

# **Planning Committee**

Application No	:	22/02196/FUL Full Application
Location	:	Car Park Glebe Road Chelmsford Essex
Proposal	:	Redevelopment of car park to provide 12 affordable residential apartments, amendments to access, parking and landscaping.
Applicant	:	Chelmsford City Council
Agent	:	James Firth
Date Valid	:	23rd December 2022

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# 1. Executive summary

- 1.1. This application is for 12 affordable rent apartments to replace a 60 space long-stay car park (Glebe Road Car Park). Glebe Road Car Park is owned and operated by the City Council. The planning application is made by the City Council. In accordance with the Council's Constitution, the application is presented to the Planning Committee for a decision.
- 1.2. Objections to the application have been received (see Appendix 1). These cover a range of topics, but loss of the current car park, impact of new resident parking on local roads, access to existing properties and neighbour amenity are among the main issues raised. These concerns have been considered alongside the wider planning considerations of this development proposal. The application assessment concludes the proposal is compliant with the Development Plan.
- 1.3. The application is recommended for approval subject to conditions.

# 2. Description of site

- 2.1. The application site is a Council-owned surface car park. The car park contains 60 long-stay spaces operated by the Council. The site area is circa 0.10 hectare.
- 2.2. Access to the site is from Glebe Road via a single entrance point.
- 2.3. Nearby properties in Glebe Road, Steamer Terrace and Townfield Street are a mix of two and three storeys mainly comprising urban terraced blocks of generally traditional character. Eastwood House is a large commercial property with large surface car park stretching along one side of Glebe Road. The former Marconi site to the east is now a modern development scheme of urban character containing buildings up to 8 storeys high.
- 2.4. Neighbouring the proposal site on three sides are residential properties. To the east are a semidetached pair of houses which are a recent addition to Glebe Road. To the south a line of properties (Steamer Terrace) is oriented side-on to the proposal site with building and garden running the length of the boundary. Also to the south are the rear of properties running along Townfield Street. To the west are a terrace of houses and apartments facing onto the proposal site.
- 2.5. Connecting this area are a small network of footways which also serve as primary access to properties along Steamer Terrace. Pedestrian access to the proposal site can be taken from the footway in the south-eastern corner of the site.
- 2.6. The site lies within the West End Conservation Area.
- 2.7. The site is classified as Flood Zone 1, an area with low probability of flooding.
- 2.8. No trees or features of particular biodiversity interest are present on site.
- 2.9. Locally there are alternative long stay car parks (Townfield Street, Rectory Lane, Fairfield Road). Parking controls are in place along Glebe Road, Marconi Road, Townfield Street and, generally, all local roads in the vicinity of this site to either prevent or manage parking within streets given that they are within the city centre. There is a short stay car park and also a small amount of pay-at-meter parking in Railway Street.

- 2.10. The area contains many supporting facilities and services. Chelmsford Railway Station is approximately 150m to the south. Chelmsford Bus Station is approximately 180m to the south. Central Park is approximately 450m to the south. A Co-op (convenience retail) in Duke Street is approximately 160m to the south. Rivermead Gate Medical Centre is approximately 460m to the north-east.
- 2.11. The Eastwood House surface car park opposite the site has been allocated for strategic housing redevelopment through the Chelmsford Local Plan (Strategic Growth Site Policy 1f refers). There is an extant planning permission for redevelopment of the Eastwood House surface car park for 197 apartments (19/01618/FUL).

# 3. Details of the proposal

- 3.1. The application seeks full planning permission for 12 affordable housing units (apartments) with associated access works, parking and landscaping.
- 3.2. All 12 apartments will be for affordable rent with unit mix as follows:
  - 4x 1 bedroom, 2-person unit 5x 2 bedroom, 3-person unit 3x 2 bedroom, 4-person unit
- 3.3.6x parking spaces are provided for the 12 units. These would be offered on an unallocated basis with management by the landlord.
- 3.4.8x of the units would be M4(2) compliant as accessible and adaptable units.
- 3.5. A refuse and recycling store integral to the proposed apartment block is provided with access from front and rear.
- 3.6. A cycle store with space for 18 cycles is provided to the rear of the proposed apartment block.
- 3.7. Private and private-communal amenity space is provided to the rear of the proposed apartment block.
- 3.8. A landscaped area of circa 175 sq. metres would be created between the proposed apartment block and 6-15 Glebe Road (west of the proposal site).

# 4. Other relevant applications

4.1. As referenced at 2.11, there is an extant planning permission for the Eastwood House surface car park. This would share a contextual relationship with the proposal site but has no direct bearing on consideration of this application.

# 5. Summary of consultations

- Recycling & Waste Collection Services no response
- Parks & Open Spaces no response
- Leisure & Heritage Services no response
- Anglian Water Services Ltd submitted report acceptable, no objections
- Historic England no comments, use in-house conservation expertise

- Essex County Council (SUDS) no objection, conditions recommended
- Essex County Council Highways no objection, conditions recommended
- ECC Historic Environment Branch no objection, condition recommended
- Essex County Council Highways no objection, conditions recommended
- Ramblers Association no comment
- One Chelmsford BID Ltd no response
- City Centre Manager no response
- Local residents 14 respondents, comments mainly relate to parking, maintaining access to neighbouring properties and neighbour amenity
- 5.1. The comments received have been considered as part of the planning assessment of the development proposals. Planning Considerations are summarised in the next section of this report. There are however no sustainable grounds for refusing the application based on comments received.

# 6. Planning considerations

# Main Issues (policy S1 and DM1)

- 6.1. The proposal site is a public car park (previously developed land), situated within the city centre and forming part of a mixed-use urban setting, which includes residential use. The site is close to nearby facilities which residents may depend upon, such as shops and transport interchange. There are no policy designations or restrictions which would undermine the principle of development as proposed. The principle of development is therefore acceptable.
- 6.2. The application seeks 12 affordable housing units making this a 100% affordable housing scheme. This will be secured by condition 3. All 12 units would be provided on an affordable rent tenure which can be secured without a legal agreement due to the Council's ownership of the site. In these circumstances affordable housing tenure considerations under Policy DM2 would not apply.
- 6.3. Local objections have been raised about the loss of the long-stay car park, some of those on grounds of personal safety. The Council's decision to close this car park is part of a strategic review of parking across the city centre on sustainable travel grounds and to facilitate the development of affordable housing schemes. A decision on this approach has been reached independently from and prior to the planning application consideration. Whilst the loss of the car park has some materiality to planning consideration in that the demand for parking will be displaced from this site, there are several car parks in the vicinity which can accept this demand and which are a similar distance from the rail and bus stations. Townfield Street multi-storey directly next to Chelmsford Rail Station has 726 spaces but has limited available capacity. Rectory Lane surface car park has 305 spaces and is approximately 450m from Chelmsford Rail Station. Fairfield Road has 307 spaces and is approximately 200m from Chelmsford Rail Station. The latter two car parks more frequently have spare capacity throughout the day and are accessible via legible and well-lit public streets, with CCTV coverage. There would be no sustainable justification, on planning grounds, to resist the loss of this car park.
- 6.4. The main considerations for this proposal are design and conservation setting and neighbour relationships. Other considerations, such as parking and access, technical compliance with development standards and other material considerations also apply.

# Design and Conservation (Policies DM13, DM15, DM23 and DM24)

- 6.5. The proposed development is designed as a perimeter block, meaning the proposed buildings are sited along street frontages with parking and amenity areas enclosed behind. This approach is common of newer developments. It reflects the pattern of terraced blocks within the locality. This means the street has a positive and sufficiently active frontage. The alignment of frontage is appropriately related to the road and neighbouring frontage (3/4 Glebe Road). Where the proposed building returns towards Steamer Terrace (western side of the site), the building is set away from 6-15 Glebe Road with an intervening landscaped space to the street. This provides a natural vista termination along Glebe Road (views north-to-south) and adds the presence of structural landscaping to the street to mask the exposed side of 10 Steamer Terrace. The layout of the proposal is acceptable in design terms.
- 6.6. The local area is characterised by terraced blocks of varying length and style. Some properties date back to turn of the 20<sup>th</sup> Century and mark the town's expansion following the arrival of the railway line, and other properties are of more modern construction but reflect a traditional architectural style. The majority of local buildings are two storeys, but Glebe Road and surrounding area contains examples of three plus storeys development. On the recently approved strategic development (Eastwood House car park opposite the proposal site) there will be 3-7 storeys present. This area is part of the city centre, and part of a conservation area, so in terms of scale a balance is required. The proposal seeks development with 3 storeys along the main frontage to Glebe Road and 2 storeys along the return towards Steamer Terrace. This scale range is compatible with Making Places SPD (scale range for this site is actually split between 2-3 and 3-5 storeys as proposed). The proposed scale is contextualised by local scale range of the area and results in a design approach which is positive for the site.
- 6.7. The building form is traditional with narrow perceived plan depth and pitched roof. The proposed building has a Georgian character with more slack pitch (angle) of roof, balanced fenestration, rebated stone effect to principal entrances, window header and door surrounds, and other features. The building has a largely linear form, but this has been appropriately balanced by the design which introduces physical articulation breaking up the elevations into visually smaller components with more vertical emphasis which has a suitable visual-scale for the street, and reflects its rhythm. There is a good depth of interest to the design, the form is compatible with locality, and it would have a positive impact on the street.
- 6.8. The impact on heritage needs to be considered as the West End Conservation Area is a formally designated heritage area. There is a requirement for this proposal to have a net neutral impact on the character and appearance of the conservation area taking into account public benefit generated by the proposals. The proposals seek 100% affordable housing, which is a public benefit consideration and would tilt the balance of assessment in the scheme's favour in any event, however the positive design of the scheme replacing a surface car park is a net positive impact on the character and appearance of the West End Conservation Area. The conclusion is that this development brings about a net positive impact on the West End Conservation Area.
- 6.9. There is potential for the area to contain archaeological remains, as highlighted by the archaeological advice provided by Essex County Council. A planning condition will secure an appropriate level of archaeological investigation.

# **Neighbour relationships** (Policy DM29)

- 6.10. Several local representations have been received expressing concern about the impact of the proposals on living conditions of neighbouring properties.
- 6.11. To assess whether a proposal may cause unacceptable impact on neighbouring properties a number of relationship and proximity standards are published as part of the Chelmsford Local Plan (Appendix B) and are assessed as part of a planning application.
- 6.12. None of the neighbouring properties would be subject to unacceptable overshadowing, overbearing, loss of light or loss of privacy as a result of the proposals. The remoteness standards to neighbouring properties achieved by the development are in line with the requirements of the adopted Chelmsford Local Plan.
- 6.13. An example of the mitigation exhibited by the development which means it complies with Appendix B is the remoteness between the rear elevation of the Glebe Road block and 10 Steamer Terrace here the remoteness is in excess of 15m, but the building would contain 3 storeys. To avoid impacting the privacy of the neighbouring occupier, the first and second floor windows facing towards that property are obscure-glazed (see drawing 3617:09 revision D) and will not be openable below a height of 1.7m (i.e. only openable above eye level) in any event none of those windows serve habitable rooms (corridors and bathrooms). The proposed 3 storey block is consistent with local scale range and remoteness to surrounding properties and sensitive windows meets or exceeds adopted standards.
- 6.14. Another example of the design being modified to result in better neighbour relationship can be seen to the west of the proposal site. Front-to-front relationships are not expressly controlled by development standard i.e. there is no minimum standard of remoteness and privacy considerations carry less significant weight as this is the public side of the building, not the private side. This commonly means front-to-front relationships are considerably less remote than what is proposed. The design incorporates a set-back frontage on that western side with a new landscaped zone introduced between those buildings which will be planted with trees and other structural vegetation, offering a positive setting to those properties (and street), maintaining an acceptable distance between frontages and allowing for further mitigation of relationship through landscape filter. The BRE guidance on maintaining suitable natural light to properties near to development is addressed by the proposals; although in city centre locations case precedent and guidance confirms the BRE guidance carries significantly less weight. The relationship with properties to the west of the site is acceptable.
- 6.15. Properties in the wider area are far enough detached from the proposed buildings, or sit in a linear alignment, such that they would not be subjected to unacceptable harm to amenity. This is a city centre location where development should be expected. All local residents have a reasonable expectation that their amenity will be preserved in conjunction with development coming forward, but that will not exceed the considerations as set out within the Chelmsford Local Plan. All relationships are assessed to be acceptable.

# Parking and Access (Policies DM24 and DM27)

- 6.16. The Local Highway Authority has been consulted on these proposals and has raised no objections but has recommended several planning conditions to manage and scope works affecting the highway.
- 6.17. The site has excellent links to the city centre and to the bus and train stations, meaning that many residents can choose to travel sustainably. As part of the overall consideration of balancing the parking needs of this development with strategic objectives of creating more

sustainable development schemes in Chelmsford, the applicant has reduced car parking within the development and increased cycle parking. The scheme contains 12 residential units with provision of 6 car parking spaces (one of which is an accessible space) and secure area to store 18 cycles. This balance of travel provision in such a sustainable location is acceptable and is supported by the Local Highway Authority.

- 6.18. Access to the car park is to be taken from Glebe Road in a similar position to the existing car park access (albeit further to the west). No matters of principle arise from this proposal and the works will need further agreement by the Local Highway Authority which is covered by separate highways legislation.
- 6.19. The existing pedestrian access to the car park from the footpath in the south-east corner of the site will be closed. This is to allow the parking and amenity areas to the rear of the proposed development to be treated as private. The access point only exists due to the open nature of the current site use, it does not relate to a public route across the site, and its closure will not require formal agreement under the Highways Act. The footpaths will still connect Glebe Road to Townfield Street. Residents of the new development will have suitable access to Glebe Road for walking and cycling.
- 6.20. The intention is for the site to be serviced (e.g. refuse collection) from the street. Submitted with the application is a refuse and recycling strategy plan which confirms that all of the units have legible pathways to the shared bin store and that the bin store is suitably accessible to operatives from the street. The bin store is of adequate size to contain the segregated collection containers for household waste and recycling.

# **Development standards and sustainable construction** (Policies DM23, DM24, DM25 and DM26)

- 6.21. The development is compliant with the Nationally described space standards for housing.
- 6.22. 8 of the units, representing more than 50% of the development, would be compliant with Approved Document Part M4(2).
- 6.23. Each of the parking spaces will have access to electric vehicle charging point, with 3x twin EVC points being provided.
- 6.24. All units are designed to use less than 110 litres of water per day.
- 6.25. The development has been submitted with an Energy and Sustainability Standard setting out how this development can achieve an approximate 50% reduction in predicted carbon emissions. This goes beyond the requirements of Approved Document Part L (2021). This would involve the installation of electric heating panels, air source heat pumps for hot water and photovoltaic panels to the south, east and west roof slopes. All these measures are reasonable, but their installation will be controlled by condition to ensure no adverse impact on the appearance of the West End Conservation Area. There is ultimately no way for the Local Planning Authority to control the level of carbon reduction proposed as this is a Building Regulations matter, but the approach set out in the application is welcome.

# SUDS (Policy DM18)

6.26. Due to the urban nature of this site, the proposed SUDS solution is based on permeable paving with underground cellular storage. This is the same approach as accepted across other sites within the city centre. The Lead Local Flood Authority has been consulted on the proposals and

raises no objection. A detailed SUDS scheme is to be submitted under control of planning condition.

# Net Biodiversity Gain and RAMS (Policy DM16 and RAMS Supplementary Planning Document)

- 6.27. The site is a surface car park and does not contain trees or other features which would support wildlife in the most part. There is a species poor hedgerow along the west of the site and some trees overhanging the south-east corner from 10 Steamer Terrace. Buddleia, which is considered an invasive species, is present on site.
- 6.28. The Ecology Appraisal submitted with the application does not conclude further assessment or survey is required. This conclusion is agreed. The Ecology Appraisal does make some recommendations for betterment, which are considered under Net Biodiversity Gain below.
- 6.29. A Net Biodiversity Gain assessment using Defra metric (v3.1) has been carried out to determine whether the site can provide 10% betterment. With planting alone this proposal is likely to achieve or exceed 10% betterment, but there are recommendations to be followed based on the Ecology Appraisal, which include bat and bird boxes and pathways for hedgehogs. The specification of landscaping and recommendations for other ecological betterment will be secured by planning condition.
- 6.30. The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitat Regulations) require all new residential developments that have the potential to cause disturbance to European designated sites to provide appropriate mitigation. To deal with this, an Essex County wide strategic approach to considering and mitigating potential harm has been produced the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). An Appropriate Assessment has been carried out which concludes that a contribution towards off-site mitigation (RAMS contribution) is necessary to mitigate the potential disturbance to European designated sites arising from this development growth. A RAMS payment of £1,652.52 has been agreed with the Council's Corporate Property Manager, which is in line with the prevailing rate.

# **Contamination** (Policy DM30)

- 6.31. The site previously contained a terrace, which was bomb-damaged during WWII, was demolished and has been used as a car park since. The land before development is understood to have been farmland. The likelihood of historic ground contamination is low, but land surrounding this site which has been subjected to testing does show contaminants (in lower levels). Therefore, physical testing should be carried out and results confirmed with the Local Planning Authority by condition to ensure this site does not require any form of specific mitigation. If the ground is contaminated, then a remedial methodology will need to be agreed with the Local Planning Authority, again via planning condition.
- 6.32. In addition, Chelmsford was the target of bombing by the Luftwaffe during WWII owing to the presence of various engineering works. This area would have been targeted since it was adjacent to the former Marconi wireless engineering works which is known to have been targeted during the bombing campaign. The Applicant's unexploded ordinance screening concludes there is a low/minimal risk of encountering unexploded ordinance, although does reference one anecdotal instance of this site being struck by a bomb which did not explode. There was no evidence of additional strikes by unexploded ordnance. An informative will be added to the decision to highlight the potential risk of construction encountering unexploded ordnance, even though it appears to be slight.

# **Open Spaces** (policies S9, S10, DM24 and Planning Obligations SPD)

6.33. All developments place a burden on open spaces, but in particular residential development. Where feasible new developments are required to provide local and strategic open spaces onsite to provide adequate open space for Chelmsford's growing communities. Given the size of development proposed there would only be a requirement in this case to contribute towards local open space (not strategic) and due to the amount of land available on the site, it is not practical to expect a physical provision. Therefore, a financial contribution towards improvements at an existing local open space will be required. A local open space contribution of £12,756 has been agreed with the Council's Corporate Property Manager, which is in line with the Planning Obligations SPD.

# **Other Matters**

# Public safety and anti-social behaviour

6.34. Through local representations the issue of public safety and anti-social behaviour in the network of footways between Glebe Road, Townfield Street and Steamer Terrace has been raised. The matter has been discussed with the Council's Public Health and Protection Service. Whilst the issue is acknowledged and the Council is looking into CCTV coverage in the area, the issues raised are not generated by the proposed development. The proposals would add further activity and surveillance to the area which whilst unlikely to resolve any existing issues, will not make that situation materially worse. Therefore, there would be no reasonable planning grounds on which to seek to alter the application as proposed or require additional works or undertakings. This issue will continue to be handled by the Council's Public Health and Protection Service.

# Deliveries to existing properties

6.35. It is accepted that the loss of the car park will limit opportunity for visitors and delivery vehicles to park along Glebe Road. There is pay-at-meter parking along Railway Street and several roads are controlled by a single yellow line, meaning it is permissible for deliveries to be carried out in those areas during the restricted hours.

# Permit parking for new residents

6.36. New residents cannot be prevented from applying for a parking permit, but new permits are not being issued to new properties and this has been the case for some time.

# Through access to Steamer Terrace (footway connection)

6.37. The footway along 5-10 Steamer Terrace is a semi-private route and is closed at its northern end by a wall. This scheme does not seek to open up that footway as a public through-route.

# 7. Community Infrastructure Levy (CIL)

7.1. This development is CIL liable. CIL payments are required to help pay for general infrastructure arising from development. In addition, there is a requirement for specific payments towards works which would usually be made via a S.106 agreement, but as this is a Council-owned site those contributions (Local Open Space and RAMS as referenced earlier in the report) have been

secured as direct transfers between Council Services, to be undertaken when planning permission is in place.

# 8. Conclusion

- 8.1. The proposals are a sustainable use of previously developed land in the City Centre.
- 8.2. The development will have a positive impact on housing and affordable housing in the city.
- 8.3. Local objections have been received and considered. The matters raised through the consultation have been considered in the context of national and local planning policy. The objections would not amount to grounds for refusal as the development is assessed to be acceptable in relation to those concerns raised.
- 8.4. The proposals are compliant with the standards and objectives of the National Planning Policy Framework and Chelmsford Local Plan (May 2020). Across all material planning considerations the development is assessed to be acceptable.
- 8.5. Officers recommend the application is approved subject to conditions.

#### RECOMMENDATION

## The Application be APPROVED subject to the following conditions:-

#### Condition 1 (PR01)

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 (PR06)

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 twelve (12) apartments in this development shall not be used for any purpose other than the provision of Affordable Housing within the definition as given within the National Planning Policy Framework.

Reason:

To define the scope of the planning permission as being a 100% Affordable Housing scheme.

#### Condition 4 (ENV07)

a) No development shall take place until a scheme to assess and deal with any contamination of the site has been submitted to and approved in writing by the local planning authority.

b) Prior to the occupation or first use of the development, any remediation of the site found necessary shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

This information is required prior to the commencement of the development because this is the only opportunity for contamination to be accurately assessed. This is to ensure the development does not give rise to problems of pollution

or contamination in accordance with Policy DM30 of the Chelmsford Local Plan.

## Condition 5 (ENV06)

a) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of archaeological work has been submitted to and approved in writing by the local planning authority.

b) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation.

#### Reason:

This information is required prior to the commencement of the development because this is the only opportunity for archaeological investigation work to be undertaken. These works are required to ensure that adequate archaeological records can be made in respect of the site in accordance with Policy DM15 of the Chelmsford Local Plan (May 2020).

#### Condition 6

No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period. The statement shall provide details of:

- i. construction access
- ii. construction vehicle turning facility
- iii. any temporary traffic management/signage

iv. provision of site operatives' and site visitors' parking clear of the highway (or details of alternative arrangements to avoid parking within local streets)

- v. location of set-down area for loading and unloading of plant and materials
- vi. location of storage area for plant and materials
- vii. wheel and underbody cleaning facilities
- viii. measures for promptly clearing any mud accidentally deposited onto the highway
- ix. additional highway safety considerations
- x. hoarding positions
- xi. position and maximum height of any portacabins
- xii. working hours, including specified delivery hours
- xiii. dust suppression and mitigation measures
- xiv. additional environmental consideration to minimise local disruption, as applicable
- xv. confirmation of where contact information will be displayed at the site for issues to be brought to the

developer's attention

#### Reason:

To ensure that on-site construction setup is confirmed, on-street parking of vehicles in the adjoining roads does not occur, to ensure that loose materials and spoil are not brought out onto the highway and to prevent other hindrance to the highway in the interests of highway safety. To manage other environmental disruptions that can reasonably be managed during construction. This must be agreed prior to the commencement of construction-related works to ensure adequate measures are put in place before they might give rise to impacts.

#### Condition 7

Notwithstanding the approved drawings, within 6 months of commencement of development a comprehensive specification of all hard and soft landscaping works and content shall have been submitted to and approved in writing by the local planning authority to include written specification, layouts and large-scale drawings as necessary of the following:

- i. hard materials setting out (including laying patterns),
- ii. details of any steps/ramps,
- iii. seating,
- iv. lighting (to streets/spaces),
- v. bins,
- vi. existing trees, hedges or other soft features to be retained,

- vii. definitive planting specification containing species and sizes,
- viii. tree pits, root barriers and staking,
- ix. any in-built method(s) of irrigation
- x. maintenance plan(s) for all of the above

All outside public/communal areas of the development as approved shall be laid out, planted, equipped and implemented in accordance with the agreed specifications prior to the occupation of 90% of the approved dwellings unless the local planning authority formally agrees to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

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

## Reason:

Whilst drawings 2022\_51 003 Rev B and 3617:02 Rev F provide initial detail sufficient to determine the application, further information is required to ensure the specification of public/communal areas is expressed in sufficient detail to establish definitive content and allow integration with adjacent areas of public realm, to enable appropriate level of assessment and to ensure those spaces are designed to an appropriate standard in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020). See informative.

## Condition 8 (DE04)

Notwithstanding the approved drawings, no development above ground level shall take place until samples (accompanied by a schedule and annotated drawings) of all materials to be used to the external faces/roof of the buildings and hard landscaping areas have been submitted to and approved in writing by the local planning authority.

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

#### Reason:

In order to achieve satisfactory development of the site in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020).

#### Condition 9 (HER12)

All new brickwork shall be constructed to give the appearance of Flemish bond, with either a flush or recessed mortar joint.

#### 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 (May 2020).

# Condition 10 (HER03)

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

(a) Fenestration, including elevations, the setback from face brickwork, sections through the head, jamb and cill, and details of stiles, mullions, meeting rails and glazing bars;

(b) Eaves, verges, hips and ridges;

- (c) Doors, door casings and surrounds;
- (d) Brick detailing;
- (e) Rainwater goods and soil or vent pipes;
- (f) Chimneys and flues;
- (g) Vents and extractor fans;

(h) Meter boxes
(i) Solar panels
(j) air source heat pumps
(k) Satellite dishes
(l) Blind windows
(m) Screen to bin store
(n) External lighting (entrance areas, etc.)
(o) Security cameras

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 11 (PMD01)

The first and second floor windows in the south-west elevation and shown on approved Drawing No 3617:09 Revision D shall be:

a) obscured (minimum Level 3 obscurity level) and

b) of a design not capable of being opened below a height of 1.7m above finished floor level and shall remain so obscured and non-openable.

Reason:

To safeguard the privacy of the occupiers of the adjacent properties in accordance with Policy DM29 of the Chelmsford Local Plan (May 2020).

## Condition 12 (DE07)

Notwithstanding the drawings as approved:

(i) Within 6 months of commencement of development the proposed treatment of all boundaries, including representative drawings of gates, fences, walls, railings or piers shall have been submitted to and approved in writing by the local planning authority.

(ii) No part of the development shall be occupied until boundary treatments as approved under (i) of this condition have been installed in accordance with those agreed details.

#### Reason:

In the interests of the visual amenities of the area in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020).

#### Condition 13 (PMD07)

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

#### Reason:

To ensure that the proposed development is visually satisfactory and does not prejudice the appearance of the locality in accordance with Policies DM13 and DM24 of the Chelmsford Local Plan (May 2020).

## Condition 14 (ENV10)

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

#### Reason:

To ensure the development provides sufficiently adaptable homes to meet current and future needs of residents in accordance with Policy DM1 of the Chelmsford Local Plan (May 2020).

## Condition 15 (ENV12)

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 (May 2020).

## Condition 16 (ENV05B)

Prior to the occupation of 50% of the development hereby permitted 3x twin electric vehicle charging points shall be installed in locations as shown on approved drawing 3617:02 Revision F.

#### Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM25 of the Chelmsford Local Plan (May 2020).

#### Condition 17

No plant, ducting, guardrail or other feature shall be installed at roof level unless expressly detailed on the approved drawings listed in this decision.

#### Reason:

To determine the scope of this planning permission and prevent items being added to the roof which could detract from the character or appearance of the area in accordance with Policies DM13 and DM24 of the Chelmsford Local Plan (May 2020).

#### **Condition 18**

No part of the development shall be occupied until the approved refuse and recycling storage has been made available and shall thereafter be maintained in a good state of function and cleanliness for its intended use as approved.

#### Reason:

To ensure satisfactory waste and recycling collection points are available to all occupiers in accordance with Policy DM26 of the adopted Chelmsford Local Plan (May 2020).

#### **Condition 19**

The proposed access arrangements as shown in principle in the Site Layout Drawing No. 3617:02 Revision F shall be provided for the following:

(i) Construction of the proposed new vehicular access with connection to parking area.

(ii) Closure of the existing vehicular access with reinstatement of the footway and kerbing to full height at that location. (iii) Provision of all signing and lining in association with the highway works (iv) Provision of visibility splays with dimensions of 2.4 metres by 25 metres as measured from and along the nearside edge of the carriageway and retained free of obstruction above 600mm at all times.

Item (i) shall be provided prior to occupation of the development as approved. The remained of items (ii-iv) shall be provided commensurate with the new access being brought into first beneficial use or such earlier date at directed by the Local Highway Authority.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner, to provide adequate intervisibility between users of the access and the public highway and to ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway, in the interests of highway safety.

#### Condition 20 (HI03)

The areas of hardstanding hereby permitted shall be constructed using a permeable surface or shall include drainage to prevent discharge of surface water onto the highway.

## Reason:

To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

## Condition 21 (HI04)

Prior to the first occupation of the development the car parking spaces and associated turning area as shown on Site Layout Drawing No. 3617:02 Revision F, including any parking spaces for the mobility impaired, shall be constructed, appropriately hard surfaced, sealed and marked out. The car parking spaces and associated turning area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles.

#### Reason:

To ensure that the approved parking areas are available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan (May 2020).

## Condition 22 (HI05)

Prior to the first occupation of the development the covered and secure cycle parking spaces as shown on Site Layout Drawing No. 3617:02 Revision F shall be created and be available for use. Those spaces shall thereafter be kept available for the parking of cycles only.

#### Reason:

To ensure adequate cycle provision is available in accordance with Policy DM27 of the Chelmsford Local Plan (May 2020).

## Condition 23 (HI01)

Prior to the first occupation of the development the Applicant shall provide to each household a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason:

In the interests of reducing the need to travel by car and promoting sustainable development and transport.

# Condition 24 (ENV01)

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and certified as technically acceptable in writing by the SUDs approval body or other suitably qualified person(s). The certificate shall thereafter be submitted by the Applicant to the local planning authority as part of the application to discharge the condition. No development shall commence until the detailed scheme has been approved in writing by the local planning authority. The approved scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- (i) Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is found to be viable, infiltration SuDS should be utilised.
- (ii) Limiting discharge rates to 1l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- (iii) Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- (iv) Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- (v) Final modelling and calculations for all areas of the drainage system.

- (vi) The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- (vii) Detailed engineering drawings of each component of the drainage scheme.
- (viii) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- (ix) An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

## Reason:

To ensure that the development is constructed sustainably in accordance with Policies S2 and DM18 of the Chelmsford Local Plan (May 2020).

#### **Condition 25**

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

## Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policies S2 and DM18 of the adopted Chelmsford Local Plan (May 2020).

## **Condition 26**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the buildings hereby permitted shall not be enlarged or extended (including roof additions) without the grant of an additional planning permission by the local planning authority.

#### Reason:

To ensure that adequate controls are retained in the interests of maintaining an appropriate relationship between the development scheme and surrounding area and properties in the interests of townscape, conservation and protecting the living environment of occupiers of neighbouring dwellings in accordance with Policies DM13, DM24 and DM29 of the adopted Chelmsford Local Plan (May 2020).

# Condition 27

Within six months of commencement of development a scheme of ecological betterment, broadly following the recommendations of the Preliminary Ecological Appraisal by James Blake Associates dated October 2022 shall be submitted to and approved in writing by the local planning authority. The agreed scheme of ecological betterment shall be installed prior to occupation and thereafter retained.

#### Reason:

To define the scope of this permission and ensure ecological betterment in line with Policy DM16 of the Chelmsford Local Plan (May 2020).

# **Notes to Applicant**

1 It should be noted that residents of this development will not be able to access permits to park on controlled streets as the permit scheme is already subscribed to capacity. The 6 available on-site parking spaces are based on unallocated provision to provide the landlord with flexibility over which units will benefit from parking, noting that accessible spaces should always be available to wheelchair accessible homes. This unallocated approach requires that the landlord assigns which units benefit from parking and which units do not - to ensure available parking is not oversubscribed. It is the responsibility of the landlord to manage the available parking to ensure it remains sufficient

and to advise prospective tenants regarding the availability (or not) of parking in association with their unit prior to them taking up residence to ensure that no unreasonable pressure for parking arises and that cumulatively the 6 parking spaces available at the development are sufficient to meet the needs of residents.

- 2 Condition 4 requires contaminated land investigation. This will need to include sampling for a wide range of volatile organic compounds including trichloroethene (TCE), cis-1, 2 dichloroethene (DCE) and tetrachloroethene (PCE) because previous investigation reports have found these to be present locally above guideline concentrations.
- 3 Condition 7 requires submission of a definitive planting proposal, notwithstanding the scheme as submitted with the application. The reason for this is that there is a desire to ensure the green space is sufficiently well integrated with the street (Glebe Road), provides opportunity for public art (public art is a requirement of the planning permission and this would be one location where it could be included) and has a sufficiently inclusive appearance which contributes to the area. At present the landscaping scheme as submitted does not necessarily meet all of these criteria, so a condition will ensure these considerations are adequately applied before a definitive landscaping scheme is approved.
- 4 Condition 12 requires submission of boundary details, notwithstanding the proposals as submitted with this application. The reason for this is that the open space is shown with fencing to its full perimeter on some (not all) drawings, but this is not considered the most positive approach to integrating this new green space with Glebe Road. A more open approach is favoured to make this space more inclusive.
- 5 Condition 24 requires that you agree the final detailed SUDS scheme direct with the Lead Local Flood Authority (LLFA), achieve scheme certification from the LLFA and then submit that certificate along with the final agreed SUDS scheme content to the Local Planning Authority to discharge the condition. It is preferable and most time efficient to manage the process as described rather than have the SUDS scheme submitted to the LPA before it has been formally agreed with the LLFA.
- 6 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The developer to pay the costs of all necessary traffic regulation orders and legal processes associated with the highway works as well as paying the costs of all necessary traffic regulation orders and legal processes associated with the highway works. The Applicant is advised to contact the Development Management Team
  - by email at development.management@essexhighways.org
  - by post to: SMO2 Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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

- 7 During construction the developer should be aware that there is a risk (low/minimal) of encountering unexploded ordnance.
- 8 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

- 9 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
- 10 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.
- 11 Your attention is drawn to the consultation response of Anglian Water regarding the ability to connect drainage from this site to the public sewer and related information. A copy of the response is available via Public Access, or a copy can be provided to the applicant on request.

# **Positive and Proactive Statement**

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

# **Background Papers**

Case File

# **Recycling & Waste Collection Services**

Comments

No response received

# Parks & Open Spaces

Comments

No response received

# Leisure & Heritage Services

Comments

No response received

## **Anglian Water Services Ltd**

Comments

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have available capacity for these flows

Based on the Foul and Surface Water Drainage Strategy submitted with the application, the proposed connection is acceptable. We do not require a condition relating to foul water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Anglian Water has reviewed the submitted Foul and Surface Water Drainage Strategy and can confirm that these are acceptable to us. This in principle agreement is subject to proof that the surface water hierarchy has been followed and that there is no alternative discharge option. Without this, the developer will not receive a S106 (water industry act) agreement. We require these documents to be listed as approved plans/documents if permission is granted.

Recommended informatives:

- Connections to sewers
- Working near existing sewers (3m easement)

# **Historic England**

Comments

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

# Essex County Council (SUDS)

Comments

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 covering as follows:

Submission and LLFA approval of the technical SUDS scheme Maintenance regime (including keeping of yearly logs)

The LLFA does not consider sequential tests, flood risk due to fluvial events or safety/evacuation during flood event.

Recommended informatives:

Record keeping of flood and drainage features Other standard guidance

# **Essex County Council Highways**

Comments	
No response received	

# Housing Standards Team

Comments
No response received

# **ECC Historic Environment Branch**

Comments

Site lies to the north-west of the medieval core of Chelmsford, within the area of the city's subsequent postmedieval residential and industrial expansion.

The proposed development site has the potential to contain evidence of extramural activity related to the medieval settlement to the south-east and occupation remains related to the post-medieval expansion of the city in the 18th and 19th centuries. Additionally, the proposed development is located within the wider hinterland surrounding the Roman precursor to Chelmsford, Caesaromagus, which was located to the south of the city centre at Moulsham. Evidence of Roman subsistence activity or land management may also therefore survive on the site.

Archaeological features and deposits may be present in the proposed development area and be impacted by the groundworks associated with the development. Conditions recommended as follow:

- Archaeological trial trenching and excavation

# Essex County Council Highways

# Comments

For main urban areas, defined as those having frequent and extensive public transport and cycling and walking links, access to education, healthcare, food shopping and employment, a reduction or zero vehicle parking standard may be considered for residential development. This site is located within very easy walking distance of the bus and the railway stations and there are public car parks nearby. The reduced vehicle parking provision level proposed is therefore considered appropriate for this development.

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

- Construction Management Plan
- Parameters for constructing access to Glebe Road
- Access drainage
- Provision of parking and cycle parking prior to occupation
- Resident Travel Information Packs with travel vouchers

Informative:

- All work affecting highway to be agreed - ECC contact

# **Ramblers Association**

Comments

No Comment

# **One Chelmsford BID Ltd**

Comments

No response received

# **City Centre Manager**

Comments

No response received

# **Local Residents**

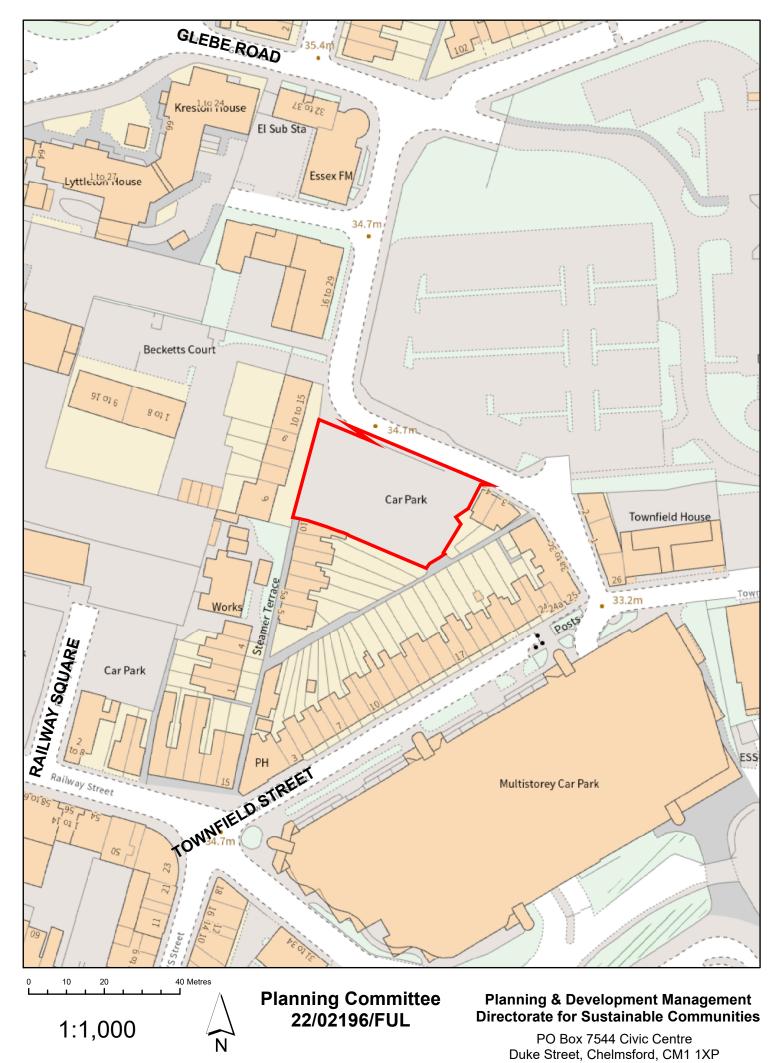
# Comments

14 representations (1 of which was a letter on behalf of 3 households) were received raising the following:

- 1. Existing high levels of on-street parking in Townfield Street impact on local people
- 2. Residents of the scheme should not be eligible for permits to park in local streets
- 3. Loss of revenue from the existing car park impact on Council services
- 4. Where will users of the existing car park now go?
- 5. Public safety having to walk further to find parking
- 6. Impact of construction on local residents
- 7. Scale of development is excessive
- 8. Overbearing
- 9. Loss of light
- 10. Overlooking
- 11. The alleyways are used for drug dealing and are subject to anti-social behaviour lack of CCTV
- 12. Opening up Steamer Terrace footway will provide escape route for criminals
- 13. Site is part of commuter walking route
- 14. Existing congestion on roads
- 15. Loss of parking and access for visitors, deliveries and tradespeople
- 16. Steamer Terrace is unusual in that it does not benefit from vehicular access to properties
- 17. New development detracts from local history
- 18. Lack of amenities for residents
- 19. Loss of casual surveillance
- 20. Boundaries should not decrease passive surveillance

# Officer Reply

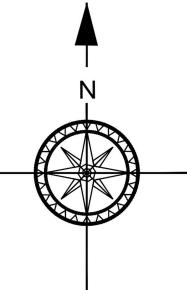
- 1. Officers are aware of parking levels within Townfield Street. Residents from this development and other contemporary developments in the city are not able to access permit parking for these roads.
- 2. See response to 1, para 6.36 and informative 1.
- 3. Not material to the planning consideration. Nonetheless, the Council's decision to close this car park would have taken financial implications into account.
- 4. See para 6.3.
- 5. See para 6.3.
- 6. Construction impacts are not material to whether the proposal is acceptable or not, but note that construction management has been covered by Condition 6.
- 7. See para 6.6.
- 8. See 'Neighbour Relationships' section paras 6.10 6.15.
- 9. As above.
- 10. As above.
- 11. See para 6.34.
- 12. See para 6.37 footpath between Steamer Terrace and application site is not proposed to be opened up.
- 13. Noted. See para 6.19. Comparable routes around this site remain for pedestrians.
- 14. Noted. Highway Authority raises no objections.
- 15. See para 6.35.
- 16. Noted.
- 17. See para 6.8.
- 18. See para 2.10.
- 19. Not agreed. A residential use of the site will add a permanent presence of passive surveillance.
- 20. This proposal introduces the minimum of boundary enclosure required.



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Telephone: 01245 606826





F





Glebe Rd

North West Elevation (Green Wedge)

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No.10 Steamer Terrace

revision issue

client

project

title

Rev. F (08/03/2023) Fine mesh indicated behind Refuse store gates to improve privacy. Rev. E (09/02/2023) Added timber windows, added blind windows, chimney positioning changed, added parapet, added stone band above underpass, removed quoins, removed short railing, added railing and reduced height of gables. Rev. D Transparency of trees changed

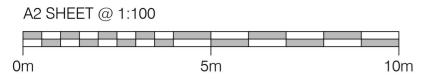
Chelmsford City Council

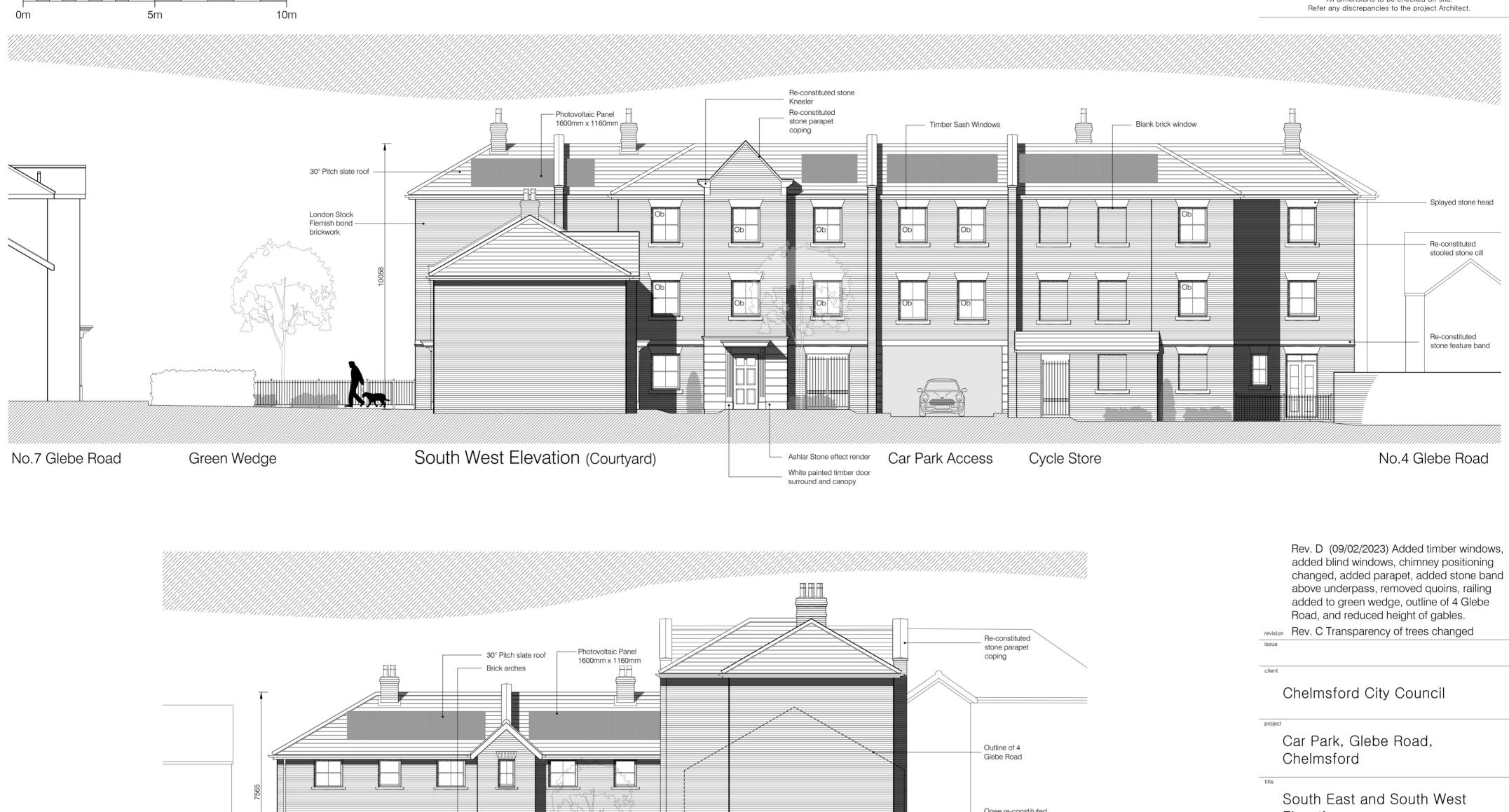
Car Park, Glebe Road, Chelmsford

North East / North West Elevations & Street Scenes

# john finch partnership chartered architects & town planning consultants

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drawn	TW	checked	RJH	
dwg no	3617:08			revision







South East Elevation No.10 Steamer Terrace

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