

Planning Committee Agenda

10 January 2023 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor J A Sosin (Chair)

and Councillors

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

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City.

There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523
email brian.mayfield@chelmsford.gov.uk

PLANNING COMMITTEE

10 January 2023

AGENDA

1. CHAIR'S ANNOUNCEMENTS

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. MINUTES

To consider the minutes of the meeting on 4 October 2022

5. PUBLIC QUESTION TIME

Any member of the public may ask a question or make a statement at this point in the meeting, provided that they have submitted their question or statement in writing in advance. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Where an application is returning to the Committee that has been deferred for a site visit, for further information or to consider detailed reasons for refusal, no further public questions or statements may be submitted.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

6. BROOMFIELD MILL, MILL LANE, BROOMFIELD, CHELMSFORD, ESSEX, CM1 7BQ – 22/01413/FUL

7. TINSLEY FARM, BLIND LANE, WEST HANNINGFIELD, CHELMSFORD, CM2 8UF – 22/01747/FUL

8. 2-4 HAMLET ROAD, CHELMSFORD, ESSEX, CM2 0EU – 22/01076/FUL

9. PLANNING APPEALS

MINUTES
of the
PLANNING COMMITTEE
held on 4 October 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

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

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 Councillor Pooley.

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 6 September 2022 were confirmed as a correct record.

5. Public Question Time

One statement from a member of the public had been submitted in advance of the meeting for Item 7. This had been circulated to the Committee in advance of the meeting and was in response to concerns regarding the removal of trees. [The statement can be viewed via this link.](#)

6. Land Adjacent to Broadacre, Vicarage Road, Roxwell, Chelmsford – 21/02049/FUL

(M6, PL17, 2022) At its meeting on 6 September 2022, the Committee had considered an application for the demolition of the existing buildings on land adjacent to Broadacre, Vicarage Road, Roxwell and the construction of a workshop and ancillary store building. Permission was also sought for the widening of the existing access and alterations to landscaping. The Committee, being minded to refuse the application, had requested that the officers prepare detailed reasons for refusal based on the grounds that the development would be significantly different to the application approved in 2019 in terms of the amount of hardstanding to be created and the size of the accessway to the site, the extent of those differences making it inappropriate development in the Green Belt.

At this point members of the Committee discussed the application further and the following points were raised;

- When overlaying the 2019 and new plan over each other it was not clear that there was a significant difference to the previous one. Therefore, it was felt that the reason for refusal was not a factually correct statement.
- Members were often reminded to only consider the application put before them.
- There did not appear to be a significant difference between the two proposals in terms of hardstanding area and if refused, would this be a sufficient reason at appeal.
- Old applications should not be considered and the development was inappropriate for the green belt.
- Is a 17% increase what would be defined as a significant increase?

Officers informed the Committee that the current policies did not provide specific percentages upon which a judgement could easily be made. It was noted that their own judgement had to be used instead and that some applications would be acceptable and some albeit only slightly different may not be.

A member of the Committee proposed that they accept the reasons provided by officers and this was seconded. However the motion was not carried after a vote by the Committee.

Due to the reason put forward being rejected, the Committee then reconsidered the original recommendations put forward by officers for approval at the previous meeting. A proposal was raised that the Committee accept these initial recommendations and approve the application. This motion was passed by the Committee.

Councillors Dobson and Roper did not vote on this application, due to not being at the meeting where it was initially considered.

RESOLVED that planning application 21/02049/FUL in respect of land adjacent to Broadacre, Vicarage Road, Roxwell, be approved for the reasons set out in the initial report to the previous meeting of the Committee, which was appended to the latest report.

(7.01pm to 7.17pm)

7. No. 2 Westfield, Chelmsford – 22/01385/FUL

Declarations of Interest :

Cllrs Sosin, Ashley, Lardge, Lee, Sampson and Shaw all declared non registrable interests and left the meeting at this point.

Cllr Wright took the Chair for the remainder of the meeting

The Committee considered an application for the raising of the existing garage roof of 2 Westfield, Chelmsford to create a first floor habitable level for use ancillary to the existing dwelling, with the addition of three dormer windows. Permission was also sought for new first floor windows and alterations to ground floor windows.

In response to questions from the Committee it was noted that;

- The trees between the application property and the neighbouring 85 Broomfield Road, were not subject to any tree preservation orders. Officers stated they were content with an acceptable relationship between the two properties.
- It was down to individual property owners as to how much vegetation they have between two properties.
- The proposed windows did not significantly change the back to side relationship between the two properties and there was no material difference between what is already there and what the extension would create.

RESOLVED that planning application 22/01385/FUL in respect of 2 Westfield, Chelmsford be approved subject to the conditions set out in the report to the meeting.

(7.18pm to 7.25pm)

8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 25 August and 21 September 2022 be noted.

The meeting closed at 7.26pm.

Chair

PLANNING POLICY BACKGROUND INFORMATION

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

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

- 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.
- DM6** Policy DM6 - New Buildings in the Green Belt - Where new buildings are proposed within the Green Belt, inappropriate development will not be approved except in very special circumstances. Planning permission will be granted for the redevelopment of previously developed land and replacement buildings subject to meeting prescribed criteria.
- DM7** Policy DM7 - New Build & Structure in the Green Wedge - Planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green Wedge designation and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- DM10** Policy DM10 - Change of use (Land & Buildings) & Engineering operations - Planning permission will be granted for the change of use of buildings in the Green Belt, Green Wedges and Rural Area subject to the building being of permanent and substantial construction and where the building is in keeping with its surroundings. Engineering operations will be permitted within the Green Belt where they preserve openness, do not conflict with the purposes of including land in the Green Belt, and do not harm the character and appearance of the area. Changes of use of land will be permitted in the Green Wedges and Rural Area where the development would not adversely impact on the role, function and intrinsic character of the area.
- 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.

- 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.
- 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.
- 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.
- 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.
- 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.

VILLAGE DESIGN STATEMENTS

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

NATIONAL PLANNING POLICY FRAMEWORK

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

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

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

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



**Planning Committee
10th January 2023**

Application No	:	22/01413/FUL Full Application
Location	:	Broomfield Mill Mill Lane Broomfield Chelmsford Essex CM1 7BQ
Proposal	:	Construction of residential annexe in rear garden of Broomfield Mill.
Applicant	:	Mr PETER MARRIAGE
Agent	:	
Date Valid	:	23rd July 2022

Contents

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application is referred to the Planning Committee as it follows an application for a similar development which was refused by the Planning Committee (21/01399/FUL refers). The application must be determined by the Committee because Officers are recommending approval.
- 1.2. The proposal is for the construction of a residential annexe in the rear garden of Broomfield Mill. The proposed development would replace existing buildings and convert an existing pillbox.
- 1.3. The proposal would not adversely impact the designation or function of the Green Wedge.
- 1.4. The proposal would not have an adverse impact on the non-designated heritage assets.
- 1.5. The proposal would not have an adverse impact on protected species.
- 1.6. The application site is located within Flood Zone 3b. The application addresses the previous refusal as it includes compensatory measures which mitigate against the loss of flood plain volume. The proposed development also incorporates flood resilient and resistance measures and would be safe in terms of flood risk.
- 1.7. Approval is recommended.

2. Description of site

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

3. Details of the proposal

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

4. Other relevant applications

21/01399/FUL - Refused 3rd May 2022
Construction of residential annexe in rear garden of Broomfield Mill.

5. Summary of consultations

Environment Agency

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

The Environment Agency were engaged for further comment on the mitigation provided for the development and stated that:

Compensatory storage has been proposed, however this is in the functional flood plain and therefore does not address the loss of an capacity caused by the development. Our position remains unchanged with regards to the application, we maintain our objection in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located.

Public Health & Protection Services

No comments.

Broomfield Parish Council

No objection.

Local residents

No representations received.

6. Planning considerations

Main Issues

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

- Impact to Green Wedge
- Flood Risk
- Heritage
- Ecology

Green Wedge

6.2. Policy S11 of the Chelmsford Local Plan states that The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks.

6.3. Policy DM7 of the Chelmsford Local Plan states that planning permission will be granted for new buildings and structures where the development does not conflict with the purposes of the Green

Wedge designation and is for one of a number of prescribed developments. Part B relates to the redevelopment of previously developed land.

- 6.4. Part B of Policy DM7 states that planning permission will only be granted where the role and function of the Green Wedge, in maintaining open land between built-up areas, protecting biodiversity and promoting recreation would not be materially harmed, and where the development would have no greater impact on the character and appearance of the area than the existing use and/or development. The Council will assess the development based on the following:

the size, scale, massing and spread of the new development compared to the existing; and
the visual impact of the development compared to the existing; and
the impact of the activities/use of the new development compared to the existing.

- 6.5. The first consideration for the decision maker is whether the buildings constitute 'previously developed land'. The definition of 'previously developed land' is in Annex 2 of the National Planning Policy Framework 2021 (NPPF) and is as follows:

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

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

Flood Risk

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

- 6.11. The Council will require that development is protected from flooding and that appropriate measures are implemented to mitigate flood risk both within the development boundary and off-site in all flood zones, and to ensure that the development remains safe throughout its life. In line with Policy DM18, development within areas of flood risk will be required to provide a safe means of access or suitably manage risk through some other means.
- 6.12. In this case, the application site lies within the fluvial Flood Zone 3B, being located directly adjacent to the River Chelmer. Flood Zone 3B is classified as functional floodplain and is deemed to be the most at-risk land of flooding from rivers or the sea. The Council, in their Strategic Flood Risk Assessment, as adopted by the Local Plan, have classified areas at significant risk of flooding to be within Flood Zone 3B. This classification is usually classified as land which has a 1:30 probability of flooding chance (one in 30-year event).
- 6.13. This proposal follows an application which was recently refused by the Planning Committee (21/01399/FUL refers). This application was refused on the basis that the site is located in Flood Zone 3B, the development would have increased the risk of flooding elsewhere and the applicant did not submit any mitigation to compensate for the loss of flood plain.
- 6.14. The current application proposes the same building, in the same position as the previous refusal. The main difference between the proposals, however, is that the current scheme proposes to mitigate against the loss of flood plain storage. Included within the proposal is the enlargement of an existing pond, within the flood plain, located in the water meadow roughly 400 metres to the south of Broomfield Mill. The plans detail that 20 cubic metres of flood plain will be lost due to the proposed development, but this will be compensated by the enlargement of the pond which will create an additional 63.7 cubic metres of floor plain storage.
- 6.15. The Environment Agency have provided further comment on the proposed mitigation and have stated that whilst compensatory storage has been proposed, this is in the functional flood plain and therefore does not address the loss of capacity caused by the development.
- 6.16. The applicant has confirmed that the compensatory pond will work as follows. The proposed enlarged pond would connect to the river through an existing ditch to the southeast. As the river fills with flood water it reaches the level of the connecting ditch. The compensation pond fills from the river via the ditch and eventually the river overtops the bank and the flood plain floods. The stored water remains in the pond until the river level falls. Once the flood abates and the flow is contained in the channel, the level in the pond drops as the river level falls.
- 6.17. The Council accepts the enlargement of the pond as acceptable mitigation which compensates for the loss of flood plain volume. Based on these compensatory measures, the proposal would result in a net gain of flood plain storage which weighs in favour of the proposed development. Further, local circumstances (as prescribed by the NPPF) should be taken into full account as the site is well protected by historic (boundary walls) and natural (small earth bunds) barriers, minimising the impacts of flood risk. The Flood Risk Assessment submitted with the application shows that flood resilient and resistance measures have been incorporated into the scheme which ensures that the development will be safe in terms of flood risk.
- 6.18. For the reasons stated above, the application overcomes the previous refusal as it includes compensatory measures which mitigate against the loss of flood plain volume. As such the proposal is acceptable and meets the requirements of Policies S2 and DM18 of the Chelmsford Local Plan.

Heritage

- 6.19. Policy DM14 of the Chelmsford Local Plan states that proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.
- 6.20. Broomfield Mill House is of 18th century or earlier origins, with an early 19th century front. The watermill formerly attached to it was demolished in 1919. There are a collection of outbuildings, a glasshouse, and boundary walls within the grounds. The building is included on the Council's Register of Buildings of Local Value for its architectural and historic interest, and prominence within the river valley. It should therefore be considered as a non-designated heritage asset.
- 6.21. To the northern corner of the plot is a WWII pillbox, part of the GHQ defence line, if forms part of a group of defences laid out to protect the river valley in the event of German invasion. The pillbox is a variant of a standard FW3/24 design, the plan form has been modified to fit the unusual shape of the site within the historic boundary wall within a fern garden created in the late nineteenth century. The survival of the original external door and the good condition of the internal shuttering are exceptional. The pillbox is included on the Council's Register of Buildings of Local Value for its historic interest at part of a group of WWII defences. This structure should also be considered as a non-designated heritage asset.
- 6.22. The proposals seek to replace the greenhouse with a new structure of matching design. Parts of the existing outbuildings would be converted, and new additions constructed. The new block would be attached to the pillbox, which would be converted into a study. The new buildings would have a modern appearance with low pitch metal clad roofs and timber cladding.
- 6.23. The existing glass house is in a poor condition, its replacement with a similar structure would maintain the character of the wall garden. The new buildings would be a low single storey in form and appear ancillary to the mill house. The main block would directly abut the pillbox and the living room would project on the southern side. The pill box was intended to be unobtrusive, hidden within the fern garden originally. The application proposes repair of the pill box. There would be no adverse impact on the setting of the Mill House. There would be a minor adverse impact on the setting of the pill box, but this would be outweighed by the benefit of its repair and re-use.
- 6.24. The proposal therefore complies with Policy DM14 of the Chelmsford Local Plan. Conditions attached to the permission will cover: details of materials; removal of permitted development rights; schedule of repairs to the pillbox; and large-scale details of windows, doors, eaves, verge, solar panels, plinths, vents, flues, external lighting, junctions between new and existing structures.

Ecology

- 6.25. The supporting Preliminary Roost Assessment has been carried out in accordance with published best practice. The structures were assessed for their likelihood to support protected species and signs of field signs indicating use were checked. The assessment found the site does not likely support bats and as such no further surveys are recommended. This is a proportionate and acceptable approach.
- 6.26. A condition will be attached to the permission which secures ecological enhancements including bird and bat boxes.

Other Matters

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

7. Community Infrastructure Levy (CIL)

7.1. The proposal is CIL liable and CIL charge may be payable.

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

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

Reason:

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

Condition 4

A schedule of repairs and alterations to the pillbox and retained structures, shall be submitted to and approved in writing by the Local Planning Authority before the works are undertaken. The works shall then be carried out in accordance with the agreed schedule.

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the non-designated heritage assets in accordance with Policy DM14 of the Chelmsford Local Plan.

Condition 5

Prior to their installation large scale drawings shall be submitted to and approved by the local planning authority showing details of the following :-

- (a) windows
- (b) doors
- (c) eaves
- (d) verge
- (e) solar panels

- (f) plinths
- (g) vents
- (h) flues
- (i) external lighting
- (j) junctions between new and existing structures

The development shall then be carried out in accordance with the approved details.

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the non-designated heritage assets in accordance with Policy DM13 of the Chelmsford Local Plan.

Condition 6

Prior to construction of the annexe hereby approved, the works to enlarge the pond shall be carried out in accordance with Approved Drawing No. FPC 1. Thereafter, the pond shall remain in this form in perpetuity.

Reason:

The pond is an essential compensatory measure which mitigates against the loss of flood plain volume. This condition ensures that the development is sustainable in flooding terms in accordance with Policies S2 and Policy DM18 of the Chelmsford Local Plan.

Condition 7

Details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, 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 five year maintenance plan.

Reason:

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

Condition 8

Prior to first occupation of the development hereby approved, details of ecological enhancements shall be submitted to and approved by the Local Planning Authority. The ecological enhancements shall include bird and bat boxes on retained trees and the details submitted to the Local Planning Authority shall specify the type of feature and its location.

Reason:

In order to promote biodiversity in accordance with Policy DM16 of the Chelmsford Local Plan.

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 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.
- 3 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.

Positive and Proactive Statement

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

Environment Agency

Comments

26.08.2022 - CONSTRUCTION OF RESIDENTIAL ANNEXE IN REAR GARDEN OF BROOMFIELD MILL

BROOMFIELD MILL, MILL LANE, BROOMFIELD, CHELMSFORD, CM1 7BQ.

Thank you for your consultation dated 4 August 2022. We have inspected the application as submitted and object in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis.

Flood Risk

The Planning Practice Guidance (PPG) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. In this case, the application site lies within the fluvial Flood Zone 3b, the functional floodplain, as delineated by the 1 in 20 annual probability event outline.

The proposed development is classified as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the PPG. Table 3 of the PPG makes clear that this type of development is not compatible with Flood Zone 3b and should not therefore be permitted.

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 in line with the Town and Country Planning (Consultation) (England) Direction 2009.

Flood Map Challenge

If the applicant does not believe the site does not fall within flood zone 3 they can seek to challenge the flood zones in the flood map for planning. To change the flood map, appropriate evidence must be supplied. We would require a detailed hydraulic model to confirm the classification of the site. The model would then be assessed by our Evidence and Risk team and if approved the map would then be updated. However the

flood map for planning will not be updated until all the proposed activities are completed on the site, such as land raising and the development itself. We will wait for a confirmation email that these have been achieved. Land can be deemed as "acting as a specific Flood Zone e.g. Flood Zone 1" for planning purposes, but for the purpose of the Flood Map we have a much stricter procedure. Please also be advised we cannot change the map based on a topographic survey. Model outputs and any new flood Zones should be provided as shapefiles for us to review.

The flood map for planning only identifies Flood Zone 2 and 3. As highlighted above Flood Zone 3b, the functional floodplain is identified within the Chelmsford Strategic Flood Risk Assessment. Chelmsford City Council would need to agree to any amendments to areas designated as Flood Zone 3b.

Other Sources of Flooding

In addition to the fluvial flood risk, described above, the site may also be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful.

Yours Sincerely

Mr. Martin Barrell

Planning Specialist

Direct e-mail planning.ipswich@environment-agency.gov.uk

28.11.2022 - CONSTRUCTION OF RESIDENTIAL ANNEXE IN REAR GARDEN OF BROOMFIELD MILL

BROOMFIELD MILL, MILL LANE, BROOMFIELD, CHELMSFORD, CM1 7BQ.

Thank you for your e-mail dated 4 November 2022. We understand that having considered the application you are minded to approve the proposal. Our position remains unchanged with regards to the application, we maintain our objection

in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. However, given your indication that planning will be approved we have provided you with flood risk comments in the letter. Flood Risk The Planning Practice Guidance (PPG) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. In this case, the application site lies

within the fluvial Flood Zone 3b, the functional floodplain, as delineated by the 1 in 30 annual probability event outline. (Recently updated in the PPG) The development proposed is the construction of residential annexe in rear garden of Broomfield Mill which is classified as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the PPG. Table 3 of the PPG makes clear that this type of development is not compatible with Flood Zone 3b and should not therefore be permitted.

Flood Risk Assessment To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced Broomfield Mill, Broomfield,

Cont/d..

2

Chelmsford and dated November 2020 are: Actual Risk

- o Development includes an increase in building footprint which would further reduce storage of the functional floodplain.
- o The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.
- o The site does not benefit from the presence of defences.
- o Finished ground floor levels have been proposed at 28.95m AOD. This is above the 1% (1 in 100) annual probability flood level including climate change of 28.79m AOD and therefore dry of flooding in this event.
- o The site level is a minimum of 28.20 m AOD and therefore flood depths on site are 0.59 m in the 1% (1 in 100) annual probability flood event including climate change.
- o Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change.
- o This proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 1% (1 in 100) annual probability including climate change flood event).
- o Compensatory storage has been proposed, however this is in the functional flood plain and therefore does not address the loss of an capacity caused by the development.
- o Flood resilience/resistance measures have been proposed

Guidance for Local Council

Safety of Building - Flood Resilient Construction

The FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding. You should determine whether the proposed measures will ensure the safety and sustainability of the proposed development. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the document 'Improving the flood performance of new buildings' at:

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf. Additional guidance can be found in our publication 'Prepare your property for flooding', which can be found on our website at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding> Safety of Inhabitants - Emergency Flood Plan

The Environment Agency does not normally comment on or approve the adequacy

End

3

of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. The Planning Practice Guidance to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment. 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. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

Sequential and Exception Tests

The requirement to apply the Sequential Test is set out in Paragraph 162 of the National Planning Policy Framework. The Exception Test is set out in paragraph 164. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning Practice Guidance. Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application. We trust this information is useful.

Public Health & Protection Services

Comments

04.08.2022 - No PH&PS comments with regard to this application

Broomfield Parish Council

Comments

27.09.2022 - No objection

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Local Residents

Comments
No comments received



Planning Committee
10th January 2023

Application No	:	22/01747/FUL Full Application
Location	:	Tinsley Farm Blind Lane West Hanningfield Chelmsford CM2 8UF
Proposal	:	Retrospective change of use of agricultural buildings to commercial storage (B8)
Applicant	:	MR J Stacey P J Stacey and Son
Agent	:	Mrs Melanie Bingham-Wallis
Date Valid	:	20th September 2022

Appendix 1 Consultations
Appendix 2 Drawings

1. Executive summary

- 1.1. This application is referred to the Planning Committee at the request of a local ward member who has raised concerns that the proposed development would have a detrimental impact on highway safety.
- 1.2. The application seeks retrospective permission for the change of use of two agricultural buildings to commercial storage (B8).
- 1.3. The proposal is an appropriate form of development in the Green Belt.
- 1.4. Blind Lane is already well used by heavy farm vehicles which travel to and from Tinsley Farm. The storage use subject to this application generates minimal vehicle movements to and from Tinsley Farm, typically vans and 7.5 tonne lorries. The conversion to commercial storage would therefore not materially increase the level of traffic movements along Blind Lane or cause additional traffic which would cause harm to highway safety.
- 1.5. The use of the building for storage purposes is considered acceptable has caused no adverse impacts to highway safety or neighbouring residential amenity.
- 1.6. Approval is recommended.

2. Description of site

- 2.1. The application site is located in the Green Belt and is surrounded by open and undeveloped farmland which provides a character of prevailing rurality.
- 2.2. Tinsley Farm is located to the northeast of West Hanningfield and is accessed from Blind Lane. It comprises an established farmyard which includes a mixture of modern steel box profile buildings and older brick-built barns.
- 2.3. The site is an established farmyard within a rural location and is surrounded by arable fields and woodland. There are residential properties located along Blind Lane, but these are located some distance from the farmyard itself.

3. Details of the proposal

- 3.1. This application has been submitted retrospectively and seeks permission for the change of use of two agricultural buildings to commercial storage (B8).

4. Other relevant applications

22/00961/FUL - Approved 12th July 2022

Retrospective application for the change of use of an agricultural building to use as a storage unit (Class B8).

21/01311/AG - Prior Approval Not Required 13th July 2021

Alteration of existing road or highway for agricultural use.

20/01183/FUL - Approved 14th October 2020

Construction of a purpose designed agricultural storage building for grain/fertiliser and straw

75/0996 – Approved 30th September 1975
Proposed farm building

79/0860 – Approved 25th July 1979
Erection of 90 by 60 grainstore for agricultural use

5. Summary of consultations

5.1. Public Health and Protection Services:

No comments.

5.2. Essex County Council Highways:

The proposal is acceptable to the Local Highway Authority subject to conditions relating to the parking of vehicles.

5.3. West Hanningfield Parish Council:

Object to the proposal on the following grounds:

- Noise and disturbance caused by vehicular traffic is harmful to the amenities of the area.
- Blind Lane is not suitable for the type and frequency of traffic that this use generates.
- Large vehicle movements cause danger to road users and pedestrians.

5.4. Local Residents:

14 objections received. Concerns raised:

- Increase in large vehicle movements causes danger to road users, horse riders and pedestrians.
- Blind Lane is a narrow, single-track road unsuitable for large commercial vehicles.
- New commercial buildings use heavy goods vehicles for deliveries.
- No footway provision for pedestrians.

5.5. Ramblers Association:

No response.

6. Planning considerations

6.1. The application seeks retrospective planning permission for the change of use of two buildings at Tinsley Farm from their former agricultural use to a B8 storage use. The buildings are located in the north-west corner of the farm holding. Another building within the farmyard benefits from a planning permission (22/00961/FUL) granted to convert its use to B8 storage. The farmyard contains a mix of uses.

Green Belt

6.2. The application site is located in the Green Belt and is surrounded by open and undeveloped farmland.

- 6.3. Whilst the National Planning Policy Framework 2021 (NPPF) is restrictive on new buildings in the Green Belt, which are to be considered inappropriate development, Paragraph 150 sets out that some forms of development are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purpose of including land within it. One such exception includes the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 6.4. At a local level, Policy DM10 of the Chelmsford Local Plan concerns the change of use of land and buildings. Section (A) of the Policy concerns building in the Green Belt and sets out that planning permission will be granted for the change of use of a building where:
- i. the building is of permanent and substantial construction, and works to convert the building would not result in substantial reconstruction; and
 - ii. the building is in keeping with its surroundings, and any alterations or extensions are proportionate in size in relation to the existing building and do not harm its original character; and
 - iii. the use of land within the curtilage of the building, and which is to be used in association with that building, would not result in harm to the openness of the Green Belt; and
 - iv. where the building was constructed less than ten years ago for the purposes of agriculture, but it can be demonstrated that it is no longer required for agriculture.
- 6.5. Assessing each bullet point in turn; the buildings are of permanent and substantial construction. The application, as retrospective, does not seek any amendment to the form of the buildings and the applicant has confirmed that no works have been undertaken or are required to convert the buildings to B8 use. The buildings meet the test of substance and permanence set out in the NPPF and Policy DM10.
- 6.6. The appearance of the buildings is unaltered from their previous agricultural use and, as such, the proposal is considered in keeping with its surroundings. The proposed use would rely on the existing areas of hardstanding on site to support it whilst no part of the buildings would encroach beyond their existing form or the grouping of buildings nearby. There would be no harm to the openness of the Green Belt from the use of the curtilage of the buildings.
- 6.7. Finally, records of the site indicate that the buildings have been present in excess of ten years thus satisfies the last criteria of the Policy (planning applications 75/0996 and 79/0860 refer). It is concluded that the proposal is acceptable form of development in the Green Belt and would not harm the openness nor purposes of including land within it. The proposal complies with Policy DM10 of the Chelmsford Local Plan and Paragraph 150 of the NPPF.

Highway Safety and Neighbour Amenity

- 6.8. Policy DM29 of the Chelmsford Local Plan states that 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.

6.9. The NPPF sets out at paragraph 111, 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 would be severe.

6.10 The objections received from local residents express concern that the conversion of the former agricultural buildings to B8 has led to an increase in large vehicles (lorries and heavy goods vehicles) accessing the site. The objections cite that this increase in large vehicle movements is causing highway safety issues on Blind Lane as it is a narrow, single track rural lane which is unsuitable for large commercial vehicles.

6.11 The applicant has been engaged through the lifetime of the planning application and has provided additional information regarding large vehicle movements. The additional information submitted in support of the application provides a description of the use of each of the converted buildings and also the vehicle movements associated with each business operating from the two buildings.

6.12 Building One, the western building which has been converted, is occupied by a toy company, to store toys for distribution or sale. The use of the building has been consistent since 2019. The movements generated from the use of this building include a small van twice a week. The applicant advises that there are no large vehicle movements associated with this building.

6.13 Building Two, the eastern building, is used for the long-term storage of furniture. Vehicle movements associated with this use comprise between one and two movements monthly. The applicant advises that the existing tenant uses a 7.5 tonne small lorry to move furniture, once or twice a month, to and from the site.

6.14 It is also important to assess the vehicle movements in association with the converted building, approved under 22/00961/FUL, to understand the cumulative impact of the commercial uses within Tinsley Farm. The commercial storage building already granted consent generates one car movement per week and one 7.5 tonne small lorry movement every three months. The combined movements generated from the commercial development at Tinsley Farm are set out in the table below for clarity.

Application Reference	Vehicle Type	Number	Frequency	Month total movements
22/01747/FUL	Small van (post office)	1	2x weekly/3x weekly	8 minimum 12 maximum
22/01747/FUL	7.5 tonne lorry	1	1x monthly/2x monthly	1 minimum 2 maximum
22/01747/FUL	Transit Van	1 or 2	1 weekly/1 fortnightly	2 minimum, up to 8 maximum
22/00961/FUL	Car	2	1 weekly/1 fortnightly	2 minimum 4 maximum
22/00961/FUL	7.5 tonne lorry	1	1 every 3 months/1 every 4 months	3 per year minimum 4 per year maximum

6.15 The neighbour objections relate to heavy goods vehicles and other large vehicles accessing the site. This is not disputed by the applicant. Tinsley Farm operates a modern agricultural enterprise and requires many tractor and heavy goods vehicle movements with its associated activities both to access land surrounding the farm and to move grain and straw away. The farm produces over 4000 tonnes of grain which is sent to mills and grain merchants using 29 tonne lorries. This equates to 180 heavy goods vehicle movements per year. The farm also receives manure deliveries and sells straw which equates to an additional 30 heavy goods vehicle movements per year.

6.16 Based on the above information, Blind Lane is already well used by heavy farm vehicles which travel to and from Tinsley Farm, and the other farms, along the road. The storage uses subject to this application, due to their size and use, generate minimal vehicle movements to and from Tinsley Farm, typically vans and 7.5 tonne lorries. The conversion to commercial storage has not materially increased the level of traffic movements along Blind Lane. Overall, Blind Lane is considered capable of carrying any vehicles associated with the storage uses.

6.17 The change of use of the buildings to storage has caused no adverse impacts to highway safety.

6.18 The concerns of local residents about the traffic use of Blind Lane are noted as are the low levels of traffic generated by the existing occupiers of the barns. It is not unreasonable in this case to restrict the occupation of the two barns to the current storage uses as different uses could result in different levels and types of traffic generation which could be detrimental to highway safety. Subject to the imposition of planning conditions, the proposal is in compliance with Policy DM29 of the Chelmsford Local Plan.

7 Community Infrastructure Levy (CIL)

7.10 The proposal is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

Building 1 identified on drawing no. JS01 shall only be used for children's toy storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

Condition 2

Building 2 identified on drawing no. JS01 shall only be used for furniture storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason :

The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

Positive and proactive statement

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

Public Health & Protection Services

Comments
12.10.2022 - No PH&PS comments with regard to this application

Essex County Council Highways

Comments
<p>16.11.2022 - Your Ref: 22/01747/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/22/1747/30189</p> <p>Date:- 16th November 2022</p> <p>' The change of use replaces the agricultural use for the two agricultural storage buildings. Each building has capacity to store 1000 tonnes of grain:</p> <ul style="list-style-type: none"> o This grain is sent for processing using 29 tonne HGV's (heavy goods vehicles). o This requires up to 4no. 29tonne HGV two way trips per week. o The change of use would remove these regular 29 tonne HGV movements from Blind Lane. <p>' The change of use for each building results in the use of smaller vehicles:</p> <ul style="list-style-type: none"> o For building 1, Royal Mail vans for one building up to three times a month o For building 2, 7.5 tonne small lorries up to twice a month. <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <p>1. The 7no. vehicle parking spaces shown in the Parking and Vehicle Access Plan, drawing no. 557 JS01 and associated turning area, shall be retained and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.</p> <p>Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.</p>

2. The 3no. cycle and 2no. powered two wheeler parking, shall be retained as shown in principle in the Parking and Vehicle Access Plan, drawing no. 557 JS01 and shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

Reason: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

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

Ramblers Association

Comments

No response received

West Hanningfield Parish Council

Comments

18.11.2022 - West Hanningfield Parish Council OBJECT to this application and comment as follows:

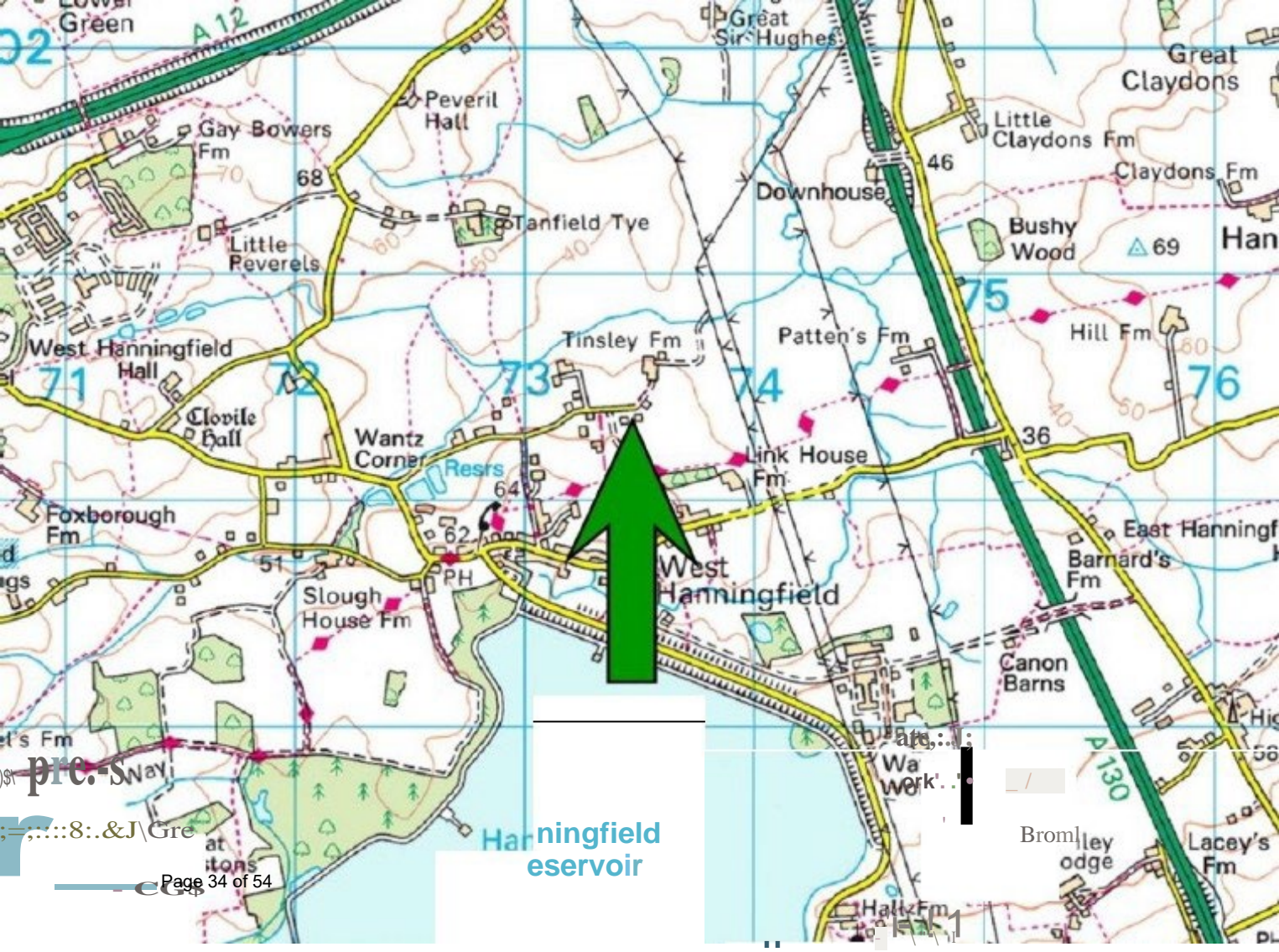
The development is contrary to policy in as much as it is detrimental to the amenities of the area, particularly by reason of the noise and disturbance created by vehicular traffic. The road hierarchy serving the site is not suitable for the type and frequency of traffic the use has currently generated.

The traffic movements generated have had a detrimental effect on local amenities; the use and traffic movements create nuisance and danger to other road users. The site does not have satisfactory linkages with the road hierarchy and the use does not conserve or enhance the appearance of the countryside.

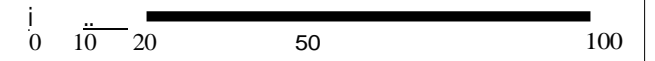
The application should be REFUSED.

Local Residents

Comments
<p>14 objections received. Concerns raised:</p> <ul style="list-style-type: none">- Increase in large vehicle movements causes danger to road users, horse riders and pedestrians.- Blind Lane is a narrow, single-track road unsuitable for large commercial vehicles.- New commercial buildings use heavy goods vehicles for deliveries.- No footway provision for pedestrians.



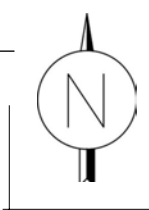
Hanningfield Reservoir



SCALE BAR 1:500

DIMENSIONS ARE IN MILLIMETERS
UNLESS STATED OTHERWISE

THIS DRAWING IS FOR PLANNING AND
AESTHETIC PURPOSES ONLY



B1 RETROSPECTIVE
CHANGE OF
USE BUILDING

B2 RETROSPECTIVE
CHANGE OF USE
BUILDING

2 Disabled
Parking Spaces
7 Parking
Spaces

!LUCB

3 Cycle
and 2 PTW
Spaces

Do

Pond

ACCESS

Tinsley Farm

ACCESS

Tinsley Farm
Bungalow

1 < 1 - - - - - 7

BLIND LANE



FOXES RURAL LTD
BULLBANKS FARM, HALSTEAD ROAD,
EIGHT ASH GREEN, COLCHESTER,
ESSEX, CO6 3PT

TEL: 01206 481 981

E-MAIL: foxes@foxesrural.co.uk
WEBSITE: www.foxesrural.co.uk

CLIENT NAME: STACEY

PROJECT NO: 557

TITLE: PARKING AND VEHICLE ACCESS PLAN

ADDRESS: CM2 SUF

DATE:
13 SEPT 22

SCALE:
1:500@AI

SHEET:
JS01



**Planning Committee
10th January 2023**

Application No	:	22/01076/FUL Full Application
Location	:	2 - 4 Hamlet Road Chelmsford Essex CM2 0EU
Proposal	:	Change of use from a hotel (class c1) to create 2 four-bed dwellings (class c3(b) household where care is provided for residents) with an additional one-bed flat (class c3(b) household where care is provided for residents). Single storey rear extension with internal alterations.
Applicant	:	Mr Rumsby Oasis Young People's Care Services
Agent	:	Mr Colin Stone
Date Valid	:	16th June 2022

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7. Community Infrastructure Levy (CIL)	5

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application has been referred to the Planning Committee for determination by the Local Ward Member, Councillor Marie Goldman. Councillor Goldman's concerns relate to on-street parking.
- 1.2. The application building is a 10 bedroom hotel, Chelmer Hotel. It is in the Urban Area, with residential and commercial uses nearby.
- 1.3. The building would be occupied by adults with non-complex learning disabilities. There would be two four-bedroom households, a single bedroom flat and a staff sleeping area. The on-site support would be 24/7 with a 'sleep-in' staff presence. The use would be Care Quality Commission regulated.
- 1.4. Subject to conditions securing the management and use of the property, it is unlikely to give rise to any issues of neighbour amenity. The proposal is not likely to have a detrimental impact on the quality of life of local residents and could be provided in a manner which is compatible with the predominantly residential nature of the surrounding area.
- 1.5. There are parking restrictions on the surrounding roads. New residents would unlikely be eligible for parking permits. Hamlet Road is located in a main urban area with access to frequent public transport services and cycling and walking links, allowing access to education, healthcare, food shopping and employment. Having regard to the lawful use of the building, from a highway and transportation perspective the impact of the proposal is acceptable. Essex County Council as the Local Highway Authority have no objection to the proposal.
- 1.6. Subject to conditions, as recommended, it is Officer's view that the proposal is acceptable and should be granted planning permission as it complies with the policies within the Chelmsford Local Plan and having had regard to all other matters raised.

2. Description of site

- 2.1. The application site is within the Chelmsford Urban Area. The site contains an existing, lawful, hotel known as Chelmer Hotel. There is hardsurfaced space to the sides and rear of the building. There are residential and commercial uses nearby.
- 2.2. The site is within the Moulsham Street Conservation Area.
- 2.3. Hamlet Road is subject to parking restrictions. The on-street parking is for permit holders only Monday – Saturday between 8am and 11pm. On street parking on Moulsham Street close to Hamlet Road is restricted to 1 hour only (no return in 3 hours) Monday – Saturday between 8am and 6pm.

3. Details of the proposal

- 3.1. The existing hotel building would be subdivided through its centre to provide 2 four-bedroom units. Each unit would consist of a shared lounge, kitchen and dining room, as well as one bedroom (with en-suite) at ground floor level and a further three en-suite bedrooms on the first floor.
- 3.2. The existing single storey part of the building to the rear would be converted to provide a single bedroom flat (with kitchen, lounge/diner and en-suite).

- 3.3. A staff sleeping area with en-suite would be provided on the ground floor. This would connect to both of the four-bedroom units and would be adjacent to the single bedroom flat.
- 3.4. A modest single storey extension is proposed to the ground floor. An existing window would be replaced with an entrance door to the front elevation. An existing window on the side elevation of the rear single storey element would be replaced with a door to provide access to the single flat.

4. Other relevant applications

22/01666/FUL - Refused 30th November 2022

Change of use from Hotel (C1) to a 15 Bedroom Single Occupancy House in Multiple Occupation (C4).

5. Summary of consultations

- Public Health & Protection Services - No comments.
- South Essex Parking Partnership - New developments are not eligible to join resident permit schemes.
- Essex County Council Highways – Acceptable.
- Recycling & Waste Collection Services - No response.
- One Chelmsford BID Ltd - No response.
- Local residents - Objections received from two local residents, summarised as follows:

- Concerned about the level of occupancy
- Little knowledge of proposed use, insufficient detail
- Unclear management and care
- Unsuitable location
- Control needed over access
- Lack of on site amenity
- Increased activity on roadsides
- No cycle parking or refuse storage
- Lack of natural light to bedrooms
- Concern about car parking
- Concern about lighting

6. Planning considerations

Main Issues

- 6.1. The main issues to be addressed in this report are:
 - a. Character, Design & Heritage
 - b. Proposed Use – Neighbour Amenity
 - c. Highways & Parking
 - d. Amenity of Future Occupiers

Character, Design & Heritage

- 6.2. The site lies within the Moulsham Street Conservation Area. The blocked door to the frontage would be reinstated. The single storey extension would be modest and reflect a similar single storey element on the opposite side of the rear elevation. The external alterations are minor. Subject to conditions, there would be no adverse impact on the Conservation Area. The proposal would not harm the character and appearance or visual amenities of the area.

Proposed Use – Neighbour Amenity

- 6.3. The proposed Use Class, C3(b), is defined as a single household of not more than 6 residents where care is provided.
- 6.4. During the life of the application additional information was provided to explain the proposed use. The building would be occupied by adults with non-complex learning disabilities. There would be 24-hour on-site support, with a 'sleep-in' staff presence seven days a week on a rolling shift pattern. The accommodation would support those living on site with learning, whilst maintaining the highest level of independence that is achievable. The on-site support would be 24/7 and would cover personal care and support. It would be Care Quality Commission regulated.
- 6.5. The one-bedroom flat would be occupied independently from the shared accommodation. It would be occupied by a tenant with a learning disability that has a higher level of independence. They would still require and be provided with on-site support.
- 6.6. The application site is in a residential area, but also close to some commercial properties. A residential use is appropriate in the area. The information provided shows that the site would be managed, supervised and for adults. There would be associated comings and goings with the proposed use, however this is unlikely to be more intensive than the activity that could be generated by the site's lawful use as a hotel.
- 6.7. Subject to conditions securing the management and use of the property, it is unlikely to give rise to any issues of neighbour amenity. The proposal is not likely to have a detrimental impact on the quality of life of local residents and could be provided in a manner which is compatible with the predominantly residential nature of the surrounding area.

Highways & Parking

- 6.8. Hamlet Road and the adjacent residential streets are protected by existing Traffic Regulation Orders (TRO) residents permit parking restrictions. Moulsham Street and New London Road are protected by TRO parking restrictions designed to prevent and discourage undesirable parking habits.
- 6.9. The site does not benefit from off-street parking provision and proposal does not include off-street parking. New residents would unlikely be eligible for parking permits.
- 6.10. Hamlet Road is located in a main urban area with access to frequent public transport services and cycling and walking links, allowing access to education, healthcare, food shopping and employment. In these locations reduced parking standards may be applied.

- 6.11. Having regard to the lawful use of the building, from a highway and transportation perspective the impact of the proposal is acceptable.
- 6.12. A condition securing cycle parking is recommended to encourage sustainable modes of travel.

Amenity of Future Occupiers

- 6.13. There is space around the building which could be used as amenity space. A condition will be attached to require details of landscaping. Given the site's central location, the level of amenity space is considered to be acceptable in this instance.
- 6.14. Each bedroom would be of a sufficient size and would be served by a window in a walled elevation to allow light and ventilation.
- 6.15. Future occupiers of the building would be provided with an acceptable level of amenity.

Other Matters

- 6.16. There is sufficient space within the site for the storage of refuse and recycling. A condition is recommended requiring details of a storage area.
- 6.17. A condition is recommended to require details of external lighting.
- 6.18. The site is within a Zone of Influence meaning a contribution towards the Essex Coast Recreational Disturbance, Avoidance and Mitigation Strategy (RAMS) is required. An upfront contribution has been made and the proposal therefore complies with Policy DM16.

Conclusion

- 6.19. Subject to conditions, as recommended, it is Officer's view that the proposal is acceptable and should be granted planning permission as it complies with the policies within the Chelmsford Local Plan and having had regard to all other matters raised.

7. Community Infrastructure Levy (CIL)

- 7.1. This application is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

The premises shall be used for the accommodation of adults (18 years of age or older) with non-complex learning disabilities and/or Autism and for no other purpose (including any other purpose in Class 3(b) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

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

Condition 4

The building shall only be used to provide residential accommodation for up to 9 persons with non-complex learning disabilities and/or Autism as well as on-site staff support and care.

Reason:

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

Condition 5

The building shall not be occupied without on-site staff support and supervision.

Reason:

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

Condition 6

Details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, 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;

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 7

Prior to their installation, details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details.

Reason:

To ensure that suitable facilities for cycle parking are provided and that such facilities are visually satisfactory in accordance with Policy DM27 and Policy DM23 of the Chelmsford Local Plan.

Condition 8

Prior to their installation large scale drawings shall be submitted to and approved by the local planning authority showing details of the following :-

- (a) Replacement windows;
- (b) Meter boxes;
- (c) Flues;
- (d) Vents;
- (e) External lighting; and
- (f) Fencing

The development shall then be carried out in accordance with the approved details.

Reason:

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the Conservation Area in which the development is situated in accordance with Policy DM13 of the Chelmsford Local Plan.

Condition 9

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 10

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

Reason:

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

Condition 11

Prior to their installation, details of the facilities for the storage of refuse and recyclable materials shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the facilities for the storage of refuse and recyclable materials have been provided in accordance with the approved details.

Reason:

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.

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 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

Positive and Proactive Statement

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

Public Health & Protection Services**Comments**

23.06.2022 - No PH&PS comments with regard to this application.

South Essex Parking Partnership**Comments**

24.06.2022 - Please note that new developments are not eligible to join resident permit schemes. The South Essex Parking Partnership

Essex County Council Highways**Comments**

15.07.2022

Planning Use C3(b) covers up to six people living together as a single household and receiving care, for example; supported housing schemes such as those for people with learning disabilities or mental health problems.

Hamlet Road and the adjacent residential streets are protected by existing TRO residents permit parking restrictions. Moulsham Street and New London Road are protected by TRO parking restrictions designed to prevent and discourage undesirable parking habits.

The property does not benefit from off-street parking provision and proposal does not include off-street parking.

Hamlet Road is located in a main urban area and access to frequent public transport bus services and cycling and walking links, accessing education, healthcare, food shopping and employment. In these locations reduced parking standards may be applied to residential developments.

Having regard to the current use as a 12 Bedroom hotel with owner's accommodation, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
2. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.
3. Hamlet Road is protected by existing TRO residential permit parking restrictions which is managed by the South Essex Parking Partnership (SEPP) at the City Council. It is strongly recommended that the applicant approach SEPP to establish whether or not the finished development would be eligible for residential kerbside parking permits in the designated permit zone.

Informatives:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

Recycling & Waste Collection Services

Comments

No response received

One Chelmsford BID Ltd

Comments

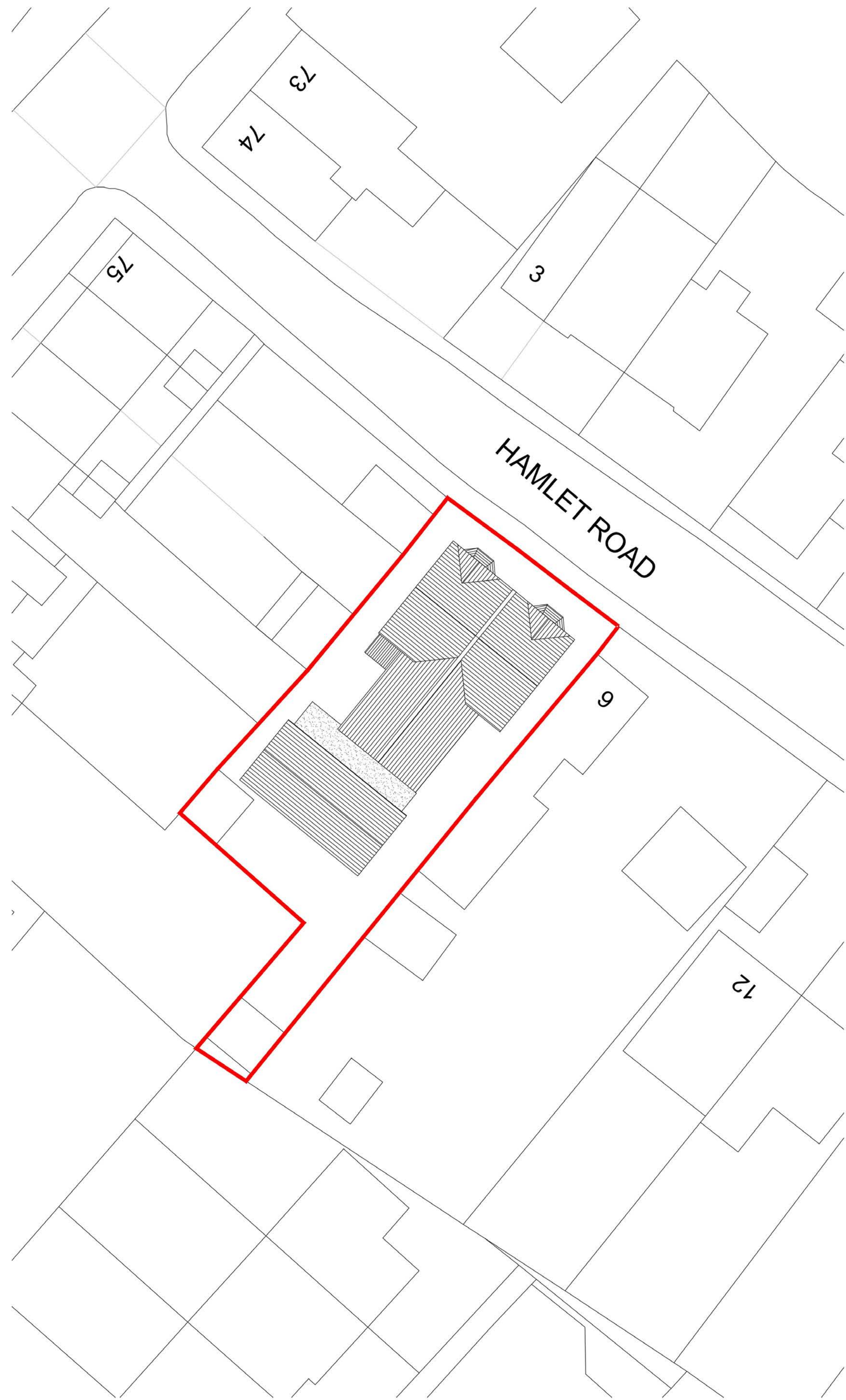
No response received

Local Residents

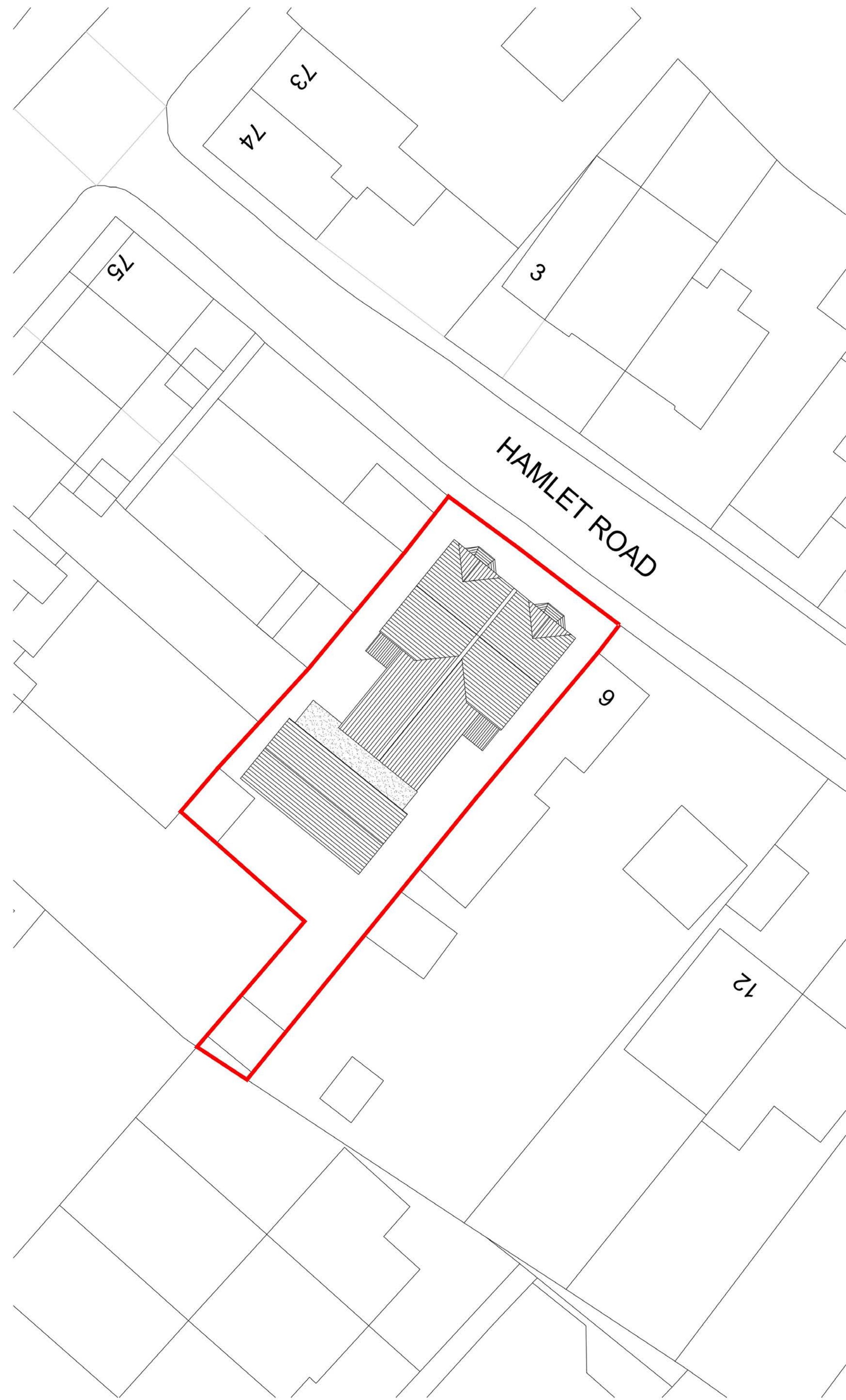
Comments

Objections received from two local residents, summarised as follows:

- Concerned about the level of occupancy
- Little knowledge of proposed use, insufficient detail
- Unclear management and care
- Unsuitable location
- Control needed over access
- Lack of on site amenity
- Increased activity on roadsides
- No cycle parking or refuse storage
- Lack of natural light to bedrooms
- Concern about car parking
- Concern about lighting



EXISTING SITE PLAN
Scale 1:200



PROPOSED SITE PLAN
Scale 1:200

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

Any discrepancies found on this drawing are to be notified to STONE MEI DESIGN LTD prior to commencement of work.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE MEI DESIGN LTD specifications and documentation.

STONE MEI DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE MEI DESIGN LTD.

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LOCATION PLAN
Scale 1:1250

REV:	DATE:	AMENDMENT:
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	OASIS YOUNG PEOPLE'S CARE SERVICES	
Project:	2-4 HAMLET ROAD CHELMSFORD ESSEX CM2 0EU	
Drawing:	SITE PLANS AND LOCATION PLAN	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	09.05.2022	Scale: 1:50, 1:100 @ A1
Project No.:	2056	Drawing No.: 04

GROUND FLOOR

ONE BED FLAT
NO. 4A HAMLET ROAD
FLAT SIZE: 53.12 M²
LOUNGE/DINER: 22.74 M²
KITCHEN: 8.16M²
BEDROOM: 11.64M²

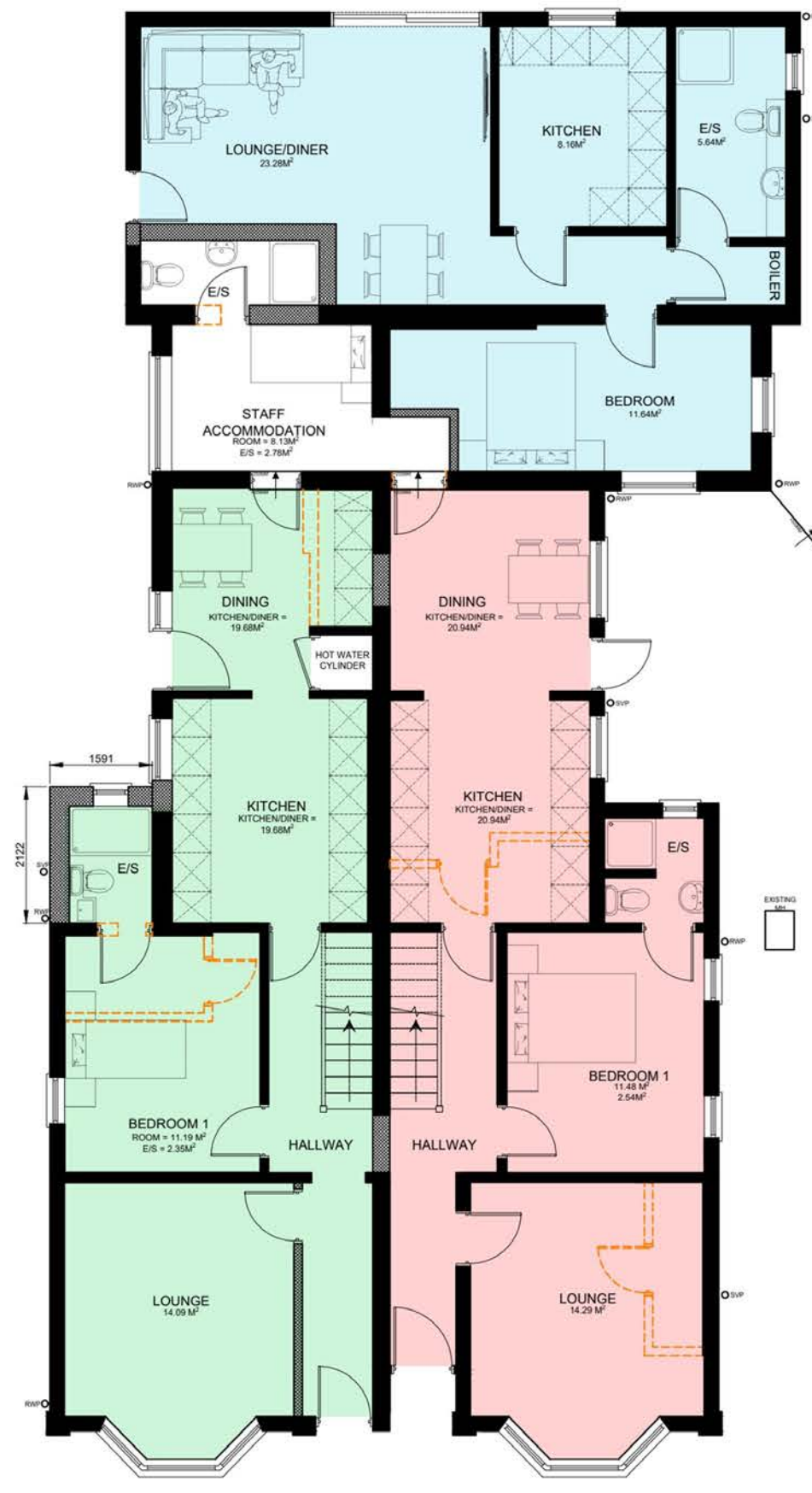
NO. 4 HAMLET ROAD
SHARED SPACE: 33.77 M²
KITCHEN/DINER: 19.68 M²
LOUNGE: 14.09M²
BEDROOM 1: 11.19M²
EN-SUITE: 2.35M²

NO. 2 HAMLET ROAD
SHARED SPACE: 35.29 M²
KITCHEN/DINER: 20.94 M²
LOUNGE: 14.29M²
BEDROOM 1: 11.48M²
EN-SUITE: 2.54M²

FIRST FLOOR

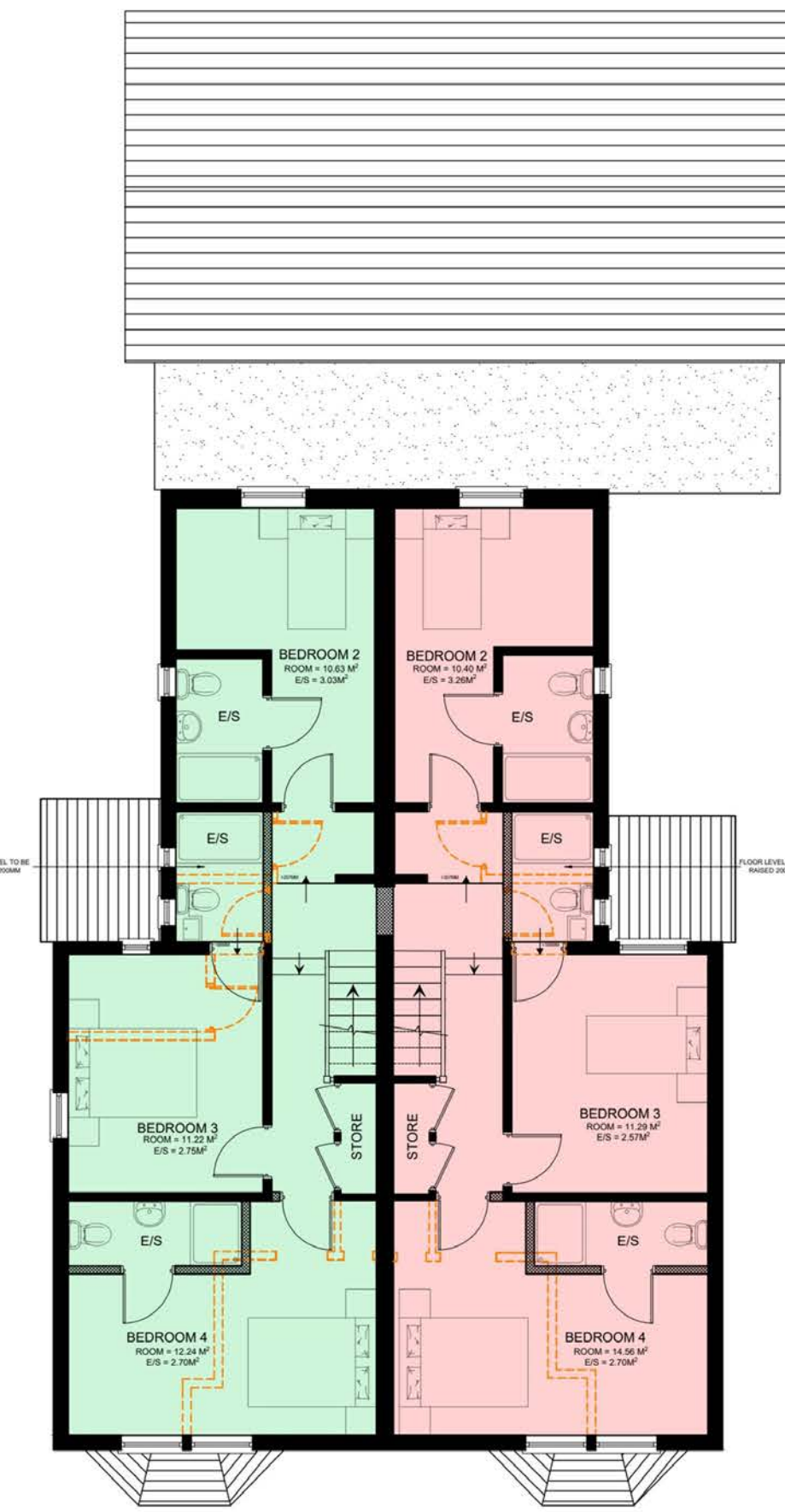
NO. 4 HAMLET ROAD
BEDROOM 2: 10.63 M²
BEDROOM 2 E/S: 3.03 M²
BEDROOM 3: 11.22 M²
BEDROOM 3 E/S: 2.75 M²
BEDROOM 4: 12.24M²
BEDROOM 4 E/S: 2.70M²

NO. 2 HAMLET ROAD
BEDROOM 2: 10.40 M²
BEDROOM 2 E/S: 3.26 M²
BEDROOM 3: 11.29 M²
BEDROOM 3 E/S: 2.57 M²
BEDROOM 4: 14.56M²
BEDROOM 4 E/S: 2.70M²



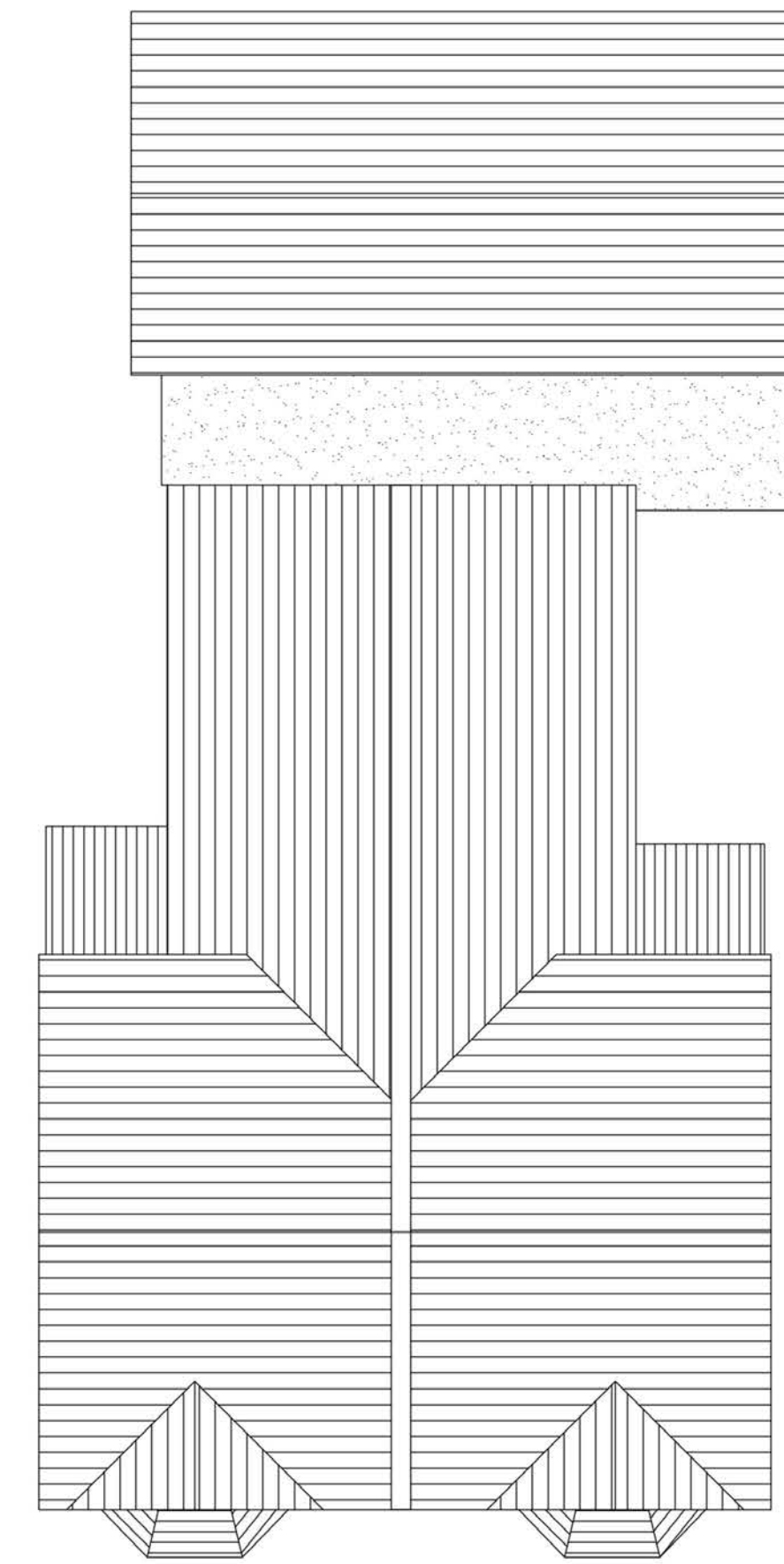
PROPOSED GROUND FLOOR PLAN

Scale 1:100



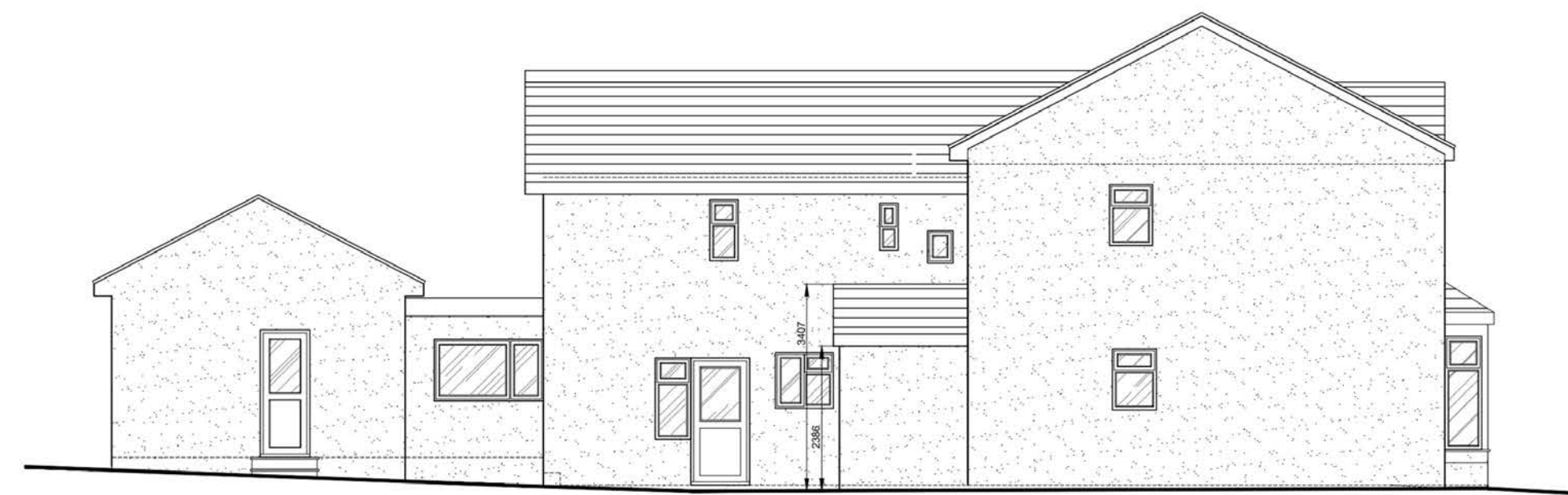
PROPOSED FIRST FLOOR PLAN

Scale 1:100



PROPOSED ROOF PLAN

Scale 1:100



PROPOSED SIDE ELEVATION

Scale 1:100



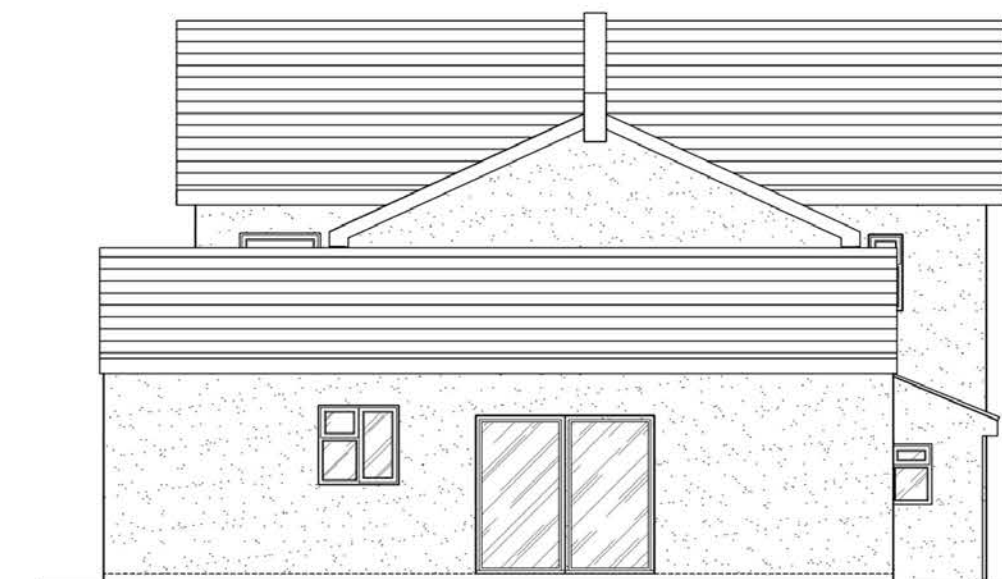
PROPOSED FRONT ELEVATION

Scale 1:100



PROPOSED SIDE ELEVATION

Scale 1:100



PROPOSED REAR ELEVATION

Scale 1:100

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.
This drawing must be read with and checked against any structural or other specialist drawings provided.
Any discrepancies found on this drawing are to be notified to STONE MEI DESIGN LTD prior to commencement of work.
The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.
This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.
This drawing is to be read in conjunction with all other standard STONE MEI DESIGN LTD specifications and documentation.
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REV: DATE: AMENDMENT:

STONE Me!
ARCHITECTURE & INTERIOR DESIGN

5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST
Tel: 01702 203333
E: info@stoneme.com W: www.stoneme.com

Client: OASIS YOUNG PEOPLE'S CARE SERVICES

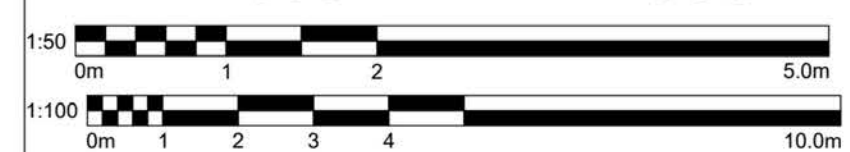
Project: 2-4 HAMLET ROAD
CHELMSFORD
ESSEX
CM2 0EU

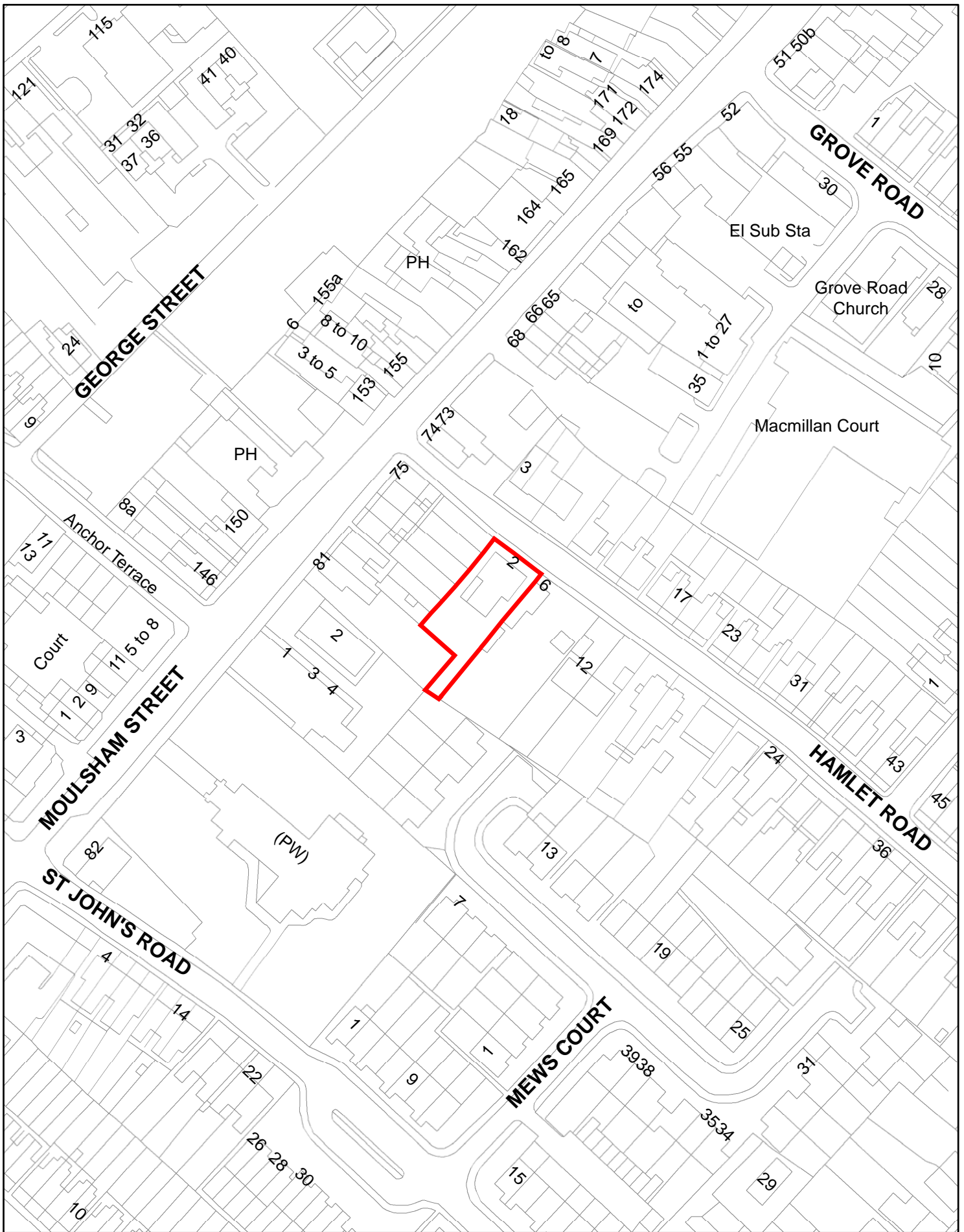
Drawing: PROPOSED PLANS AND ELEVATIONS

Issue:	Client	Pre-App	Planning	B.Cont	As Built	Other
	●					

Date: 09.05.2022 Scale: 1:50, 1:100 @ A1

Project No.: 2056 Drawing No.: 03C





0 12.5 25 50 Metres

1:1,250



Planning Committee
22/01076/FUL

Planning & Development Management
Directorate for Sustainable Communities

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

Telephone: 01245 606826

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Appeal Decisions received between 21/09/2022 and 16/12/2022

PLANNING APPEALS

Total Appeal Decisions Received	13	
Dismissed	10	77%
Allowed	3	23%
Split	0	0%

Informal Hearing

Land At Junction Ongar Road West And Highwood Road Writtle Chelmsford Essex

Reference	20/00908/FUL
Proposal	Demolition of existing stable building. Replacement with 1No. residential mobile home with provision for 2No. parking spaces.
Appeal Decision	Appeal Allowed - 08/12/2022
Key Themes	Green Belt
Agreed with CCC on	n/a
Disagreed with CCC on	Development would preserve openness compared to existing development and would not be inappropriate development.
Costs Decision	None

Written Reps

Land Adjacent Daylands Farm Stock Road West Hanningfield Chelmsford Essex

Reference	21/00888/FUL
Proposal	Construction of a new dwelling with car port.
Appeal Decision	Appeal Dismissed - 11/10/2022
Key Themes	- whether the proposed development would amount to inappropriate development in the Green Belt. - If the proposal would effect openness- Whether the harm would be clearly outweighed by very special circumstances.
Agreed with CCC on	- That the proposal would amount to inappropriate development which would be harmful to the Green Belt and its openness. - Agreed there would be no very special circumstances which would outweigh the harm.
Disagreed with CCC on	
Costs Decision	None

1 Legg Street Chelmsford Essex CM1 1JS

Reference	21/01504/CUPAO
Proposal	Determination as to whether the prior approval of the local planning authority is required for the proposed change of use from offices to 94 dwellings.
Appeal Decision	Appeal Allowed - 08/11/2022

Key Themes	Whether or not the proposed development would provide adequate living conditions for future residents, with particular regard to the provision of natural light.
Agreed with CCC on	-
Disagreed with CCC on	The proposal would provide adequate living conditions for future residents with respect to the provision of natural light in all habitable rooms of the new dwellinghouses at lower ground floor level, in accordance with the requirements of Class O of the GPDO.
Costs Decision	None

Land At 46 Heath Road Heath Road Ramsden Heath Billericay Essex

Reference	21/00986/PIP
Proposal	Permission in principle for the construction of 3no. new dwellings (with retention of existing dwellinghouse on site with amended curtilage).
Appeal Decision	Appeal Dismissed - 19/10/2022
Key Themes	Whether the proposed development would be inappropriate development in the Green Belt If the development is inappropriate its effect on the openness of the Green Belt Whether the harm is outweighed by any other considerations or very special circumstances
Agreed with CCC on	The proposed development would be inappropriate development in the Green Belt Harmful to the openness of the Green Belt The harm is not outweighed by any other considerations or very special circumstances
Disagreed with CCC on	N/A
Costs Decision	None

Land East Of Mill Lane Great Leighs Chelmsford Essex

Reference	21/01501/FUL
Proposal	Construction of new dwelling with detached carport, bin store and associated landscaping.
Appeal Decision	Appeal Dismissed - 04/10/2022
Key Themes	New dwelling in Rural Area; Whether the new dwelling meets the requirements of Paragraph 80 of the NPPF (isolated homes in the countryside)
Agreed with CCC on	The new dwelling would not be of exceptional design (Paragraph 80e NPPF); Development would be harmful to the Rural Area, contrary to S11 and DM8 CLP
Disagreed with CCC on	The site is isolated for the purposes of Paragraph 80 NPPF
Costs Decision	None

73 Rainsford Lane Chelmsford Essex CM1 2QS

Reference	21/01356/FUL
Proposal	Redevelopment of the rear of premises to provide 2no. one bedroom flat units.
Appeal Decision	Appeal Dismissed - 17/10/2022
Key Themes	Development Standards - high quality living environment for future occupiers
Agreed with CCC on	Development fails to provide high quality living environment for future occupiers
Disagreed with CCC on	N/A
Costs Decision	None

Land Adjacent 9 Heath Drive Heath Drive Chelmsford Essex

Reference	21/01985/FUL
Proposal	Construction of two bedroom house and formation of new access.
Appeal Decision	Appeal Dismissed - 18/10/2022

Key Themes	- impact on the character of the street scene
Agreed with CCC on	- agreed that the impact on the development would be harmful to the street scene
Disagreed with CCC on	- disagreed with CCC that the rear parking area would be harmful to the visual amenities of the street scene
Costs Decision	None

16 Victoria Road Chelmsford CM1 1NZ

Reference	22/00139/CLEUD
Proposal	Confirmation that planning permission 06/01523/FUL has been lawfully commenced in accordance with section 56 of the Town and Country Planning Act 1990.
Appeal Decision	Appeal Dismissed - 28/11/2022
Key Themes	Whether development had commenced
Agreed with CCC on	Development not commenced
Disagreed with CCC on	
Costs Decision	None

Householder

Newney Cottage Newney Green Writtle Chelmsford CM1 3SE

Reference	21/01843/FUL
Proposal	Proposed single storey cartlodge garage.
Appeal Decision	Appeal Dismissed - 28/09/2022
Key Themes	Whether inappropriate development in Green Belt
Agreed with CCC on	New building would be inappropriate development in GB; Limited weight attached to the permitted development fallback option
Disagreed with CCC on	
Costs Decision	None

Ellenridge Rectory Lane Battlesbridge Wickford Essex SS11 7QR

Reference	21/01888/FUL
Proposal	Single storey side extension
Appeal Decision	Appeal Dismissed - 28/10/2022
Key Themes	Whether development amounted to disproportionate additions within the Green Belt. Whether development was harmful to purpose and openness of the Green Belt.
Agreed with CCC on	Agreed that development would be disproportionate. Agreed that development would be harmful to openness of the Green Belt.
Disagreed with CCC on	None.
Costs Decision	None

Red House Cooksmill Green Highwood Chelmsford Essex CM1 3SJ

Reference	21/02531/FUL
Proposal	Two storey side extension, single storey rear extension. Alterations to fenestration.
Appeal Decision	Appeal Allowed - 13/12/2022
Key Themes	Impact on the character of the area
Agreed with CCC on	The proposed design is poor
Disagreed with CCC on	The impact on the character of the area is not significant
Costs Decision	None

18 Chalklands Sandon Chelmsford Essex CM2 7TH

Reference	22/00088/FUL
Proposal	Raising of roof to create a second floor. Single storey front extensions and single storey side extension to garage. First floor front extension over existing garage and existing ground floor link.
Appeal Decision	Appeal Dismissed - 10/10/2022
Key Themes	- The effect on the character and appearance of the host building and the surroundings.
Agreed with CCC on	- agreed that the proposal would be harmful to the character and appearance of the existing house and its surroundings.
Disagreed with CCC on	
Costs Decision	None

20 John Eve Avenue Springfield Chelmsford CM1 6DF

Reference	22/00664/FUL
Proposal	Partial garage conversion.
Appeal Decision	Appeal Dismissed - 29/09/2022
Key Themes	- harm to the street scene - insufficient off-road parking
Agreed with CCC on	- harm to the street scene - insufficient off-road parking
Disagreed with CCC on	n/a
Costs Decision	None

ENFORCEMENT APPEALS

Total Appeal Decisions Received	2	
Dismissed	1	50%
Allowed	1	50%
Split	0	0%

Written Reps

Land Rear Of Redwings Woodham Road Battlesbridge Wickford Essex

Reference	21/00131/ENFB
Proposal	Hard surface constructed, vehicles and machinery stored on land
Appeal Decision	Appeal Dismissed - 25/11/2022
Grounds of Appeal	Green Belt impact; effect of development on surrounding area; any very special circumstances (VSC); requirements of notice
Agreed with CCC on	Inappropriate; harmful to openness and character and appearance of Green Belt and surrounding countryside; no VSC
Disagreed with CCC on	varied notice to 9 months compliance from 6 month
Costs Decision	None

Field North Of Mill Hill Farmhouse East Hanningfield Road Sandon Chelmsford Essex

Reference	19/00423/ENFB
Proposal	Without planning permission, the construction of a building
Appeal Decision	Appeal Allowed - 15/12/2022
Grounds of Appeal	The construction of a building on rural land beyond the Green Belt.
Agreed with CCC on	The works amount to the construction of a new building, constituted development requiring planning permission, has the appearance of a dwellinghouse.
Disagreed with CCC on	No significant harm arising from the development, planning permission granted for the retention of the building, the building is only permitted to be used for agriculture.
Costs Decision	None

TREES APPEALS

Total Appeal Decisions Received	2	
Dismissed	2	100%
Allowed	0	0%
Split	0	0%

Householder

18 Anchor Reach South Woodham Ferrers Chelmsford CM3 5GS

Reference	21/05165/TPO
Proposal	T12 - Oak Tree - Boundary of 18 Anchor Reach and 46 The Spinnaker - Prune by 3m - Reason - Safety problem for children, Falling branches and sharp debris falling from the tree. Tree branches are also becoming very close to the roof of our house. The pigeo
Appeal Decision	Appeal Dismissed - 23/11/2022
Key Themes	Effect on the character and appearance of the area and whether sufficient justification has been demonstrated for the works.
Agreed with CCC on	The tree contributes to the character of the area; works would increase growth over the garden and would not reduce shading or bird droppings, could affect long term health.
Disagreed with CCC on	n/a
Costs Decision	None

1 Bickerton Point South Woodham Ferrers Chelmsford CM3 5YG

Reference	21/05270/TPO
Proposal	T5 - Norway maple - front garden - Crown reduction by 1 - 2 metres. Reason: Tree surgeon has recommended works and the tree is dropping branches, concerns for those walking past.
Appeal Decision	Appeal Dismissed - 18/11/2022
Key Themes	Effect on the character and appearance of the area and whether sufficient justification has been demonstrated for the works.
Agreed with CCC on	Important contribution to the character of the area; works would detract from natural shape and could affect future health and vigour.
Disagreed with CCC on	n/a
Costs Decision	None