



## ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

7<sup>th</sup> February 2023

### Application 21/01961/OUT

- Paragraph 6.1 add the following:

On 2<sup>nd</sup> February 2023, the Secretary of State issued a direction pursuant to their powers under article 31 of the DMPO 2015 to the effect that the local planning authority must not grant planning permission without specific authorisation. Such a direction is known as a 'Holding Direction' and its purpose is simply to give the Secretary of State time to consider whether to exercise their power under section 77 of the TCPA 1990 to call-in the application for determination. The Direction should not be taken as indicative of any attitude of the Secretary of State to the application. A copy of the letter from the Secretary of State is provided as part of the Green Sheet.

- Alter recommendation to: "Subject to (i) a S106 Agreement (as indicated in the report presented to the Committee) being entered into pursuant to the Town and Country Planning Act 1990, and (ii) the Secretary of State determining not to call-in the application (and thereby lifting the Holding Direction issued by him on 02 February 2023), the Director of Sustainable Communities be authorised to grant the application subject to the following conditions:"

- Paragraph 1.3 of the Officer's report. Alteration to the first sentence to delete the word "including".

- Paragraph 5.1 of the Officer's report, first bullet. Delete "Health issue to be covered by ECC"

- Paragraph 6.48 of the Officer's report, last sentence. Delete Saturday and replace with Friday. Delete "on Sundays and"

- Page 58 of the Officer's report under "Education Contributions" heading, alter the last bullet point to read "ECC no longer requests financial contributions towards school transport costs or SEND provision"

- Additional condition to be added:

*"No trees or hedges within any phase or sub-phase of the development shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of development within that*

*phase or sub-phase until the details submitted under condition 19 of this permission have been approved in writing by the local planning authority. If any such tree is removed, uprooted, destroyed or dies prior to commencement of development or within a period of 5 years following commencement another tree shall be planted within the next available planting season. The location, size and species of replacement planting shall be as agreed in writing by the local planning authority.*

*Reason:*

*To safeguard the existing trees which are of amenity value and add character to the development in accordance with Policy DM17 and Policy DM23 of the Chelmsford Local Plan."*

- Alteration to the description of the development. Delete "demolition of existing building" in the last sentence of the first paragraph.



Department for Levelling Up,  
Housing & Communities

Sally Rogers  
Principal Planning Officer  
Development Management  
Chelmsford City Council  
[Sally.Rogers@chelmsford.gov.uk](mailto:Sally.Rogers@chelmsford.gov.uk)

Please  
ask for:

Tel:

Email:

Your ref: 21/01961/OUT

Our ref: PCU/RTI/W1525/3288998

Date: 2 February 2023

Dear Sally Rogers

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

**Application by Countryside Properties (UK) Ltd and Essex County Council Property Services for 1. Outline application with all matters reserved for residential development of: up to 1020 homes, Up to 88 bedroom units of residential care accommodation, neighbourhood centre including a multi-purpose community centre, business floorspace, primary school and two early years facilities, 5 serviced plots for travelling show people, and 2. Full application for the principal means of vehicular access to the site, the initial phase of on-site highway works and strategic surface water attenuation basins at land north west of Hamberts Farm, Chelmsford.  
(application no: 21/01961/OUT)**

1. I am directed by the Secretary of State to refer to the above planning application.
2. In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Secretary of State hereby directs your Council not to grant permission on this application without specific authorisation. This direction is issued to enable him to consider whether he should direct under Section 77 of the Town and Country Planning Act 1990 that the application should be referred to him for determination.
3. This direction does not, of course, prevent your Council from considering the application, forming a view as to the merits or, if they are so minded, refusing permission.

4. This letter is for procedural purposes and should not be read as any indication of the Secretary of State's attitude towards the application scheme.

5. I would be grateful for acknowledgement of your receipt of this letter. Please contact the case officer on the number above if you have any queries.

Yours sincerely

*T Mills*

Tom Mills  
Senior Planning Casework Officer  
Authorised by the Secretary of State to sign on their behalf

*The decision to issue this Article 31 was made by the Secretary of State.*