

Planning Committee Agenda

3 November 2020 at 6pm

Remote Meeting

Membership

Councillor J A Sosin (Chair)

and Councillors

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

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923 email brian.mayfield@chelmsford.gov.uk

PLANNING COMMITTEE

3 November 2020

AGENDA

1. CHAIR'S ANNOUNCEMENTS

2. ATTENDANCE AND 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 6 October 2020

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 been invited to participate in this meeting and have submitted their question or statement in writing and in advance. Each person has two minutes and a maximum of 15 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, those who spoke under public questions at the previous meeting may not repeat their questions or statements.

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, provided they have indicated that they wish to do so and have submitted an email address to which an invitation to join the meeting and participate in it can be sent.

6. SITE AT ASH TREE FARM, BISHOP STORTFORD ROAD, ROXWELL – 19/02123/OUT

7. PLANNING APPEALS

MINUTES

of the

PLANNING COMMITTEE

held on 6 October 2020 at 6:00pm

Present:

Councillor J A Sosin (Chair)

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

Also present: Councillor P Clark

1. Chair's Announcements

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

2. Attendance and Apologies for Absence

The attendance of those present was confirmed. Apologies for absence had been received from Councillor G H J Pooley, who had appointed Councillor J Lardge as his substitute, and from Councillor H Ayres.

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. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 1 September 2020 were confirmed as a correct record.

5. Public Question Time

Members of the public made statements on item 8 on the agenda. Details are recorded under minute number 8 below.

6. 22 South Hanningfield Way, Runwell, Chelmsford – 20/00758/FUL

(M9, PL16, 2020) At its meeting on 1 September 2020 the Committee had deferred for a site visit an application for single storey front and rear extensions to 22 South Hanningfield Way, Runwell and a raised patio to the rear of the property.

Members who had viewed the effect of the development on the adjacent properties expressed the opinion that there was no significant overlooking of either property and that the proposed privacy screen on the boundary of No. 20 would be adequate to preserve the amenity of that property.

RESOLVED that application 20/00758/FUL in respect of 22 South Hanningfield Way, Runwell, Chelmsford be approved subject to the conditions set out in the report to the meeting.

(6.05pm to 6.23pm)

7. Site at Former Kids and Koffee, Hall Road, Chelmsford – 20/00349/FUL

(M7, PL15, 2020) On 1 September 2020 the Committee had deferred an application for the demolition of the building formerly occupied by Kids and Koffee in Hall Road, Chelmsford and its replacement with two semi-detached dwellings with integral garages. The Committee had been of the view that, contrary to the officers' recommendation, the application should be granted and had asked the Director of Sustainable Communities to suggest conditions that could be attached to any approval of the application, including one that would require that the garages associated with the proposed dwellings only be used for the parking of vehicles.

RESOLVED that application 20/00349/FUL in respect of the former site of Kids and Koffee in Hall Road, Chelmsford be approved subject to the conditions set out in the report to the meeting.

(6.23pm to 6.26pm)

8. Site at Play Area, Woodhall Road, Chelmsford – 19/01579/FUL

The Committee considered an application for the redevelopment of a children's play area at Woodhall Road, Chelmsford to construct 12 new dwellings with associated access road, parking and landscaping.

Four representations opposing the application and one supporting it were heard at the meeting. Those who opposed the proposed development did so on the following grounds:

- Loss of visual amenity, open space and biodiversity. In response, officers said that a condition would require the submission for approval of a landscaping scheme and that the applicant would be required to offset the impact on biodiversity of the development by providing a biodiversity net gain of 10% at St Andrews Park. No harm would be caused to protected species by the development. It was acknowledged that the development would result in a loss of open space but it was of a poor quality and not of the standard that would be provided as part of a modern housing development.
- Already poor drainage in the area, which would be exacerbated by the development. Officers said that a sustainable urban drainage scheme would be required as part of the scheme to deal with surface water drainage and that both the Lead Flood Authority and Anglian Water were satisfied with the proposed arrangements for drainage and sewerage.
- Loss of privacy caused by the overlooking of existing properties. The Committee was informed that the distances between the existing and proposed properties were in excess of the minimum standard of 25 metres and that this and the layout of the houses meant that there would be no unacceptable overlooking.
- Problems associated with the conversion of properties in the area to houses in multiple occupation. The Committee was informed that such conversions were permitted development and the Council had limited control over them in planning terms.
- Problems caused by cars parked at the entrance to the access road to the site. Officers said that parking would be controlled by traffic regulation orders where necessary.
- Loss of a play area and play equipment. Members were told that the play equipment on the open space was removed in 2017 as it was in a poor condition, had been vandalised and did not meet current safety requirements. Broken glass and litter were also recurring problems.

Members felt that the main consideration was whether the loss of open space outweighed the need to provide more affordable housing in the city centre. On balance, they felt that the need for more housing of the type proposed took precedence over what they saw as low quality open space and were satisfied that permission should be granted.

RESOLVED that application 19/01579/FUL in respect of the play area site at Woodhall Road, Chelmsford be approved subject to the conditions set out in the report to the meeting.

(6.26pm to 7.04pm)

9. 37 Goodwin Close, Great Baddow, Chelmsford – 20/01050/FUL

An application had been received for the conversion of part of the garage at 37 Goodwin Close; a first floor side extension with dormer window to rear; a first floor rear extension with side facing dormer window; and a loft conversion with sloping roof dormer and rooflights to the front elevation.

The Committee was satisfied that the development would not adversely impact the amenity of neighbouring residents and agreed that permission should be granted.

RESOLVED that application 20/01050/FUL in respect of 37 Goodwin Close, Great Baddow, Chelmsford be approved subject to the conditions detailed in the report to the meeting.

(7.04pm to 7.20pm)

10. Planning Appeals

RESOLVED that the information on appeal decisions between 18 August to 16 September 2020 be noted.

The meeting closed at 7.22pm

Chair

PLANNING POLICY BACKGROUND INFORMATION

The Chelmsford Local Plan 2013 – 2036 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 2013-2036 carries full weight in the consideration of planning applications.

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

- DM2A** Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.
- 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.
- DM4** Policy DM4 - Employment Areas & Rural Employment Areas - The Council will seek to retain Class B or other sui generis uses of a similar employment nature within all Employment Areas, Rural Employment Areas and new Employment Site Allocations as shown on the Policies Map.
- DM8** Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
- DM15** Policy DM15 - Archeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
- DM16** Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
- DM17** Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.

- DM18** Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.
- DM23** Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.
- DM24** Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.
- DM25** Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.
- DM26** Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.
- DM27** Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications.
- DM29** Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.
- DM30** Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.
- SPS1** Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
- SPS2** Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.

- SPS4** Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SPS6** Strategic Policy S6 Housing & Employment Requirements - In order to meet the full objectively assessed housing need in the period 2013-2036 provision is made for a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per year. A minimum of 55,000sqm of business employment floorspace (Use Classes B1-B8) will also be allocated in the Local Plan for the period up to 2036.
- SPS7** Strategic Policy S7 The Spatial Strategy - New housing and employment growth will be focussed to the most sustainable locations by making the best use of previously developed land in Chelmsford Urban Area; sustainable urban extensions around Chelmsford and South Woodham Ferrers and development around Key Service Settlements outside of the Green Belt in accordance with the Settlement Hierarchy. New development allocations will be focused on the three Growth Areas of Central and Urban Chelmsford, North Chelmsford, and South and East Chelmsford. Where there are large and established mainly institutional uses within the countryside, Special Policy Area will be used to support their necessary functional and operational requirements.
- SPS8** Strategic Policy S8 Delivering Economic Growth - The Council will make provision for flexible and market-responsive allocations of employment land which will allow further diversification of Chelmsford's economy. The Council will encourage links between business and the significant education sector in Chelmsford.
- SPS9** Strategic Policy S9 Infrastructure Requirements - New development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. New development must be supported by sustainable means of transport, safe from all types of flooding, provide a range of community infrastructure, provide green infrastructure and utilities. Necessary infrastructure must seek to preserve or enhance the historic environment.
- SPS10** Strategic Policy S10 Securing Infrastructure & Impact Mitigation - Infrastructure must be provided in a timely, and where appropriate, phased manner to serve the occupants and users of the development. Infrastructure will be secured through planning conditions and/or obligations or through the Community Infrastructure Levy or its successor.
- SPS11** Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.

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
3rd November 2020

Application No	:	19/02123/OUT Outline Application
Location	:	Site At Ash Tree Farm Bishops Stortford Road Roxwell Chelmsford
Proposal	:	Outline application (approval sought for Access). Demolition of all existing workshops and commercial buildings, and the removal of hardstanding. Proposed up to 55 new dwellings, alterations to vehicular and pedestrian access. The formation of new estate roads, public footpaths, parking spaces, private amenity areas and public open spaces with children's play area and drainage infrastructure.
Applicant	:	Mr G Sharp CCC Property
Agent	:	The Planning And Design Bureau
Date Valid	:	15th January 2020

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Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. The application has been referred to the Planning Committee at the request of Councillor Chambers in view of local support and support for the extinguishment of the existing use of the site.
- 1.2. The application site is a Rural Employment Area and occupied by a couple of businesses. The site includes an area of land presently being used unlawfully to store and process waste and other materials in a mound nearing 15m in height. This is targeted by an Enforcement Notice. Other employment uses within the site are lawful.
- 1.3. The proposal is made in outline, with the matter of access to be considered. Up to 55 houses (including 35% affordable homes) and associated works are proposed. The development would remove the employment provision at the site and this is contrary to Policy DM4. The correct regime to overcome the unlawful development at the site is through Planning Enforcement action.
- 1.4. Residential development of the site would be harmful to the intrinsic character and beauty of the countryside, contrary to Policy DM8. It would represent an isolated and significant enclave of development that would conflict with the linear and sporadic development in the area. Two storey dwellings spreading across the entirety of the site would be visually intrusive and disruptive. The proposal would, however, be beneficial to wildlife and would result in biodiversity net gains.
- 1.5. The site is in an unsustainable location where residents would be reliant on private vehicle movements to access day to day services such as schools and shops. Walking to Roxwell would not be a safe option.
- 1.6. Overall, the proposal would be contrary to the Council's Spatial Strategy within the Local Plan which seeks to direct growth to the most sustainable locations. The application is therefore recommended for refusal.
- 1.7. The applicant is agreeable to provide affordable housing on site in compliance with Policy DM2, and a financial contribution towards the Essex Coast Recreational Disturbance and Avoidance Mitigation Strategy. Due to the application being recommended for refusal a Section 106 legal agreement has not been undertaken to secure these. A refusal reason to protect the Council's position is therefore recommended.

2. Description of site

- 2.1. The application site lies on the eastern side of Bishops Stortford Road (A1060). It is opposite a linear stretch of dwellings known as Boyton Cross and 0.5km (as the crow flies) from the village of Roxwell, separated by the busy A1060 road. There are a few residential properties to the south of the site. Open farmland surrounds the site to the north and east. Public footpaths exist to the north and east/south-east of the site.
- 2.2. The site is an irregular 'L' shape site. There is an existing vehicular access onto the A1060. The site is a designated Rural Employment site in the Rural Area, and is currently occupied by a couple of businesses. The site includes a number of buildings, containers and areas of external storage.

- 2.3. Part of the northern projection of the site is a groundworkers yard. This was granted planning permission in 2015 (application reference 14/01584/FUL) and included the provision of a landscaped earth bund to line the boundaries of the groundworkers yard.
- 2.4. The remaining land within northern projection of the site, beyond the land which benefits from planning permission to be used as a groundworkers yard, is currently subject to ongoing Planning Enforcement action. On 20th March 2020 an Enforcement Notice was served alleging the material change of use of land for the deposit, storage and transfer of waste and other materials. The use of land is significant, with waste and other materials deposited in a mound nearing 15m in height. This is visible from many public viewpoints and is harmful to the rural character of the area and the environmental quality of the area. Furthermore, the vehicle movements associated with the use are harmful to the amenity of the occupiers of nearby residential properties.
- 2.5. An appeal has been lodged with the Planning Inspectorate by the occupiers of the site. The appeal has only been made on ground (g) which essentially asks for more time to comply with the Notice (six months was given by the Council). The appeal is currently waiting to be determined by a Planning Inspector who will decide if longer than six months should be given to comply with the Notice. As this is the only ground of appeal, the Inspector cannot quash the Notice or grant planning permission for the use of the land. No appeal has been lodged by the landowner.

3. Details of the proposal

- 3.1. The application is made in outline for up to 55 dwellings. An indicative site plan showing a potential layout has been submitted, however following Officer's concerns over this, 'layout' was removed as a matter to be considered.
- 3.2. Determination on the matter of 'access' is sought. The existing site access would be retained and reformed.

4. Other relevant applications

- 4.1. 14/01584/FUL – Approved 5th February 2015 – Retain use of land as groundworkers contractors yard, including the storage of plant materials and machinery. Reposition and retain containers and portable toilet, new diesel tank. Alter existing vehicular access onto Roxwell Road and undertaken landscaping works. Two metre high chain link fence.
- 4.2. 14/01584/MAT – Approved 13th November 2015 – Variation of conditions 6 and 8 of planning application 14/01584/FUL to extend the time periods for improvements to the access and details of the landscaping of the development.

5. Summary of consultations

Roxwell Parish Council – Support application. The site causes unrest for local residents and the development would be an asset to the local community. A roundabout on the A1060 and reduction in the speed limit would be beneficial.

UK Power Networks (Network Planner) – Overhead power lines will need to be diverted. A sub-station may be required.

Police - Designing Out Crime – Further details of lighting, layout, landscaping, boundary treatments and security measures are required to comment.

NHS Mid & South Essex Sustainability & Transformation Partner – No objection providing financial contribution can be made to Writtle Surgery through CIL contributions.

Public Health & Protection Services – Potential for contamination; condition requested. EV charging infrastructure should be provided.

Fisher German – Access to pipeline must be retained; condition requested.

Essex County Council Highways – Acceptable subject to conditions.

Economic Development & Implementation - It is important that these vital employment locations are retained and as such, this application is not supported.

ECC Historic Environment Branch - The proposed development is within an area of known archaeological remains. A condition securing a scheme of investigation is requested.

Environment Agency – No objection.

H.S.E East Anglia Area – Does not cross any consultation zones.

Essex County Fire & Rescue Service – No objection.

Housing Standards Team – No comments.

ECC Minerals & Waste Planning – No comment.

Ramblers Association – No objection.

Essex County Council (SUDS) – No objection.

Sport England Eastern Region – No comments.

ECC Community Infrastructure Planning (Education) – No reply.

Recycling & Waste Collection Services – No reply.

Parks & Open Spaces - No reply.

Leisure & Heritage Services - No reply.

Anglian Water Services Ltd - No reply.

Essex and Suffolk Water – No reply.

Local residents – 17 responses. 12 letters of support; 4 objections; 1 neither in support or objecting.

Support comments:

- Remove a blight on the landscape.
- Overcome enforcement issues.
- Remove dust, dirt, pollution, lorries and criminal activities.
- Reduce traffic.
- Benefit hamlet and Roxwell.
- CIL contributions could be used for local projects.
- New housing and affordable housing.
- Reinstate green space.
- Benefit wildlife.

Objection comments:

- School, doctors and dentist are oversubscribed or at capacity.

- Concern about vehicle movements and access.
- No shop or local amenities.
- Isolated block of houses.
- Loss of existing businesses.

Comment:

- CCC should assist in the relocation of existing businesses.

6. Planning considerations

Main Issues

- 6.1. The main issues which can be considered as part of this application, and therefore considered below, are:

- Rural Employment Area
- Countryside
- Spatial Strategy
- Access & Highways
- Natural Environment
- Section 106 agreements
- Planning Balance

- 6.2. Each will be addressed in turn below.

Rural Employment Area

- 6.3. The Chelmsford Employment Land Review (2015) forms part of the evidence base to the newly adopted Chelmsford Local Plan. Appendix 6 identifies Ash Tree Farm as a Rural Employment Site. The Rural Employment Areas Technical Note (2018) is also an evidence base document to the Chelmsford Local Plan and complements the Employment Land Review.
- 6.4. A survey was carried out of the Rural Employment Sites identified in the Employment Land Review. The purpose of the survey was to identify sites that met the Council's criteria for allocation as Rural Employment Areas. Selection criteria included established, consolidated and authorised rural employment areas which generally consisted of more than one building and several individual businesses or tenant with dominant office, industrial or storage and distribution uses.
- 6.5. Ash Tree Farm was found to meet the selection criteria and was subsequently designated as a Rural Employment Area.
- 6.6. Paragraph 80 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 6.7. Paragraph 81 of the NPPF states that planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.

- 6.8. Rural Employment Sites make an important contribution to the Chelmsford economy and their future function creating thriving business locations is a key element of the Council's local planning and economic strategies.
- 6.9. Policy DM4 of the Chelmsford Local Plan states that, within Rural Employment Areas the Council will seek to provide and retain Class B uses or other 'sui generis' uses of a similar employment nature unless it can be demonstrated that there is no reasonable prospect for the site to be used for these purposes.
- 6.10. The employment site at Ash Tree Farm is sizeable and well established. It offers an affordable and accessible employment opportunity to businesses and this is vital in supporting the Chelmsford economy.
- 6.11. The supporting statement submitted with the application acknowledges that the proposal is in conflict with Policy DM4 as the employment land would be lost. It should also be noted that there is a reasonable prospect for the site to continue in employment uses.
- 6.12. Although the supporting statement accepts that there is conflict with Policy DM4, a case is made that the proposal for housing would result in a benefit as existing lawful industrial uses would cease.
- 6.13. It is understood that many local residents support the proposal on this basis, as well as causing the cessation of the unlawful use on the northern part of the site. It is however crucial to note that the most appropriate way to deal with the unlawful use of the site is through planning enforcement action, such as the serving of an enforcement notice as in this case.
- 6.14. In addition, it must also be remembered that planning permissions run with land, and are very rarely, and not in this case, tied to a particular business. This means that the site could be lawfully occupied for industrial purposes by business other than those who currently occupy the site.
- 6.15. The proposal would clearly be contrary to Policy DM4 as it would replace valued rural employment land with residential accommodation. There is no doubt that the site has a reasonable prospect of continuing in employment uses. The removal of the existing unlawful and troublesome use from the site is being actively pursued through the planning enforcement regime. Therefore this does not outweigh the conflict with Policy DM4 and the loss of lawful employment land.

Countryside

- 6.16. The site is located within the Rural Area. Policy S11 states that the intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.
- 6.17. Policy DM8 relates to new buildings in the Rural Area and states that planning permission will be granted where the development will not adversely impact on the identified intrinsic character and beauty of the countryside and where the development falls into one of the listed forms of development. These include the redevelopment of previously developed land in accordance with Part B of Policy DM8.

- 6.18. Part B states that planning permission will be granted where the development would not result in harm to the identified intrinsic character, appearance and beauty of the area. An assessment is to be made based on the size, scale, massing and spread of the new development; the visual impact; the impact of the activities and use of the new development; and whether the location of the site is appropriate to the type of development proposed.
- 6.19. Firstly, the proposed development would spread across the entire site. The site includes land which is currently being used unlawfully and should otherwise be undeveloped land, and an area of green undeveloped land along the southern boundary of the site. The proposed development would therefore spread onto land which is not lawfully previously developed land and land which is not previously developed in itself.
- 6.20. Secondly, whilst the remainder of the site largely consists of areas of car parking, open storage and yards, this low level with only a handful of larger purpose built buildings. The building are also relatively low level at around 6m in height. In contrast, the proposed development, albeit based on an indicative site plan, would be two storey in height and spread across the site. The proposed housing would represent a significant enclave of residential development rather than the sporadic and linear development in the vicinity of the site.
- 6.21. The scale and urban nature of the development would result in an isolated small settlement which would contrast with the linear settlement pattern of the locality. The proposal, overall, would have an increased visual impact which would be urbanising and at odds with the surrounding rural character. This would be harmful to the identified intrinsic character and beauty of the countryside and would conflict with Policy DM8 and strategic Policy S11.

Spatial Strategy

- 6.22. Policy S7 of the Chelmsford Local Plan sets out the Spatial Strategy and applies the Spatial Principles to focus new housing growth to the most sustainable locations in accordance with the Settlement Hierarchy. Growth is directed towards the Urban Areas of Chelmsford and Key Service Settlements. Roxwell is not classified as either of these, instead being a Service Settlement. Paragraph 6.28 of the Chelmsford Local Plan sets out that Service Settlements have more limited services and facilities. They have primary schools, but do not have the range of other services and facilities that are found at the Key Service Settlements.
- 6.23. The NPPF seeks to promote sustainable transport. Whilst the Framework recognises that the opportunities for sustainable travel will be less in rural areas, there is a clear objective to locate development where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 6.24. The application site is physically disconnected from Roxwell or any other settlement providing services. As the crow flies the site is just over 0.5km away from Roxwell, however using roads to walk it is around 1.6km (1 mile) away and would take around 20 minutes at an average walking pace. Public footpaths between Roxwell and the site do exist, however these would be unreliable in inclement weather, particularly due to flooding of the Roxwell Brook.
- 6.25. Notwithstanding the distance from the site to Roxwell using roads (A1060, Boyton Cross Lane, The Street), this is an unattractive and unsafe option to walk. The A1060 is a busy and fast moving road (40mph speed limit). There is no streetlighting and occupiers of the site would have to cross the road to use the pavement. The proposed uncontrolled tactile paved crossings would do little to help with crossing the road, and would not improve the unlit nature of the road.

- 6.26. Once occupiers had crossed the A1060, to get to Roxwell the easiest route would be to walk north and use Boyton Cross Lane. This is a narrow rural lane subject to the national speed limit. There are no pavements or streetlighting and the lane includes several sharp bends. This would be the longest section of the walk, taking just less than 15 minutes. Walking this stretch of road in particular would be unsafe and undesirable for day to day services.
- 6.27. The Street, heading into Roxwell is wider and restricted to 30mph. There are pavements and street lights when the village is reached and close to Roxwell Primary School.
- 6.28. There are bus stops close to the site which could be accessed using the proposed footway along the east side of the A1060 and crossing the road and using the existing footway. The bus stops, one in either direction, are served by the No.59 service connecting Chelmsford with Harlow. The timetable varies by day, but at most busses are hourly between around 6am and 7pm.
- 6.29. Overall, the site is located in an inaccessible location for day to day needs. It is not in an area where growth is sought and residential development of the site would conflict with the Spatial Strategy in the Chelmsford Local Plan. Occupiers of the site would be reliant on private vehicle movements for their day to day trips and needs and walking to local services would not be a safe or desirable option. This view has been shared by a Planning Inspector who considered a proposal for one new dwelling to the front of Ash Tree Farm in 2015 and said:
- “The site is served by the A1060 which provides a good standard of accessibility by road. However, being some distance from Roxwell, the nearest established village, the new house would be poorly related to nearby services and facilities and would rely to a great extent on use of the private car.”*
- 6.30. The proposed development of the site conflicts with the objectives of the Chelmsford Local Plan and the National Planning Policy Framework to provide sustainable development and this carries significant weight against the proposal.

Access and Highways

- 6.31. The existing access to the site would be adapted for the proposed use. The Highway Authority have no objection to this arrangement.
- 6.32. The existing use of the site generates existing vehicle movements, which are often larger HGV movements. The proposed residential use of the site would replace these movements and would be expected to generate around 36% fewer vehicle movements between 7am and 7pm. The proposal would therefore have an acceptable impact on the surrounding highway network and would not give rise to capacity issues.

Natural Environment

- 6.33. The application is supported by a Preliminary Ecological Appraisal dated May 2019 and an Ecological Impact Assessment dated October 2019. The scattered trees and hedgerows around the boundaries of the site provide connectivity to the north and south in the form of linear corridors supporting species movement and dispersal.
- 6.34. Badgers, Great Crested Newt and reptiles were not recorded on or adjacent to the site. The badger sett located along the eastern boundary in the north-east corner is ‘inactive’ with no sign of current or past use, likely due to its proximity to the unlawful storage of waste and materials.

A single pipistrelle bat was recorded emerging from one of the building. Due to the type of bat roost and the single species affected this means the impact would be very low and work to demolish the unit and provide suitable mitigation could be achieved via a Bat Mitigation Class Licence.

- 6.35. During the life of the application a biodiversity net gain assessment was carried out and has been considered by the Council's Senior Natural Environment Officer. This calculates the baseline by valuing habitats before the development then calculates the value of habitats after the development to ensure a net gain is achieved. The Government seek development to deliver a 10% net gain.
- 6.36. The main ecological significant habitats would include public open space, gardens, swales, street trees, hedgerows and the wildflower meadow. The development would deliver 6.36 habitat units and 4.95 linear habitats (hedgerows) by means of habitat retention, creation and enhancement. This means an increase of 11.12% and 36.20% respectively which sufficiently meets the 10% net gain target.
- 6.37. A flood risk assessment has been submitted and Sustainable Drainage Systems (SuDS) would be utilised. This would comply with Policy DM18 and Essex County Council as the Lead Local Flood Authority have no objection to the proposal.

Section 106 Agreements

- 6.38. Policy DM2 requires 35% of the total number of dwellings to be affordable housing. Developers and owners are required to enter into planning obligations (Section 106 agreements) in order to provide the affordable housing and to ensure it remains at an affordable price for future eligible households. The applicant has indicated that 35% affordable housing would be provided. Due to the application being recommended for refusal, a S106 agreement has not been advanced and therefore a refusal reason to protect the Councils position is recommended.
- 6.39. The Chelmsford Local Plan requires Local Open Space to be provided on site at a ratio of 19sqm per dwelling and Strategic Open Space to be provided at a ratio of 40sqm per dwelling. The indicative site plan indicates 0.60hectares (6000sqm) of public open space to be provided. This equates to around 109sqm per dwelling which would meet the Local Open Space requirement. Strategic Open Space is not proposed on site, however in this instance a commuted sum in-lieu of on-site provision would be acceptable. This has not been secured through a Section 106 agreement so a reason for refusal to protect the Council's position is needed.
- 6.40. Section 15 of the National Planning Policy Framework (NPPF) requires that when determining planning applications, local planning authorities should apply the principle that if significant harm to biodiversity resulting from development cannot be avoided adequate mitigation, or, as a last resort, compensation for, then planning permission should be refused. Policy DM16 states that where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 6.41. The proposal site falls within a 'zone of influence' identified by Natural England for likely significant effects to occur to a European designated site. Those likely significant effects will occur through increased recreational pressure when considered either alone or in combination with other residential development. The applicant has indicated their acceptance to provide a financial contribution towards the Essex Coast RAMS, however due to the application being recommended for refusal a legal agreement to secure this has not been advanced. A reason for

refusal is therefore included to protect the Council's position should the application be refused and subsequently appealed.

Conclusion – Planning Balance

- 6.42. The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives to sustainable development; economic, social and environmental.

Economic

- 6.43. The employment site at Ash Tree Farm is sizeable and well established. Rural employment sites, such as the one at Ash Tree Farm, play an important role to the Chelmsford economy and have a key role to play in providing accessible and affordable employment and business opportunities. Under the economic objective, the loss of the existing designated Rural Employment Area weighs heavily against the development.

- 6.44. Whilst relatively generic benefits, the proposal would provide a range of dwelling sizes and new housing as well as employment through construction. Given the generic nature of these benefits, and that the Council's housing requirements are being met without this development, these benefits carry very limited weight.

Social

- 6.45. The proposed development would be in a location where local services, schools and shops can only be reached through reliance on private vehicle movements. Walking to Roxwell would not be realistic or safe, due to the site's location and lack of pavement and streetlighting. This carries significant weight against the proposed development as it fails to meet the social objectives aim in the NPPF of fostering well-designed and safe built environments with accessible services to meet needs and support communities' health, social and cultural well-being. The proposal is contrary to the Council's adopted Spatial Strategy which seeks to direct growth to the most sustainable locations.

Environmental

- 6.46. The environmental objective of the NPPF relates to protecting and enhancing our natural, built and historic environment; including making effective use of land and helping to improve biodiversity. The proposal would utilise previously developed land which is encouraged through the NPPF. Furthermore, the condition of the land would be improved through decontamination and an ongoing residential land use. This carries some weight in favour of the development, although this is limited given that there is a policy requirement for the land to be retained as employment land, and that the unlawful use of the land for the storage of waste and other materials is subject to ongoing planning enforcement action.
- 6.47. The proposal would be harmful to the intrinsic character and beauty of the countryside. It would result in a new, significant housing development where other development in the area is sporadic and linear. The proposal would also spread across the entirety of the site, including land which is free from buildings, and introduce two-storey buildings across the site where at present development is relatively low level.

- 6.48. The proposed development would include landscaping and biodiversity net gains. This would carry weight in favour of the development, however given that the overall impact of the scheme on the intrinsic character and beauty of the countryside is negative, these benefits are afforded little weight.
- 6.49. Overall, the disbenefits of the scheme and conflict with the newly adopted development plan outweigh the benefits. It is therefore recommended that planning permission be refused.

7. Community Infrastructure Levy (CIL)

- 7.1. The proposal would be CIL liable and this would be dealt with at reserved matters stage.

RECOMMENDATION

The Application be REFUSED for the following reasons:-

Reason 1

Policy DM4 of the Chelmsford Local Plan states that within Rural Employment Areas the Council will seek to provide and retain Class B uses or other 'sui generis' uses of a similar employment nature unless it can be demonstrated that there is no reasonable prospect for the site to be used for these purposes.

The proposal would redevelop the Rural Employment Area for housing. The employment site at Ash Tree Farm is sizeable and well established. It offers an affordable and accessible employment opportunity to businesses and this is vital in supporting the Chelmsford economy. There is a reasonable prospect of the site continuing to be used for these purposes. The proposal would be contrary to Policy DM4 of the Chelmsford Local Plan.

Reason 2

Policy S11 of the Chelmsford Local Plan states that the intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.

Policy DM8 of the Chelmsford Local Plan relates to new buildings in the Rural Area and states that planning permission will be granted where the development will not adversely impact on the identified intrinsic character and beauty of the countryside and where the development falls into one of the listed forms of development. These include the redevelopment of previously developed land in accordance with Part B of Policy DM8. Part B states that planning permission will be granted where the development would not result in harm to the identified intrinsic character, appearance and beauty of the area. An assessment is to be made based on the size, scale, massing and spread of the new development; the visual impact; the impact of the activities and use of the new development; and whether the location of the site is appropriate to the type of development proposed.

The development would spread across the whole site, including areas which are presently unlawfully developed and areas which are free from buildings or external storage. The proposed housing would represent a significant enclave of residential development rather than the sporadic and linear development in the vicinity of the site. The proposal, overall, would have an increased visual impact which would be urbanising and at odds with the surrounding rural character. This would be harmful to the identified intrinsic character and beauty of the countryside and would conflict with Policy DM8 and strategic Policy S11.

Reason 3

Policy S7 of the Chelmsford Local Plan sets out the Spatial Strategy and applies the Spatial Principles to focus new housing growth to the most sustainable locations in accordance with the Settlement Hierarchy. Growth is directed towards the Urban Areas of Chelmsford and Key Service Settlements. Roxwell is not classified as either of these, instead being a Service Settlement.

the site is located in an inaccessible location for day to day needs. It is not in an area where growth is sought and residential development of the site would conflict with the Spatial Strategy in the Chelmsford Local Plan. Occupiers of the site would be reliant on private vehicle movements for their day to day trips and needs and walking to local services would not be a safe or desirable option. The proposed development of the site conflicts with Policy S7 and the objectives of the National Planning Policy Framework to provide sustainable development.

Reason 4

Policy DM2 of the Chelmsford Local Plan requires 35% of the total number of dwellings to be affordable housing. Policy DM24 requires Open Space to be delivered in accordance with the requirements of Appendix B of the Local Plan, which includes the provision or a commuted sum in lieu of on-site delivery of Strategic Open Space. Policy DM16 states that where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

The proposal fails to secure these requirements through a suitable mechanism and is therefore contrary to Policies DM2, DM24 and DM16.

Notes to Applicant

- 1 This application would be liable for a payment under the Community Infrastructure Levy Regulations (as Amended) 2010 if planning permission had been granted. If an appeal is lodged and subsequently allowed, the CIL liability will be applied.
- 2 Please note that refusal reason 4 may be overcome through the completion and signing of an acceptable Section 106 agreement.

Background Papers

Case File

H.S.E East Anglia Area

Comments
<p>06.02.2020 - The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.</p>

Roxwell Parish Council

Comments
<p>03.02.2020 - Roxwell PC have viewed the above outline application and are fully supportive of the proposals put forward.</p> <p>This site has caused much unrest amongst local residents for many years with users of the site continually ignoring planning enforcement notices served on them for breaching planning regulations.</p> <p>The development will be an asset to the local community.</p> <p>Points that it is felt would need addressing in more details would be the access on and off the A1060, which would be well served by having a round-about installed, and the current 40mph speed limit being reduced to 30mph, both these factors be of great benefit to the safety on this stretch of road.</p>

UK Power Networks (Network Planner)

Comments
<p>14.02.2020 - UK Power Networks overhead line records show that there are 11,000 volt electricity distribution overhead lines crossing the site. Any work on the site should be carried out in compliance with the Health and Safety Guidance Note GS6 'Avoidance of danger from overhead electric lines'.</p> <p>If permission is given for the new development the overhead lines will need to be diverted. It is likely that the overhead line will need to be replaced with an underground cable. This will then require a new terminal pole and two supporting stays, probably near the boundary of the site. The stays will need to be a minimum of 6m from the pole, it is not clear from the plan where there is space available for the pole and stays. This will need to be considered when designing the final layout.</p>

There also appears to be no provision for an electricity substation on the site. Dependent on the amount of electrical load required it is likely that a substation will be required either on the site or in close proximity.

UK Power Networks underground cable records show that there are underground voltage cables in the area of the planning application. Extreme care should be taken when excavating and the Health and Safety Executive Guidance Note HSG47 'Avoiding Danger from Underground Services' should be adhered to.

Police - Designing Out Crime

Comments

03.02.2020 - Essex Police comments pursuant of the NPPF and Chelmsford polices.

We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving 'Secured by Design Homes 2019 Award'.

However to make meaningful comment further we would require the finer detail such as the proposed lighting, landscaping boundary treatments and physical security measures.

For a development and potential residents to receive the benefits realisation of Secured by Design (SBD), Essex Police strongly encourage the developers, (CCC Property) to seek and achieve a SBD award on all phases of the development, inclusive of the units to the current standard at the time of construction. This would produce a robust benefit along with delivering additional contributions towards community reliance.

An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring the security built into each property and a development as a whole is risk commensurate to that location.

Essex County Fire & Rescue Service

Comments

27.02.2020 -

In general terms access for fire service vehicles is considered satisfactory with conformation that the open square in front of blocks 50, 51 & 52 will withstand a weight loading of 17 tonnes.

The architect or applicant is reminded that additional water supplies for fire fighting may be necessary for this development.

There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

NHS Mid & South Essex Sustainability & Transformation Partner

Comments
15.06.2020 - In its capacity as the healthcare provider, the CCG has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of increased capacity within the existing healthcare premises servicing the residents of this development. Assuming the above is considered in conjunction with the current application process, the CCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated. The CCG are satisfied that the basis of a request for CIL contributions is consistent with the Regulation 123 list produced by Chelmsford City Council.

ECC Community Infrastructure Planning (Education)

Comments
No response received

Housing Standards Team

Comments
No response received

Recycling & Waste Collection Services

Comments
No response received

Fisher German

Comments
24.03.2020 - Further to our letter of 24 February 2020 and following discussions between our client and the applicant, our client's objection to the application is withdrawn. 27.02.2020 - It appears from the plans submitted by the applicant that their proposed development is to be constructed

within close proximity to CLH-PS apparatus. Such works would require consent from CLH-PS and, in this instance, consent would not be granted as the proposed development would restrict access to the pipeline, both for routine maintenance and in an emergency situation. We must therefore object to the planning application. My client must be consulted to ensure the proposal has no impact on their apparatus. Their contact details are:

ECC Minerals & Waste Planning

Comments

No comments.

Essex County Council Highways

Comments

17.03.2020 -

The proposed residential development would replace the existing business uses on the site. The residential development is expected to generate 36% fewer vehicle movements overall between 7am and 7pm.

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

Ramblers Association

Comments

25.02.2020 -

It is good to see Roxwell public footpath 34 shown in position at the east end of the site.

In keeping with NPPF paragraph 38 it is requested that the "informal pedestrian link to the eastern boundary" shown on the proposed site plan 18/34/03 is extended east to link up with Roxwell public footpath 34.

Public Health & Protection Services

Comments

27.01.2020 - Please put on a DO4 condition due to the potential for contamination from previous uses, as identified in the Phase 1 assessment.

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

Economic Development & Implementation

Comments

19.02.2020 - From an economic development perspective, it would be disappointing to see the loss employment floorspace proposed within this application.

The employment site at Ash Tree Farm is sizeable and well established. Rural employment sites, such as the one at Ash Tree Farm, play an important role to the Chelmsford economy and have a key role to play in providing accessible and affordable employment and business opportunities.

It is important that these vital employment locations are retained and as such, this application is not supported from an economic development viewpoint.

Parks & Open Spaces

Comments

No response received

Leisure & Heritage Services

Comments

No response received

Anglian Water Services Ltd

Comments

No response received

Essex County Council (SUDS)

Comments

18.03.2020 -

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions.

Sport England Eastern Region

Comments

27.01.2020 -

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.

Essex and Suffolk Water

Comments
No response received

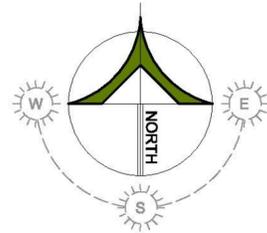
ECC Historic Environment Branch

Comments
12.02.2020 - The proposed development is within an area of known archaeological remains. The Historic Environment Record shows that this area lies close to Bronze Age ring ditches found to the west of the development site and a prehistoric enclosure found to the north. There is the possibility that archaeological features and deposits may extend into the proposed development area. In view of this a condition is recommended.

Environment Agency

Comments
10.03.2020 - We have inspected the application, as submitted, and have no objection to the proposal.

Do not scale from this drawing.
 All information shown is to be checked on site
 for accuracy and fit. Any discrepancies or omissions
 to be reported to Arcady Architects immediately.



SITE LOCATION PLAN



REVISION:		DATE:		DRAWN:	
PROJECT: ASH TREE FAR, ROXWELL, ESSEX					
TITLE: SITE LOCATION PLAN					
SCALE: 1:1250	DATE: NOV 18	DRAWN: CW	CHKD:		
No. 18/34/01			REV.		
Unit 4 Phillows Barns Hammonds Road Little Baddow Essex CM3 4BG Tel: 01245 464681 www.arcadyarchitects.co.uk					



Appeals Report

Appeal Decisions received between 16/09/2020 and 15/10/2020

PLANNING APPEALS

Total Appeal Decisions Received	8	
Dismissed	6	75%
Allowed	2	25%
Split	0	0%

Written Reps

Land North Of Hilltops Southend Road Howe Green Chelmsford Essex

Reference	19/00944/OUT
Proposal	Outline application with only access being sought, all other matters reserved. Construction of a detached dwelling with detached double garage. Replacement formation of access.
Appeal Decision	Appeal Dismissed - 02/10/2020
Key Themes	Whether Inappropriate in the Green Belt; Harm to openness of Green Belt; Whether sustainable location
Agreed with CCC on	Not residential infilling; Harmful to openness of the GB; Not a sustainable location
Disagreed with CCC on	
Costs Decision	None

Tricolor Lodge Little Green Road Great Waltham Chelmsford Essex CM3 1BT

Reference	19/01393/S73
Proposal	Removal of Condition 2 (approved plans) of the approved planning permission 19/01393/FUL - (Change of use from light industrial use (B1) to residential dwelling, C3). Alterations to fenestration illustrated by replacing drawing 3442:02/B with drawing 344
Appeal Decision	Appeal Dismissed - 02/10/2020
Key Themes	Impact of alterations on character and appearance of building and surrounding countryside
Agreed with CCC on	Would have a harmful domestic appearance; light spill would harm the surrounding countryside
Disagreed with CCC on	
Costs Decision	None

Land At 170B Rainsford Road Chelmsford

Reference	19/01846/FUL
Proposal	Construction of new dwelling.
Appeal Decision	Appeal Dismissed - 01/10/2020

Key Themes	Protected tree; character of the area; private amenity space; parking provision.
Agreed with CCC on	Not demonstrated that there would be no harm to the protected tree; harmful to the character of the area; insufficient private amenity space; insufficient off street parking provision.
Disagreed with CCC on	n/a.
Costs Decision	None

Site West Of Gatesgarth Ladywell Lane Sandon Chelmsford Essex

Reference	20/00170/FUL
Proposal	Erection of one new detached 5 bedroom dwelling.
Appeal Decision	Appeal Dismissed - 02/10/2020
Key Themes	Rural Area - conflict with development plan
Agreed with CCC on	does not accord with local planning policies in terms of its location; would be an unsustainable form of development that would cause harm to the intrinsic character and beauty of the countryside.
Disagreed with CCC on	n/a.
Costs Decision	None

18 - 20 Mildmay Road Chelmsford Essex CM2 0DX

Reference	19/01354/FUL
Proposal	Demolition of the existing commercial building. Construction of 4 residential flats at first and second floor and replacement commercial unit at ground floor, additional provision of cycle and bin stores.
Appeal Decision	Appeal Dismissed - 02/10/2020
Key Themes	The effect on the living conditions of neighbours and whether there would be adequate parking provision.
Agreed with CCC on	Overlooking of Mildmay Rd and Alfred Mews properties, overshadowing of flats to north. Inadequate parking provision for occupants.
Disagreed with CCC on	
Costs Decision	None

Householder

Elmcote Main Road Bicknacre Chelmsford Essex CM3 4HW

Reference	20/00441/FUL
Proposal	Retrospective application for the retention of a detached outbuilding.
Appeal Decision	Appeal Allowed - 28/09/2020
Key Themes	- Whether the outbuilding would affect the character and appearance of the surrounding area.
Agreed with CCC on	
Disagreed with CCC on	- the Inspector considered that the outbuilding would be ancillary in appearance to the host dwelling and would not be of a size of scale to harm the character and appearance of the surrounding area.
Costs Decision	None

Hazeleigh Riffhams Lane Danbury Chelmsford Essex CM3 4DS

Reference	20/00427/FUL
Proposal	Single storey rear extension. First floor extension. Loft accommodation including 3No. rear dormers and roof windows. Juliette balconies to the front ground floor.
Appeal Decision	Appeal Dismissed - 17/09/2020
Key Themes	Character of the area; neighbour amenity
Agreed with CCC on	The development would result in an adverse impact on the character of the street scene; the development would adversely impact the relationship with the side and rear neighbouring properties.
Disagreed with CCC on	12-14 Mildmays will not adversely affected by the development
Costs Decision	None

107 Centenary Way Springfield Chelmsford CM1 6AU

Reference	20/00055/FUL
Proposal	Proposed formation of access.
Appeal Decision	Appeal Allowed - 29/09/2020
Key Themes	Impact of the proposal on highway safety and the character and appearance of the surrounding area.
Agreed with CCC on	
Disagreed with CCC on	The inspector indicated that the development would not cause an unacceptable impact on highway safety, nor would the impact on the road network be severe. Also they acknowledged that the proposal would be harmful to the character and appearance of the area, however indicated that the benefit of the improved access for the occupier would outweigh any harm.
Costs Decision	None

ENFORCEMENT APPEALS

Total Appeal Decisions Received	1	
Dismissed	1	100%
Allowed	0	0%
Split	0	0%

Written Reps**Land West Of The Lodge Grange Lane Downham Billericay Essex**

Reference	18/00080/ENFB
Proposal	Outbuilding constructed on land falling outside of the residential curtilage
Appeal Decision	Appeal Dismissed - 21/09/2020
Grounds of Appeal	ground (a) planning permission should be granted; ground (c) no breach of planning control.
Agreed with CCC on	inappropriate and harmful development in the green belt; there is a breach of planning control.
Disagreed with CCC on	n/a.
Costs Decision	None