

# Planning & Environment COMMITTEE A G E N D A

**For a Meeting to be held on Tuesday 29<sup>th</sup> October 2024  
at 7.30pm  
at Champions Manor Hall, Hullbridge Road,  
South Woodham Ferrers**

**Membership:  
Councillor D Thompson Chairman  
Councillor S Wilson Vice-Chairman**

Councillor M Sismey  
Councillor P Ferry  
Councillor A Shearring

Councillor G Piesse  
Councillor J Birch  
Councillor I Roberts

Councillor A John  
Councillor M O Brien  
Councillor P Price

***Local residents are welcome to attend this meeting. At the meeting, your elected Councillors will take decisions affecting YOU, the Community, and the Town. At the beginning of the meeting there is an opportunity for you to make representations, answer questions and give evidence in respect of any item of business on the agenda. The public may participate for up to 15 minutes for this purpose. If you have any queries, please telephone the Town Clerk on 01245 321 817. Please join us.***

**Karen Atkins  
Town Clerk  
23rd October 2024**



**1. Apologies if Absence**

To RECEIVE apologies for absence.

**2. Dispensation considerations**

To consider any dispensations, as required. Standing Order 12. Dispensation requests shall be in writing and submitted to the Town Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

**3. Declarations of Interest**

Any Member declaring an interest is asked to state whether this is a pecuniary registerable or non-registerable interest. Clarification, if required, can be sought prior to the meeting with the Chairman or the Town Clerk.

**4. Confirmation of Minutes**

To APPROVE the minutes of the meeting held on 24<sup>th</sup> September 2024 as a true record.

**5. Public Questions**

In accordance with Standing Order 3.e to allow up to 15 minutes for members of the public to make representations, answer questions and give evidence in respect of any item of business covered by the Committees terms of reference. At the close of this item members of the public will no longer be permitted to address the Committee; Members with pecuniary interests will also not be permitted to speak, address the Committee on those interests and must leave the meeting when the item in relation to their interest is being discussed.

**6. Budgetary Position**

The budgetary position as at 23/10/2024 is attached to the agenda.

**7. Previous Planning Decisions and Appeals**

To note the City Council planning decisions which differ from the Town Council recommendations will be circulated prior to the meeting.

**8. Planning Applications**

To consider and agree comments on the planning applications as detailed on the list circulated and displayed on the Town Council noticeboards and website.

**9. Committee Projects 2024/25**

Committee to consider future projects for the Planning & Environment Committee to be recommended to Finance & Projects Committee on 12<sup>th</sup> of November 2024.

- To **NOTE** Finance & Projects Committee on 12<sup>th</sup> November will consider a £5,000.00 budget request for a future project to install an interactive speed detector.

**10. Budget 2025-26**

To consider the draft budget for Planning & Environment 2025-26. Information circulated prior to the meeting.

This will be recommended to Finance & Projects Committee on the 12<sup>th</sup> of November 2024.

**11. The Fen**

- Fenn report attached to agenda
- Committee to consider the Hay Contract for the Fen attached to agenda.

**12. John Cox**

To receive an update from the Environment Officer.

**13. Items to Note**

- **Woodville School ECO Committee**

Committee to **NOTE** the school have updated and have to move this event to the spring term to allow more time to organise. It was organically meant to be in the autumn term. Provisionally allocated to a Friday morning in Spring term. Councillors Wilson and Shearring to attend.

- **2024/2025 Tree Giveaway**

Chelmsford City Council is continuing a tree giveaway program for 2024-2025 as part of the ongoing tree planting campaign.

This year they are offering 1,400 trees of four species (350 of each species): Quercus ilex (Holm Oak), Corylus avelana (Hazel), Prunus avium (Cherry), and Carpinus betulus (Hornbeam).

The giveaway will start on **7 October 2024** and will continue until **7 November 2024** or until supplies last. Details will be accessible on the [Love Your Chelmsford](https://loveyourchelmsford.co.uk) website or by following this link:  
<https://loveyourchelmsford.co.uk/tree-giveaway/>

- Chelmsford City Council Planning Notices. Information circulated at the meeting.

#### **14. Garden of Remembrance**

- Committee to consider options for the Garden of Remembrance project. Council agreed a £6,000.00 budget from EMR Project Fund at Council on 22/8/2023 C523.

To include the repainting of the Rotunda, maintenance of 12 benches, restore gold leaf/paint floor memorials and a Rose Bush adoption area as an alternative to tree adoption. Report attached to agenda.

- Council to consider a request from the Rotary to plant 2-3 thousand Crocus bulbs at the Garden of Remembrance. Information circulated at the meeting.

#### **15. Trees at Tanners Way**

Following the tree felling works carried out adjacent to footpath 40 and Tanners Way, Committee to consider an invite to the Chelmsford City Council Tree Officer to a future Planning & Environment meeting to explain to members the validity of the tree preservation order in place for this area. Environment Officer to update.

#### **16. Report to Council**

To note items for report to the next Council meeting is on 19th of November 2024.

#### **17. Media Coverage**

To consider whether any items on this agenda warrant a media release and if applicable agree a Councillor to comment.

#### **18. Next Meeting**

The next meeting of the Planning and Environment Committee will be on 26th of November 2024 at 7.30pm.

**Any member who is unable to attend the meeting should send their apologies and reason to the Town Clerk prior to the meeting.**

## Detailed Income &amp; Expenditure by Budget Heading 23/10/2024

Month No: 7

## Cost Centre Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<b>300 Environment General</b>							
4325 Litter Control	1,873	2,800	927		927	66.9%	
4328 Tree Works	10,600	3,500	(7,100)		(7,100)	302.9%	9,560
4700 Street Furniture & Signage	2,027	4,000	1,973		1,973	50.7%	
4705 Hanging Baskets	12,572	13,200	629		629	95.2%	
4710 Roundabout Sponsorship	1,837	2,000	163		163	91.9%	
4720 Fenn Maintenance	3,258	4,500	1,242		1,242	72.4%	
Environment General :- Indirect Expenditure	<b>32,167</b>	<b>30,000</b>	<b>(2,167)</b>	<b>0</b>	<b>(2,167)</b>	<b>107.2%</b>	<b>9,560</b>
<b>Net Expenditure</b>	<b>(32,167)</b>	<b>(30,000)</b>	<b>2,167</b>				
6000 plus Transfer from EMR	9,560						
<b>Movement to/(from) Gen Reserve</b>	<b>(22,607)</b>						
<b>310 Garden of Remembrance</b>							
1300 Garden of Remembrance Income	6,220	14,300	8,080			43.5%	
Garden of Remembrance :- Income	<b>6,220</b>	<b>14,300</b>	<b>8,080</b>			<b>43.5%</b>	<b>0</b>
4010 Water	69	150	81		81	45.7%	
4760 GoR Supplies	2,548	5,000	2,452		2,452	51.0%	
4765 GoR Maintenance	2,707	6,200	3,493		3,493	43.7%	
4770 GoR Security	2,472	5,000	2,528		2,528	49.4%	
Garden of Remembrance :- Indirect Expenditure	<b>7,795</b>	<b>16,350</b>	<b>8,555</b>	<b>0</b>	<b>8,555</b>	<b>47.7%</b>	<b>0</b>
<b>Net Income over Expenditure</b>	<b>(1,575)</b>	<b>(2,050)</b>	<b>(475)</b>				
Grand Totals:- Income	<b>6,220</b>	<b>14,300</b>	<b>8,080</b>			<b>43.5%</b>	
Expenditure	<b>39,962</b>	<b>46,350</b>	<b>6,388</b>	<b>0</b>	<b>6,388</b>	<b>86.2%</b>	
<b>Net Income over Expenditure</b>	<b>(33,742)</b>	<b>(32,050)</b>	<b>1,692</b>				
plus Transfer from EMR	9,560						
<b>Movement to/(from) Gen Reserve</b>	<b>(24,182)</b>						

**TOWN AND COUNTRY PLANNING ACT 1990**

**Agent:**

Miss Dominika Zakowana  
Arcady Architects  
Unit 4  
Phillows Barns  
Hammonds Road  
Little Baddow  
CM3 4BG

**Applicant:**

Mrs Cathryn Cheyne  
Tabrums  
Burnham Road  
South Woodham Ferrers  
CM3 5QN

**PLANNING PERMISSION**

LOCATION: **Land Rear Of Tabrums Burnham Road South Woodham Ferrers Chelmsford**  
PROPOSAL: **Conversion of the existing two storey outbuilding to a separate dwelling with addition of a single storey side extension, replacement dormer window and two roof windows to the first floor, alterations to fenestration, creation of a new boundary and landscaping across the new proposed site.**  
APPLICATION NO: **24/00880/FUL**  
DATE RECEIVED: **20 June 2024**  
DRAWING NO(s): **24/12/01/B; 24/12/04/C; 24/12/05/C; 24/12/06/C;**

The Council has given consideration to the application and plans as specified above, and hereby gives notice of its decision to **GRANT PLANNING PERMISSION** subject to the following: -

**Condition 1**

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

Reason:

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

**Condition 2**

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

Reason:

To achieve satisfactory development of the site

**Condition 3**

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

Reason:

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

**Condition 4**

All rainwater goods shall be of cast iron or cast aluminium and painted black.

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 5**

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

- (a) Windows,
- (b) dormer,
- (c) rooflights,
- (d) doors,
- (e) vents and flues

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

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 6**

Prior to first occupation of the development hereby permitted, details of both hard and soft landscape works indicated on drawing no 24/12/04 Rev C within both the land identified edged in red and blue shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including fences, pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges, or other soft features to be retained;
- c) planting plans for the boundary hedgerow including 3 trees, including specifications of species, sizes, planting centres, number, and percentage mix.
- d) Management details and a five-year maintenance plan.

Reason:

In order to preserve the setting of the adjoining listed building in accordance with Policy DM13 of the Chelmsford Local Plan and to ensure that the proposed hedgerow is planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change .

**Condition 7**

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 dwelling hereby permitted shall not be enlarged or extended and no outbuildings shall be constructed without the grant of an additional planning permission by the local planning authority.

Reason:

To preserve the setting of the adjacent listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 8**

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 windows or other openings other than those expressly authorised by this permission shall be constructed or inserted within the eastern, western, southern, and northern wall or roof of the development hereby permitted.

Reason:

To preserve the setting of the adjacent listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 9**

No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

**Condition 10**

There shall be no discharge of surface water from the site 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 11**

No dwelling shall be occupied until space has been laid out within the site in accordance with Drawing no. 24/12/06/C for 2 cars to be parked and for vehicles to turn so that they may leave the site in forward gear and that space shall thereafter be always kept available for parking and turning purposes.

Reason:

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

**Condition 12**

Prior to the first occupation of the dwelling hereby permitted, charging infrastructure for electric vehicles shall be installed and retained at a rate of 1 charging point per dwelling.

Reason:

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

**Condition 13**

The new dwelling 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.

**Notes to Applicant**

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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

- 2 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
- 3 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](http://www.chelmsford.gov.uk/cil), and further information can be requested by emailing [cilenquiries@chelmsford.gov.uk](mailto: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.
- 4 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at [www.chelmsford.gov.uk/streetnaming](http://www.chelmsford.gov.uk/streetnaming). Enquires can also be made to the Address Management Officer by emailing [Address.Management@chelmsford.gov.uk](mailto:Address.Management@chelmsford.gov.uk)

**Positive and Proactive Statement**

During the life of the application the Local Planning Authority suggested amendments to the proposal to improve the development. 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.

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Date: 25 September 2024

Signed:

*Keith Holmes*

**KEITH HOLMES**

Planning Development Services Manager

**IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED**



**Important Note: This Planning permission does not override the need to obtain any necessary approvals under the Building Regulations, Party Wall Act or any other relevant legislation. Separate approval may also be required in other areas, for example, restrictive covenants, shared agreements, easements, rights of way etc.**

The provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this development and will be determined at Building Regulation Stage.

### **NOTICE TO APPLICANT WHERE PERMISSION IS SUBJECT TO CONDITIONS**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your Local Planning Authority to impose conditions on your permission for the proposed development then you can appeal to the Secretary of State for the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within six months of the Council's decision.
- **However if the development as described in your application is the same or substantially the same as development that is currently the subject of an enforcement notice then you must appeal within 28 days of the date of this decision notice.**
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

#### **Notification of Appeals to the Council**

- You must send a copy of your appeal to the local authority. In accordance with appeal procedures, when forwarding copies of appeal forms and additional information, plans or drawings direct to the local authority, please send electronic copies to [planning.appeals@chelmsford.gov.uk](mailto:planning.appeals@chelmsford.gov.uk) or address to the Director of Sustainable Communities, Chelmsford City Council, P.O. Box 7544, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1XP.

#### **Purchase Notices**

- If either the local planning authority or the Secretary of State for the Department for Communities and Local Government grant permission to develop land subject to conditions, the owner can claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990.

#### **Compensation**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related to provisions of the Town and Country Planning Act 1990.



**DECISION MADE BY THE DIRECTOR OF SUSTAINABLE COMMUNITIES**

<b>Application No</b>	:	24/00880/FUL Full Application
<b>Location</b>	:	Land Rear Of Tabrums Burnham Road South Woodham Ferrers Chelmsford
<b>Proposal</b>	:	<b>Conversion of the existing two storey outbuilding to a separate dwelling with addition of a single storey side extension, replacement dormer window and two roof windows to the first floor, alterations to fenestration, creation of a new boundary and landscaping across the new proposed site.</b>
<b>Applicant</b>	:	Mrs Cathryn Cheyne
<b>Agent</b>	:	Miss Dominika Zakowana
<b>Date Valid</b>	:	20th June 2024
<b>Development Type</b>	:	Minor Dwellings (D13)
<b>Drawing No(s)</b>	:	24/12/01/B; 24/12/04/C; 24/12/05/C; 24/12/06/C;
<b>Target Date</b>	:	14th August 2024
<b>Consult Expiry</b>	:	24th September 2024

**Description of the site**

- Existing outbuilding and hardstanding within curtilage of a dwelling house
- Curtilage of Grade II listed building
- Within settlement boundary
- Property on corner of Burnham Road and Hullbridge Road
- Dwellings to west and south and to east across Hullbridge Road

**Details of the proposal**

Subdivision of existing residential property with conversion of the existing two storey outbuilding to a separate dwelling with addition of a single storey side extension, replacement dormer window and two roof

windows to the first floor, alterations to fenestration, provision of private garden area, creation of a new boundary and landscaping across the new proposed site. The new dwelling would use the existing vehicle access off Hullbridge Road. Proposed external materials for extension would be plain clay roof tiles to match existing, walls timber boarding with brick plinth to match existing. The garden to the new house would be a timber close board fence with new hedge. The increase in footprint measures approximately 21 square metres in area.

### **Other relevant applications**

None

### **Consultations**

The following were consulted as part of the application:

- South Woodham Ferrers Town Council

Concerns over road access and vehicular turning within the site. This building should only be permitted as an ancillary property and should not be permitted to be a property in its own right.

- Public Health & Protection Services

To provide 1. EV charging point

- Essex County Council Highways

No objection

Notes: Tabrums has two existing and established vehicular accesses:

- Burnham Road Vehicular access retained for the main Tabrums dwelling.
- Hullbridge Road Vehicular access to the existing Outbuilding/Garage Conversion.

Tabrums retains its existing large driveway parking and turning area, which comfortably provides off-street parking provision in accordance with the Parking Standards. The Outbuilding/Garage Conversion would provide off-street parking for two vehicles in accordance with the Parking Standards with a turning area to enable vehicles entering the site to turn and leave in forward gear. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority – recommends conditions to control the discharge of surface water and displacement of loose material onto the highway, and for the provision and retention of parking and turning on site as indicated on the submitted plan.

- Local residents

No representations received

### **Planning considerations**

#### *Principle of Development*

The property is in the settlement boundary of South Woodham Ferrers. Policy S1 Spatial Principles supports new development in sustainable locations which includes existing urban areas subject to there being no adverse impacts as outlined in other specific policies of the development plan.

#### *Main Issues*

In this case the main issues are the impact of the proposed development on the setting of a Listed Building, the character and appearance of the locality, amenity, and highway safety.

-Listed Building Setting:

Development Plan Policy DM13 Designated Heritage Assets requires that new development should cause substantial harm to Listed Buildings and their settings.

During consideration of this application the proposal has been amended to reduce the extent of the curtilage for the dwelling, provide additional landscaping and amend the alterations and extensions to the existing building.

The proposed extensions have been revised with articulation to the roadside extension. The side extension is now more vernacular in character with a lean-to roof. There would be a single central dormer with a cat slide roof. Two modest rooflights would be on the rear elevation. The fenestration is simplified.

The extent of curtilage taken is reduced with the new boundary close to the western elevation of the outbuilding. The new boundary fence would be enclosed with a semi-mature hedge.

The revised proposals have simplified the design to retain an ancillary outbuilding character to the building. The reduced curtilage and landscaping help to minimise the subdivision of the plot and its impacts. Access and garaging are retained on the western side for the house. The subdivision of the historic curtilage would still have an impact on the setting listed building, but the overall impact would be a very low level of less than substantial harm, which should be weighed up against any public benefits and material planning considerations.

The heritage officer raises no objection with recommended conditions requiring the prior approval by the local planning authority for: the external materials to be used, specified building details, a landscape scheme and for the removal of permitted development rights for further extension and alteration of the building.

As amended the proposal complies with policy DM13

#### -Character and Appearance of the Locality

Development Plan Policy DM 23 High Quality and Inclusive Design requires that new development respond to its context and be compatible having regard to scale, siting, form, architecture, materials, boundary treatments and landscape in terms of its massing, materials.

The site is within a residential area including a mixture of traditional and modern dwellings, the design in particular responds to the listed building adjoining as described above in the report. The proposal complies with Policy DM 23.

#### -Amenity

Policy DM 26 Design Specification for Dwellings sets out the elements to be included with all new dwellings as further set out in Appendix B of the development plan:

- i. Achieve suitable privacy and living environment for residential occupiers; and
- ii. Achieve sufficient private amenity space; and
- iii. Provision of open space; and
- iv. Achieve appropriate internal space through adherence to the Nationally Described Space Standards; and
- v. Provide appropriate and well-designed recycling and waste storage

The proposed layout and floor plans show accommodation as above that adheres to the NDSS with a private garden area of 100 square metres which is sufficient for this 2-bedroom dwelling. Two small rooflights are to be installed in the rear (west)elevation of the building; the primary window giving light and a view from the first-floor bedroom faces east across Hullbridge Road and replaces an existing dormer window on that

elevation. The back-to-back distance to the nearest dwelling to the west (6 The Tabrums) is 45m. There would be no adverse impact on the amenity of the adjoining dwellings by way of overlooking.

The proposal complies with Policy DM26.

#### Highway Safety.

As set out in the consultation section, the proposal is accessed via an existing vehicle access on Hullbridge Road and provides parking and turning clear of the highway. The Highways Authority raise no objection. The proposal is deemed safe and accessible and complies with policies DM 23 and DM27 Parking Standards.

#### *Other Matters*

##### -Sustainable Buildings

As a new dwelling the building will be required to provide an EV charging point and to meet water efficiency standards. Conditions are attached so that the development complies with policy DM 25

##### -Trees

The Council has declared a climate emergency, its Climate and Ecological Emergency Action Plan includes a greening programme to significantly increase woodland and tree cover in Chelmsford. There is an ambition to ensure three new trees are planted for every new home built. Where practicable, the Council will secure tree planting through a planning condition requiring tree planting on site, usually as part of a landscaping condition. If a developer cannot plant trees on site, they will have to make a financial contribution instead, as a commuted sum. The tariff is £300 per net new dwelling.

In this case the proposal includes the provision of a new boundary hedge around the property which can include trees within it, this will be secured by a planning condition and is considered appropriate to achieve the Council's objective.

##### -RAMS

The applicant has provided the necessary mitigation payment to offset any additional adverse recreational impact on internationally designated wildlife sites in compliance with Policy DM16 A of the Local Plan.

#### **Conclusion**

For the reasons given above and having regard to all other matters raised it is concluded that the proposed development is acceptable in accordance with the adopted Local Plan Policies.

#### **Biodiversity Net Gain**

Biodiversity Net Gain Mandatory: Yes

Exemption: development impacting habitat of an area below a threshold of 25m<sup>2</sup>, (De Minimis); small scale self-build and custom housebuilding.

Although the application identifies the proposal as a self-build and seeks an exemption from BNG on that basis, in fact the size of the proposed extension would also exempt the development from this requirement as it measures 21m<sup>2</sup> and so would fall below the threshold of 25m<sup>2</sup>. As such there is no requirement to attach the standard condition relating to self-build development that it must be occupied for a given period of time.

#### **Community Infrastructure Levy (CIL)**

This application may be CIL liable.

## **RECOMMENDATION**

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

### **Condition 1**

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

Reason:

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

### **Condition 2**

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

Reason:

To achieve satisfactory development of the site

### **Condition 3**

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

Reason:

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

### **Condition 4**

All rainwater goods shall be of cast iron or cast aluminium and painted black.

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

### **Condition 5**

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

- (a) Windows,
- (b) dormer,
- (c) rooflights,
- (d) doors,
- (e) vents and flues

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

Reason:

To ensure the proposed development does not detract from the historical value or character and appearance of the listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

### **Condition 6**

Prior to first occupation of the development hereby permitted, details of both hard and soft landscape works indicated on drawing no 24/12/04 Rev C within both the land identified edged in red and blue shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including fences, pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges, or other soft features to be retained;
- c) planting plans for the boundary hedgerow including 3 trees, including specifications of species, sizes, planting centres, number, and percentage mix.
- d) Management details and a five-year maintenance plan.

Reason:

In order to preserve the setting of the adjoining listed building in accordance with Policy DM13 of the Chelmsford Local Plan and to ensure that the proposed hedgerow is planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change .

**Condition 7**

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 dwelling hereby permitted shall not be enlarged or extended and no outbuildings shall be constructed without the grant of an additional planning permission by the local planning authority.

Reason:

To preserve the setting of the adjacent listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 8**

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 windows or other openings other than those expressly authorised by this permission shall be constructed or inserted within the eastern, western, southern, and northern wall or roof of the development hereby permitted.

Reason:

To preserve the setting of the adjacent listed building in accordance with Policy DM13 of the Chelmsford Local Plan.

**Condition 9**

No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

**Condition 10**

There shall be no discharge of surface water from the site 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 11**

No dwelling shall be occupied until space has been laid out within the site in accordance with Drawing no. 24/12/06/C for 2 cars to be parked and for vehicles to turn so that they may leave the site in forward gear and that space shall thereafter be always kept available for parking and turning purposes.

Reason:

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

**Condition 12**

Prior to the first occupation of the dwelling hereby permitted, charging infrastructure for electric vehicles shall be installed and retained at a rate of 1 charging point per dwelling.

Reason:

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

**Condition 13**

The new dwelling 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.

**Notes to Applicant**

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

Noisy work

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

Light work

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

In some circumstance further restrictions may be necessary.

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



- 2 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are Telephone: 0845 603 7631. Email: [development.management@essexhighways.org](mailto:development.management@essexhighways.org).
- 3 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](http://www.chelmsford.gov.uk/cil), and further information can be requested by emailing [cilenquiries@chelmsford.gov.uk](mailto: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.
- 4 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at [www.chelmsford.gov.uk/streetnaming](http://www.chelmsford.gov.uk/streetnaming). Enquires can also be made to the Address Management Officer by emailing [Address.Management@chelmsford.gov.uk](mailto:Address.Management@chelmsford.gov.uk)

### **Positive and Proactive Statement**

During the life of the application the Local Planning Authority suggested amendments to the proposal to improve the development. 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.

### **SUMMARY OF RELEVANT ADOPTED PLANNING POLICIES:**

#### **SPS1**

Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.

#### **SPS2**

Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.

#### **SPS3**

Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.

#### **SPS4**

Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan

for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation, and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

#### 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.

#### DM13

Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.

#### 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.

#### DM23

Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible, and inclusive environments.

#### DM25

Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.

#### DM26

Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.

#### DM27

Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications.

#### DM29

Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions unless appropriate mitigation measures can be put in place and permanently maintained.

#### APPB

Appendix B forms part of the adopted Local Plan and provides information about standards that apply to all new residential developments in Chelmsford including conversions, apartments, houses, Houses in Multiple Occupation (HMO's) and extensions, unless it can be demonstrated that the site circumstances require a different design approach. The standards seek to ensure new developments will meet the needs of their occupiers, minimise the impact of new developments on surrounding occupiers and encourage higher rates of recycling.

#### NHP

The Neighbourhood Plan sets out the local community's aspirations for the area and establishes policies for development and land use in the area. It is a material planning consideration.

### **Background Papers**

Case File

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# Fen Report October 2024

The replacement bench has arrived from our suppliers, and we are awaiting the installation.

There have been no further reports of illegal bikes on the fen, the police have monitored the situation when in the area.

Planning and funding are still ongoing on the King Charles Footpath which will cross over the footbridge onto the fen.

The footbridge near to the cattle area has indications of some movement and may require works in the near future as well as deteriorating steps

## **Report from Essex Wildlife:**

Nothing to report this time.

# John Cox Report October 2024

Works are completed on the fencing and gate as well as the pathway works and clearing of bushes.



The gate has been made disabled accessible , and the fencing and gates are pre-treated timbers.

Once the foundation cement has hardened, JW Davis will carry out some clean up of the soil as part of his works which will also include cutting back and killing off some of the brambles.

Our SSO carried out a litter clear after the works had been completed, using a longgrabber and collected bags of rubbish. Litter has remained under control and at low levels.