellings should be water efficient (in line with optional building regulations standards) and shall provide electric vehicle charging facility (on a 1:1 ratio for houses with dedicated parking).

These matters are likely to be demonstrated through Reserved Matters submission, but in any event can be controlled through planning conditions.

- 6.112 Policy DM26 sets out design specifications for new dwellings, including that suitable privacy and living environment be provided for residents of the development, that sufficient private amenity space be provided for new homes, that development must benefit from provision of open space, units comply with Nationally Described Space Standards, and provision of appropriate and well designed recycling and waste storage. These requirements are to be delivered in accordance with standards set out in Appendix B of the Chelmsford Local Plan. These matters are likely to be demonstrated through Reserved Matters submission, but in any event can be controlled through planning conditions.
- 6.113 There are various Danbury Neighbourhood Plan policies relating to design and layout of new development. Based on this being an outline scheme with all matters reserved, there are no fundamental issues of design arising with regard to those policies.
- 6.114 These design considerations have no bearing on planning balance.

Amenity

Development Management Policy: DM29

- 6.115 Policy DM29 requires development to safeguard the amenity of nearby occupiers.
- 6.116 The Parameters Plan (revision D) shows the area of development. This plan does not prejudice the requirements of Policy DM29 which need to be applied in conjunction with Local Plan Appendix B, which establishes remoteness standards to neighbouring properties. A detailed scheme layout would be agreed at Reserved Matters stage and this will need to demonstrate acceptable relationships in accordance with Policy DM29. As such, this is a matter to be considered at that stage of the process.
- 6.117 The relationship between existing dwellings and the vehicular access to the proposal site has been taken into consideration. There is no minimum remoteness that housing must be situated away from roads set down by policy or standard. The new access would serve up to 26 units with anticipated overall daily trip generation of 74 arrival movements and 72 departure movements over the course of a 14 hour period (0700 – 2100). This would be a perceivable number of movements compared to existing movements along Little Fields, but in terms of noise, light or air pollution, the amount of additional vehicle movements is minimal and would not result in quantifiable amenity harm to residents. The general level of activity associated with the proposal in terms of vehicle movements would again be perceivable, and thus material, based on the road currently being a no-through-road, but the level of activity is by transport standards minimal and there is no identifiable amenity harm arising. The 'cul-de-sac' nature of the road is not a protectable characteristic.
- 6.118 These considerations have no bearing on planning balance due to a lack of harm identified.

Contamination

Development Management Policy: DM30

- 6.119 Policy DM30 (Part A) requires development to attenuate any health and safety risk as a result of contamination past or present and avoid contamination of water. Policy DM30 (Part B) deals with development in or adjacent to Air Quality Management Areas.

- 6.120 A Phase 1 and 2 Site Investigation Report dated December 2025 is submitted in support of the application. This report identifies some specific areas of ground contamination arising due to past development. In accordance with Polic DM30 it is necessary for a more comprehensive approach to investigation now be carried out (picked up by the application report) and as necessary remediation and verification of results be presented to the Local Planning Authority. This can be controlled by planning condition.
- 6.121 The development site is not in or adjacent to a notified Air Quality Management Area. It is noted that the Danbury NHP makes reference to air quality management near to Butts Lane, but this is not a notified AQMA (rescinded in 2024) and in any event the area of air quality monitoring is in excess of 600m remoteness from the application site, beyond a distance notified in the AECOM site selection criteria. The development, in terms of air quality, would not be in conflict with Policy DM30.
- 6.122 These considerations have no bearing on planning balance.

Affordable Housing

Development Management Policy: DM2

Neighbourhood Plan Policy: DNP2

- 6.123 The application is for upto 26 dwellings. Policy DM2 Part A requires 35% of developments of 11 or more residential units to be provided as affordable housing. Danbury NHP Policy DNP2 requires affordable housing to be provided in accordance with Chelmsford Local Plan Policy DM2.
- 6.124 The outline application is based on a maximum housing figure and as such it is not appropriate to fix the total quantum of affordable housing at this stage of the planning process. The application confirms the development will provide 35% affordable housing in line with Policy DM2. If the Reserved Matters application seeks 26 housing units in total, this would amount to 10 units of affordable housing.
- 6.125 The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. The Council will expect the affordable housing to include 22% of the total number of dwellings within the development as either social or affordable rented accommodation. The remainder of the affordable housing provision can be made up of intermediate tenure (shared ownership) housing or additional social or affordable rented accommodation. This will be secured by S.106 Agreement – see 'Planning Obligations' section of this report.
- 6.126 Danbury NHP Policy DNP2 also states that the nationally prescribed 30% discount on First Homes applies to new developments which meet the threshold on affordable housing, and that developments which seek to apply at a discount of 30% or greater will be supported. The proposal meets the threshold for affordable housing but does not propose any First Homes. First Homes are no longer a requirement of national policy following the update to the National Planning Policy Framework in 2024, and Chelmsford's Strategic Housing Needs Assessment (2023), including the 2024 addendum, does not evidence a need for First Homes in the Chelmsford City Council area. First Homes are therefore not sought on the scheme.
- 6.127 The provision of affordable housing to meet identified local needs is a recognisable planning benefit and in the context of housing supply position would usually carry substantial weight in the planning balance. However, this has been downgraded to a moderate positive weight based on the considerations set out in sub-section 'Context: housing land supply'.

Minerals and waste

- 6.128 There is no requirement to provide waste and mineral assessments. There is no conflict with the Essex and Southend-on-Sea Waste Local Plan and Essex Minerals Local Plan.

Planning Obligations

Strategic Policies S9 and S10

Planning Obligations Supplementary Planning Document

- 6.129 There is a requirement for development schemes to mitigate the specific impacts that they generate via s.106 agreements.
- 6.130 Policies S9 and S10 of the Chelmsford Local Plan require that new development be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. The Planning Obligations Supplementary Planning Document sets out further breakdown of how infrastructure needs to be delivered on site to meet more strategic needs.
- 6.131 In accordance with National Planning Policy Framework, a planning obligation may only be applied and constitute a reason for granting planning permission for the development if the obligation is:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development
- 6.132 The Planning Committee is made aware that a S.106 Agreement is being prepared but at the time of the committee meeting a completed agreement is not in place and therefore any resolution to grant planning permission would need to be subject to the applicant entering into an acceptable S.106 Agreement with the Local Planning Authority.
- 6.133 The basis of a S.106 Agreement would be as follows:

As this is an outline application, the S.106 will secure obligations based on final unit number and mix which shall be agreed at Reserved Matters stage.

<u>Obligation heading</u>	<u>Nature of contribution</u>
35% Affordable Housing	On-site delivery
On-site open space provision	On-site delivery, to include play equipment
Highways contribution – bus service improvements	£95,000 index linked
Education contribution – early years	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £36,810 index linked</i>)
Education contribution – secondary education	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £112,508 index linked</i>)

Education contribution – secondary school transport	to be based on final unit mix (<i>predicted sum based on 26 unit scheme as indicated £23,788 index linked</i>)
RAMS contribution	to be based on final unit mix and prevailing tariff
Tree Planting	On-site delivery with contribution towards off-site planting as required – to be based on final unit mix and prevailing tariff
BNG	On-site delivery

6.134 Based on the above being secured by S.106 Agreement in accordance with the Planning Obligations Supplementary Planning Document where applicable, the development is considered to comply with Policies S9 and S10 of the Chelmsford Local Plan.

6.135 In addition, this application proposal is CIL liable. A precept from CIL would be payable to the local parish. Essex County Council is aware of the need to bid for library funding, where required, through CIL. Similarly, due to the limited size of site, the Mid and South Essex Integrated Care System (NHS) is aware they would need to bid for funding towards local medical services, where required, through CIL.

7. Planning balance

- 7.1 National policy tells us that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving development in a sustainable manner means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 7.2 It is accepted that the current Local Plan is now 5 years old, meaning the evidence upon which housing and employment needs are assessed has to be refreshed with new evidence produced using the latest methodologies. This work is well underway and has identified a need to secure a substantial amount of new homes.
- 7.3 It is also accepted that the Danbury Neighbourhood Plan remains ‘in date’ and has already made allocations for around 100 new homes in and around Danbury. This means that under paragraph 14 of the NPPF there is no requirement to engage tilted balance (paragraph 11 of the NPPF) and due regard must be had to the Danbury NHP as part of the development plan for the area. This application will therefore be considered based on planning balance in standard terms (i.e. without significant tilt in favour of granting new housing development as the default position).
- 7.4 This application for 26 new homes however still carries a moderate level of positive weight in the planning balance based on the status of evidenced housing need as it stands at this time.

Environmental

- 7.5 In terms of Rural Area impact as a principle, the consideration is multi-layered. The housing proposal is seeking to develop a previously developed site, but resulting in a clearly more intensified form of development in terms of both quantum and spread compared to the limited development that currently exists on the site. This would represent a harm to openness in principle and as such has to carry **significant negative** weight in the planning balance, but this harm would be moderated by other factors such as the limited visual harm arising and wider shape of urban settlement in landscape terms which must be weighed in the planning balance – see paragraphs 7.6 and 7.9.
- 7.6 The visual impact is largely mitigated by the limited nature of views into the site and the residential context to three sides (including the allocated Site A) and positive and robust natural boundary attributes of the site itself. Based on Rural Area principles a low level of **limited negative** weight is applied to the planning balance, but as per paragraph 7.11 the visual harms are fully mitigated and would result in positive impact in the longer term.
- 7.7 **Neutral or nil** weight is added as a consequence of activity associated with the housing given the immediate context.
- 7.8 The development is located directly adjacent to the Defined Settlement boundary of Danbury, a Key Service Settlement in the settlement hierarchy. This is an appropriate and sustainable site for new housing. This results in **moderate positive** weight in the planning balance.
- 7.9 In relation to impact on rural landscape, the development site does not occupy a valued or highly sensitive landscape. The introduction of development to an area containing urban fringe attributes with limited views means the development would have limited, very localised impacts which would not harm the wider landscape setting. In the long term and in the context of Site A coming forward to the south which needs to introduce new physical (natural) edge to the open landform that currently exists in that area, the development would not result in an irregular or encroaching shape of development parcel and would offer a better defined edge of settlement than currently exists. This results in **limited positive** weight in the planning balance.
- 7.10 The site does not provide a strong contribution to the agricultural setting of Garlands Farmhouse (Grade II listed). The agricultural fields in front of Garlands Farmhouse, not forming part of the application site, provide a suitable and relevant setting to the historic building. Whilst the modern edge of Danbury would come marginally closer to Garlands Farmhouse as a consequence of the development proposal, it would still remain circa. 275m from the listed building separated by an agricultural character of setting. Additional landscaping to the eastern edge of the site is identified as part of the Parameters Plan (revision D) which would be detailed at the Reserved Matters stage. This results in **neutral or nil** weight in the planning balance.
- 7.11 There is very limited loss of trees and other vegetation due to development and the vegetation identified for removal is of limited value to the character and appearance of the area. Due recognition is afforded to trees which are of higher value and must be retained as part of the development proposals. Based on enhancement that can be achieved via new trees and other vegetation planted within the green zones identified on the Parameters Plan (revision D) and with new tree planting secured via s.106, the development would result in **moderate positive** weight in the planning balance.
- 7.12 In terms of formal ecology designations within a zone of influence to the site, through Appropriate Assessment, a strategic solution (mitigation) in the form of a contribution in line with the Essex Coast RAMS Supplementary Planning Document in combination with on-site open space provision and proximity to existing recreational and sports fields in Danbury ensures

recreational pressures arising from this scale of development result in no residual adverse effects on national or European designated natural sites. This means **neutral or nil** weight in the planning balance.

- 7.13 Development would satisfactorily conserve habit, network and connected spaces in support of protected species and the development would avoid unnecessary impact on biodiversity as a consequence of development. The outline proposals provide a suitable opportunity for enhancement of ecological corridors which is to be considered further at Reserved Matters stage. This results in **neutral or nil** weight in the planning balance.
- 7.14 However, Biodiversity Net Gain (BNG) will ensure a minimum of 10% betterment is achieved and the applicant has shown this is able to be delivered on site. This enhancement would result in **moderate positive** weight in the planning balance.
- 7.15 A SUDS scheme has been designed for the site to limit surface water run off to a greenfield equivalent run off rate to be secured through planning condition. The development would have no impact on water environment would result in **neutral or nil** weight in the planning balance.
- 7.16 As an outline scheme with all matters except access reserved there are no design or neighbour amenity considerations to weigh in the planning balance.

Economic

- 7.17 The proposal would make a temporary contribution towards construction related employment and aftersales opportunities (trades, etc.). This would result in **negligible positive** weight.
- 7.18 The proposal would make a small contribution towards local economy based on resident needs and local services available. This would result in **negligible positive** weight.

Social

- 7.19 The development is a response to identified housing need. The proposals have been considered in the context of Spatial Principles, Spatial Strategy and the Danbury NHP housing site assessment criteria with conclusion that the housing would not conflict with a sustainable pattern of settlement growth. The delivery of 26 new homes would make a significant value contribution towards meeting housing demand which is led by the needs of local people – this is however downgraded based on status of the development plan. This outcome results in a **moderate positive** weight.
- 7.20 The provision of affordable housing to meet identified local needs is a recognisable planning benefit and in the context of housing supply position amounts to **moderate positive** weight in the planning balance.
- 7.21 The proposal would provide social benefits through the creation of construction-related jobs and this provides opportunities for local skills training. This would result in **negligible positive** weight.
- 7.22 The proposals would provide new on-site green infrastructure in the form of a publicly accessible open space which would be of social benefit to the local population. This results in **moderate positive** weight.

- 7.23 Other forms of infrastructure as set out in the Planning Obligations section of the report, including contribution towards bus service improvements and contributions towards education are to meet the needs of this development, but they will have some wider community benefit. As such, these contributions would result in a **limited positive** weight.

Balance Conclusion

- 7.24 In weighing up all of the benefits and harms identified under each of the three strands, and having regard to the presumption in favour of sustainable development in so far as it would apply to this application, the public benefits of the development do weigh strongly in favour of allowing the development when set against the weight of remaining adverse impacts.
- 7.25 On balance (standard, not tilted), the housing proposal represents an acceptable and sustainable form of development and there is a clear overall benefit to granting planning permission for the development. Whilst the principle of development does not accord with the development plan, namely the Danbury Neighbourhood Plan site allocations, the proposal does not give rise to any clear planning harms that would justify refusal and results in no wider substantive conflict with the Danbury Neighbourhood Plan. The only conflict or 'harm' is that the proposal is not allocated by the Danbury Neighbourhood Plan which is not a sufficient grounds in itself to refuse planning permission as the proposals are shown to result in no physical planning harms.
- 7.26 The application is recommended for approval subject to planning conditions (set out below) and planning obligations and subject to further detailed assessment at Reserved Matters stage.

RECOMMENDATION

Subject to an 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

Application for approval of the reserved matters shall be made to the local planning authority no later than 3 years from the date of this permission.

Reason:

In order to comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

These matters are reserved by the outline application and particulars submitted are insufficient for consideration of the details mentioned.

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Condition 3

The development hereby permitted shall be brought forward in accordance with the approved plans (001 A – Site Location Plan, 002 D – Parameters Plan, ITB18065-GA-016 C – Proposed Site Access Arrangement) and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site.

Condition 4

- 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 5

The reserved matters shall assess ecological impact based on a final layout and housing design and to be based on up to date species and habitat surveys, and shall provide details of long term habitat enhancement to be delivered through the development scheme, to be approved in writing by the local planning authority.

Reason:

To ensure the final development complies with Policy DM16 of the Chelmsford Local Plan.

Condition 6

No demolition, development or preliminary ground works shall take place within the site until a framework ecological management strategy (FEMS) has been submitted to and approved in writing by the local planning authority to include the following:

- i. Scope of areas to which it relates
- ii. Strategy for monitoring, management and maintenance relating to the wellbeing of priority species and habitat, and other ecological and landscape features during construction – to include precautionary working methodologies and a framework frequency of inspection visits by a suitably qualified and competent ecologist during construction stage

The FEMS shall be implemented in accordance with the approved details.

Reason:

This information is needed prior to commencement of the development to ensure there is no harm caused to protected species and their habitats in accordance with Policy DM16 of the Chelmsford Local Plan and to ensure long term wellbeing of ecology is reflected in actions undertaken on site during construction in accordance with Policies DM16, DM17 and DM24 of the Chelmsford Local Plan.

Condition 7

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No trees or hedges within the site other than those shown to be removed within the Arboricultural Impact Assessment by Southern Ecological Solutions (SES) – December 2025 shall be felled, uprooted, damaged, or disturbed or removed as part of or 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 and locality in accordance with Policies DM17 and Policy DM23 of the Chelmsford Local Plan.

Condition 8

No drainage or service runs shall be laid within or beneath the root protection area of any retained tree as shown on drawing no. TPP/Little fields Danbury/15-12-25 forming part of the Arboricultural Impact Assessment by Southern Ecological Solutions (SES) – December 2025.

Reason:

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

Condition 9

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. construction vehicle routing,
- ii. any temporary traffic management/signage,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities,
- vi. hours of deliveries,
- vii. location and height of construction staff welfare facilities

As agreed, the Construction Management Plan shall be adhered to during the construction period.

Reason: In the interests of highway safety and local amenity.

Condition 10

a) No development shall take place, including any ground works or demolition, 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 11

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until samples (accompanied by a schedule and annotated drawings) of all materials to be used to the external faces/roof and exterior ground surfaces of the buildings have been submitted to and approved in writing by the local planning authority.

Unless previously agreed in writing by the local planning authority no materials other than those approved via this condition shall be used.

Reason:

In order to achieve satisfactory development of the site in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 12

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until a final and comprehensive specification of all soft landscaping works and content has been submitted to and approved in writing by the local planning authority to include written specification and detailed planting layouts of the following:

- i. definitive planting specification containing species and sizes,
- ii. definitive number of (net) new trees to be planted,
- iii. soft landscaping maintenance plan.

All outside areas of the development as approved shall be implemented in accordance with the agreed specifications prior to first occupation of the development unless the local planning authority agrees in writing to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

If within a period of 5 years from the date of planting any element of the soft landscaping scheme or retained landscaping (or any replacement planting to which this same provision would also apply), is removed, uprooted, or destroyed, or becomes, in the opinion of the local planning authority, seriously damaged or defective, replanting of the same size and species as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason:

Further information is required to ensure the specification is expressed in sufficient detail to establish definitive content to ensure those spaces are designed to an appropriate standard in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 13

Excluding demolition and preparatory groundworks including installation of services, no development shall take place until a final and comprehensive specification of all hard landscaping works and content has been submitted to and approved in writing by the local planning authority to include written specification and detailed layouts of the following:

- i. hard landscaping to all streets and public spaces,
- ii. hard landscaping to all private spaces,
- iii. hard landscaping maintenance plan.

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All outside areas of the development as approved shall be implemented in accordance with the agreed specifications prior to first occupation of the development unless the local planning authority agrees in writing to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

Reason:

Further information is required to ensure the specification is expressed in sufficient detail to establish definitive content to ensure the proposals would be in accordance with Policy DM23 of the adopted Chelmsford Local Plan.

Condition 14

No external lighting shall be installed at the site until such time as a lighting strategy for biodiversity has been submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify areas/features on the site that are sensitive to bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important territory routes used to access key areas of their territory, for example, foraging; and
- b) show how and where the external lighting will be installed so that it can be clearly demonstrated that areas lit will not disturb or prevent the above species using their territory or having access to their breeding sites or resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No additional external lighting shall be installed without prior written consent from the local planning authority.

Reason:

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

Condition 15

- a) The reserved matters shall provide details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, to be approved in writing by the local planning authority.
- b) A dwelling shall not be occupied until the boundary treatments relating to that dwelling have been provided in accordance with the approved details.

Reason:

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

Condition 16

- a) The reserved matters shall provide details of the facilities for the storage of refuse and recyclable materials, to be approved in writing by the local planning authority.
- b) A dwelling shall not be occupied until the facilities for the storage of refuse and recyclable materials relating to that dwelling have been provided in accordance with the approved details.

Reason:

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

Condition 17

No development shall take place, including any ground works or demolition unless 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 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 18

Prior to first occupation of any dwelling within the development a vehicular and pedestrian access to the site shall be provided in accordance with drawing no. ITB18065-GA-016 Revision C, unless otherwise agreed with the Highway Authority, to include but not limited to:

- i. Provision of a 2-metre wide clear to ground visibility splay across the entire site frontage of No.10 Little Fields, to be available and retained free of obstruction at all times,
- ii. Provision of continuous carriageway connection with 1.5-metre-wide footway on the south side of Little Fields carriageway and 0.5-metre-wide highway margin on the north side (surface treatment to be agreed), connecting without ransom to the existing footway and carriageway, continuing into the new development,

Reason:

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

Condition 19

Prior to first occupation of each respective dwelling within the 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 20

- i. The reserved matters shall confirm adequate parking for motorised vehicles in accordance with Essex Planning Officers Association Parking Guidance Part 1 (otherwise referred to as Essex Parking Guidance Part 1) dated September 2024 (including re-provided parking for No. 10 Little Fields as shown on drawing no. 002 Revision D).
- ii. No dwelling shall be occupied until parking space(s) associated with that dwelling have been laid out in compliance with details approved in accordance with i. above.
- iii. Parking spaces shall thereafter be retained in accordance with approved details for use in association with the residential use of the site 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.

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Condition 21

- i. The reserved matters shall confirm adequate cycle parking in accordance with Essex Planning Officers Association Parking Guidance Part 1 (otherwise referred to as Essex Parking Guidance Part 1) dated September 2024.
- ii. No dwelling shall be occupied until cycle parking associated with that dwelling has been provided in compliance with details approved in accordance with i. above.
- iii. Cycle parking shall thereafter be retained in accordance with approved details for use in association with the residential use of the site and for no other purpose.

Reason:

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

Condition 22

The reserved matters shall confirm access and tracking for refuse freighter and fire tender to all areas of the site as required in order to service the dwellings, to be approved in writing by the local planning authority.

Reason:

In the interests of highway safety and to ensure that the development is accessible in accordance with Policy DM23 and DM24 of the Chelmsford Local Plan.

Condition 23

The reserved matters shall confirm details of electric vehicle charging points to serve all residential properties of the development in accordance with Policy DM25 of the Chelmsford Local Plan (2020), to be approved in writing by the local planning authority. Electric vehicle charging points shall be installed as approved prior to first occupation of respective dwellings taking benefit from that infrastructure.

Reason:

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

Condition 24

A minimum of 50% of the dwelling units as approved shall be constructed to comply with Building Regulations Approved Document Part M4(2) Category 2 (2010 - as amended).

Reason:

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

Condition 25

The development shall not be occupied until confirmation of connection to public sewer or alternatively details of acceptable site-based foul sewage disposal system have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the development has suitable means of foul water disposal in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 26

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 27

No development shall take place, including any ground works (but excluding demolition) 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:

- Infiltration testing to be undertaken in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 1.4l/s/ha for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The surface water drainage scheme shall subsequently be implemented prior to occupation.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM18 of the Chelmsford Local Plan and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 28

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

Reason:

To ensure excess water is not discharged from the site during construction and to manage risk of pollution to local water courses in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 29

No part of the development shall be occupied until a SuDS Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies (which shall include the need to maintain a yearly log of maintenance) has been submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a Maintenance Company, details of long term funding arrangements should be provided.

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 30

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 (including roof alterations or additions), and no outbuildings erected, without the grant of an additional planning permission by the local planning authority.

Reason:

The erection of additional extensions which could be constructed under the provisions of Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) or outbuildings constructed would undermine the Rural Area assessment undertaken in relation to this application and would allow a more intensive presence of development in the Rural Area than that approved contrary to Policies S11 and DM8 of the Chelmsford Local Plan.

Condition 31

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

Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policies DM23 and DM24 of the Chelmsford Local Plan.

Condition 32

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 hard surfacing of front or side gardens visible to the street shall be carried out by or at the instruction of individual occupiers subsequent to approval of reserved matters details for hard and soft landscaping works.

Reason:

In the interests of visual amenity to ensure that front and side gardens are retained as landscape features within the development to maintain an acceptable aesthetic and balance urban and natural landscape features in the interests of the local and wider environment in accordance with Policies DM8, DM23, and DM24 of the Chelmsford Local Plan. To prevent environmental and amenity problems arising due to surface water flooding in accordance with Policy DM18 of the Chelmsford Local Plan.

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 developer to pay the costs of all necessary traffic regulation orders and legal processes associated with the highway works as well as paying the costs of all necessary traffic regulation orders and legal processes associated with the highway works. The Applicant is advised to contact the Development Management Team

-by email at development.management@essexhighways.org

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

The Highway Authority cannot accept any liability for costs associated with a developer's 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.

With reference to highway works it will be necessary to obtain separate approvals from the Local Highway Authority (Essex County Council) for any works within the public highway. Prior to any works in the public highway, affecting the public highway or in areas intended to become public highway, you will be required to enter into an appropriate agreement with Essex County Council as the Local Highway Authority to regulate construction works. This may include the submission of detailed engineering drawings for safety audit and approval. As part of those future discussions with the Local Highway Authority you are required to ensure there is no discrepancy between the planning and highway approvals.

APCs

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

Commuted Maintenance Payments

Any non-standard specification materials, signal equipment or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction.

Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.

- 2 Without prejudice to separate direction from the Local Highway Authority, all roads shall be constructed to a standard capable of carrying a 26 tonne vehicle to accommodate fully laden refuse and fire vehicles.
- 3 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 4 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.

- 5 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 6 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 7 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk
- 8 Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

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.

Background Papers

Case File

Plans to be listed on any Decision Notice:

001 Site Location Plan
 002 (D) Parameters Plan
 ITB18065-GA-016 (C) Site Access Arrangement

Appendix 2 – Consultations

Danbury Parish Council

Comments
<p>The Parish Council very strongly objects to this application on the following grounds:</p> <p>1. In conflict with the NPPF December 2024, paragraphs 2 and 15.</p> <p>The Danbury Neighbourhood Plan (adopted on 20 December 2024) allocates land for around 100 homes in accordance with the Chelmsford City Council Local Plan (adopted 27 May 2020) Strategic Site Policy 13 – Danbury. This is not one of those allocated sites.</p> <p>The Local Development Plan is currently being reviewed and additional sites have been recently consulted on which, it is estimated, would enable a land supply of 5.75 years on submission for Independent Examination. There have been no additional sites included for Danbury and the housing allocation has been increased by just 1.</p> <p>2. Highways and Access Constraints</p> <p>The proposed access is via Little Fields - a small cul-de-sac with the access road serving 16 homes. Residents have reported that due to vehicles parked on the highway, access can be difficult, particularly for delivery vehicles.</p> <p>The Parish Council is concerned that the intensification of vehicular use of Little Fields will cause/exacerbate queuing when accessing the A414 (Maldon Road).</p> <p>The proposed access includes a narrowed 3.1m stretch and the Parish Council is concerned, that this would not be of a sufficient width to accommodate fire appliances, refuse lorries and large delivery vehicles/ skip vehicles. Fire appliances require 3.7m which can be reduced, however this should be in consultation with the Local Fire Safety Officer (Department for Transport, 2007, Manual for Streets, pg 6.7.3, p75.)</p> <p>3. Historic Environment</p> <p>The site will be visible from Grade II Listed Garlands Farmhouse – particularly from the garden - and will be harmful to its setting.</p> <p>4. Design, Character and Landscape</p>

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The site is located in the rural area, outside of the Defined Settlement Area and by way of the heights of two storey buildings, will have a detrimental visual impact on:

- The local landscape character and intrinsic beauty of the countryside.
- Key View 3 listed for protection in the Danbury Neighbourhood Plan (policy DNP 12), which is a wide view over arable land towards the Garlands Farmhouse and the Blackwater Estuary. The arable land provides a defined border signalling the rural edge of Danbury.

This conflicts with the Danbury Design Guide paragraph 2.2a and b and Chelmsford City Council Policy DM8.

5. Flood Risk

Evidence from the applicant confirms that there is a surface water flood risk along the Northern Boundary of the site. Chelmsford City Council Policy DM18 requires that it can be demonstrated the site is safe from flooding and that the most vulnerable development should be located in areas of the lowest flood risk unless there are overriding reasons for not doing so. There are no overriding reasons to do so in this case.

6. Recreational Pressure and Ecological Impact

The application has not provided a clear mitigation plan for recreational pressure on local SSSI's, registered parks and gardens, local nature reserves and ancient woodland, in conflict with Danbury Neighbourhood Plan Policy DNP9.

7. Community Facilities

The Parish Council is concerned about the impact on community facilities, particularly Medical Services, but also provision for early years, primary and secondary school places.

8. Please would planning officers check whether there are any covenants in place that may restrict the access to the site from Little Fields.

Public Health & Protection Services

Comments

The site investigation shows contamination to be present. Appropriate condition required.

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 (based on a dwelling with dedicated off-road parking).

Essex County Council Highways

Comments

The Highway Authority has considered the application, having previously provided pre-application advice to the applicant. The application is acceptable to the Highway Authority subject to the requirements set out below, principally, the implementation of the proposed access from the existing northeast Little Fields carriageway.

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

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1. A contribution of £95,000 (£47,500 per year for 2 years) towards bus service improvements in the vicinity of the site (index linked from February 2026). To provide sustainable travel options to/from the site.
2. Construction Management Plan
3. Prior to first occupation of any dwelling within the development, the construction of the Proposed Site Access Arrangement, drawing no. ITB18065-GA-016 Revision C, unless otherwise agreed with the Highway Authority. To ensure that vehicles, pedestrians and cyclists can enter and leave the highway in a controlled manner in the interest of highway safety. To include but not limited to:
 - i. Provision of a 2-metre wide clear to ground parallel visibility splay across the entire site frontage of no.10, to be available and retained free of obstruction at all times;
 - ii. Provision of continuous carriageway connection with 1.5-metre-wide footway on the south side of Little Fields carriageway and 0.5-metre-wide highway margin on the north side, connecting without ransom to the existing footway and carriageway, continuing into the new development;
4. ~~A Stage 1 Road Safety Audit shall be undertaken for the Proposed Site Access Arrangement, drawing no. ITB18065-GA-016 Revision C, and submitted with designer's response. Documents subsequently provided to the Local Highway Authority~~
5. The developer shall be responsible for all of the costs associated with tying into the existing Little Fields public highway to facilitate the development and its associated highway works.
6. Residential Travel Information Packs (to include six one day travel vouchers for use with the relevant local public transport operator). In the interests of reducing the need to travel by car and promoting sustainable development and transport.

NOTES

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.

The Highway Authority cannot accept any liability for costs associated with development works. 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.

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.

INFORMATIVES as listed.

Essex and Suffolk Water

Comments

Essex & Suffolk Water (ESW) confirms that, at present, there is sufficient capacity within the local water network to accommodate the proposed development, as previously confirmed through pre-application enquiries. ESW has planned strategic infrastructure upgrades in Chelmsford, although delivery timescales are uncertain due to future demand pressures. In line with statutory duties, ESW will facilitate a connection to the water network if permission is granted.

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ESW expects residential development to exceed the Building Regulations baseline of 110 litres per person per day, and to demonstrate achievement of 85 litres per person per day, in line with emerging shared water efficiency standards. Planning condition recommended.

ESW also recommends that the future landscaping schemes incorporate drought-resilient planting and efficient irrigation systems to support water conservation and climate resilience. Planning condition recommended.

Essex Place Services - Archaeology

Comments
<p>The Essex Historic Environment Record (EHER) shows that the proposed development has the potential to impact archaeological remains with reference to the following:</p> <ul style="list-style-type: none"> - A postulated Roman road ran along nearby Maldon Road, with possible extramural Roman remains extending into the site. - Evidence of post-medieval industrial activity, including 17th–18th century tile kilns recorded to the east. - Proximity to the Iron Age Danbury Hill Fort Scheduled Monument, meaning the site lies within its hinterland and may contain associated Iron Age agricultural or extramural features. <p>A programme of archaeological trial trenching needs to be undertaken in advance of any groundworks commencing. A planning condition is recommended.</p>

Essex County Council (Infrastructure)

Comments
<p>Early Years and Childcare</p> <p>The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £36,810 index linked to Q1- 2025, is sought to mitigate its impact on local Early Years & Childcare provision.</p> <p>Primary Education</p> <p>As there are sufficient places available in the area, a developers’ contribution towards new primary places will not be required for this application.</p> <p>Secondary Education</p> <p>The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £112,508 index linked to Q1- 2025, is sought to mitigate its impact on local Secondary School provision.</p> <p>Post 16 Education</p> <p>A contribution toward Post 16 education is not required at this time. However, in accordance with the Essex County Council Developers’ Guide to Infrastructure Contributions (Revised 2024), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and</p> <p>WEB 03FCOM</p>

skills opportunities.

Primary School Transport

Having reviewed the proximity of the site to the nearest Primary school, Essex County Council will not be seeking a School Transport contribution at this time.

Secondary School Transport

Having reviewed the proximity of the site to the nearest Secondary School, the distance is in excess of the statutory walking distance, therefore, Essex County Council will be seeking a School Transport contribution toward Secondary School Transport. The cost of providing this is £23,788 Index Linked to 2Q 2023.

Libraries

The suggested population increase brought about by the proposed development is expected to create additional usage of Danbury library. A developer contribution of £2,022.80 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

Essex County Council SUDS (Lead Local Flood Authority)

Comments

The Lead Local Flood Authority does not object to the grant of planning permission based on the following:

Condition - detailed surface water drainage scheme to be agreed prior to commencement to include:

- Infiltration testing to be undertaken in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 1.4l/s/ha for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Condition – a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and to prevent pollution

Condition - Maintenance Plan

WEB
03FCOM

Condition - maintain yearly logs of maintenance

NOTES

Essex Green Infrastructure Strategy <https://www.essex.gov.uk/protecting-environment>

Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

Where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

<https://www.thameswater.co.uk/developers>

Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.

<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

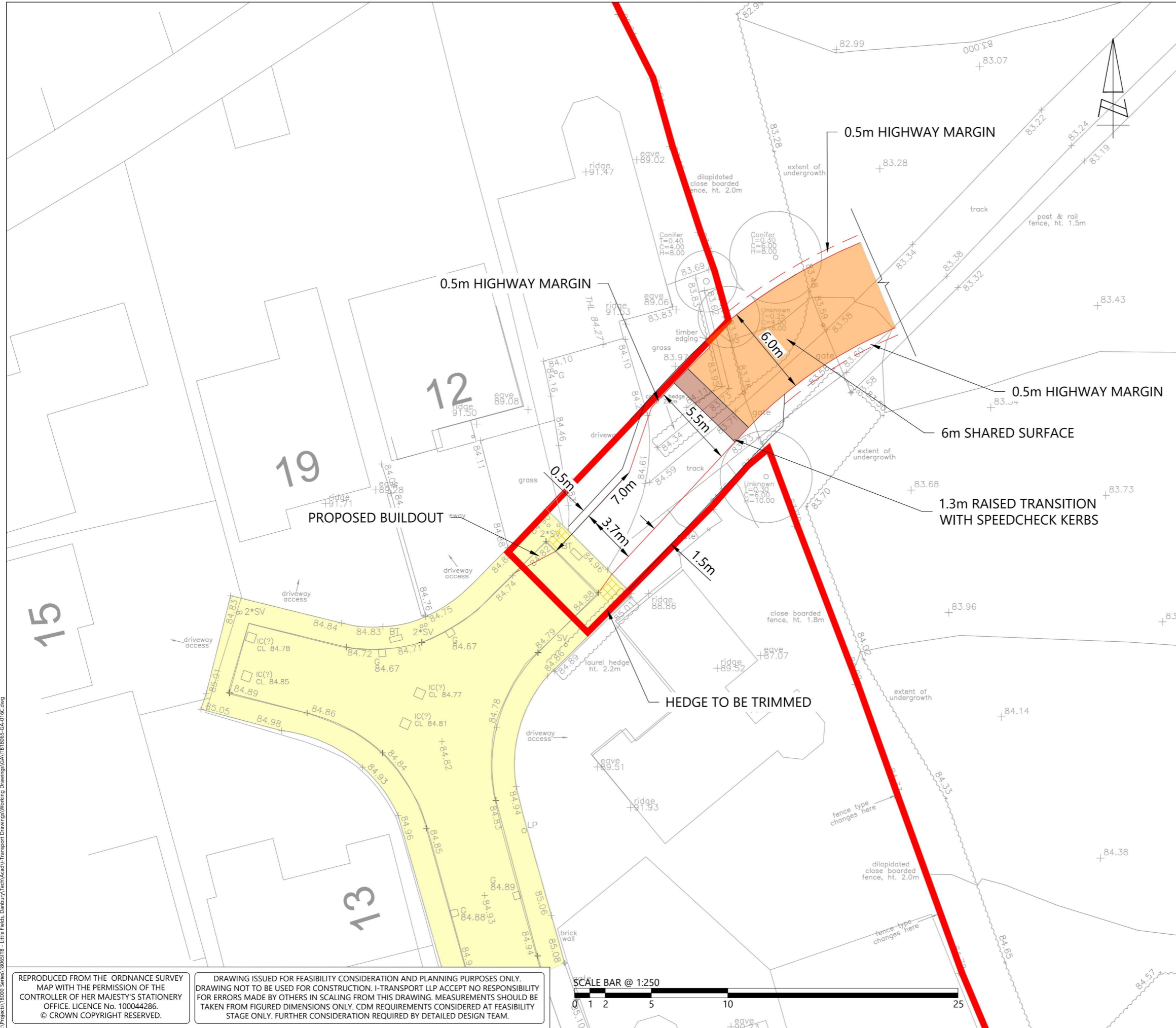
INFORMATIVES as listed.

Local Residents

Comments

47 representations received raising matters as follows:

- The proposal is not plan-led, conflicts with the Chelmsford Local Plan and the Danbury Neighbourhood Plan (2024), and lies outside the Defined Settlement Boundary.
- Neighbourhood Plan meets housing requirements; approval would undermine the plan-led system.
- Council is meeting housing targets.
- Development would extend built form into open countryside, harming village character.
- Harm to landscape character and the setting of Grade II listed Garlands Farmhouse.
- Scale, density and built form considered excessive and suburban in appearance.
- Access via Little Fields unsuitable; a narrow residential cul-de-sac.
- Concerns about road width, on-street parking, emergency/service vehicle access and junction capacity.
- Increased traffic, leading to congestion and safety risks.
- Site prone to surface water, groundwater and sewer flooding.
- Concerns that development would increase flood risk on-site and downstream.
- Loss of privacy and overbearing.
- Noise, disturbance and pollution impacts from construction and traffic.
- Over-development, density out of keeping with surrounding area.
- Presence of protected species (including bats, badgers and deer).
- Adequacy of ecological evidence and potential impacts from habitat loss and lighting.
- Lack of mitigation for recreational pressure.
- Local schools, medical services and dentists reported to be at or near capacity.
- Sets a precedent for future development.
- Cumulative impacts.



KEY:

- SITE BOUNDARY
- HIGHWAY BOUNDARY
- PROPOSED KERB
- PROPOSED FOOTWAY
- PROPOSED TACTILE PAVING
- PROPOSED SPEEDCHECK KERB
- PROPOSED SHARED SURFACE

REV	DATE	BY	DESCRIPTION	CHK	APD
C	18.12.25	TA	DESIGN HAS BEEN UPDATED	PA	PH
B	16.12.25	TA	SITE BOUNDARY ADDED	PA	PH
A	08.12.25	TA	DESIGN HAS BEEN UPDATED	PA	PH

STATUS: FOR INFORMATION

i-Transport

The Square, Basing View,
Basingstoke, Hampshire, RG21 4EB
Tel: 01256 637940
www.i-transport.co.uk

TITLE: PROPOSED SITE ACCESS ARRANGEMENT

PROJECT: LITTLE FIELDS, DANBURY

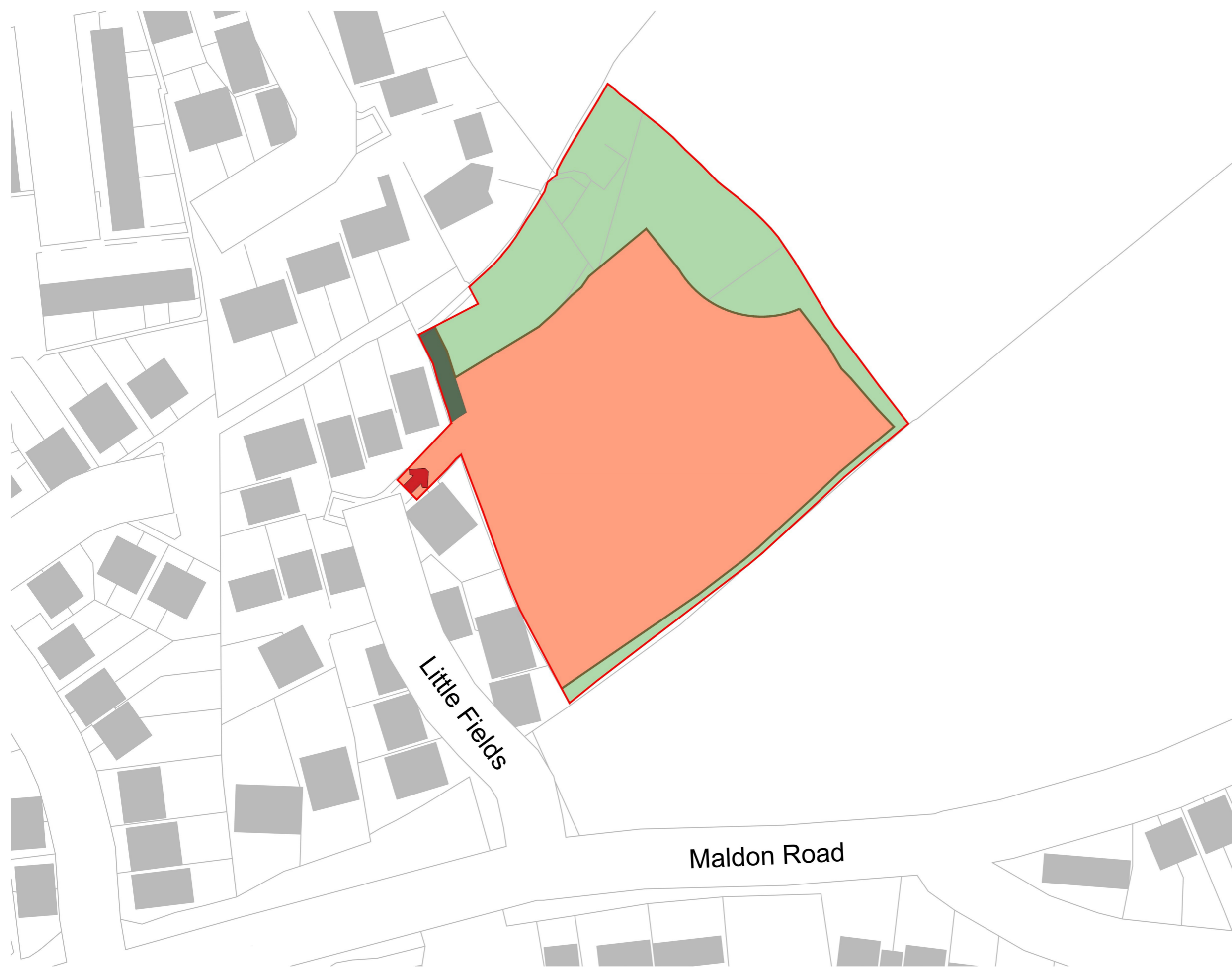
CLIENT: MARTIN GRANT HOMES






DRAWN: SH	CHECKED: PH	APPROVED: PH
PROJECT No: ITB18065	SCALE @ A3: 1:250	DATE: 21.10.25

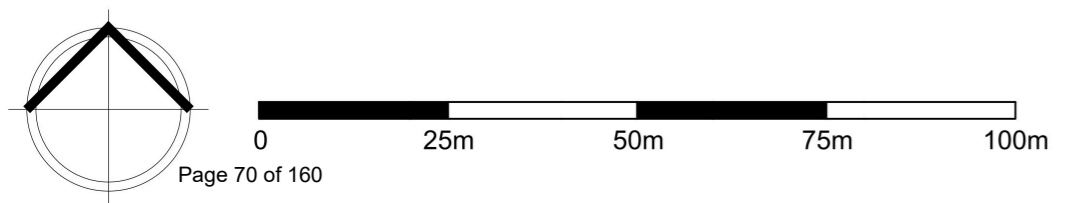
DRAWING No: ITB18065-GA-016 REV: C

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-  Site Boundary
- LAND USE PARAMETERS**
-  Proposed development area - up to 2 storeys (including roads, footpaths, private drives, open space, drainage and other associated infrastructure)
-  Proposed areas of green infrastructure (including public open spaces, children's play provision, landscaping, footpaths, drainage, pedestrian connections and associated infrastructure)
-  Land safeguarded for No 10 Little Fields
- ACCESS PARAMETERS**
-  Proposed access/egress for all modes (subject to detailed design)



Status **FINAL**

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Client: **Martin Grant Homes**

Project title: **Little Fields Danbury**

Drawing title: **Parameters Plan**

Scale: 1:1000@A3

Date: 07.04.2025

Drawn by: LR

Checked by: MV

Drawing no.: 002

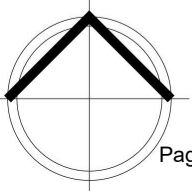
Revision: D



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Birmingham: 1 Colmore Square, B4 6AA
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t: 0117 906 9400
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Client: **Martin Grant Homes**

Project title: **Little Fields Danbury**

Drawing title: **Site Location Plan**

Scale: **1:2000@A3**

Date: **05.12.2025**

Drawn by: **LR**

Checked by: **MV**

Drawing no.: **001**

Revision: **A**

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Birmingham
 1 Colmore Square,
 B4 6AA
 t: 0121 214 0001
 w: www.marrons.co.uk

Bristol
 One Temple Quay,
 Temple Back East, BS1 6DZ
 t: 0117 906 9400
 e: info@marrons.co.uk



Planning Committee
26th May 2026

Application No	:	25/00339/FUL Full Application
Location	:	Land East Of Premier Lodge Hotel Main Road Boreham Chelmsford Essex
Proposal	:	Development of a Bio-CNG vehicle fuelling facility comprising fuel pump islands, plant compound, amended access, landscaping and associated development
Applicant	:	Aquila House Holdings Limited
Agent	:	Mr Trevor Hollinger
Date Valid	:	24th March 2025

Appendices:

Appendix 1 Drawings
Appendix 2 Consultations

1. Executive summary

1.1. This application is referred to planning committee at the request of a local ward member. The reasons for referral to Committee are:

- The area is not a dedicated area for development in the Local Plan and was also not a site selected in the recent Local Plan consultation with another site being extended in Waltham Road, Boreham.
- The green areas around the village in this area would be impacted and with the data centres proposed in another application already affecting this area of Boreham.
- Main concern is the traffic associated with this site for when Boreham House is being used as an educational facility for younger children as cars and pedestrians will be entering and exiting from Boreham House close to the roundabout. This is a high risk, and this was not mentioned in the highways report especially if students need to cross the road to get to the bus stop on the other side of the road by this site.
- There will be a visual impact on Boreham House for many years until the screening would even be suitable.

1.2. The site is located to the east of the Boreham Interchange and comprises an area of hardsurfacing in addition to arable, agricultural land.

1.3. The proposal relates to the construction of a Bio-Compressed Natural Gas (BIO-CNG) fuelling station for Heavy Goods Vehicles (HGVs).

1.4. Significant new landscaping is proposed to mitigate the visual impact of the proposals.

1.5. The proposal complies with policies regarding development in the Rural Area.

1.6. The proposal would provide significant environmental benefits in facilitating an alternative fuel to diesel, for HGV fleets.

1.7. The impact of the proposals on the setting of nearby Heritage Assets would largely be mitigated by enhanced landscaping proposed as part of the development, and the demonstrated public benefits would outweigh any remaining low level of "less than substantial harm".

1.8. The proposals would not impact the strategic (A12) or local road network and would not result in any highway safety issues.

1.9. The access arrangements for the proposed development would be acceptable.

1.10. The proposals would have an acceptable relationship with neighbouring properties.

1.11. There would not be any ecological harm from the proposals and a 10% Biodiversity Net Gain would be achieved.

2. Description of site

2.1. The site is located to the east of the Boreham Interchange, it is situated on land between the A12 and the B1137 "Main Road" to Boreham village.

- 2.2. There is an existing access to the site from the B1137 which is shared with businesses (including the Premier Inn and former Generals Head Public House) located to the west of the application site.
- 2.3. The site comprises an existing area of hardsurfacing which is used for lorry parking and arable agricultural land.
- 2.4. There is limited vegetation to the site's boundaries, with only sparse tree planting along the western boundary with the Premier Inn. Vegetation along the northern boundary with the A12 is generally low level shrubs. The southern site boundary facing the B1137 and the eastern boundary facing Paynes Lane are open with no form of boundary treatment.
- 2.5. The former Generals Head Public House is Grade II listed. Opposite the site, to the south of Main Road, is Boreham House which is Grade I listed with a registered park and garden.

3. Details of the proposal

- 3.1. This application relates to the construction of a Bio-CNG vehicle fuelling facility.
- 3.2. The facility would serve HGV fleets used by logistics and distribution businesses based in Chelmsford and using the A12, as part of the strategic road network. It would be an unmanned facility operating 24 hrs a day, seven days a week.
- 3.3. Use of the site would be restricted to CNG Fuels customers only, who would need to be pre-registered and have a fob to activate the fuel pumps. Although the site would be unmanned, it would be monitored by CCTV.
- 3.4. The development would comprise three main elements within the site:
 - i. a plant compound with equipment to draw the gas from the mains network, compress this and store it within the site;
 - ii. a substation and inlet gas meter; and
 - iii. 12 fuel pump islands arranged in two rows of 6 islands within the centre of the site within a surfaced forecourt.
- 3.5. The plant compound would be enclosed by 2.4m high security palisade fencing. Within the plant compound, the tallest single structure would be the LV switch room which would have a maximum ridge height of 2.85m. The 3 x gas compressors would each have a height of 2.47m with a slender gas vent above this. The top of the gas vent would have a maximum height of just under 5m.
- 3.6. The substation would have a maximum height of 2.67m.
- 3.7. The CCTV and task lights located within the site would have maximum heights of 3.5m. Each fuel pump would have a height of approximately 2m and would also have a task light attached.
- 3.8. Access to the site would be via the existing shared access from Main Road, but with alterations which would give priority to vehicles entering and leaving the application site, over vehicles exiting the businesses to the west of the site.
- 3.9. The application documents include a landscaping plan which indicates that two areas of the application site (Blocks A & B), to the north and south of the existing access serving the businesses to the west, would have new/additional planting. In addition, the land adjacent to

southwestern boundary of the site and to the northeast of the plant enclosure, would be landscaped.

- 3.10. The areas identified as Blocks A & B would have Woodland Block Mix landscaping, comprising trees at a height of between 1.75m – 2m which would cover 25% of the area, and smaller whip planting at heights of between 0.6m – 1m within the remaining 75% of the area.
- 3.11. To the north of the landscaping within Block A, there would also be 8 x extra heavy standard trees planted which would have heights of between 4.25m – 6m. A further 4 x extra heavy standard trees would be planted within the main site area.
- 3.12. Native hedge planting is also proposed along the northwestern boundary facing the A12 and the northeast site boundary facing Paynes Lane.

4. Other relevant applications

- 4.1. 16/02215/CLEUD - Refused 10th May 2017
Use of an area of land as a transport and agricultural yard since 1982.
- 4.2. 19/00095/OUT - Application Withdrawn 5th July 2019
Erection of office village with associated parking, servicing and landscaping. (Appearance, landscaping, layout & scale reserved)
- 4.3. 19/00142/EIASO - Not EIA Development 20th February 2019
Environmental Impact Assessment Screening Opinion for the erection of an office village with associated parking, servicing and landscaping.

5. Summary of consultations

- ECC Historic Environment Branch –

The Essex Historic Environment Record (EHER) shows the proposed development to be located in an area with the potential for archaeological remains to survive.

To the immediate south-east of the proposals, Main Road lies on the route of the Roman road (EHER 5568) between Colchester (Camulodunum) and London (Londinium). Extramural remains such as burials, industrial activity or agricultural features are likely to survive in proximity to this historic routeway and any present on the proposed development site would be negatively affected by the groundworks associated with the proposals.

Additionally, the site lies within the extent of a seventeenth century deer park associated with New Hall (EHER 47228) to the north, and post-medieval features associated with this historic use may also survive and be impacted by the development.

Recommend that a condition requiring trial trenching is applied to any consent, in line with National Planning Policy Framework paragraph 218 and Chelmsford Local Plan Policy DM15.

- Historic England –

The introduction of this type of industrial/service uses would erode the rural character of the area that is a key aspect of the setting of the listed building and registered park; country houses were meant to be experienced within the surrounding countryside. This rural character has been partly compromised by the suburban expansion of Chelmsford, the construction of the A12 and Boreham interchange and the development of the adjacent

Premier Inn and storage uses established in part of the site. However, the area to the east remains largely open.

The proposals would further erode the rural character of the area by extending industrial uses on to currently open areas. We consider this would negatively impact on the setting of the listed Boreham House and registered park and garden, harming their significance.

It is our view that the proposals would result in harm to the significance of Boreham House and its associated registered park and garden as a result of detrimental changes on their setting. This harm is important, although less than substantial in NPPF terms, and needs to be given appropriate weighing in the decision making process. When it comes to weighing this harm to heritage, the Council will need to consider whether any public benefits that the development delivers outweigh the harm to the setting to Boreham House and can only be delivered in this particular location.

- The Gardens Trust –

(Comments on original plans without the revised landscaping proposals)

We are concerned that the increased infrastructure and possible increased light pollution will further erode the setting of Boreham House and the principal view along the canal, compounded by the time taken for screening to become effective.

We welcome the increased woodland coverage as part of the development, creating a screen between the infrastructure and the RPG. We urge your officers to highlight the importance of the existing mature vegetation and ensure that this is not removed as part of the landscaping. We would also suggest that some extra heavy standard trees in block B are added to give a more substantial and therefore effective tree screen, and to have two lines to allow the gaps between the single line of trees to be better filled.

We note that Mountain Ash has been included, which is not a typical tree for Essex, so we would advise another more suitable species is substituted. Furthermore, the plans appear to show the 2.4m black boundary mesh fence on block B is on the edge of the woodland, and thus more visible from the RPG. We would suggest that the mesh fence is placed inside the woodland buffer to minimise the urban infrastructure visible in front of the tree screen.

In its current form, without the suggested landscaping improvements, the proposal would result in a moderate degree of less than substantial harm to the significance of Boreham House. This is due to the further erosion of the setting of the principal view along the canal caused by insufficiently screened infrastructure.

As a result of the presently inadequate screening proposals, the public benefit would not outweigh the less than substantial harm to the significance of the heritage asset, as per paragraph 215 of the NPPF. Furthermore, in its present form, the harm to the RPG and its setting, not outweighed by public benefit, is contrary to local plan policy DM13D whereby "Development proposals should protect Registered Parks and Gardens and their settings".

- Essex County Council Highways –

The applicant had previously entered into pre-application discussion regarding this proposal with the Highway Authority, where the form of access was agreed, and a satisfactory Stage 1 Road Safety Audit was undertaken.

The applicant has satisfactorily demonstrated that two HGVs of the largest size legally allowed on roads in the UK (18.55m), can enter and exit the site simultaneously, although the likelihood of this occurring is small.

It is agreed that the vast majority, if not all, of the HGV's visiting the site will travel via junction 19, Boreham Interchange. HGV drivers are highly unlikely to route through the villages of Boreham and Hatfield Peverel to reach the A12 when junction 19 and access to the trunk road network is so close to the site.

The applicant has provided evidence of vehicle trip patterns from other sites across the country and the Highway Authority is satisfied. Given the relatively low vehicle numbers predicted to be generated by the site and the high number of vehicles using junction 19 already, the proposal will not have a detrimental impact on the highway network.

The proposal does not include any HGV parking on site, there is concern that drivers might consider parking on B1137 which would cause a detrimental impact on the highway network and therefore the Highway Authority would request a contribution is provided to enable the existing Clearway Order at Boreham Interchange to be extended along the B1137 to a point east of Paynes Lane, to include the eastbound bus layby.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the imposition of appropriate conditions.

- Ramblers Association –
No comment.
- National Highways –
No objection.
- Public Health & Protection Services –
The submitted acoustic report indicates that noise levels produced by the operation of the proposal site will not cause significant noise disturbance and so this appears satisfactory.
- Boreham Parish Council –
In view of the expectant number of vehicles visiting this proposed site and the traffic problems this will cause, along with the expected lighting and noise pollution, the members of the committee strongly object to the planning application.
- Essex County Council (SUDS) –
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 subject to the imposition of appropriate conditions.
- Local residents -
40 objections received. Main points raised:
 - Revisions are requested to include safe off-road cycling and walking routes from Paynes Lane to the Premier Inn and The Grange.
 - Concerns regarding additional traffic using Junction 19 of the A12
 - Erosion of Green gap between Boreham Interchange and Boreham village
 - Alternative sites would be preferable – particularly Springfield Industrial Estate
 - Harmful to the rural character

- Impact on Boreham House setting and outlook
- Unsafe to have an HGV station opposite the new school at Boreham House
- There is an alternative facility at Dagenham which would provide the same function
- Queries regarding the accuracy of transport figures and the stated number of vehicles
- Inadequate Highways information submitted with the application
- Queuing traffic/traffic issues would impede Police travelling from Boreham and avoiding the A12
- Would result in the loss of agricultural land from food production
- No alternative sites have been considered
- No need for the facility – the services at Boreham Interchange can be upgraded
- Query whether there would be noise impacts for occupants of the Premier Inn
- Would result in increased light pollution
- Proposed landscaping would take years to be effective
- Unsightly fencing proposed
- Hazardous substances next to the A12 would not be appropriate
- Potential for Boreham House canal to be contaminated

6. Planning considerations

Main Issues

- 6.1. Whether the development is acceptable in the Rural Area.
- 6.2. The impact of the development on heritage assets.
- 6.3. The impact of the development on the existing access arrangements and wider highway network.
- 6.4. Whether the relationship between the development and neighbouring properties would be acceptable.
- 6.5. The impact of the development on any archaeological remains.
- 6.6. Whether there would be a suitable surface water drainage strategy for the proposed development.
- 6.7. Consideration is also given as to whether there would be any harmful impacts in respect of ecology on the site.
- 6.8. Whether the proposals would constitute sustainable development.

Whether the development is acceptable in the Rural Area.

- 6.9. Para 187 b) of the National Planning Policy Framework (NPPF) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 6.10. Chelmsford Local Plan Policy S1 sets out the spatial principles within the Local Plan and identifies that the Council will require all new development to accord with the stated spatial principles. This includes a requirement to “respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity”.

- 6.11. 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. Part C of this policy specifically relates to the Rural Area:
- “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 outside of the Green Belt, and not designated as the Green Wedge, will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.”
- 6.12. Policy DM8 relates to the construction of new buildings in the Rural Area. Part A of this policy states that “Planning permission will be granted for new buildings and structures in the Rural Area where the development will not adversely impact on the identified intrinsic character and beauty of the countryside” and where the development is one of a stated form which is listed in this section. Point iii. of Part A permits “local transport infrastructure and other essential infrastructure or development which supports existing or potential utility infrastructure;”.
- 6.13. The reasoned justification for Policy DM8 sets out in para 8.60:
- “8.60 Essential infrastructure is defined as being infrastructure that must be situated in the location proposed for connection purposes and the benefits of which override any adverse impacts on the intrinsic character and beauty of the countryside such as sewage or water connections, power sources, waste water recycling/treatment sites, electricity substations, emergency services or telecommunications, including on-site and off-site reinforcements to existing networks. Local transport infrastructure is defined as being infrastructure that must be situated in the location proposed, such as a Park and Ride facility, or new roads and bridges. Essential infrastructure will also be recognised as that proposed by statutory undertakers.”*
- 6.14. In addition to the above Policies which relate to new development countryside, Chapter 9 of the NPPF relates to Promoting sustainable transport. In relation to this, para 115 states:
- “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - safe and suitable access to the site can be achieved for all users;
 - the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.”
- 6.15. With particular relevance to this proposal, para 117 states that:
- “Within this context, applications for development should:....
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”
- 6.16. This proposal relates to the construction of a BIO-CNG fuelling facility for HGVs. The planning statement submitted with the application states that:

“The development will provide critical fuel infrastructure in Chelmsford and the strategic road network corridor, to support the continued unmet needs of freight and logistic operators with HGV fleets located in the area, as well as those already utilising this important transport route.”

- 6.17. Bio-CNG fuel is stated to be significantly more environmentally friendly when compared to diesel. Vehicles are 50% quieter and emit 90% less carbon dioxide (CO₂) and 75% less nitrogen oxides (Nox) than traditional fossil fuel alternatives.
- 6.18. The proposal would provide a more sustainable and renewable alternative fuel source to diesel. Bio-CNG is specific to operators of delivery and distribution fleets and is currently used by Royal Mail, DPD and Aldi who all have large sites in the vicinity of this site.
- 6.19. Information available on CNG Fuel’s website indicates that there are currently no Bio-CNG stations within East Anglia. The closest stations are in Aylesford in Kent, Northampton and Corby in North Northampton. There is a clear absence of such a facility within East Anglia, and particularly in respect of the A12 corridor.
- 6.20. There are a number of criteria which a site must be able to meet in order to be suitable for this type of development. Notwithstanding the availability of land, with a landowner willing to enter into an agreement for the development, there must be the possibility of a viable connection to the gas, high-pressure National Transmission System (NTS). This site is within connection range to the NTS.
- 6.21. Sites must also be of a sufficient size to accommodate the manoeuvring of HGVs, in addition to accommodating the required on-site equipment.
- 6.22. A number of alternative sites within Chelmsford, and in close proximity to the A12, have been investigated by CNG fuels while searching for an acceptable and available site for the development. Details of this site search area and sequential test exercise have been provided with the application documents and sets out the reasons why alternative sites were either not acceptable or could not come forward. This document also details the reasons why this site is suitable for the specific needs of the proposals, such as the connection to the NTS.
- 6.23. In light of the information provided in the application documents, the proposed development falls within the development type set out in point iii. of Policy DM8 relating to “local transport infrastructure and other essential infrastructure or development which supports existing or potential utility infrastructure;”. It has also been demonstrated that the proposal also meets the requirement set out in the reasoned justification to Policy DM8 that the development must be situated in location proposed.
- 6.24. *Impact on the intrinsic character and appearance of the Rural Area:*
The main development of the application site would take place on land to the north of the access road serving the site and the businesses to the west. This parcel of land comprises arable land in addition to an area of hardsurfaced land. The part of the site which is hardsurfaced has been used for many years for the parking of lorries/lorry bodies. This part of the site routinely has lorries parked on it, with heights of approximately 4m.
- 6.25. The proposals would result in an increase in hardsurfacing of the land, primarily to facilitate the circulation space required for the vehicles to enter, park while fuelling, and then leave the site using a one-way system. The majority of the equipment and structures would be located in the enclosed areas to the northeastern part of the site with the fuel pumps located in the centre of

the site. The fuel pump infrastructure would have a more open appearance than the enclosed structures and equipment.

- 6.26. The existing hardsurfaced area of the site often has lorries parked on it. Although the number and position of these will change as vehicles come and go, they have a not insignificant height (approximately 4m) and bulk. The area of the site where these lorries are parked has no screening and results in the lorries being visible from public views.
- 6.27. The proposed development would comprise fixed infrastructure which would be located on some areas of what is currently arable land. Except for the slender gas vents on the top of the gas compressors, the proposed built form and structures would have lower heights than the lorries which currently park on part of the site. The maximum building height would be 2.85m and the slender task lights and CCTV would have heights of 3.5m.
- 6.28. The proposed landscaping would provide screening of the site and the equipment/structures from Main Road and the Public Right of Way along Paynes Lane. Over a number of years, as it matures, the landscaping would provide more screening. However, as a result of the inclusion of trees with heights ranging between 1.75m – 6m, the proposed landscaping would provide some immediate screening and softening of the visual appearance of the development.
- 6.29. The proposals would result in structures being located on land further east than currently exist within the site. The proposed structures would however be lower in height than the existing lorries parked on the site. A significant scheme of landscaping is also proposed to mitigate the visual impact of the development. As the landscaping matures, this will provide additional screening of the development, and it will become less visible from public vantage points.
- 6.30. Comprehensive details of the proposed lighting within the site have been provided with the application. These details include a plans showing the proposed light and indicating the light spill radius as well as a lighting report.
- 6.31. This plan indicates that the impact of the lighting at the site would be localised within the site. The proposed lights would be low level with the tallest being the task lighting with a maximum height of 3.8m high where it would be attached to the fuel pumps. Only the lighting to the fuel pumps would be illuminated as a matter of course during the hours of darkness.
- 6.32. Lighting in the enclosed compound area would only be used when works are being undertaken. Works to this area would generally be undertaken during daytime hours and it would be rare that these lights would be required to be used.
- 6.33. In normal conditions the lighting which would be illuminated during the hours of darkness would be that which is designed to have no upward light spill and is focused on the fuel pumps and forecourt. The access road is not proposed to have any lighting.
- 6.34. The proposed colour temperature of the lighting would be that which is recommended by the Bat Conservation Trust to ensure that the lighting would not disturb or impact bats in the vicinity of the site.
- 6.35. The submitted documents indicate that the proposed lighting strategy would be appropriate for the proposed development and would not have a harmful impact to the surrounding Rural Area.
- 6.36. It is noted that concerns have been raised regarding the erosion of the green space between Boreham village and the Interchange. There is no Local Plan policy which specifically seeks to

protect this area between the village and the Interchange. Policy DM8 regarding the Rural Area applies to this site and the surrounding land, and the requirements of this policy do not prohibit any and all development in the Rural Area. Development which complies with the policy requirements will be permitted.

- 6.37. In addition, notwithstanding the proposals, there would remain a significant area of undeveloped land between the village and the Interchange. There would continue to be an undeveloped gap of at least 600m. The proposals would also result in a significant amount of new landscaping and vegetation which would mitigate the visual impact of the development.
- 6.38. The proposals would comprise a form of development which complies with point iii. of Policy DM8 and would not adversely impact the identified intrinsic character and beauty of the countryside. The application complies with the objectives of the NPPF and Local Plan Policies S1, S11 and DM8.

The impact of the development on heritage assets.

- 6.39. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that when considering planning applications for development that affects a listed building special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.40. Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.41. Part A) of Policy DM13 relating to Designated Heritage Assets states:
"The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. Where there is substantial harm or total loss of significance of the designated heritage asset, consent will be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss; or all of the following apply:
i. the nature of the heritage asset prevents all reasonable uses of the site; and
ii. use of the asset is not viable in itself in the medium term, or not demonstrably possible in terms of grant funding; and
iii. the harm or loss is outweighed by bringing the site back into use.

Where there is less than substantial harm to the heritage asset this will be weighed against the public benefits of the development proposal, including securing the optimum viable use of the heritage asset."

- 6.42. There are two listed buildings in the vicinity of the application site, the former Generals Head public house to the southwest and Boreham House to the south.
- 6.43. The former Generals Head public house is a seventeenth century timber framed building, which is grade II listed. It appears to have been built as a house and later converted into an inn, a result of its location on the London-Colchester Road. It is now divided into two and used as offices. Historically, the site had a collection of outbuildings and was set within a rural context. The building is now seen in the context of the busy Boreham interchange and the modern hotel

complex to the rear. To the east of the building there are the remnants of a pond and a small copse and the wider setting of rural character. The changes to the immediate context mean that the contribution of the application site to the significance of The Generals is limited.

- 6.44. Approximately 375m to the south, Boreham House lies opposite the application site. Boreham House is grade I listed and its grounds grade II on the Register of Parks and Gardens. The house is a fine early Georgian mansion. The grounds contain a rare formal canal on the approach to the house and pleasure gardens beyond. The head of the canal is immediately opposite the application site, with its axial alignment directed across the site, meaning that there is a strong relationship between the site and key views from and towards the house and its grounds.
- 6.45. In the late nineteenth and early twentieth century there was an orchard to the east of the head of the avenue adjacent Paynes Lane. The wider landscape once formed part of a parkland setting, which expanded in the nineteenth century. The application site was beyond the parkland, but was part of the estate land. The parkland setting expanded in the early nineteenth century, then contracted when Henry Ford purchased Boreham House and land reverted to agricultural use. The wider setting of agricultural land remains to the east and north (the application site and adjacent land), which is key to how Boreham House and its grounds are experienced, forms part of their setting and contributes to their significance. The approach along Main Road towards the head of the avenue through a rural landscape is an important part of this setting. The application site contributes to this rural context.
- 6.46. Initial comments received from Historic England, the Gardens Trust and the Council's Principal Heritage Officer on the original plans, highlighted that the proposals would erode the rural character of the area through the extension of industrial uses onto undeveloped land. This would negatively impact the setting of Boreham House and the registered park and garden.
- 6.47. Following receipt of these consultation responses, the applicant has submitted a revised landscaping plan for formal consideration as part of the application documents.
- 6.48. The revised landscaping proposals show the following:
- Additional landscaping to the front part of the site;
 - Planting belt Block A has been increased in size, giving a frontage length of c.69m and a depth of between 12m and 20m;
 - Planting belt Block B has also been increased in size, covering an extra 375sqm to the west;
 - Additional planting is also added to the eastern side of the compound.
- 6.49. These changes would result in an extensive landscaping scheme to the site frontage and adjacent areas, which are the most sensitive areas adjacent to the Registered Park and Garden and affect the key designed view from Boreham House. This would, in time, provide a dense landscape screen, which would partly mitigate the impacts of the development. There would still be a change to the wider rural setting of the Boreham House, but there would be the benefit of screening, where the existing hotel and lorry park have an impact at present. 14 extra heavy standard trees would be used to give early maturity. The majority of the scheme would take some time to mature and also give less cover in winter months.
- 6.50. There would be a low level of less than substantial harm resulting from the proposals, due to the change to the rural setting and how Boreham House and its Registered Park and Garden are experienced. The hardstanding, structures, fencing, lighting and extra HGV movements would all result in impacts. However, when the landscaping scheme matures (which would likely to take 10-15 years) there would be minor harm due to the screening provided, offset by the benefit

over the existing situation, particularly screening to terminate the designed view from Boreham House. This temporary, but medium term, harm would need to be weighed up against any public benefit delivered by the proposals.

- 6.51. In the event that there are demonstrated public benefits which would outweigh the harm to the setting of Boreham House and how the registered park and garden are experienced, it would be necessary for a condition to be imposed requiring the landscaping to be installed as an early phase of works to ensure the earliest possible maturity and the greatest benefit from the landscaping.
- 6.52. The landscaping condition should also require a landscape management plan to be approved which secures a minimum 10-year period of management and maintenance, including replacement of any dead or dying plants.
- 6.53. *Public Benefits*
In 2019 the City Council declared a Climate and Ecological Emergency (C&EE) and pledged to take action to make its activities net-zero carbon by 2030.
- 6.54. The Declaration also expressed an ambition to create a Climate Change Partnership. This would encourage residents, community organisations and businesses to work together to shape and contribute to a more sustainable future for Chelmsford and surrounding areas.
- 6.55. The following year, the Council agreed a Climate and Ecological Emergency Action Plan with an initial focus on fifteen key areas of activity. It is aimed at:
- reducing carbon emissions
 - lowering energy consumption
 - reducing waste and pollution
 - improving air quality
 - greening Chelmsford
 - increasing biodiversity
 - encouraging more sustainable travel choices
- 6.56. Strategic Policy S2 – Addressing Climate Change and Flood Risk states that the Council will seek to mitigate and adapt to climate change. In addressing the move to a lower carbon future for Chelmsford, the Council will encourage new development that, among other matters:
- reduces greenhouse gas emissions; and
 - reduces the need to travel and provides for sustainable transport modes.
- 6.57. A recent Department for Transport consultation on a New Heavy Goods Vehicle CO₂ Regulatory Framework for the UK (January 2026) states that “lorries have a high environmental impact. Their exhausts emit 16% of greenhouse gas emissions and 5% of NO_x emissions from domestic transport in the UK.”
- 6.58. The proposed development would support the switch from traditional diesel fuel HGVs to the renewable Bio-CNG fuel. As set out above, Bio-CNG fuel is significantly more environmentally friendly when compared to diesel. Vehicles are 50% quieter and emit 90% less carbon dioxide (CO₂) and 75% less nitrogen oxides (Nox) than traditional fossil fuel alternatives.
- 6.59. Although there are existing Bio-CNG customers located in the vicinity of the site, there are a lack of fuelling station facilities in East Anglia and along the A12 corridor. The proposed development would support existing customers while also encouraging new customers to switch to Bio-CNG as the fuelling station network would be improved. It has been demonstrated within the

application documents that there are no available or appropriate alternative locations for this development within Chelmsford.

- 6.60. The proposal would support a reduction in greenhouse gas emissions in addition to providing a sustainable transport mode as advocated in Strategic Policy S2.
- 6.61. The environmental benefits of the proposals in supporting a significant reduction in diesel fuel HGVs would therefore amount to a public benefit which can be given significant weight in the consideration of the proposals.
- 6.62. In conjunction with the proposed landscaping scheme, which would mitigate the visual impact of the development in relation to the setting of Boreham House and the registered park and garden, the environmental benefits in reducing diesel HGV use and emissions would outweigh the low level of “less than substantial harm” which would occur in respect of the heritage assets.
- 6.63. The proposed development therefore meets the objectives of Chapter 16 of the NPPF and Policy DM13.

The impact of the development on the existing access arrangements and wider highway network

- 6.64. Para 115 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code;
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 6.65. Para 116 continues that, “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, following mitigation, would be severe, taking into account all reasonable future scenarios.”
- 6.66. National Highways have been consulted in relation to the proposed development, as the Highway Authority for the Strategic Road Network, due to the proximity of the site to the A12. Essex County Council (ECC) have also been consulted as the Local Highway Authority (LHA).
- 6.67. National Highways have confirmed that they do not object to the grant of planning permission for the proposed development.
- 6.68. ECC have also responded that the proposal is acceptable to them as the LHA. The applicant had previously entered into pre-application discussions regarding the proposal with the LHA, where the form of access was agreed, and a satisfactory Stage 1 Road Safety Audit was undertaken.
- 6.69. It has been satisfactorily demonstrated that two HGVs of the largest size legally allowed on roads in the UK (18.55m), can enter and exit the site simultaneously, although the likelihood of this occurring is small.
- 6.70. The LHA are content that the vast majority, if not all, of the HGVs visiting the site will travel via junction 19, Boreham Interchange. HGV drivers are highly unlikely to route through the villages

of Boreham and Hatfield Peverel to reach the A12 when junction 19 and access to the trunk road network is so close to the site.

- 6.71. The applicant has provided evidence of vehicle trip patterns from other sites across the country, and the LHA is satisfied with this information. Given the relatively low vehicle numbers predicted to be generated by the site and the high number of vehicles using junction 19 already, the proposal would not have a detrimental impact on the highway network.
- 6.72. Subject to the imposition of appropriate conditions to secure the proposed improvements to the existing access and associated highway works as indicated on the submitted plans, the proposals are acceptable in respect of Highways considerations. In addition, it would be necessary for the existing Clearway Order at the Boreham Interchange to be extended along Main Road to prevent HGV parking on Main Road.
- 6.73. The proposed development meets the objectives of Para 115 and 116 of the NPPF.

Whether the relationship between the development and neighbouring properties would be acceptable

- 6.74. Policy DM29 relates to Protecting Living and Working Environments and states:
Planning permission will be granted for development proposals provided the development:
- i. safeguards the living environment of the occupiers of any nearby residential property by ensuring that the development is not overbearing and does not result in unacceptable overlooking or overshadowing. The development shall also not result in excessive noise, activity or vehicle movements; and
 - ii. is compatible with neighbouring or existing uses in the vicinity of the development by ensuring that the development avoids unacceptable levels of polluting emissions by reason of noise, light, smell, fumes, vibrations or other issues, unless appropriate mitigation measures can be put in place and permanently maintained.
- 6.75. The closest residential properties to the site are those located on Paynes Lane to the northeast; these are approximately 60m from the boundary of the application site where the operational development would take place. The Premier Inn located to the southwest of the site is approximately 14.5m from the site boundary.
- 6.76. The low level nature of the proposed structures, and the distances which would exist between the site and neighbouring properties, would prevent any impact occurring in respect of overbearing or overshadowing issues. No loss of privacy would occur from the use of the site as a fuelling station.
- 6.77. The application is accompanied by an acoustic noise report, and the proposals include the provision of acoustic fencing to the southwestern and northwestern site boundaries. The application documents have been considered by the Council's Public Health and Protection Service who have indicated that the proposed development would not cause significant noise disturbance.
- 6.78. The proposed development would not result in adversely prejudicial harm to the occupants of neighbouring properties and it would comply with the requirements of Policy DM29.

The impact of the development on any archaeological remains.

- 6.79. Para 207 of the NPPF states:

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“Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

6.80. Policy DM15 also relates to archaeology and states:

“Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings. Applications shall have assessed the site in consultation with the Historic Environment Record and taken account of the archaeological importance of those remains, the need for the development, the likely extent of any harm, and the likelihood of the proposal successfully preserving the archaeological interest of the site by record.”

6.81. The Essex Historic Environment Record (EHER) shows that the proposed development is located in an area with the potential for archaeological remains to survive. There is the possibility for both Roman remains associated with the route of the Roman road between Colchester and London and post-medieval features associated with the seventeenth century deer park associated with New Hall to survive and be impacted by the proposals.

6.82. As such, in order to comply with the objectives of the NPPF and Policy DM15, it would be necessary for a condition requiring trial trenching to be imposed on any grant of planning permission.

Whether there would be a suitable surface water drainage strategy for the proposed development

6.83. Para 181 of the NPPF states:

“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

6.84. Para 182. continues:

“Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.”

- 6.85. Policy DM18 states that planning permission will only be granted where it can be demonstrated that the site is safe from all types of flooding and it does not worsen flood risk elsewhere. In addition, development within areas of flood risk will be required to:
- i. *provide a safe means of escape or suitably manage risk through some other means; and*
 - ii. *manage surface water run-off so that the run-off rate is no greater than the run-off prior to development taking place or, if the site is previously developed, development reduces run-off rates and volumes as far as is reasonably practical; and*
 - iii. *locate the most vulnerable development in areas of lowest flood risk unless there are overriding reasons for not doing so.*
- 6.86. Part C of Policy DM18 states that applications for “major development will be required to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. The principal method to do so should be the use of Sustainable Drainage Systems (SuDS). As well as providing appropriate water management measures, where possible SuDS should be multi-functional to deliver benefits for the built, natural and historic environment.”
- 6.87. The site lies within Flood Zone 1 which represents land with the lowest probability of flooding, however the application falls within the category of a “major” planning application and Part C of Policy DM18 is relevant to the proposals. The Lead Local Flood Authority (LLFA) has been consulted on the proposals. They have indicated that subject to the imposition of appropriate conditions, they do not object to the grant of planning permission. On this basis, the development would have an acceptable drainage strategy which would not result in surface water run-off increasing flood risk elsewhere.
- 6.88. The proposal complies with the objectives of Chapter 14 of the NPPF and the requirements of Policy DM18.

Consideration is also given as to whether there would be any harmful impacts in respect of ecology on the site

- 6.89. Chapter 15 of the National Planning Policy Framework requires that planning decisions should minimise impact on and provide net gains for biodiversity. Para 193 a) of this states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
- 6.90. Chelmsford Local Plan Policy DM16 states that all development proposals should:
- i. Conserve and enhance the network of habitats, species and sites (both statutory and non-statutory, including priority habitats and species) of international, national and local importance commensurate with their status and give appropriate weight to their importance; and
 - ii. Avoid negative impacts on biodiversity and geodiversity, mitigate unavoidable impacts and as a last resort compensate for residual impacts; and
 - iii. Deliver a net gain in biodiversity where possible, by creating, restoring and enhancing habitats, and enhancing them for the benefit of species.
- 6.91. The application is accompanied by an Ecological Impact Assessment of the site. This states that the site does not contain any protected species or their habitat and as such the proposals would not result in ecological harm. Precautionary measures are recommended, and these should be incorporated into the development. The proposals would also achieve the required Biodiversity Net Gain which would result in ecological benefits. These can be achieved through the imposition of appropriately worded conditions.

6.92. The proposals comply with the objectives of the NPPF and the requirements of Policy DM16.

Whether the proposals would constitute sustainable development.

6.93. The NPPF identifies that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out the three dimensions to sustainable development: economic, social, and environmental objectives. The objectives are interdependent and need to be pursued in mutually supportive ways.

6.94. *Economic*

Although a relatively generic benefit, the proposal has an economic role in supporting/creating jobs during the construction stage of the scheme.

6.95. Once operational, the fuelling station would generate ongoing economic benefits in supporting the business running the site, in addition to businesses located in and around Chelmsford, such as Royal Mail and Aldi who use biofuel in their vehicles.

6.96. There would be economic benefits as a result of the proposed development.

6.97. *Social*

Under a social role, high quality built development is supported by accessible local services that reflect the community's needs. The NPPF seeks to promote sustainable transport. Whilst the Framework recognises that the opportunities for sustainable travel will be less in rural areas, there is a clear objective to locate development where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

6.98. The proposals do not comprise a typical form of development which are referenced in para 8 in relation to the social objective of sustainability. Notwithstanding this, the use of HGVs run on biofuels in place of traditional, diesel engine HGVs would contribute to improving the health of communities through a reduction in air pollution and improving air quality. The provision of this development would support the existing HGV fleets which already use biofuel and encourage more businesses to switch to biofuel fleets. Overall, this would contribute to the network of biofuel stations and result in social benefits across the country and not just locally.

6.99. *Environmental*

In respect of the environmental role of sustainable development, the NPPF refers to protecting and enhancing the natural, built and historic environment.

6.100. The application site is partially developed with existing hardsurfacing, and lorry parking occurs on this area of the site. It is located on a parcel of land between the A12 and B1137 "Main Road", to the east of the Boreham Interchange.

6.101. The site is viewed in the context of both Boreham Interchange and Boreham House in long views. There would be a change in the appearance of the site as a result of the proposed development which would impact the setting of the nearby listed buildings, however this would be mitigated by significant new landscaping, particularly on the southern side of the site. It is acknowledged that the proposed landscaping would take some time to fully mature and provide long-term screening but in the longer term, there would be some visual improvement to the character of the site.

6.102. Para 168 of the NPPF states that:

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“When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;...”*

6.103. The proposals would result in significant environmental benefits in respect of reducing pollutants and improving air quality using Bio-CNG fuelled HGV fleets instead of diesel HGVs. The NPPF indicates that significant weight should be afforded to the benefits associated with this type of development.

6.104. In summary:

- the development would be acceptable in relation to its impact on the Rural Area;
- there would be a limited impact on the setting of the listed buildings which would be largely mitigated by the proposed landscaping of the site;
- there would not be any issues in respect of highway safety or flooding and the proposals would not result in harm to neighbouring properties, ecology or archaeology.

6.105. The limited heritage harm would be outweighed by the economic and significant environmental benefits arising from the proposed development and overall the it meets the objectives of the NPPF to achieve sustainable development.

7. Community Infrastructure Levy (CIL)

7.1. This application is not CIL liable.

List of Conditions:

1	PR01	Full permission commence. time limit PC
2	PR06	Details - comp. with plans & cond. CC
3	ENV07	Contaminated land PS/CA/CS
4	ENV06	Archaeology scheme of investigationPS/PA
5	U0115375	CMS CA
6	U0115376	highway works CA
7	U0115377	Suds 1 CA
8	U0115378	SUDS 2 CS
9	U0115379	SUDS 3 XC
10	U0115380	SUDS4 PA
11	TRL01	Hard/soft landscape design & Manage.CS/CA
12	U0115381	boundary fencing CS/CA/XC
13	U0115382	contamination of canal PS/CA/XC
14	ENV13B	BNG Plan PS
15	ENV13C	BNG Habitat Mgmt Monitoring Plan PS
16	ECL01	Compliance - ecological reports CA
17	U0115386	lighting CA/XC

List of Informatives:

1	11	Hours of work during construction
2	45	DOC Applications
3	AODFEE	Fee for AOD
4	36	CIL Liable

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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

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 4

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 5

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The approved Construction Management Plan shall be adhered to throughout the construction period unless otherwise agreed in writing with the local planning authority.

Reason:

In the interests of highway safety.

Condition 6

Prior to the first operation of the development hereby approved, the implementation of improvements to the existing access and associated highways works as shown in principle in Odyssey plan 21-278-019 rev G shall have been implemented and regulated by an appropriate legal agreement between the applicant and the Highway Authority.

The works shall include:

- a. Extension to the existing Clearway order on B1137 to prevent parking in vicinity of the access including necessary legal amendments, signing and lining.

Reason:

To provide safe and suitable access to the proposal site in the highway in the interests of highway safety.

Condition 7

The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- o Limiting the discharge from the site to 1.97l/s.
- o Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 45% climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution in accordance with Chelmsford Local Plan Policy DM18.

Condition 8

Prior to the first operation of the development hereby approved, 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, shall be 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 for this must be provided.

Reason:

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

Condition 9

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

Reason:

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

Condition 10

No development shall commence until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason:

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

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

Condition 11

Notwithstanding the landscaping details submitted with the application, prior to the first operation of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first operation of the site. The landscaping details to be submitted shall include:

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

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan.

Condition 12

Notwithstanding the details of boundary treatments provided on the submitted plans, revised details of these showing the fencing relocated to positions inside the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any boundary treatments.

The approved boundary treatments shall be installed prior to the first operation of the approved development and shall be maintained as such thereafter.

Reason:

The revised landscaping plans do not adequately detail the position of the proposed boundary treatments, and clarification and approval of these details is required to ensure the development has an acceptable visual impact in accordance with Chelmsford Local Plan Policies S1, S11, DM8 and DM13.

Condition 13

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Prior to the commencement of development, details of measures to prevent contamination of the canal at Boreham House from the culvert and the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and maintained as such thereafter.

Reason:

In order to ensure that the development does not result in contamination of the canal at Boreham House in accordance with Chelmsford Local Plan Policies DM13 and DM18.

Condition 14

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

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

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

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

Condition 15

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

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

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

Condition 16

The development hereby permitted shall only be carried out in accordance with the details contained in the approved Ecological Impact Assessment report.

Reason:

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

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Condition 17

The lighting installed at the site shall be in accordance with the details shown on the approved plans and the approved External Lighting Proposal report – Issue 1 (20-12-2024) and shall be maintained as such thereafter.

Reason:

To ensure that the site lighting is appropriate to the rural setting, the setting of the nearby listed buildings and does not detrimentally harm bats in the vicinity of the site, in accordance with Chelmsford Local Plan Policies DM8, DM13 and DM16.

Notes to Applicant

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 3 This planning permission is subject to planning condition(s) that need to be formally discharged by the Council. Applications to discharge planning conditions need to be made in writing to the local planning authority. Forms and information about fees are available on the Council's website.
- 4 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.

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.

Background Papers

Case File

Plans to be listed on any Decision Notice:

TC/L13419/2025/01/27 August 2025
 D336.L.001/C
 Construction Management Plan
 Flood Risk Assessment-Drainage Strategy Report
 External Lighting Proposal - Issue 1 (20-12-2024)
 Noise Impact Assessment
 Transport Assessment
 Ecological Impact Assessment
 052-01-CNG-105/G
 052-01-CNG-102/K
 052-01-CNG-101/J
 052-01-CNG-103/L
 052-01-CNG-104/L
 052-01-CNG-106/L
 LTG-001/P1

Appendix 2 – Consultations

ECC Historic Environment Branch

Comments
<p>17.04.2025 - The application is for the Development of a Bio-CNG vehicle fuelling facility comprising fuel pump islands, plant compound, amended access, landscaping and associated development.</p> <p>The Essex Historic Environment Record (EHER) shows that the proposed development is located in an area with the potential for archaeological remains to survive.</p> <p>To the immediate south-east of the proposals, Main Road lies on the route of the Roman road (EHER 5568) between Colchester (Camulodunum) and London (Londinium). Extramural remains such as burials, industrial activity or agricultural features are likely to survive in proximity to this historic routeway and any present on the proposed development site would be negatively affected by the groundworks associated with the proposals.</p> <p>Additionally, the site lies within the extent of a seventeenth century deer park associated with New Hall (EHER 47228) to the north, and post-medieval features associated with this historic use may also survive and be impacted by the development.</p> <p>Accordingly, I recommend that a programme of archaeological trial trenching is undertaken on the proposed development site prior to the commencement of development works. This trenching should aim to assess the presence and extent of any archaeological remains and inform on any subsequent phases of mitigation (if required).</p> <p>I recommend that the following conditions are applied to any consent, in line with National Planning Policy Framework paragraph 218 and Chelmsford Local Plan Policy DM15:</p> <p>Trial Trenching and Excavation</p>

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(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 (WSI) which has been submitted by the applicant, for approval 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 WSI defined in 1 above, and any subsequent mitigation has been agreed.

(iii)

The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

The work should be carried out by a professional and accredited archaeological contractor and will initially comprise a programme of archaeological trial-trenching on the site. This trenching will assess the presence, survival and significance of any archaeological remains. Depending on the results of this evaluation a further phase of archaeological excavation and/or the archaeological monitoring of any groundworks associated with the development may then be required.

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

Please do not hesitate to contact us if you have any queries in relation to this advice.

Historic England

Comments

29.01.2026 - T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990

LAND EAST OF PREMIER LODGE HOTEL, MAIN ROAD, BOREHAM, ESSEX
Application No. 25/00339/FUL

Thank you for your letter of 27 November 2025 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

We have considered the Landscape Proposals drawing and a Flood Risk Assessment Memorandum prepared by Thomas Consulting, and appended email exchange.

We appreciate the detail provided regarding control mechanisms that would be installed to avoid potential contamination to the lake from the drainage system proposed, and also the benefits this might have to highways.

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However, this information does not change our position on these proposals, which is one of concerns. We refer you to the detailed comments made in our letter of advice dated 25 April 2025 for a full assessment of significance, impacts, heritage benefits and recommendations.

Recommendation

Historic England has concerns regarding this application on heritage grounds.

The Council should be satisfied that the proposed connection of the site drainage to the culvert would not have any negative impacts in the short, medium and long term, and that appropriate controls and measures are set up should you be minded to grant permission for this aspect of the proposals.

We would also recommend that a condition is attached to the application requiring the regeneration of the site to its open character should the site become redundant. Further conditions should be attached requesting details of signage (looking to simplify and rationalise the existing signage on site), lighting, and enhanced landscaping.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

29.04.2025 - Thank you for your letter of 28 March 2025 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Significance

Boreham House is a very fine early Georgian country house, erected between 1726 and 1733 for Benjamin Hoare - a younger son of the wealthy Fleet Street banker - on grounds originally belonging to the New Hall estate. The house was built by Edward Shepherd, a prominent builder-architect of the period, who may have also designed the building. The house originally comprised a central block with pavilions either side; in the early 19th century a portico and grand carriage arches between the central block and wings were added by Thomas Hopper, another prominent architect.

The building sat in a landscaped park, with access from the London-Colchester Road, through gates which led to twin parallel drives flanking a long formal canal; subsequent landscaping was carried out by Richard Woods, an important landscape gardener contemporary of Capability Brown.

Boreham House is listed at grade I on account of its outstanding significance; this is a status shared by less than three percent of the listed buildings in England. The grounds are also a grade II registered park and garden.

Proposals and Impact

The application site lies within views out from Boreham House and forms part of its

wider setting. The site lies to the east of the Boreham interchange, adjacent to the Premier Inn and is accessed from the London-Colchester Road. The site includes part of the verge and access road to the Premier Inn and The Grange, a hardstanding area currently used for the storage of agricultural trailers, and part of an open field immediately to the east. A section of the below ground culvert that feeds the long canal at Boreham House runs through the site.

The proposals entail the development of a Bio-Compressed Natural Gas fuelling station for heavy goods vehicles in the site. This comprises 12 no. pump islands and associated plant compound, alterations to the existing access, landscaping, boundary treatments, lighting and associated signage. Boundary treatments include a 2.4m high security palisade fence around the compound, a 3.5m high acoustic fence on the southern side and a 2.4 v-mesh security fence on the western boundary.

In addition, the scheme also considers repairs to the below ground culvert, damaged by tree root growth. The connection of the site drainage to this culvert is also presented as a heritage benefit, in that it would help secure a good water supply to the canal at Boreham House.

The introduction of this type of industrial/service uses would erode the rural character of the area that is a key aspect of the setting of the listed building and registered park; country houses were meant to be experienced within the surrounding countryside. This rural character has been partly compromised by the suburban expansion of Chelmsford, the construction of the A12 and Boreham interchange and the development of the adjacent Premier Inn and storage uses established in part of the site. However, the area to the east remains largely open.

The proposals would further erode the rural character of the area by extending industrial uses on to currently open areas. We consider this would negatively impact on the setting of the listed Boreham House and registered park and garden, harming their significance.

Planning Policy Considerations

The statutory requirement to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990) must be taken in consideration by your authority when making its decision.

The National Planning Policy Framework (NPPF) reflects this by making the conservation of the historic environment a key part of its policy. This includes, in the case of heritage assets, requiring local planning authorities to look for opportunities to enhance or better reveal their significance (paragraph 219); compliance with both

statutory requirements can only be achieved by seeking to enhance the special interest of the heritage assets.

Paragraph 212 asks for great weight to be given to the conservation of designated heritage assets, the more important the asset the greater the weight and irrespective of the level of harm; paragraph 213 goes on to ask clear and convincing justification for any harm.

Historic England Position

The expansion of service uses into currently green open areas would cumulatively add to the negative impact of adjacent suburban and infrastructure development. While we acknowledge that the present use of part of the site as container storage detract from views out of the park and listed house, these are easily reversible and could be also managed with appropriate screening. However, the installation of a fuelling service would be a more damaging and permanent intervention.

We acknowledge that appropriate screening could help mitigate the visual impacts of the development to a certain extent. However, we concur with the advice of your conservation officer and the Gardens Trust on their assessment that the landscaping proposed is at present inadequate.

In relation to the alleged heritage benefits of the scheme, i.e. the repair of the culvert and securement of

good water supply, whilst strongly supporting the principle of repairing this part of the feeder pipe, we remain less convinced that this intervention only would be enough to address the long running issues of poor supply to the canal, and strongly advise that the problem is looked at holistically, from water source to end. Further, the connection of the site drainage with the culvert raises also questions about the quality of these waters; and even if the latter was guaranteed, the potential for this discrete water supply to help address the problem is questioned. For the above reasons, these heritage benefits are challenged and not considered to outweigh the permanent harm resulting from the development.

It is our view that the proposals would result in harm to the significance of Boreham House and its associated registered park and garden as a result of detrimental changes on their setting. This harm is important, although less than substantial in NPPF terms, and needs to be given appropriate weighing in the decision making process. When it comes to weighing this harm to heritage, the Council will need to consider whether any public benefits that the development delivers outweigh the harm to the setting to Boreham House and can only be delivered in this particular location.

The Council should be satisfied that the proposed connection of the site drainage to the culvert would not have any negative impacts in the short, medium and long term, and that appropriate controls and measures are set up should you be minded to grant permission for this aspect of the proposals.

We would also recommend that a condition is attached to the application requiring the regeneration of the site to its open character should the site become redundant. Further conditions should be attached requesting details of signage (looking to simplify and rationalise the existing signage on site), lighting, and enhanced landscaping.

Recommendation

Historic England has concerns on heritage grounds. We consider that the issues and safeguards outlined in our above advice need to be addressed in order for the application to meet the requirements of paragraphs 212 and 213.

The Council should be satisfied that the proposed connection of the site drainage to the culvert would not have any negative impacts in the short, medium and long term, and that appropriate controls and measures are set up should you be minded to grant permission for this aspect of the proposals.

We would also recommend that a condition is attached to the application requiring the regeneration of the site to its open character should the site become redundant. Further conditions should be attached requesting details of signage (looking to simplify and rationalise the existing signage on site), lighting, and enhanced landscaping.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

The Gardens Trust

Comments

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17.04.2025 - We are grateful for the opportunity to comment on this application, which has a material impact on the significance of Boreham House Registered by Historic England at Grade II. The inclusion of these sites on this statutory register requires great weight to be given to its conservation.

Thank you for consulting the Gardens Trust (GT) in its role as Statutory Consultee with regard to proposed development affecting sites included by Historic England (HE) on their Register of Parks and Gardens of Special Historic Interest in England, as per the above application. This response is made jointly by the Gardens Trust and Essex Gardens Trust.

The Registered Park and Garden (RPG) of Boreham House. The RPG contains the principal building, Grade I listed, built by the Hoare banking family in the 1730s. In the 1770s, Richard Hoare engaged the landscape designer Richard Woods to lay out pleasure grounds around it, of which the most conspicuous feature is the canal extending down to Main Road, which is the old Roman road from London to Colchester now superseded by the parallel A12. With the house they are an unmissable landmark on this old road. The development site is at the roadside currently occupied by greensward and trees. The design of the canal looked onto a mixed agricultural and wooded landscape, that has been partially eroded by modern transport infrastructure.

Whilst we welcome certain aspects of the development, such as the repairs to the blocked pipe running under the round to the canal, we do have some advice to raise. We are concerned that the increased infrastructure and possible increased light pollution will further erode the setting of Boreham House and the principal view along the canal, compounded by the time taken for screening to become effective.

We welcome the increased woodland coverage as part of the development, creating a screen between the infrastructure and the RPG. We urge your officers to highlight the importance of the existing mature vegetation and ensure that this is not removed as part of the landscaping. We would also suggest that some extra heavy standard trees in block B are added to give a more substantial and therefore effective tree screen, and to have two lines to allow the gaps between the single line of trees to be better filled. We note that Mountain Ash has been included, which is not a typical tree for Essex, so we would advise another more suitable species is substituted. Furthermore, the plans appear to show the 2.4m black boundary mesh fence on block B is on the edge of the woodland, and thus more visible from the RPG. We would suggest that the mesh fence is placed inside the woodland buffer to minimise the urban infrastructure visible in front of the tree screen.

In its current form, without the suggested landscaping improvements, the proposal would result in a moderate degree of less than substantial harm to the significance of Boreham House. This is due to the further erosion of the setting of the principal view along the canal caused by insufficiently screened infrastructure. As a result of the presently inadequate screening proposals, the public benefit would not outweigh the less than substantial harm to the significance of the heritage asset, as per paragraph 215 of the NPPF. Furthermore, in its present form, the harm to the RPG and its setting, not outweighed by public benefit, is contrary to local plan policy DM13D whereby "Development proposals should protect Registered Parks and Gardens and their settings".

Should more information become available, please inform us.

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Essex County Council Highways

Comments
<p>19.05.2025 - Recommendation</p> <p>Application No. 25/00339/FUL</p> <p>Site Location Land East Of Premier Lodge Hotel, Main Road, Boreham, Chelmsford, Essex</p> <p>Proposal Development of a Bio-CNG vehicle fuelling facility comprising fuel pump islands, plant compound, amended access, landscaping and associated development</p> <p>The applicant had previously entered into pre-application discussion regarding this proposal with the Highway Authority, where the form of access was agreed, and a satisfactory Stage 1 Road Safety Audit was undertaken.</p> <p>The applicant has satisfactorily demonstrated that two HGVs of the largest size legally allowed on roads in the UK (18.55m), can enter and exit the site simultaneously, although the likelihood of this occurring is small.</p> <p>It is agreed that the vast majority, if not all, of the HGV's visiting the site will travel via junction 19, Boreham Interchange. HGV drivers are highly unlikely to route through the villages of Boreham and Hatfield Peverel to reach the A12 when junction 19 and access to the trunk road network is so close to the site.</p> <p>The applicant has provided evidence of vehicle trip patterns from other sites across the country and the Highway Authority is satisfied. Given the relatively low vehicle numbers predicted to be generated by the site and the high number of vehicles using junction 19 already, the proposal will not have a detrimental impact on the highway network.</p> <p>The proposal does not include any HGV parking on site, there is concern that drivers might consider parking on B1137 which would cause a detrimental impact on the highway network and therefore the Highway Authority would request a contribution is provided to enable the existing Clearway Order at Boreham Interchange to be extended along the B1137 to a point east of Paynes Lane, to include the eastbound bus layby.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following mitigation:</p> <p>1. The submitted Construction Management Plan shall be adhered to throughout the construction period unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: In the interests of highway safety.</p> <p>Note - MUD / DEBRIS ON HIGHWAY</p>

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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.

2. Prior to first occupation of the development, the implementation of improvements to the existing access and associated highways works as shown in principle in Odyssey plan 21-278-019 rev G shall be implemented and regulated by an appropriate legal agreement between the applicant and the Highway Authority. Works to include:

a. Extension to the existing Clearway order on B1137 to prevent parking in vicinity of the access including necessary legal amendments, signing and lining.

Reason: To provide safe and suitable access to the proposal site in the highway in the interests of highway safety

The above requirements are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, within Chelmsford City Council's Local Plan and within NPPF 2023.

Informative

All work within or affecting existing and future highways 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.

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.

The developer will be responsible for all of the costs associated with the stopping up of existing public highway to facilitate the development and its associated highway works.

Ramblers Association

Comments

04.04.2025 - No Comment

National Highways

Comments

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12.08.2025 - Council's Reference: 25/0339/FUL

National Highways Ref: HN/25/10570

Location: Land East Of Premier Lodge Hotel Boreham

Proposal: Development of a Bio-CNG vehicle fuelling facility comprising fuel pump islands, plant compound, amended access, landscaping and associated development

Referring to the consultation on a planning application dated 27 March 25 referenced above, in the vicinity of the A12 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is as follows:

a) No Objection: see reasons at Annex A.

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Name: Mark Norman

Position: Spatial Planner

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current

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activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We recently responded to this application and stated

"This site is affected by the A12 J19-25 improvement scheme, It is also unclear as to exactly what the developer is proposing and how it interacts with the scheme both in terms of layout and drainage, we would welcome a meeting and further information to fully understand the proposals and ensure that both proposals can go ahead without undue interference or abortive work for either scheme.

We therefore recommend that planning permission is not granted before 29 August 25 to allow sufficient time for the above matters to be addressed. If all matters can be agreed sooner than this we can then withdraw this recommendation, and we will issue a definitive response."

We have had a meeting with the developer and our questions have been answered. Additionally the government have confirmed that the funding for this improvement scheme has been withdrawn.

Given the above we have no objection to the granting of permission.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

17.04.2025 - Referring to the consultation on a planning application dated 27 March 25 referenced above, in the vicinity of the A12 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is as follows:

c) Deferral: National Highways is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in Annex A.

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Annex A National Highways' assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Deferral:

Reason

This site is affected by the A12 J19-25 improvement scheme, it is also unclear as to exactly what the developer is proposing and how it interacts with the scheme both in terms of layout and drainage, we would welcome a meeting and further information to fully understand the proposals and ensure that both proposals can go ahead without undue interference or abortive work for either scheme.

We therefore recommend that planning permission is not granted before 29 August 25 to allow sufficient time for the above matters to be addressed. If all matters can be agreed sooner than this we can then withdraw this recommendation, and we will issue a definitive response.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning

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decisions are in line with the necessary transition to net zero carbon.

Public Health & Protection Services

Comments

17.04.2025 - The submitted acoustic report indicates that noise levels produced by the operation of the proposal site will not cause significant noise disturbance and so this appears satisfactory.

Boreham Parish Council

Comments

16.04.2025 - In view of the expectant number of vehicles visiting this proposed site and the traffic problems this will cause, along with the expected lighting and noise pollution, the members of the committee strongly object to the planning application.

Essex County Council (SUDS)

Comments

24.10.25 - Thank you for your email received on 30/09/2025 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 1.97l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 45% climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

Condition 2

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

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

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

Reason

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

Condition 4

The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

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

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a

finalised drainage strategy please endeavour to use the updated climate change figures
Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with

any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

16.04.25 - Thank you for your email received on 27/03/2025 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a **holding objection** to the granting of planning permission based on the following:

- Please clarify the natural direction of flows i.e. where surface water currently flows and please clarify if the chosen discharge location has been selected taking this into consideration.
- Please clarify the expected number of traffic movements per day on site.
- Please provide evidence of permission to discharge into Boreham House Lake.
- Please provide evidence that Boreham House Lake has sufficient capacity to accommodate flows from the site for all events up to and including the 1 in 100 year event including 45% climate change.
- Please clarify if Boreham House Lake has an outfall and if so, please provide more information on this.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
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In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be

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provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

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Local Residents

Comments
Representations received from 40 individuals. Full details of all the comments are available on the Council's website. A summary of the points raised are included in the report.




PLANNING



REVISIONS:

REV	DESCRIPTION	DATE	CHK	APP
A	PRE APP PLANNING ISSUE	28-02-23	MS	MS
B	PRE APP PLANNING ISSUE	13-03-23	MS	MS
C	PRE APP PLANNING ISSUE	04-04-23	MS	MS
D	PRE APP PLANNING ISSUE	13-04-23	MS	MS
E	PRE APP PLANNING ISSUE	18-05-23	MS	MS
F	PRE APP PLANNING ISSUE	13-06-23	MS	MS
G	PRE APP PLANNING ISSUE	25-04-24	MS	MS
H	PRE APP PLANNING ISSUE	07-05-24	MS	MS
I	PRE APP PLANNING ISSUE	28-08-24	MS	MS
J	PRE APP PLANNING ISSUE	28-10-24	MS	MS
K	PRE APP PLANNING ISSUE	14-11-24	MS	MS

KEY

	PROPOSED CNG STATION REDLINE BOUNDARY
	EXISTING FENCE
	EXISTING TREES TO BE RETAINED

CLIENT:

PROJECT:
CHELMSFORD CNG STATION
MAIN ROAD

TITLE:
PROPOSED CNG STATION
EXISTING SITE PLAN

SCALE: 1:1000 @ A3 DRAWN: KJB
CHECKED: MS CAD: DATE: 23-02-2023
APPROVED: MS SHEET: 1 OF 1

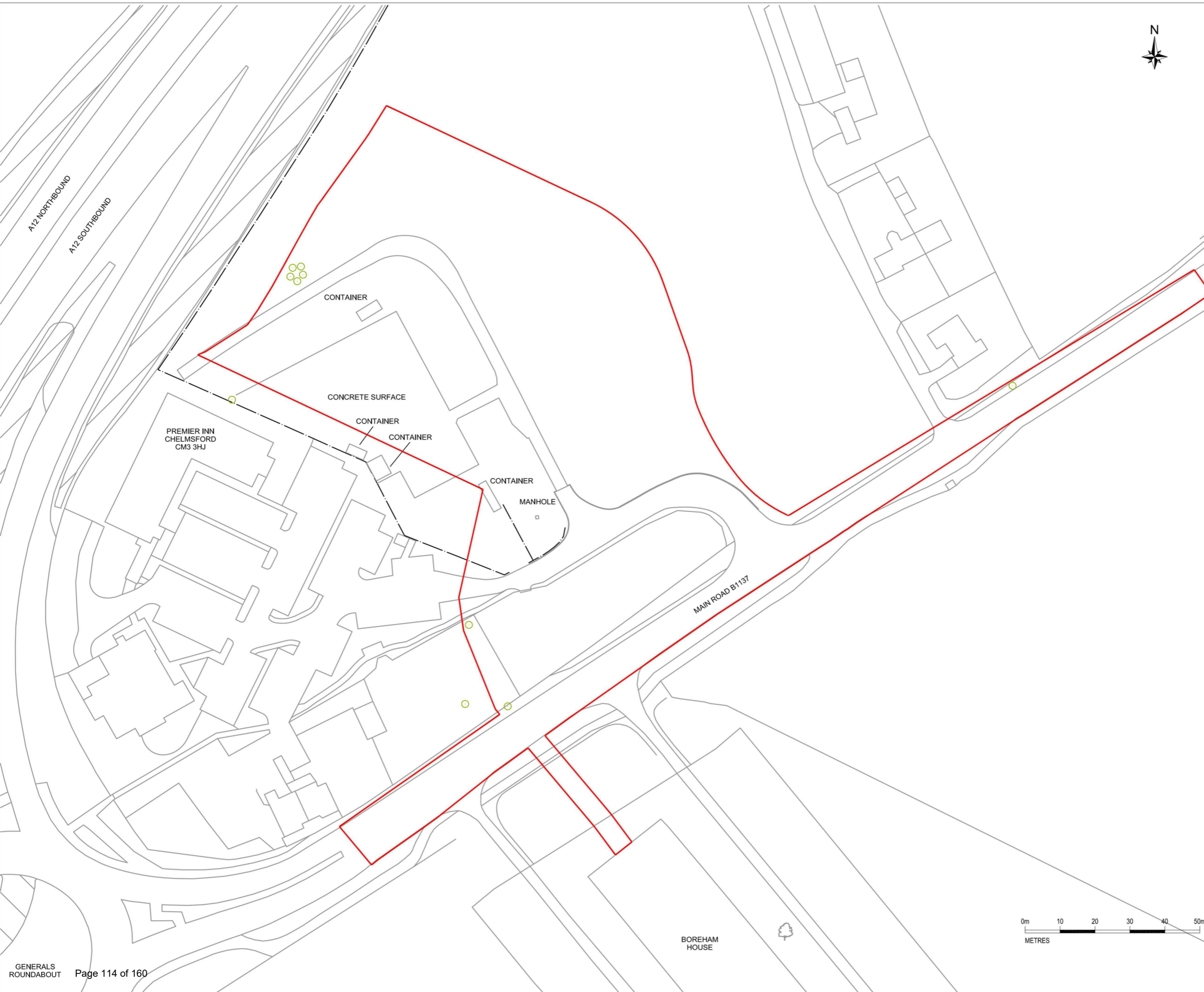
PROJECT No: 052

DRAWING No: 052-01-CNG-102

REVISION: K

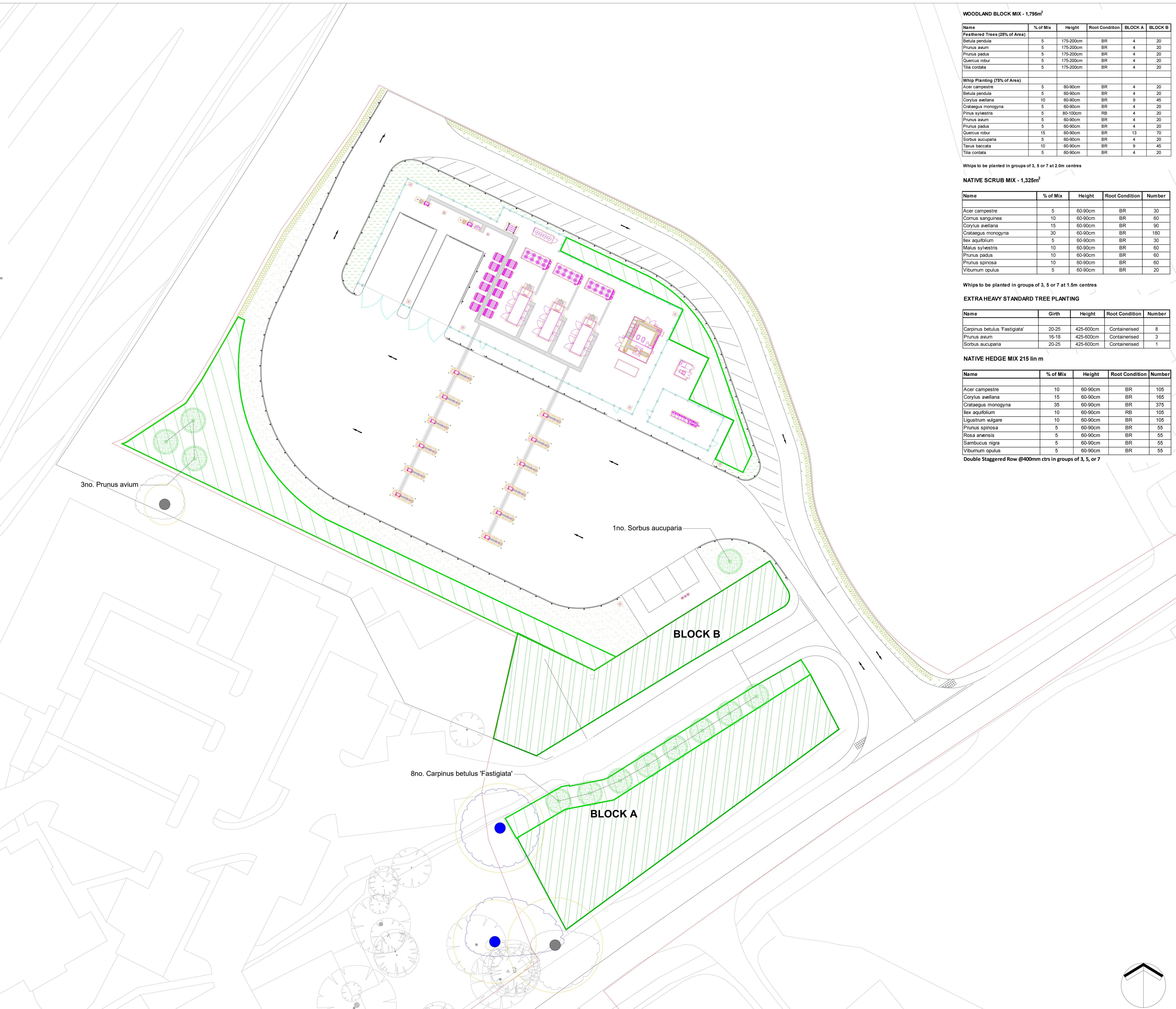


THOMAS HOUSE
84 ECCLESTON SQUARE
LONDON
SW1V 1PX
TEL: 0203 961 9925
WEB: www.cngfuels.com



EL1 Flowering Lawn Mix	%	Species	Common name
Wild Flowers			
4		Galium verum	Lady's Bedstraw
0.5		Leucanthemum vulgare	Rough Hawkbit
1		Leucanthemum vulgare	Oxeye Daisy - (Moon Daisy)
3.7		Primula veris	Brimstone
3		Primula veris	Cowslip
4		Primula veris	Saltmarsh
3.5		Ranunculus acris	Meadow Buttercup
0.5		Tribulum pratense	Wild Red Clover
20			
Grasses			
8		Agrostis capillaris	Common Bent
40		Cynopsis cristatus	Crested Dogtail
28		Festuca rubra	Red Fescue
4		Poa pratensis	Smaller Cat's-tail
18			
EM3 Special General Purpose Meadow Mix			
Wild Flowers 20%			
0.20		Centaurea scabiosa	Greater Knapweed
0.60		Leucanthemum vulgare	Oxeye Daisy
2.40		Milva montana	Musk Mallow
2.00		Plantago lanceolata	Ribwort Plantain
1.00		Rhinanthus minor	Yellow Rattle
0.40		Chaerophyllum temulum	Rough Chervil
1.00		Galium verum	Lady's Bedstraw
0.10		Lotus corniculatus	Birdfoot Trefoil
0.20		Primula veris	Cowslip
1.00		Ranunculus acris	Meadow Buttercup
1.40		Centaurea nigra	Common Knapweed
1.20		Achillea millefolium	Yarrow
1.00		Galium album	Hedge Bedstraw
2.00		Potentilla sanguisorba ssp sanguisorba	Solid Burnet
1.40		Silene dioica	Red Campion
0.40		Silene dioica	Ragged Robin
0.40		Ichium vulgare	Viper's-bugloss
0.80		Plantago media	Hairy Plantain
0.20		Agrostis eupatorioides	Agrostis
0.20		Knaulia arvensis	Wild Carrot
0.20		Cucullaria latifolia	Field Scabious
0.20		Geranium dissectum	Crowwort
0.20		Geranium dissectum	Colts-foot Crane's-bill
0.20		Filipendula ulmaria	Meadowsweet
0.20		Geranium pratense	Meadow Vetchling
0.20		Silene dioica	Bladder Campion
0.20		Anthyllus vulneraria	Kidney Vetch
0.20		Geranium pratense	Meadow Crane's-bill
80% Grasses			
8.00		Agrostis capillaris	Common Bent
28.00		Cynopsis cristatus	Crested Dogtail
24.00		Festuca rubra	Red Fescue
4.00		Poa pratensis	Smaller Cat's-tail
16.00		Poa pratensis	Smooth-stalked Meadow-grass
EH1 (Hedgerow Mix)			
Wild Flowers			
0.5		Lotus corniculatus	Birdfoot Trefoil
1.2		Agrostis eupatorioides	Agrostis
1.5		Silene dioica	Red Campion
0.4		Arctium minus	Lester Burdock
4.5		Betula officinalis	Betony
1.5		Centaurea nigra	Common Knapweed
1.4		Chaerophyllum temulum	Rough Chervil
2		Galium album	Hedge Bedstraw
1		Galium verum	Lady's Bedstraw
0.3		Geranium pyrenaicum	Hedgerow Crane's-bill
0.6		Hesperis matronalis	Portulaca St. John's Wort
0.3		Lebanon sylvatica	Narrow-leaved Everlasting-pea
0.7		Plantago lanceolata	Oxeye Daisy - (Moon Daisy)
0.5		Origanum vulgare	Wild Marjoram
1		Primula veris	Ribwort Plantain
2.5		Silene dioica	Red Campion
2		Silene dioica	White Campion
2		Tortiva japonica	Upright Hedge-parsley
0.5		Verbascum thapsus	Great Mullein
0.5		Vicia cracca	Tufted Vetch
0.8		Vicia sativa ssp. sativa	Common Vetch
Grasses			
8.00		Agrostis capillaris	Common Bent
10		Anthracanthum odoratum	Sweet Vernal-grass (w)
2		Bromus inermis	Falck Bromus (w)
7		Cynopsis cristatus	Crested Dogtail
1		Deschampsia cespitosa	Tufted Hair-grass (w)
28		Festuca rubra	Semi-creeper Red-fescue
12		Poa nemoralis	Wood Meadow-grass

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1		Deschampsia cespitosa	Tufted Hair-grass (w)
28		Festuca rubra	Semi-creeper Red-fescue
12		Poa nemoralis	Wood Meadow-grass



WOODLAND BLOCK MIX - 1,795m²

Name	% of Mix	Height	Root Condition	BLOCK A	BLOCK B
Feathered Trees (25% of Area)					
Betula pendula	5	175-200cm	BR	4	20
Prunus avium	5	175-200cm	BR	4	20
Prunus padus	5	175-200cm	BR	4	20
Quercus robur	5	175-200cm	BR	4	20
Tilia cordata	5	175-200cm	BR	4	20
Whip Planting (75% of Area)					
Acer campestre	5	60-90cm	BR	4	20
Betula pendula	5	60-90cm	BR	4	20
Corylus avellana	10	60-90cm	BR	9	45
Crataegus monogyna	5	60-90cm	BR	4	20
Pinus sylvestris	5	80-100cm	RB	4	20
Prunus avium	5	60-90cm	BR	4	20
Prunus padus	5	60-90cm	BR	4	20
Quercus robur	15	60-90cm	BR	13	70
Sorbus aucuparia	5	60-90cm	BR	4	20
Taxus baccata	10	60-90cm	BR	9	45
Tilia cordata	5	60-90cm	BR	4	20

NATIVE SCRUB MIX - 1,325m²

Name	% of Mix	Height	Root Condition	Number
Acer campestre	5	60-90cm	BR	30
Cornus sanguinea	10	60-90cm	BR	60
Corylus avellana	15	60-90cm	BR	90
Crataegus monogyna	30	60-90cm	BR	180
Ilex aquifolium	5	60-90cm	BR	30
Malus sylvestris	10	60-90cm	BR	60
Prunus padus	10	60-90cm	BR	60
Prunus spinosa	10	60-90cm	BR	60
Viburnum opulus	5	60-90cm	BR	20

EXTRA HEAVY STANDARD TREE PLANTING

Name	Girth	Height	Root Condition	Number
Carpinus betulus 'Fastigiata'	20-25	425-600cm	Containerised	8
Prunus avium	16-18	425-600cm	Containerised	3
Sorbus aucuparia	20-25	425-600cm	Containerised	1

NATIVE HEDGE MIX 215 lin m

Name	% of Mix	Height	Root Condition	Number
Acer campestre	10	60-90cm	BR	105
Corylus avellana	15	60-90cm	BR	165
Crataegus monogyna	35	60-90cm	BR	375
Ilex aquifolium	10	60-90cm	RB	105
Ligustrum vulgare	10	60-90cm	BR	105
Prunus spinosa	5	60-90cm	BR	55
Rosa spinosa	5	60-90cm	BR	55
Sambucus nigra	5	60-90cm	BR	55
Viburnum opulus	5	60-90cm	BR	55

Double Staggered Row @400mm ctrs in groups of 3, 5, or 7

KEY

- EXISTING TREES TO BE RETAINED
- PROPOSED EHSD TREE PLANTING
- PROPOSED NATIVE WOODLAND PLANTING - 1,325m²
- PROPOSED NATIVE SCRUB PLANTING - 1,325m²
- PROPOSED NATIVE HEDGE PLANTING - 215 lin m
- PROPOSED EL1 FLOWERING LAWN MIX GRASS SEED - 2900m²
- PROPOSED EM3 SPECIAL GENERAL PURPOSE MEADOW GRASS SEED - 825m²
- PROPOSED EH1 HEDGEROW GRASS SEED MIX - 235m²

NOTES:

PLANTING OPERATIONS SPECIFICATION

TOPSOIL
Imported topsoil for tree pits and hedge shall comply with BS 3882 and shall be good quality, medium topsoil (sandy, acid or slight alkali) not less than 50%. Stones not greater than 50mm in any dimension, perennial weeds and any other foreign matter, free from chemicals or other pollutants, weeds, straw, sticks, stones, clay lumps and other deleterious material. Topsoil containing a significant proportion of silted or other foreign matter will not be accepted on the site. On no account shall topsoil be brought on the site in excessively wet conditions or in a waterlogged state. It shall be from an approved source, shall be fertile with a humus and fibre content and shall have a good crumb structure with medium texture.

All areas of wildflower grass seeding shall be made up of low nutrient sub-soil to assist establishment and maintenance of the meadow grasses.

TREE PLANTING
All trees to be procured and planted in accordance with British Standards BS 6845:2014, with the nursery provider demonstrating Plant Healthy Certification and/or an adopted biosecurity policy.

Extra Heavy Standard tree pits shall be 2.75m x 2.75m x 0.75m for small trees, 4m x 4m x 0.75m for medium trees and 6.5m x 6.5m x 0.75m for large trees in size. The bottom 150mm of each tree pit to be broken up to assist drainage. Compacted ground to be broken up. Spoil shall be excavated material with 50:50 mixed with peat free tree planting compost (Sample to be approved) for the top 300mm and excavated sub soil for the bottom 450mm. 40% Serralen granules to be incorporated into each planting pit.

All EHSD trees shall be short double staked, 300mm to be driven into the ground and 600mm maximum above ground. A flexible webbing cross bar within 25mm of the top of the stake shall be used and fixed to the trunk with zip ties. Each tree shall have a 50mm diameter perforated plastic irrigation pipe, with plastic cap, wrapped in a circle above and around the sides of the rootball.

NATIVE WOODLAND, HEDGE AND SCRUB PLANTING
Whip planting areas shall be cultivated to the full depth of the topsoil and bare root stock rooted planted to accommodate the full depth of the roots. Planting density shall be as set out in the accompanying schedule and the layout shall be random, in groups of less than 7 or more than 7 of the same species, ensuring that no three plants are aligned in any one direction. Each whip shall be protected with a biodegradable spiral tree guard, 60cm high x 130mm diameter, supported by a single timber stake placed to prevent the natural movement of the tree being impeded or restricted growth.

WILDFLOWER SEEDING
Seeding to occur during August/September. All noxious weeds to be spot sprayed until meadow area fully established. Any areas of failure to be re-seeded. Grass seed mix, shall be Emerald (or similar approved by the LPA/EL1) Flowering Lawn Mix, 2000m², EM3 Special General Purpose Meadow Mix, 825m² and EH1 Hedgerow Grass Seed Mix, 235m², sown at a rate of 5g/m².

Rev C 29.10.25 Planting layout amended DR AG
Rev B 01.12.24 Planting mix amended DR AG
Rev A 25.11.24 Planting layout amended DR AG

TGP LANDSCAPE ARCHITECTS
Suite 5, Third Floor, Adamson House,
65 Westgate Road, Newcastle-upon-Tyne,
NE1 1SG, Tel: 0191 383 9950
andrew.gardner@tgp-uk.com www.tgp-uk.com
Also in Glasgow & Edinburgh

Project: CHELMSFORD CNG STATION

Title: LANDSCAPE PROPOSALS

Date	Scale	Drawn	Checked
15.11.24	1:250 @ A0	DR	AG

Job No.	Suitability	No.	Issue	Revision
D3661.001	EXT	1	EXT	C

LI WORKSTAGE: 0/1 2 3 4 5 6

DISCLAIMER:
Do not scale from this drawing.
All dimensions to be verified on site prior to commencement of works.
Drawing to be read in conjunction with related TGP drawings, consultants drawings and any other relevant information.
This drawing is the copyright of TGP Landscape Architects Ltd. unless otherwise specified.

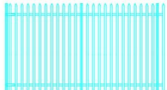
PLANNING ISSUE

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C	PRE APP PLANNING ISSUE	18-05-23	MS	MS
D	PRE APP PLANNING ISSUE	25-04-24	MS	MS
E	PRE APP PLANNING ISSUE	13-05-24	MS	MS
F	PRE APP PLANNING ISSUE	28-08-24	MS	MS
G	PRE APP PLANNING ISSUE	14-11-24	MS	MS

NOTES

- ALL DIMENSIONS SHOWN ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
- TO BE READ IN CONJUNCTION WITH PROPOSED SITE PLAN. DRG. No. 052-01-CNG-104

KEY



2.4M HIGH PALISADE FENCE

CLIENT:

PROJECT:
CHELMSFORD CNG STATION
MAIN ROAD

TITLE:
PROPOSED CNG STATION
SITE ELEVATION VIEWS

SCALE: 1:150 @ A3 DRAWN: KJB
CHECKED: MS CAD: DATE: 27-02-2023
APPROVED: MS SHEET: 1 OF 1

PROJECT No: 052

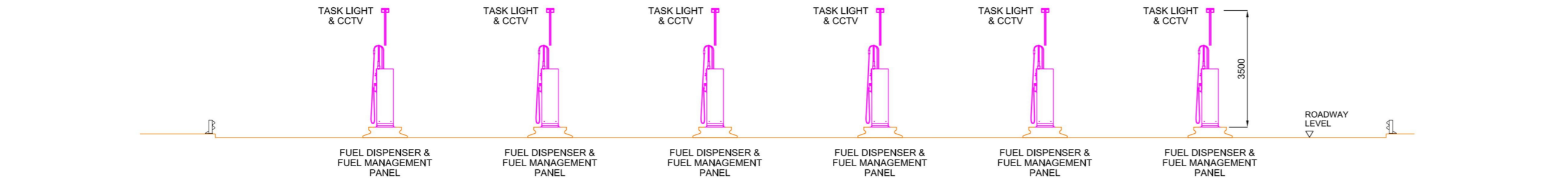
DRAWING No: 052-01-CNG-105

REVISION: G

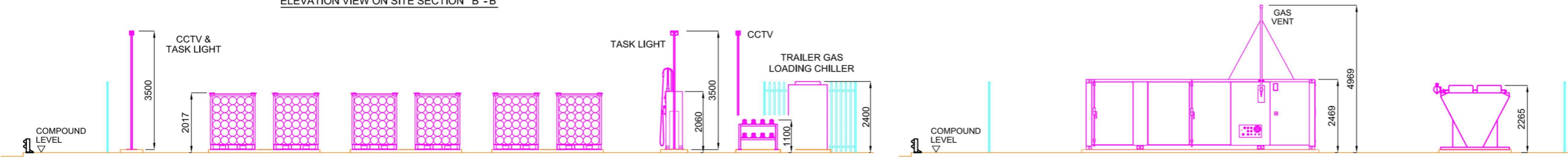
 THOMAS HOUSE
84 ECCLESTON SQUARE
LONDON
SW1V 1PX
TEL: 0203 961 9925
WEB: www.cngfuels.com



ELEVATION VIEW ON SITE SECTION 'A'-A

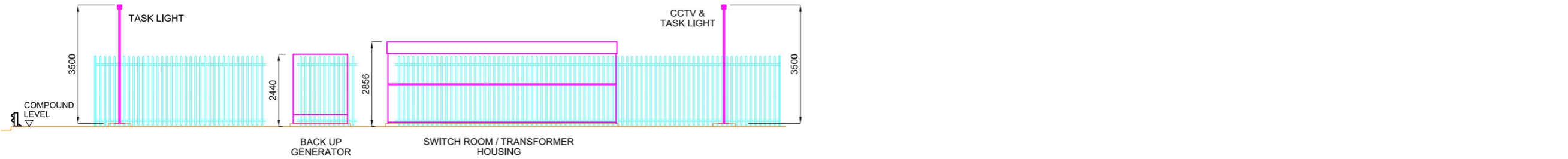


ELEVATION VIEW ON SITE SECTION 'B'-B

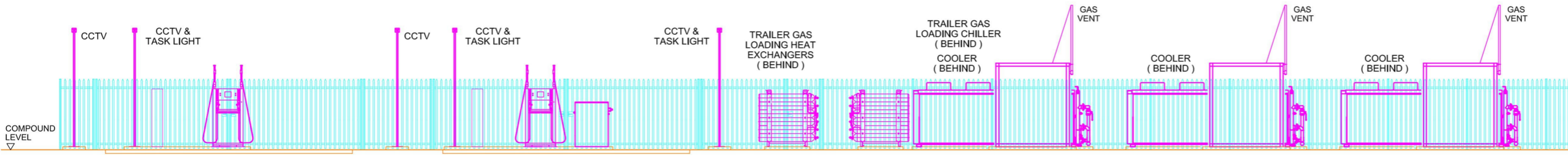


ELEVATION VIEW ON SITE SECTION 'C'-C

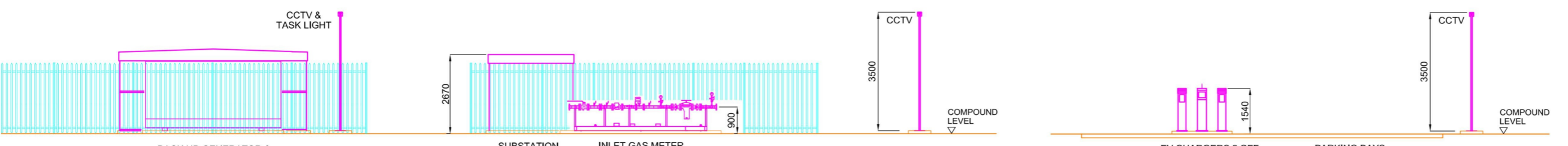
ELEVATION VIEW ON SITE SECTION 'D'-D



ELEVATION VIEW ON SITE SECTION 'E'-E



ELEVATION VIEW ON ARROW 'X'



ELEVATION VIEW ON ARROW 'Y'



ELEVATION VIEW ON ARROW 'Z'

2025/26 Annual Appeals Report

Directorate for Sustainable Communities

Appeal Decisions received between 1 April 2025 and 31 March 2026

Decision	Count	%
Dismissed	50	63%
Allowed	28	35%
Split	2	3%
Total	80	100

Note – Adjusted statistics accounting for commentary are within this report.

Public Inquiries and Hearings

Over the past year Officers have defended the Council's position at several Public Inquiries and Hearings. These are resource intensive appeal proceedings and in some cases have attracted significant local interest. The outcomes of these appeals are set out below:

Reference	Site Address	Development	Procedure	Outcome
25/00038/NONDET	Land North Of Sandon Lodge	Up to 46,605sqm of commercial development	Public Inquiry	Appeal allowed (see above).
25/00021/REFUSE	Land West Of The Fox And Raven Chelmer Village Way	55 affordable residential units	Public Inquiry	Appeal dismissed (upholding the decision of the Planning Committee).
25/00022/NONDET	Land North And East Of Junction 17 Of The A12	Up to 120,000sqm of logistics/warehousing development	Public Inquiry	Appeal not yet decided - decision outstanding.
24/00051/NONDET 24/00052/NONDET 24/00053/NONDET 24/00054/NONDET	Land East Of Ragged Robins	Erect Hay Barn Erect a cow barn Erect a cow barn Erect a cow barn	Hearing	Appeals allowed (four decisions – see above).
25/00048/REFUSE	Site At Bishops Lodge Broomwood Lane	B8 storage buildings	Hearing	Decision Quashed – legal challenge made against the decision of the Planning Inspectorate.

Allowed Appeals

Whilst the number of allowed appeals is greater than in previous years, this is largely due to four appeals relating to one site, Land East of Ragged Robins, Lower Stock Road, West Hanningfield, for similar developments being allowed. Each appeal related to one agricultural barn. The Officer recommendation was for the approval of planning permission for each application. Planning permission was subsequently refused by the Planning Committee. All four appeals were allowed.

A further allowed appeal relates to Land North of Sandon Lodge Woodhill Road Sandon. This was an appeal against non-determination of an application for up to 46,605sqm of commercial development. During the life of the appeal information was provided to overcome the outstanding matters. At the Public Inquiry Chelmsford City Council were not opposed to the development. Whilst the appeal was allowed, Officers are content that this was the correct decision.

Revised National Planning Policy Framework (NPPF 2024)

In December 2024 a new version of the National Planning Policy Framework (NPPF) was published. Most notably, this changed the approach to the acceptability of redevelopment of previously developed land in the Green Belt and introduced 'grey belt'. The new NPPF then became a considerable material consideration in the assessment of planning appeals, including those where applications had been refused using the previous version of the NPPF. This meant that for some appeal schemes, when using the new NPPF, planning officers were no longer of the view that planning permission should be refused. Notable appeals include:

24/00055/REFUSE - Hawthorns Wantz Road Margareting

25/00036/REFUSE - Land North Of Hilltops Southend Road Sandon

Split Decisions

When making an appeal against an enforcement notice, the appellant can contend that the period for compliance should have been longer. This is known as a 'Ground (g) appeal'. Where a Planning Inspector upholds an enforcement notice, but grants a longer period for compliance, this is recorded as a split decision, as technically the Ground (g) appeal is allowed. Practically speaking, the enforcement notice is upheld with amendment, and this can therefore reasonably be considered as a dismissed appeal. In the last year, there were two appeals where only the Ground (g) appeal was successful. These are:

23/00098/ENF - Land East Of Land Known As Two Oaks Maltings Road Battlesbridge

23/00097/ENF - Land South West Of Rivaside Maltings Road Battlesbridge

Adjusted Statistics

Based on the above commentary the appeal statistics for the year can be reasonably adjusted.

Decision	Count	%
Dismissed	54	71%
Allowed	22	29%
Total	76	100

Appeal Decisions received between 01-04-2025 and 31-03-2026

Public Inquiry

Land North Of Sandon Lodge Woodhill Road Sandon Chelmsford Essex

Reference	25/00038/NONDET	
Proposal	Outline planning application for a commercial development of up to 46,605sqm of mixed employment, logistics, storage and distribution uses (use classes E(g)(iii), B2, B8) supporting associated development, infrastructure and landscaping. Appearance, landscaping, scale and layout reserved. Access being sought.	
Decision & Date	Appeal Allowed	11/12/2025
Key Themes	Non determination appeal - highways, flooding, minerals safeguarding were initially putative reasons for refusal, but later overcome meaning CCC not opposed to the development. Heritage, landscape, and amenity were raised by 3rd parties.	
Agreed	As CCC not opposed to the development ultimately, PINS and CCC agreed on all matters - highways, flooding, minerals safeguarding, heritage, landscape and amenity - but in this case it means all matters were not grounds for resisting development	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Public Inquiry

Land West Of The Fox And Raven Chelmer Village Way Chelmer Village Chelmsford Essex

Reference	25/00021/REFUSE	
Proposal	Residential development comprising the construction of 55 affordable homes, provision of open space, landscaping, sustainable drainage, ground re-profiling, formation of bund, cycle and footpath links, vehicular access from Chelmer Village Way and highway changes to Chelmer Village Way.	
Decision & Date	Appeal Dismissed	08/01/2026
Key Themes	Green Wedge, design standards, heritage impacts, removal of trees, flood risk, highway impacts, planning obligations, 'tilted balance', planning balance.	
Agreed	Urban sprawl and material harm to the Green Wedge as a valued landscape. Harm to the setting and significance of two listed buildings and the Conservation Area. No material impact on other listed buildings. Harm from the removal of trees. Poor design in terms of living environment and provision of private open space. Acceptable parking provision. Acceptable impacts on the highway network. Appropriate area of search for the flood risk sequential test. Development can be made safe from all types of flood	

	risk. Planning benefits including provision of housing, affordable housing, and the transfer land. All S106 obligations would be valid, including the transfer land. Conflict with the development plan read as a whole. Benefits insufficient to outweigh cumulative harm in the tilted planning balance.
Disagreed	Minor increase in flood risk elsewhere resulting in exemption test not being fully satisfied. Specific degrees of weight to be afforded to harms and benefits. Weight to be afforded to most relevant local policies (significant rather than substantial). Harm from removal of trees temporary only, according with local policy.
Appellant's Costs	None
Council's Costs	None

Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex	
Reference	24/00051/NONDET
Proposal	Erect Hay Barn
Decision & Date	Appeal Allowed 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed	
Disagreed	Not harmful to highway safety; would assimilate into the rural surroundings
Appellant's Costs	Costs Refused :
Council's Costs	None

Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex	
Reference	24/00052/NONDET
Proposal	Erect a cow barn
Decision & Date	Appeal Allowed 16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area
Agreed	
Disagreed	Not harmful to highway safety; would assimilate into the rural surroundings
Appellant's Costs	Costs Refused :
Council's Costs	None

Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00053/NONDET	
Proposal	Erect a cow barn	
Decision & Date	Appeal Allowed	16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area	
Agreed		
Disagreed	Not harmful to highway safety; would assimilate into the rural surroundings	
Appellant's Costs	Costs Refused :	
Council's Costs	None	

Hearing

Land East Of Ragged Robins Lower Stock Road West Hanningfield Chelmsford Essex

Reference	24/00054/NONDET	
Proposal	Erect a cow barn	
Decision & Date	Appeal Allowed	16/05/2025
Key Themes	Effect on highway safety; effect on character and appearance of area	
Agreed		
Disagreed	Not harmful to highway safety; would assimilate into the rural surroundings	
Appellant's Costs	Costs Refused :	
Council's Costs	None	

Hearing

Site At Bishops Lodge Broomwood Lane Stock Billericay CM11 1JR

Reference	25/00048/REFUSE	
Proposal	Retrospective application for the demolition of 5 poultry sheds and the construction of 5 buildings in B8 storage use. Proposed change of use of 1 poultry shed to B8 storage use, including repair and re-cladding works. Installation of security fencing and gates.	
Decision & Date	Appeal Dismissed	19/12/2025
Key Themes	Grey Belt, Employment need, Sustainable Location, Openness of the Green Belt	
Agreed	Does not strongly contribute to purposes (a), (b) or (d) and complies with criterion (a) of paragraph 155 and definition of Grey Belt; Golden rules (criterion (d)) no relevant, Scenario 1 of the Employment Land Reviews satisfies the requirements of the NPPF; Not a sustainable location and fails	

	to comply with criterion (c) of paragraph 155; Negative on spatial and visual openness of the Green Belt resulting in significant harm to the Green Belt contrary to Policies S11 and DM6; Fallback position materially lesser impact on the openness of the Green Belt than the proposal and not realistic; Material finish and reduction of fencing height by condition would not address harm to openness; No very special circumstances; Substantial weight to Green Belt ham not clearly outweighed by the benefits.
Disagreed	Limited weight can be attributed to the emerging Local Plan in the context of demonstrating employment need; Undemonstrable unmet need for storage and distribution (B8) uses; Complies with criterion (b) of paragraph 155 of the NPPF.
Appellant's Costs	None
Council's Costs	None

Written Representation

Crowsheath Farm Hawkwood Road Downham Billericay Essex CM11 1JT	
Reference	24/00065/REFUSE
Proposal	Retrospective Planning Application to Retain Site Access, Wall and Parking Area
Decision & Date	Appeal Dismissed 04/04/2025
Key Themes	- the effect of the proposal on the openness and purposes of the GB;- the effect of the proposal on Biodiversity;- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.
Agreed	- the proposal would be inappropriate development in the Green Belt because it would impact its openness and encroaches into the countryside;- no very special circumstances exist to outweigh the identified harm;- Technical Note does not provide sufficient assurance that the proposals would conserve or enhance the network of habitats and species and avoid negative Biodiversity effects.
Disagreed	- none.
Appellant's Costs	None
Council's Costs	None

Written Representation

Silver Ash Cranham Road Little Waltham Chelmsford Essex CM3 3NB

Reference	24/00058/REFUSE
Proposal	Redevelopment of the existing site to provide 5 units consisting of B2 employment space with ancillary E(g) use and B8 open storage with associated parking, landscaping and infrastructure.
Decision & Date	Appeal Dismissed 17/04/2025
Key Themes	- whether the development would have an acceptable effect on the character and appearance of the area- whether the development would be suitably located in terms of the spatial strategy of the development plan, with particular regard to sustainable transport
Agreed	- The scale, massing and encroachment onto undeveloped land of unit 5 would result in a significant increase to the sites built form, and would fail to reflect the intrinsic character and beauty of its countryside location, contrary to Policy DM8 A and B.- That the height of units 1 to 4 would substantially exceed that of the current and consented buildings, and their scale and massing would fail to meet the criteria set out in Policy DM8 A and B, and be out of keeping with their context in respect of replacement buildings conflicting with DM8 C.- That while the Chelmsford Garden Community is close, it remains designated as part of the Rural Area. Any changes along the Cranham Road frontage would not necessarily alter the site's character when viewed from other locations, such as Drakes Lane to the north, where the inspector had identified harm.- That the changes on the revised drawings submitted with the appeal are substantial and not appropriate to consider as part of the appeal.- That there are differences between the allowed appeal for a flour and feed mill and the proposal, and this did not alter the inspectors previous findings.- That measures to enhance landscaping and biodiversity, sustainable drainage and sustainable design would not outweigh the harm.
Disagreed	- Considered that the extant permission represents a realistic fallback position- If occupied to capacity, as assessed in the Transport Statement and accepted by the local Highway Authority, the transport and sustainability impacts would be broadly the same between the proposal and the fallback position. Inspector concludes that the development is suitably located, and would accord with Policies S1 and S7.
Appellant's Costs	None
Council's Costs	None

Written Representation

Land Adjacent To Bungalow At Stock Hill Farm Stock Road Stock Ingatestone Essex

Reference	24/00045/REFUSE	
Proposal	Erection of bungalow with associated works including parking	
Decision & Date	Appeal Dismissed	09/05/2025
Key Themes	Whether inappropriate development in Green Belt; Effect on living condition of occupiers of 1 Chase Farm Place; Whether contrary to strategic approach to accessibility	
Agreed	Significant harmful effect on living conditions of neighbour - gloomier bedroom and erosion of neighbours capacity to enjoy their garden	
Disagreed	NPPF change since decision taken. Inspector flags that DM6 no longer aligns with the NPPF and attaches limited weight to DM6 Not significantly harmful to openness so would not cause substantial harm to openness. Sustainability - Inspector content that site would be adequately connected and accessible	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Rear Of Marigolds Main Road Bicknacre Chelmsford Essex CM3 4HD

Reference	24/00056/REFUSE	
Proposal	Retrospective application for use of residential outbuilding as primary living accommodation. (seeking temporary permission/personal permission)	
Decision & Date	Appeal Dismissed	29/05/2025
Key Themes	Suitable location and provides appropriate living accommodation for its occupants	
Agreed	- Policy DM10 is applicable and built less than 10 years ago, as such the site is not a suitable location- No evidence that the lawful use of the site is residential- Very little weight to the prospect that the use of the building as a dwelling may be a viable fallback position- Inappropriate living accommodation for its occupants contrary to space standards contained in Policy DM26. No evidence to allow lower provision.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land South Of Playing Fields Paradise Road Writtle Chelmsford Essex

Reference	24/00067/REFUSE	
Proposal	Retrospective change of use of agricultural land to dog walking field with associated fencing and gates. Proposed permeable hardstanding area for parking.	
Decision & Date	Appeal Dismissed	30/05/2025
Key Themes	Whether inappropriate development in the Green Belt, Green Belt openness, Impact on rural character	
Agreed	Inappropriate Green Belt Development, harmful impact on openness, harmful impact on rural character	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Oak Tree Farm Burnham Road Battlesbridge Rettendon Wickford SS11 7QS

Reference	24/00072/REFUSE	
Proposal	Planning Application for Demolition of Existing Dwelling, Commercial Building and Three Ancillary Storage Structures. Erection of Replacement Dwelling and Single Additional new Dwelling with Associated Amenity Space, Tree Planting, Parking, EV Charging Points and Landscaping.	
Decision & Date	Appeal Dismissed	05/06/2025
Key Themes		
Agreed	Not a sustainable location	
Disagreed	Inappropriate development and openness	
Appellant's Costs	Costs Refused :	
Council's Costs	None	

Written Representation

Land At The Briars Pennys Lane Margarettng Ingatestone Essex

Reference	24/00069/REFUSE	
Proposal	Proposed dwelling and garage. New access, timber gates and driveway.	
Decision & Date	Appeal Dismissed	06/06/2025
Key Themes		
Agreed	Openness	
Disagreed	Character appearance	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Hawthorns Wantz Road Margarettng Ingatestone CM4 0EP

Reference	24/00055/REFUSE	
Proposal	Demolition of existing residential dwelling, commercial buildings and storage areas and construction of three detached dwellings	
Decision & Date	Appeal Allowed	10/06/2025
Key Themes	Impact on openness of Green Belt, Inappropriate development,, Nationally Described Space Standards	
Agreed	None	
Disagreed	Inappropriate development and openness (change in national policy in intervening period). Nationally Described Space Standards objection overcome through amended drawings.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Adjacent Chestnut Cottage Holybread Lane Little Baddow Chelmsford Essex	
Reference	24/00079/REFUSE
Proposal	Erection of Agricultural Barn and Greenhouse
Decision & Date	Appeal Dismissed 13/06/2025
Key Themes	Whether there is a justified need for the appeal proposal in the Rural Area. The effect of the appeal proposal on the character and appearance of the landscape.
Agreed	The site is not in active viticultural use and therefore the proposed building is excessive for the current need. Policy DM8 does not support construction of buildings in the Rural Area if there is no justified need. The proposed building without an establish rural enterprise would harm the character of the rural landscape. The planted trees are not native to the area and harm the rural character of it.
Disagreed	-
Appellant's Costs	None
Council's Costs	None

Written Representation

Land North East Of 103 Main Road Great Leighs Chelmsford Essex	
Reference	24/00077/REFUSE
Proposal	Change of use of land and construction of one no. 2 bedroom chalet style dwelling, with garden and off street parking (Use Class C3), construction of an off street parking area for visitors to the post office/store (Sui Generis), complete with dropped kerb access works and landscaping.
Decision & Date	Appeal Allowed 18/06/2025
Key Themes	Intrusive design and out of context
Agreed	
Disagreed	Intrusive design and out of context
Appellant's Costs	None
Council's Costs	None

Written Representation

Tepari Braintree Road Little Waltham Chelmsford CM3 3LD

Reference	24/00070/REFUSE	
Proposal	Single storey rear extension and loft conversion to existing dwelling. Demolition of existing outbuildings and construction of 1 new dwelling.	
Decision & Date	Appeal Dismissed	10/07/2025
Key Themes	the main issue is whether the proposed dwelling would be located within a sustainable location.	
Agreed	Agreed with the Council that the new dwelling would not be located within a sustainable location and would be reliant on private vehicles.	
Disagreed	Did not disagree. The inspector did not disagree with the Local Planning Authority.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

18 - 20 Mildmay Road Chelmsford Essex CM2 0DX

Reference	25/00006/REFUSE	
Proposal	Demolition of the existing commercial building. Construction of new building comprising of two dwellings at first and second floor and commercial unit at ground floor. New vehicular crossover.	
Decision & Date	Appeal Dismissed	10/07/2025
Key Themes	Effect on character & appearance of area (inc Conservation Area); whether it would preserve the setting of Grade II Listed Marconi Building; whether adequate living conditions for future occupants; effect on living conditions of nos. 8-13 Alfred Mews.	
Agreed	Poor design would be harmful to character & appearance of area, would fail to preserve the character or appearance of Conservation Area and fail to preserve setting of Marconi Building; design a retrograde step compared to previously dismissed appeal scheme; Unacceptably poor living conditions for future occupants (particularly the outlook from home offices);	
Disagreed	The Inspector found there would not be harm to amenity of nos. 8-13 Alfred Mews.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Toni&Guy 225 - 226 Moulsham Street Chelmsford CM2 0LR

Reference	25/00010/ADVREF	
Proposal	Lead case - The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement. Linked case - Proposed installation of illuminated free standing sheet advertisement screen	
Decision & Date	Appeal Dismissed	10/07/2025
Key Themes	Harmful impact on the character and appearance of the area and setting of designated and non-designated heritage assets	
Agreed		
Disagreed	Nothing	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Toni&Guy 225 - 226 Moulsham Street Chelmsford CM2 0LR

Reference	25/00011/REFUSE	
Proposal	Lead case - The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement. Linked case - Proposed installation of illuminated free standing sheet advertisement screen	
Decision & Date	Appeal Dismissed	10/07/2025
Key Themes	Harmful impact on the character and appearance of the area and setting of designated and non-designated heritage assets	
Agreed	Harmful impact on character and appearance of the area and setting of designated and non-designated heritage assets	
Disagreed	Nothing	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

2 - 4 Hamlet Road Chelmsford Essex CM2 0EU

Reference	24/00040/REFUSE	
Proposal	Change of use from hotel to 13 bedroom HMO, including external landscaping and construction of a bin store.	
Decision & Date	Appeal Allowed	16/07/2025
Key Themes	Whether there will be an unacceptable impact on the residential amenity of neighbours from the proposed change of use of a hotel use to HMO	
Agreed	The change of use of the premises to HMO will not impact the character of the area; no parking provision is acceptable	
Disagreed	The proposed use of the premises as HMO will not be substantially different to the use of the premises as hotel. There be no harmful impact on the amenity of the adjacent or nearby residential sites.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

262 Beehive Lane Great Baddow Chelmsford CM2 8LX

Reference	25/00018/COND	
Proposal	Removal of condition 3 to approved planning application CHR/0802/62 (Erection of a staff bungalow) to permit use as a residential dwelling by a person not employed on the farm	
Decision & Date	Appeal Dismissed	17/07/2025
Key Themes	Appeal against conditions 1 and 2 of S73 application Condition 1 - In accordance with approve plans and conditions. Condition 2 - Occupancy restriction to persons in rural based economy	
Agreed	All matters. Inspector upheld the imposition of conditions 1 and 2. Appeal dismissed.	
Disagreed	None	
Appellant's Costs	Costs Refused :	
Council's Costs	None	

Written Representation

Clinton Cards 67 - 68 High Street Chelmsford CM1 1DH

Reference	25/00008/ADVREF	
Proposal	Lead Case: The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement. Linked Case: Proposed installation of illuminated free standing sheet advertisement screen	
Decision & Date	Appeal Allowed	31/07/2025
Key Themes	Harmful impact on visual amenity; the character or appearance of the Central Conservation Area (CA) and the Non-Designated Heritage Asset known as 36-38 High Street.	
Agreed	n/a	
Disagreed	Harmful impact on visual amenity; the character or appearance of the Central Conservation Area (CA) and the Non-Designated Heritage Asset known as 36-38 High Street.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Clinton Cards 67 - 68 High Street Chelmsford CM1 1DH

Reference	25/00009/REFUSE	
Proposal	Lead Case: The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement. Linked Case: Proposed installation of illuminated free standing sheet advertisement screen	
Decision & Date	Appeal Allowed	31/07/2025
Key Themes	Impact on the character and appearance of the Chelmsford Central Conservation Area (CA) and the Non-Designated Heritage Asset known as 36-38 High Street.	
Agreed	n/a	
Disagreed	Impact on the character and appearance of the Chelmsford Central Conservation Area (CA) and the Non-Designated Heritage Asset known as 36-38 High Street.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

The Stable Flat East Hanningfield Hall Old Church Road East Hanningfield Chelmsford Essex CM3 8BQ

Reference	25/00020/COND	
Proposal	Variation of Condition 5 to approved planning application 23/01954/FUL (Proposed conversion of disused stables and tack room to extend existing dwelling) to alterations to fenestration.	
Decision & Date	Appeal Dismissed	05/08/2025
Key Themes	design, harm to heritage asset, rural appearance	
Agreed	DM13 harm to heritage asset	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Gay Bowers Farm Bakers Lane West Hanningfield Chelmsford Essex CM2 8LD

Reference	25/00033/REFUSE	
Proposal	Woodland management building	
Decision & Date	Appeal Allowed	07/08/2025
Key Themes	Permitted development - whether it was forestry use, whether it was necessary for forestry	
Agreed		
Disagreed	forestry use - association with forest on land	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

13A Moulsham Street Chelmsford CM2 0HU

Reference	25/00023/REFUSE	
Proposal	Retrospective planning application for the replacement of windows from timber sash to uPVC.	
Decision & Date	Appeal Dismissed	08/08/2025
Key Themes	design, harm to heritage assets - conservation area and listed building	
Agreed	harm to CA and setting of a listed building	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

The House East Hanningfield Road Sandon Chelmsford Essex CM2 7TQ

Reference	22/00076/ENF	
Proposal	Without planning permission, the construction of two buildings	
Decision & Date	Appeal Dismissed	08/09/2025
Key Themes	Whether the development constituted a breach of planning control; the effect of the two buildings on the character and appearance of the surrounding area; whether the period of compliance is too short.	
Agreed	The development amounts to a breach; the development has an incongruous visual effect and the design and location does not blend in with the landscape; the period of compliance specified is reasonable.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

81 Rutland Road Chelmsford Essex CM1 4BN

Reference	23/00031/ENF	
Proposal	Without planning permission, the construction of a building	
Decision & Date	Appeal Dismissed	08/09/2025
Key Themes	Whether the development is incidental and therefore permitted by article 3, schedule 2, part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015.	
Agreed	The building was constructed as a self-contained residential unit forming a separate planning unit, and cannot be considered permitted development.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Highwater Farm The Common East Hanningfield Chelmsford Essex CM3 8AH

Reference	25/00015/REFUSE	
Proposal	Retrospective application for resurfacing an existing farm track and the installation of safety lighting	
Decision & Date	Appeal Allowed	17/09/2025
Key Themes	Character and appearance of area	
Agreed		
Disagreed	Track and lighting columns are not harmful to character of rural area	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land North Of Hilltops Southend Road Sandon Chelmsford Essex

Reference	25/00036/REFUSE	
Proposal	Outline application for development of 2 Custom/Self Build dwellings. Access, layout and scale being sought. All other matters (Appearance and landscaping) reserved.	
Decision & Date	Appeal Allowed	24/09/2025
Key Themes	- proposal for 2 self build dwelling in the Green Belt outside a Defined Settlement boundary- not infill plot as to large - some protected species on site- preserved trees within the site	
Agreed	The planning application had three reasons for refusal. Reasons for refusal 1 and 2 related to the development being inappropriate development in the green belt and its effect on openness. Notwithstanding the above, the Council have now stated that there is a lack of self-build provision within the area and that subject to a planning obligation and appropriately worded condition they are satisfied that the development would meet the requirements of paragraph 155 of the National Planning Policy Framework (Framework).A signed and dated planning obligation has been submitted with this appeal. I am satisfied that the unilateral undertaking alongside a suitably worded condition is sufficient to secure the development in line with the Self-build and Custom Housebuilding Act 2015.Subject to an updated PEA the proposal would not harm protected species.	
Disagreed	- None	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land West Of Crowsheath Farm Hawkswood Road Downham Billericay Essex

Reference	23/00036/S195	
Proposal	Certificate of lawfulness of existing use or development for use of land for fishery and ancillary camping.	
Decision & Date	Appeal Dismissed	25/09/2025
Key Themes	- Certificate sought for existing mixed use of the land used in association with fishing lakes for fishing, camping and caravan stationing business - The claim was that all the land within the red line was used for the described mixed use	
Agreed	- The Inspector agreed that there is sufficient evidence to demonstrate that the land outlined in red has been used continuously for 10 years and longer for fishing and associated camping - Evidence regarding the claimed mixed use remains unclear and ambiguous- The Council decision was supported	
Disagreed	- None	

Appellant's Costs	None
Council's Costs	None

Written Representation

Footpath Outside Dukesmead House 39 High Street Chelmsford CM1 1BE	
Reference	25/00030/ADVREF
Proposal	Proposed Illuminated 75" LCD display screen, one on each side of the Street Hub unit.
Decision & Date	Appeal Allowed 08/10/2025
Key Themes	impact on streetscape (including cumulative clutter), conservation area and nearby listed buildings, impact on pedestrian flow (safety), impact on ability to hold street events, conflict with Public Spaces Protection Order
Agreed	
Disagreed	impact on streetscape (including cumulative clutter), conservation area and nearby listed buildings, impact on pedestrian flow (safety), impact on ability to hold street events, conflict with Public Spaces Protection Order
Appellant's Costs	None
Council's Costs	None

Written Representation

Footpath Outside Dukesmead House 39 High Street Chelmsford CM1 1BE	
Reference	25/00031/REFUSE
Proposal	Proposed Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit
Decision & Date	Appeal Allowed 08/10/2025
Key Themes	impact on streetscape (including cumulative clutter), conservation area and nearby listed buildings, impact on pedestrian flow (safety), impact on ability to hold street events, conflict with Public Spaces Protection Order
Agreed	

Disagreed	impact on streetscape (including cumulative clutter), conservation area and nearby listed buildings, impact on pedestrian flow (safety), impact on ability to hold street events, conflict with Public Spaces Protection Order
Appellant's Costs	None
Council's Costs	None

Written Representation

Footpath Outside 15A Exchange Way Chelmsford CM1 1XB	
Reference	25/00025/REFUSE
Proposal	Proposed installation of Street Hub Unit and associated illuminated advertisement panels on either side of the unit
Decision & Date	Appeal Dismissed 09/10/2025
Key Themes	Impact on streetscape and conservation area, impact on function of pedestrian space (safety)
Agreed	Impact on streetscape and conservation area, impact on function of pedestrian space (safety)
Disagreed	
Appellant's Costs	None
Council's Costs	None

Written Representation

Footpath Outside 15A Exchange Way Chelmsford CM1 1XB	
Reference	25/00026/ADVREF
Proposal	Proposed Illuminated digital 75" display screen, one on each side of the 'Street Hub' unit.
Decision & Date	Appeal Dismissed 09/10/2025
Key Themes	Impact on streetscape and conservation area, impact on function of pedestrian space (safety)
Agreed	Impact on streetscape and conservation area, impact on function of pedestrian space (safety)
Disagreed	
Appellant's Costs	None

Council's Costs

None

Written Representation
Seven Acres Farm Crows Lane Woodham Ferrers Chelmsford Essex CM3 8RS

Reference	25/00012/ENF	
Proposal	Without planning permission, the making of a material change in the use of land to the storage of caravans, motorhomes, and vehicles, along with facilitative operational development comprising the formation of hard surfaces, the construction of a building, and the formation of an earth bund.	
Decision & Date	Appeal Dismissed	16/10/2025
Key Themes	Ground (f) - that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach. Ground (g) - that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.	
Agreed	Ground (f) - The requirements of the notice do not exceed what is necessary. Therefore, they are not excessive. Ground (g) - The period specified in the notice does not fall short of what should be reasonably allowed	
Disagreed		
Appellant's Costs	None	
Council's Costs	Costs Refused :	

Written Representation

Land At Belsmard Nathans Lane Writtle Chelmsford Essex

Reference	25/00016/REFUSE	
Proposal	Conversion of residential and equestrian building to one dwelling.	
Decision & Date	Appeal Dismissed	16/10/2025
Key Themes	Appropriateness of development within Green Belt, Effect on openness of Green Belt, Effect on availability of community facilities, Effect on local existing sustainable transport and are there any very special circumstances to justify the proposal.	
Agreed	Appropriateness of development within Green Belt, Effect on openness of Green Belt and are there any very special circumstances to justify the proposal.	
Disagreed	Effect on availability of community facilities and Effect on local existing sustainable transport	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land South West Of Brooklands Sheepcotes Lane Little Waltham Chelmsford Essex

Reference	25/00024/REFUSE	
Proposal	Demolition of domestic storage building and replacement with single residential dwelling including bin store.	
Decision & Date	Appeal Allowed	27/10/2025
Key Themes	Rural AreaGreen Wedge	
Agreed	Transitional strip between distinctly urban form of Great Waltham and the bucolic hinterland within which it lies. Previously developed land. Building volume would be enlarged significantly. The presence of a permanent, separate household within the site would be likely to lead to the introduction of more domestic paraphernalia than at present	
Disagreed	The presence of dwellings backing onto the lane undermines the rurality. Site well enclosed and contribution to wider area is limited by this. Dwelling would retain, to a very great extent, its current appearance from the lane. Not appear incongruous in its setting. Treatment and structures to front could be controlled through conditions. Minimal change from parked cars. Any residual visual effects would be very limited the proposal accords with the aims of Policies DM7 and DM8 of the Local Plan	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

52 - 52A Maldon Road Great Baddow Chelmsford Essex CM2 7DL

Reference	25/00046/REFUSE	
Proposal	Determination as to whether prior approval from the local planning authority is required for the proposed change of use from Salon (Class E) to Residential (Class C3) two new dwellinghouses. No exterior changes are proposed.	
Decision & Date	Appeal Allowed	11/11/2025
Key Themes	effect on the character or sustainability of Great Baddow Conservation Area.	
Agreed		
Disagreed	effect on the character or sustainability of Great Baddow Conservation Area.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land North West Of Oakview The Ridge Little Baddow Chelmsford Essex

Reference	25/00039/REFUSE	
Proposal	New dwelling to north of existing house. New access way and drive to existing house (Oak View)	
Decision & Date	Appeal Allowed	17/11/2025
Key Themes	- whether the proposal is an infill development in otherwise build up frontage and would comply with the NPPF and Policy DM8 of the Local Plan;- whether there be any adverse impact on Biodiversity;- whether the proposal results in a sustainable development;- noted by the Inspector that the Council is unable to demonstrate 5y housing supply and para 11 of the NPPF applies in this instance;	
Agreed	- the proposal does not meet the definition of an infill development within a built up frontage due to the loose position of houses on this side of the road (but it still infills space between two houses);- the proposal would not result in harm to protected wildlife sites; appropriate mitigation measures are in place;	
Disagreed	- the proposal will not harm the character of the area and the street and would be an infill development (although not in a built up frontage);- the proposed self build condition is not legally sound so cannot be applied to the development;- due to the Council's inability to demonstrate 5 y housing supply the conflict with policy DM8 is demonstrably outweighed by the benefits of a new house;	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Bridleway Cottage Broomwood Lane Stock Billericay CM11 1JR

Reference	25/00045/REFUSE	
Proposal	Demolition of existing dwelling and construction of replacement dwelling	
Decision & Date	Appeal Dismissed	19/11/2025
Key Themes	Green belt - replacement dwelling, substantially bigger - substantial harm	
Agreed	Green belt - replacement dwelling, substantially bigger - substantial harm	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Oak Cottages Chalk Street Rettendon Chelmsford Essex

Reference	23/00066/S195	
Proposal	Outbuilding with swimming pool, gym and bar.	
Decision & Date	Appeal Allowed	20/11/2025
Key Themes	Definition of curtilage	
Agreed		
Disagreed	definition of curtilage	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Adjacent Fairbanks School Lane Great Leighs Chelmsford Essex	
Reference	25/00035/REFUSE
Proposal	Demolition of outbuildings and proposed construction of one new detached dwelling (Use Class C3), with retention of access, provision of driveway and parking, a shed, landscaping and associated works.
Decision & Date	Appeal Allowed 20/11/2025
Key Themes	Suitable location; Character and appearance of the Rural Area; European designated site impact
Agreed	Outside settlement boundary; Agreed conflict with aims of Policy S7 as seeks to focus development to locations set out in settlement hierarchy; Agreed that with the funding for the proposed mitigation measures, the proposal would not have an adverse effect on the SPA and Ramsar sites.
Disagreed	Great Leighs walkable, as only a short stretch would rely on grass verges; Location of Strategic Growth Site with pedestrian and cycle access weighs in favour of site being sustainable, although not extant permission; Provides infill development and would not be harmful to character and appearance of the surrounding countryside; Accord with aims of Policies S1, S11 (c), DM8 and DM9. Benefits of the scheme outweigh the limited harm arising from conflict with S7.
Appellant's Costs	None
Council's Costs	None

Written Representation

Land South Of Hobbits Hole South Hanningfield Road Rettendon Chelmsford Essex	
Reference	23/00033/ENF
Proposal	Without planning permission, the change of use of the land for sale and storage of motor vehicles with associated development, comprising the construction of a hard surface, concrete pad, fencing and the siting of a portacabin and storage containers
Decision & Date	Appeal Dismissed 24/11/2025
Key Themes	whether copies of the enforcement notice were served as required by section 172; whether the matters alleged constituted a breach of planning control; whether the development was immune from enforcement action; whether planning permission should be granted; whether the steps required by the notice are excessive; whether the time for compliance falls short of what is reasonable.
Agreed	the notice was served as required by section 172; the matters alleged constitute a breach of planning control; the alleged use is not immune from enforcement action; the alleged development constitutes inappropriate development in the Green Belt. There is conflict with CLP policies SPS1, SPS11, DM6 and DM10, and therefore planning permission should not be granted; the steps required achieve the purpose of

	remedying the breach of planning control and are not excessive nor are they disproportionate;
Disagreed	The fence along the eastern boundary is immune from enforcement action due to the passage of time, so this element was removed from section 5 sub-paragraph (4). The time period for compliance (of 6 months) was too short, and this was extended to 8 months.
Appellant's Costs	None
Council's Costs	None

Written Representation

Downham Hall Castledon Road Downham Billericay Essex CM11 1LG	
Reference	23/00040/ENF
Proposal	Without planning permission, the erection of a building.
Decision & Date	Appeal Allowed 25/11/2025
Key Themes	Operation development enforcement notice; marquee building in Green Belt; inappropriate development; harm to openness; visual impacts; heritage impacts; temporary permission; very special circumstances.
Agreed	Marquee is a building and is inappropriate development with no applicable exceptions; harmful to openness; visually harmful; has economic benefits; as permanent, not acceptable.
Disagreed	Building is not harmful to heritage assets; as temporary, there are very special circumstances justifying development; (inferred) that harm during unlawful period is not to be weighed in the planning balance.
Appellant's Costs	None
Council's Costs	None

Written Representation

Land South West Of Rivaside Maltings Road Battlesbridge Wickford Essex

Reference	23/00097/ENF	
Proposal	Without planning permission, a material change in the use of land to a mixed use comprising storage and the siting of a caravan for residential purposes.	
Decision & Date	Split decision	26/11/2025
Key Themes	Whether the matters alleged constitute a breach of planning control; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short	
Agreed	The matters alleged constitute a breach of planning control. The steps required are proportionate and do not exceed what is necessary to remedy the breach.	
Disagreed	The time for compliance is too short and was therefore extended to 8 months.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land East Of Land Known As Two Oaks Maltings Road Battlesbridge Wickford Essex

Reference	23/00098/ENF	
Proposal	Vehicular access created	
Decision & Date	Split decision	26/11/2025
Key Themes	Whether the matters alleged constitute a breach of planning control; whether planning permission should be granted for the matters alleged; whether the steps required exceed what is necessary to remedy the breach of planning control; whether the period of compliance is too short	
Agreed	The matters alleged constitute a breach of planning control; the development constitutes inappropriate development in the green belt and planning permission should not be granted; The steps required are proportionate and do not exceed what is necessary to remedy the breach	
Disagreed	The time for compliance is too short and was therefore extended to 8 months.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford

Reference	25/00028/REFUSE	
Proposal	Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit. Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.	
Decision & Date	Appeal Dismissed	28/11/2025
Key Themes	Appeal A: Character of area, setting of listed and locally-listed buildings, Conservation Area	
Agreed	Appeal A: Harm to character of area, harm to setting of listed and locally-listed buildings, harm to Conservation Area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

BT Street Hub Unit Footpath East Of 216 Moulsham Street Chelmsford

Reference	25/00029/ADVREF	
Proposal	Lead case: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit. Linked case: Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.	
Decision & Date	Appeal Dismissed	28/11/2025
Key Themes	Appeal B: Amenity of area	
Agreed	Appeal B: Harm to amenity of area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Blenheim Cottage Back Lane Little Waltham Chelmsford CM3 3PP

Reference	25/00050/REFUSE	
Proposal	Proposed new stable	
Decision & Date	Appeal Allowed	03/12/2025
Key Themes	Whether acceptable in the Green Wedge.	
Agreed	Did not agree that the development would be contrary to policies DM7 and S11 of the Chelmsford Local Plan.	
Disagreed	Inspector took the view that the proposed stables were an appropriate facility for outdoor sport and would not harm the Green Wedge.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA

Reference	25/00041/REFUSE	
Proposal	Retrospective application for the construction of single storey rear shop extension to provide storage and preparation and toilet facilities.	
Decision & Date	Appeal Dismissed	04/12/2025
Key Themes	Character and appearance of building and area; Whether adequate waste storage area is available; Impact on West End Conservation Area	
Agreed	Building harmful to host building and wider area. No adequate area for refuse storage remaining.	
Disagreed	Impact on West End Conservation Area	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Adjacent To Mount Stephen Ongar Road Highwood Chelmsford Essex

Reference	25/00049/REFUSE	
Proposal	Outline application for 1 new bungalow with detached garage, all matters reserved.	
Decision & Date	Appeal Dismissed	04/12/2025
Key Themes	Whether inappropriate development in Green Belt; Whether in sustainable location.	
Agreed	The site is not grey belt land; Inappropriate development in the Green Belt; Unsustainable location; Unknowns related to the proposed access could cause significant harm to highway safety.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Opposite Greenacres De Beauvoir Chase Downham Billericay Essex

Reference	24/00050/ENF	
Proposal	Without planning permission, the construction of a building	
Decision & Date	Appeal Dismissed	16/12/2025
Key Themes	Whether, at the time the Notice was served, the development was immune from planning enforcement action (Ground d).	
Agreed	The building was not substantially completed more than four years before the date of the Enforcement Notice.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Mama Sandras Food Catering 47A Duke Street Chelmsford Essex CM1 1JA

Reference	25/00040/ENF	
Proposal	Without planning permission, the construction of a rear extension.	
Decision & Date	Appeal Dismissed	07/01/2026
Key Themes	The time for compliance was too short.	
Agreed	The time for compliance was not too short and the time period (3 months) for compliance with the requirements of the notice is reasonable.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

The Lodge Country Inn Hayes Chase Battlesbridge Wickford Essex SS11 7QT

Reference	25/00065/REFUSE	
Proposal	Outline application for the erection of 22 chalet for overnight accommodation for guests of the Lodge Hotel. Access, Appearance and Layout being sought, all other matters (landscaping and scale) reserved.	
Decision & Date	Appeal Dismissed	13/01/2026
Key Themes	Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, and the effect of the proposed development on the openness of the Green Belt; Whether the proposal would achieve sustainable development regarding the location of the appeal site in terms of accessibility and the effect of the proposed development on the character and appearance of the surrounding area; Whether harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal.	
Agreed	The proposed development would be inappropriate development in the Green Belt and cause harm to its openness. The proposal would not achieve sustainable development regarding the location in terms of accessibility and the harm that would be afforded to the character and appearance of the surrounding area. No very special circumstances were identified as part of the proposal.	
Disagreed	None.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

16/17 Victoria Road Chelmsford CM1 1NZ

Reference	25/00055/REFUSE	
Proposal	Outline application for Demolition of existing buildings and construction of a new mixed use multi story residential led block with ground floor E Class use and residential upper floors of not less than 5 storeys and not more than 12 storeys and not less than 35 residential units, with all matters reserved.	
Decision & Date	Appeal Dismissed	28/01/2026
Key Themes	design and scale, heritage setting, securing appropriate infrastructure, RAMS/Trees, tilted balance	
Agreed	harmful design and scale, heritage harm, does not secure infrastructure, RAMS not satisfied, lack of tree planting, tilted balance insufficient to outweigh harms	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Elm Tree House Elm Lane Roxwell Chelmsford Essex CM1 4NJ

Reference	24/00073/S195	
Proposal	Outbuilding and hardstanding	
Decision & Date	Appeal Allowed	04/02/2026
Key Themes	Whether permitted development under Class E	
Agreed		
Disagreed	That the proposed outbuilding is genuinely and reasonably required and is no larger than necessary.	
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land Rear Of Marigolds Main Road Bicknacre Chelmsford Essex

Reference	24/00075/S195	
Proposal	Certificate of Lawful Development to regularise Residential garage which has been used as an independent dwelling for more than four years. The curtilage surrounding this is also in residential use and has been for more than four years	
Decision & Date	Appeal Dismissed	11/02/2026
Key Themes	Whether residential use had existed for 4 years	
Agreed	Insufficient evidence provided to demonstrate that residential use had existed for 4 years	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

16 Judge Road Chelmer Village Chelmsford Essex CM2 6GN

Reference	25/00068/REFUSE	
Proposal	Proposed Change of Use from Dwelling (Use Class C3) to a Children's Care Home (Use Class C2).	
Decision & Date	Appeal Dismissed	16/02/2026
Key Themes	Parking availability and impact on neighbours	
Agreed	Insufficient parking and harmful to amenities of neighbours	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Written Representation

Land North West Of Doylands Farm Helmons Lane West Hanningfield Chelmsford Essex

Reference	25/00054/REFUSE	
Proposal	Erection of Stables for Equestrian Use with Associated Hardstanding for Vehicular Access	
Decision & Date	Appeal Allowed	09/03/2026
Key Themes	Development in the Green Belt; harm to neighbour amenity	
Agreed	neighbour amenity acceptable	
Disagreed	the development is appropriate development in the Green Belt	
Appellant's Costs	None	
Council's Costs	None	

Householder

3 Cherrytree Cottages Stock Road Stock Ingatestone Essex CM4 9QU

Reference	24/00078/REFUSE	
Proposal	Demolish existing extension and construction of single storey side extension with pitched roof.	
Decision & Date	Appeal Dismissed	02/06/2025
Key Themes	Inappropriate development in GB - DM11 Design and its impact on stock conservation area - DM23/DM13	
Agreed	Inappropriate development in the GB; Harm to the Stock Conservation Area.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

137 Orchard Way Chelmsford CM3 3GQ

Reference	25/00007/REFUSE	
Proposal	Proposed loft conversion including a rear dormer and three velux windows to front elevation.	
Decision & Date	Appeal Dismissed	04/06/2025
Key Themes	Design, character and appearance, privacy, overlooking	
Agreed	Design, character and appearance, privacy, overlooking	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

Foxwood Moulsham Street Chelmsford CM2 0JJ

Reference	25/00004/REFUSE	
Proposal	Increase height of front wall with an electric gate and new side wall.	
Decision & Date	Appeal Dismissed	05/06/2025
Key Themes	Character and appearance, heritage setting, highway safety	
Agreed	Character and appearance, heritage setting, highway safety	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

17 Braganza Way Chelmsford Garden Community Chelmsford Essex CM1 6AP

Reference	25/00017/REFUSE	
Proposal	Retrospective application for a flat roofed timber outbuilding to the rear garden.	
Decision & Date	Appeal Dismissed	10/06/2025
Key Themes	The main issue is the effect of the proposed development on the living conditions of the occupiers of number 45 Braganza Way with regard to their outlook.	
Agreed	Agreed with the Council that the outbuilding would harm the amenities of the occupiers of number 45 Braganza Way.	
Disagreed	Did not disagree with the council.	

Appellant's Costs	None
Council's Costs	None

Householder

Linden Maldon Road Margareting Ingatestone Essex CM4 9JW

Reference	25/00014/REFUSE	
Proposal	Proposed additional storey and replacement roof and cladding. Two storey front extension. Replacement of flat garage roof with pitched roof.	
Decision & Date	Appeal Allowed	07/07/2025
Key Themes	Design impacts	
Agreed	Fallback position presented by PD allowance, conditions	
Disagreed	Not harmful to character and appearance of locality; cited development examples from the wider area	
Appellant's Costs	None	
Council's Costs	None	

Householder

90 Henniker Gate Chelmer Village Chelmsford Essex CM2 6SB

Reference	25/00002/REFUSE	
Proposal	Raise roof to create first floor, two storey side extension, single storey rear extension and alterations to fenestration.	
Decision & Date	Appeal Dismissed	08/07/2025
Key Themes	The main issue is the effect of the proposed development on the living conditions of occupiers at 78 and 80 Henniker Gate with regards to outlook	
Agreed	Agreed with the Council that the development would result in an overbearing impact to the amenities of the occupiers at 78 and 80 Henniker Gate.	
Disagreed	None. The inspector did not disagree with the Council.	
Appellant's Costs	None	

Council's Costs

None

Householder

16 Church Road Ramsden Heath Billericay Essex CM11 1PA

Reference	25/00003/REFUSE	
Proposal	Extension to existing boundary treatment to include additional height to the piers and the inclusion of metal railings in between	
Decision & Date	Appeal Dismissed	17/07/2025
Key Themes	Design	
Agreed	Design - impact on street scene	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

8 Jigger Gardens Chelmsford Garden Community Chelmsford CM3 3FR

Reference	25/00013/REFUSE	
Proposal	Proposed conversion of garage into habitable space and provision of three parking space within site boundary with enhancement of green lawned space to front of proposed site.	
Decision & Date	Appeal Allowed	04/08/2025
Key Themes	Harm to the character and appearance of the area	
Agreed	n/a	
Disagreed	Harm to the character and appearance of the area	
Appellant's Costs	None	
Council's Costs	None	

Householder

Greenfields East Hanningfield Road Rettendon Chelmsford Essex CM3 8EW

Reference	25/00027/REFUSE	
Proposal	Alterations to existing driveway including creation of a new access and installation of gate.	
Decision & Date	Appeal Allowed	26/08/2025
Key Themes	harm to the rural area - break in hedgerow and introduction of urban feature	
Agreed		
Disagreed	harm to the rural area	
Appellant's Costs	None	
Council's Costs	None	

Householder

Site At 89 Broomfield Road Chelmsford

Reference	24/00080/ADVREF	
Proposal	Proposed installation of illuminated advertising display stand	
Decision & Date	Appeal Dismissed	10/09/2025
Key Themes	- Impact on the listed building - Impact on the highway safety	
Agreed	- harms the setting of the listed building - clutters the site - no circumstances that would outweigh the conflict with the policy	
Disagreed	- None	
Appellant's Costs	None	
Council's Costs	None	

Householder

438 Linnet Drive Chelmsford Essex CM2 8AL

Reference	25/00037/REFUSE	
Proposal	The construction of an additional storey by increasing the building height by 2.6m	
Decision & Date	Appeal Dismissed	11/09/2025
Key Themes	Permitted development, harm to character of the area, harm to character of property	
Agreed	Harm to character of the area, harm to character of the property	
Disagreed		
Appellant's Costs	None	

Council's Costs

None

Householder

144 Springfield Park Road Chelmsford Essex CM2 6EE

Reference	25/00042/REFUSE	
Proposal	Proposed single storey side and front extension, detached carport with formation of access. Single storey incidental annexe.	
Decision & Date	Appeal Allowed	06/10/2025
Key Themes	effect of extensions on dwelling and surrounding area	
Agreed	annexe and car port acceptable	
Disagreed	Single storey side ext not harmful to dwelling and surroundings	
Appellant's Costs	None	
Council's Costs	None	

Householder

144 Springfield Park Road Chelmsford Essex CM2 6EE

Reference	25/00042/REFUSE	
Proposal	Proposed single storey side and front extension, detached carport with formation of access. Single storey incidental annexe.	
Decision & Date	Appeal Allowed	06/10/2025
Key Themes	effect of extensions on dwelling and surrounding area	
Agreed	annexe and car port acceptable	
Disagreed	Single storey side ext not harmful to dwelling and surroundings	
Appellant's Costs	None	
Council's Costs	None	

Householder

1 Mearns Place Chelmer Village Chelmsford Essex CM2 6TT

Reference	25/00019/REFUSE	
Proposal	Retrospective application for new boundary wall and Annexe as-Built	
Decision & Date	Appeal Dismissed	08/10/2025
Key Themes	Impact on the character and appearance of the area	
Agreed	Impact on the character and appearance of the area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

7 Joseph Clibbon Drive Chelmsford Garden Community Chelmsford CM1 6AS

Reference	25/00047/REFUSE	
Proposal	First floor rear extension	
Decision & Date	Appeal Dismissed	10/11/2025
Key Themes	Effect on the character and appearance of the area	
Agreed	Effect on the character and appearance of the area	
Disagreed	N/A	
Appellant's Costs	None	
Council's Costs	None	

Householder

Deshmukh Cottage Cherry Garden Lane Danbury Chelmsford Essex CM3 4QP

Reference	25/00060/REFUSE	
Proposal	Erection of front porch with overhang roof and the replacement of existing flat-roofed dormers with pitched.	
Decision & Date	Appeal Dismissed	21/11/2025
Key Themes	Design change of dormers from flat to pitch. Impact of proposal on character of property and surrounding area.	
Agreed	Dormers poorly designed.	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

10 Souther Cross Road Good Easter Chelmsford Essex CM1 4RX

Reference	25/00063/REFUSE	
Proposal	Construction of open sided car port	
Decision & Date	Appeal Dismissed	21/11/2025
Key Themes	Impact on street scene	
Agreed	Harmful impact on street scene; Design does not overcome harm; Conflicts with Policy DM23	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

82 Downham Road Ramsden Heath Billericay Essex CM11 1QD

Reference	25/00057/REFUSE	
Proposal	The construction of an additional storey by increasing the building height by 2.4m	
Decision & Date	Appeal Dismissed	11/02/2026
Key Themes	Character and appearance of the area	
Agreed	The development does not respect the character and appearance of the area	
Disagreed		
Appellant's Costs	None	
Council's Costs	None	

Householder

Iphigenia Woodham Road Rettendon Wickford Essex SS11 7QW

Reference	25/00067/REFUSE	
Proposal	Single storey side and rear extension	
Decision & Date	Appeal Dismissed	20/02/2026
Key Themes	Whether inappropriate development in the green belt	
Agreed	The development was considered inappropriate development within the Green Belt and was harmful to the openness of the Green Belt in both visual and spatial terms	
Disagreed		
Appellant's Costs	None	

Council's Costs

None
