

Minutes of the meeting of the Development and Regulation Committee, held in Committee Room 1, County Hall, on Friday, 28 April 2023 at 10:30.

Present:

Cllr C Guglielmi (Chairman)	Cllr J Jowers
Cllr M Steptoe	Cllr C Pond
Cllr J Fleming	Cllr R Moore
Cllr M Garnett	Cllr B Aspinell
Cllr D Harris	Cllr M Hardware (departed at item 6.1)

1. Membership, Apologies, Substitutions and Declarations of Interest

Apologies were received from Cllr Mark Stephenson, for whom Cllr Chris Pond substituted, and from Cllr Paul Thorogood and Cllr Lynette Bowers-Flint.

Cllr John Jowers declared an interest in item 4.1 of the agenda (Minute 2) concerning Fairfields Farm, Fordham Road, Wormingford as he had been the Cabinet Member for Minerals and Waste when the site was initially proposed. Cllr Jowers considered that as he had a previous involvement with the site, he would withdraw from the debate and not vote on the item.

Cllr Carlo Guglielmi declared an interest in item 5.2 of the agenda (Minute 8) concerning Great Bentley Primary School, Plough Road, Great Bentley as the site was in Tendring and Cllr Guglielmi was the Deputy Leader of Tendring District Council. Cllr Guglielmi considered that as he had not previously expressed a view on the proposition, he was not precluded from participating in the debate and voting on this item.

Cllr Barry Aspinell declared an interest in item 5.2 of the agenda (Minute 8) concerning Great Bentley Primary School, Plough Road, Great Bentley as he had previously Chaired Essex Sport, which was affiliated to Sport England, who had objected to the application. Cllr Aspinell considered that as he had not previously expressed a view on the proposition, he was not precluded from participating in the debate and voting on this item.

2. Minutes

The minutes of the meeting held on 27 January 2023 were agreed as a correct record and signed by the Chairman.

3. Identification of Items Involved in Public Speaking

Individuals to speak in accordance with the procedure were identified for the following items:

- 1) Asheldham Quarry, Asheldham, Essex
To consider report DR/05/23 relating to a retrospective application for the installation of a mixed construction and demolition soils wash plant with associated infrastructure including relevant recycling activities such as screener, crusher, concrete bays and stockpiles.

Location: Asheldham Quarry, Asheldham, Essex

Ref: ESS/125/22/MAL

Public speakers:

- The agent on behalf of the applicant: Mr Andrew Clarke – speaking for
- 2) Land off Remembrance Avenue, Beaulieu, Chelmsford
To consider report DR/06/23 relating to the erection of a new two form entry primary school with associated playing fields, hard play areas, parking and landscaping.

Location: Land off Remembrance Avenue, Beaulieu, Chelmsford, Essex

Ref: CC/CHL/127/22

Public speakers:

- The agent on behalf of the applicant: Mr Michael Ward – speaking for
- 3) Great Bentley Primary School, Plough Road, Great Bentley
To consider report DR/07/23 relating to the extension of existing Primary School (1 form entry expansion) comprising the erection of a new 2 storey teaching block with associated play area, landscaping, car and cycle parking, and alterations to existing school including erection of new canopy and other remodelling works.

Location: Great Bentley Primary School, Plough Road, Great Bentley, Essex, CO7 8LD

Ref: CC/TEN/19/23

Public speakers:

- The agent on behalf of the applicant: Mr Andrew Clarke – speaking for

Due to a prior commitment, Mr Andrew Clarke had requested that item 5.2 be heard earlier in the agenda. Cllr John Jowers proposed that item 5.1 and item 5.2 be switched in order to accommodate this, which was seconded by Cllr Mike Garnett and approved by the Committee.

4. Fairfields Farm, Fordham Road, Wormingford

The Committee considered report DR/04/23 by the Chief Planning Officer.

Members noted the addendum to the agenda.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

The Committee noted the key issues:

- Appropriateness of the development in this location
- Landscape and visual implications
- Traffic
- Environmental emissions – Air Quality
- Environmental emissions – Noise
- Environmental emissions – Drainage

Following comments and concerns raised by members, it was noted:

- The footprint of the application site was in the northern area of the Fairfields Farm site.

There being no further points raised, the resolution, was proposed by Cllr Mike Garnett and seconded by Cllr Mike Steptoe. Following a unanimous vote in favour, it was

Resolved

1. That planning permission be refused for the following reason:

Due to the scale, nature and location, the proposed development would constitute inappropriate development in the countryside/rural area remote from the wider Fairfields Farm business activities; existing development boundaries and allocated sites. Such encroachment of development into the countryside would cause harm to the openness, quality and character of the landscape and the countryside and would be out of keeping with the aim of protecting the countryside. The proposed development does not cater for any waste capacity shortfalls and accordingly there is no overriding need or justification that outweighs the other identified harm. The development is considered contrary to the Essex Waste Local Plan Adopted July 2017 Policies 10; 11 and 12 North Essex Authorities' Shared Strategic Section 1 Plan (Adopted February 2021) Policy SP1; Colchester Borough Council Local Development Framework Development Policies (adopted 2010, reviewed 2014) Policies DM1; DM15; ENV5; DM7 and OV2 and the National Planning Policy Framework.

And;

2. That enforcement action is subsequently taken to address the ongoing breach of planning control and remedy the harm to local amenity caused by the unauthorised development.

5. Asheldham Quarry, Asheldham

The Committee considered report DR/05/23 by the Chief Planning Officer.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

The Committee noted the key issues:

- Appropriateness of the development in this location
- Visual aspects

In accordance with the protocol on public speaking the Committee was addressed by Mr Andrew Clarke, speaking as the agent on behalf of the applicant. Mr Clarke made several points:

- The proposal had been submitted retrospectively to regularise the use of the wash plant with associated infrastructure at Asheldham Quarry.
- The wash plant was ancillary to the wider quarry and was required for the washing of mixed construction and demolition soils. It was located within the wider quarry and was complementary to the activities taking place.
- The wash plant would handle both the “as dug” material that was not compatible with clays to go through the main processing facility, as well as recycling construction and demolition type wastes. The recycling facility would also compliment the extant approved quarry infilling programme by allowing a recycling aspect to the extant imported waste stream to further recover recyclable material.
- The provision of the wash plant would enable the applicant to maximise the recycling of secondary aggregates and reduce the quantum of waste going to landfill.
- An objection had been received Maldon District Council in relation to the principle of development; this was addressed in the officer’s report.
- Policy encouraged recycling facilities to be located on existing mineral or landfill sites where material was used in conjunction with site restoration, or that such waste operations were temporary and linked to the cessation of the mineral and waste site. The recycling facility would support the provision of the site being an aggregate recycling centre, the operation of which being within the existing quarry complex restrictions.

Following comments and concerns raised by members, it was noted:

- This application was retrospective as the applicant had sought permission after commencing work.
- Maldon District Council had objected to the application. In their objection, they had quoted Policy DM4 of the Essex Minerals Local Plan Policy and stated that there did not appear to be any ‘exceptional circumstances’ in this case. However, the Waste Local Plan provided for the co-location of mineral and waste operations on the same site. Therefore, the application of Policy DM4 in this case was incorrect as this application did not refer to secondary as in a waste operation, but rather Secondary as in minerals aggregates, such as utilising material in a concrete batching plant and creating a secondary product from that.

There being no further points raised, the resolution, was proposed by Cllr John Jowers and seconded by Cllr Mike Steptoe. Following a unanimous vote in favour, it was

Resolved

That, for ESS/18/22/MAL planning permission be granted subject to the following conditions:

Duration

1. The development hereby permitted shall be removed by 31st December 2029 and the land reinstated in accordance with the restoration scheme approved under the principle planning permission for the Asheldham Quarry ESS/16/14/MAL.

Reason: In the interests of clarity and to ensure development is carried out in accordance with submitted application and approved details; to minimise the duration of disturbance from the development hereby permitted and which is tied into the principal permission for the wider quarry complex that operates under planning ref no: ESS/16/14/MAL and to comply with Policies DM1 and S10 of the Essex Minerals Local Plan (Adopted July 2014).

Approved Details

2. The development hereby permitted shall be carried out in accordance with the details submitted by way of the 'Planning Application' ESS/125/22/MAL comprising:
 - (i) Application form from G&B Finch Ltd dated 14/12/22.
 - (ii) Strutt and Parker Planning Statement entitled "Retrospective full planning application for the installation of a mixed construction and demolition soils wash plant with associated infrastructure including relevant recycling activities such as screener, crusher, concrete bays and stockpiles Asheldham Quarry, Asheldham, Essex Prepared by Strutt & Parker on behalf of G&B Finch Ltd" dated December 2022.
 - (iii) Acoustic Associates Environmental Noise Assessment reference SEM/J3292/18322, dated November 2022.
 - (iv) Guarda Landscape report entitled "Landscape and Visual Appraisal" reference 22-038-GUA-DOC-L-001 dated December 2022.
 - (v) Drwg No: Promap scale 1:25000 entitled "Site Location Plan" copyright 2022.
 - (vi) Drwg No: RES1207A-REV1 entitled "Proposed Recycling Area" dated 26/11/22.
 - (vii) Drwg No RES1207-REV1; entitled "Site Survey" dated 26/11/22
 - (viii) Drwg No: RES/1194E entitled "Wash Plant" dated 05/01/22.
 - (ix) Terex Finlay 883+ Screener Specification Document;
 - (x) MOBICAT MC 110 Z/110 Zi EVO Crusher Specification Document.
 - (xi) Drwg No: "SD-099-161-A000-REV 7-Slab" - untitled showing Wash Plant Design undated.
 - (xii) Drwg No: SD-099-161-A000-REV 7 untitled but showing Wash Plant Layout & Dimensions , undated.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with minimum harm to the environment and having regard to Policies S1; S10 and DM1 of the Essex Minerals Local Plan Adopted July 2014 and Policy 10 of the Essex and Southend Waste Local Plan (adopted July 2017) and to the National Planning Policy Framework and its recognition that planning decisions ensure that development does not allow unacceptable adverse impacts on the environment.

Availability of Plans

3. A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission shall be kept available for inspection at the site during the prescribed working hours.

Reason: In the interests of clarity and to inform both site operators and visiting persons of the site operational responsibilities towards working methods and restoration commitments having regard to Policy 10 of the Essex and Southend Waste Local Plan (adopted July 2017) and to the National Planning Policy Framework and its recognition that planning decisions ensure that development does not allow unacceptable adverse impacts on the environment.

Lighting

4. No artificial external lighting, whether free standing or affixed to infrastructure, that may be required to be provided within the application site shall be installed until a scheme of lighting at the site has been submitted to, and received the written approval of, the Waste Planning Authority. The scheme shall be implemented in accordance with the details as approved. The submitted scheme shall make provision for:
 - a) Lighting point location.
 - b) Lighting design details.
 - c) Proposed Illuminance coverage.
 - d) Assessment of sky glow and light spillage outside of site boundary.

Reason: To minimise the potential nuisance and disturbance of light spill to adjoining land occupiers and the rural environment having regard to Policies DM1 and S10 of the Essex Minerals Local Plan Adopted July 2014 and Policy 10 of The Essex and Southend Waste Local Plan (adopted July 2017) and the National Planning Policy Framework and its recognition that planning decisions ensure that development does not allow unacceptable adverse impacts on the environment.

Landscaping

5. Within 6 months of the date of this permission a scheme of landscaping to provide infill planting along the western quarry boundary shall be submitted to the Waste Planning Authority. The scheme shall then be implemented as approved.

The scheme shall provide for:

- (a) Detail of the locations of the planting programme as set out in the planting schedule outlined on the above plan.
- b) A landscape management programme for the planting programme detailed on the above plan together with existing retained landscape features including all hedgerows, tree belts and woodland blocks.
- c) Husbandry management of the existing perimeter hedgerows/trees and woodland.
- d) Written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities for all areas
- e) Grass seed mixes and rates.
- f) A programme of implementation to include the provision for planting of the northern hedgerow during the first available season and for remaining planting to be undertaken following restoration within each working phase parcel.
- g) A programme maintenance.

Reason: To comply with Section 197 of the Town and Country Planning Act 1990 (as amended) to improve the appearance of the site in the interest of visual amenity, to screen the workings and assist in absorbing the site back into the local landscape and having regard to Policy 10 of the Essex and Southend Waste Local Plan (adopted July 2017); Policies DM1, S10 and S12 of the Essex Minerals Local Plan Adopted July 2014 and Policy D1 of the Maldon District Local Development Plan 2014 – 2029 approved 2017 and the National Planning Policy Framework in respect of ensuring that permitted operations do not give rise to unacceptable environmental impacts on the environment.

Compliance with other Planning Permission

6. The development shall be carried out in compliance with the following conditions of the principal Planning permission Ref no: ESS/16/14/MAL:
- i) Condition 4 (Duration)
 - ii) Condition 5 (Cessation)
 - iii) Condition 6 (Operating Hours)
 - v) Condition 7 (Reords)
 - vi) Condition 8 (Records)
 - vii) Condition 10 (Access)
 - viii) Condition 13 (vehicle numbers)
 - ix) Condition 14 (Sheeting)
 - x) Condition 15; 17 – 18 (Noise levels)
 - xi) Condition 19 -20 (Noise alarms)
 - ix) Condition 21 (Noise Management)
 - x) Condition 22 (Lighting)

- xi) Condition 23 (Dust)
- xii) Condition 28 (Permitted Development Rights)
- xiii) Condition 46 -47 (Drainage)
- xiv) Condition 51 (Aftercare)

Reason: To ensure that the development takes place in accordance with an existing planning approval for the development and restoration of the site which controls certain aspects of the development subject to this permission and is a factor in the Waste Planning Authority's assessment of its acceptability having regard to the Essex Minerals Local Plan Adopted July 2014 Policies DM1, DM3, S10 and S12; and Policy 10 of the Essex and Southend Waste Local Plan (adopted July 2017) and the National Planning Policy Framework Technical Guidance on Restoration and Aftercare of mineral sites.

6. Great Bentley Primary School, Plough Road, Great Bentley

The Committee considered report DR/07/23 by the Chief Planning Officer.

Members noted the addendum to the agenda, particularly in respect of changes to proposed condition 2, 6, 7, 8, 11 and new condition 15.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

The Committee noted the key issues:

- Need
- Policy considerations
- Impact on playing field
- Design, Layout & Sustainability
- Impact on Historic Environment
- Impact on Natural Environment
- Impact on Residential Amenity
- Traffic & Highways

In accordance with the protocol on public speaking the Committee was addressed by Mr Andrew Clarke, speaking as the agent on behalf of the applicant. Mr Clarke made several points:

- There was a large demand for school places in the area due to an increase in birth rates and new housing growth. The proposals would expand the existing Great Bentley School by 210 pupils to help meet this demand.
- The design team had worked extensively with officers to put forward a scheme that was both functional for the school and responded to the constraints of the site. In particular, the layout of the site had been designed through much consideration with the County Planning Authority.
- The package of technical information submitted with the application confirmed that no adverse impacts would arise from the development including in relation to highways and parking, ecology, amenity and landscaping. This was also supported by the lack of statutory consultee objections.

- The school had removed two trees prior to the submission of the application on the basis that they did not require planning permission to do so. It was considered that the 24 proposed new trees would offset this loss. The Landscape Management Plan was updated following the release of the Committee report, which included 5 more trees than was proposed initially.
- Whilst Sport England had maintained an objection to the proposals following pre-application engagement, the loss of the playing field was considered to be offset by the provision of the new multi-use play space and the wider benefits the school expansion would provide for the local community.

Following comments and concerns raised by members, it was noted:

- The applicant had provided additional information regarding the existing access to the Fire and Rescue Service, following which the Service agreed that it did comply with requirements.
- Two Category B trees had been removed prior to planning permission being granted. The Chairman would write to the applicant to express the Committee's concerns about this.
- It was noted that Tree Preservation Orders could be placed on trees which were on land owned by the County Council.
- The County's Landscape Team had requested that the proposed replacement trees be a selection of sizes, including some semi-mature and native trees. A Landscape Plan would be submitted to be approved by the Landscape Team.
- The Committee raised concerns about the design of the building, particularly with reference to the desire for it to be sympathetic to its surroundings and the proposed site's proximity to a conservation area.
- The Committee raised concerns about the lack of drop off area for parents to use outside the school as, whilst it was hoped that many students would be able to walk to school from nearby houses, in practice this may not be the case. It was noted that the lack of drop off area was due to planning policy which required the promotion of sustainable transport, and Highways did not support the provision of parking within school grounds for parents. The additional parking provided by the proposal would be for school staff. The school was considering the possibility of using the village hall or railway station for parking for parents; however, this would require the permission of the relevant owners. There were limited parking restrictions on the streets surrounding the school.
- There was no lighting proposed for the multi-use play area. A new planning application would be required should it be proposed in the future.
- An air source heat pump was proposed for the new building; however, it was noted that the efficiency of the proposed heating was not a planning matter.
- The application could be considered by the Essex Quality Review Panel who could then provide an independent view to the Committee.

There being no further points raised, deferral was proposed by Cllr Carlo Guglielmi and seconded by Cllr Mike Hardware. Following a vote of 9 in favour, 1 against, it was

Resolved

To defer the application back to the applicant, with the reasons being: further information required on the removal of trees prior to gaining planning permission, the design of the proposed building, the lack of parking or drop off area for parents and the impact on heritage due to the proximity to a conservation area. The Committee recommended that the application be considered by the Essex Quality Review Panel.

7. Land off Remembrance Avenue, Beaulieu, Chelmsford

The Committee considered report DR/06/23 by the Chief Planning Officer.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

The Committee noted the key issues:

- Principle of Development
- Site Layout and Design
- Landscape, Trees and Ecology
- Heritage
- Amenity (Noise, Air Quality and Lighting)
- Highways
- Other Issues
 - Sustainability
 - Flood Risk and Drainage

In accordance with the protocol on public speaking the Committee was addressed by Mr Michael Ward, speaking as the agent on behalf of the applicant. Mr Ward made several points:

- There was an outstanding objection to the application from Chelmsford City Council in respect of the boundary fencing. The proposed boundary fencing was 2.4 metres high, which was a requirement of the Academy Trust which would run the school and was sought for security purposes. The City Council had requested a lower fence; however, this was not considered to be an adequate deterrent to prevent unauthorised access at evenings and weekends which the Academy Trust had experienced elsewhere.
- The City Council had also expressed concern regarding the fencing around the entrance to the school, however, this was considered necessary to provide enclosure at this key part of the site adjacent to Remembrance Avenue, in order to safeguard future pupils.
- Many of the homes at Beaulieu were occupied and other zones in the surrounding area were also being developed, resulting in a growing need for additional school places in the area. The existing Beaulieu School was expected to be at full capacity in 2024. The proposed new school would be ready to accept pupils at the start of the 2024 term.
- The design team had worked extensively with Officers to put forward a scheme that was functional for the Academy Trust, whilst responding to the site parameters and the context of the wider Beaulieu neighbourhood. Such

parameters include the access to the site, which had been established through an earlier consent and was already constructed.

- The school had been designed with enhanced fabric specification and energy efficient measures to reduce energy demand and carbon emissions.

Following comments and concerns raised by members, it was noted:

- The design of the school followed the Department for Education's template designs for a school of this size, which was also the basis for securing Section 106 contributions.
- A drop off area for pupils arriving by car was not supported in planning policy terms as part of the required promotion of sustainable transport.
- Remembrance Avenue had not yet been adopted by the Highway Authority. Reservations had been raised by officers about the laybys which existed in front of the proposed school entrance as these seemed at odds with the promotion of sustainable transport. The Highway Authority would formally decide whether the laybys remained and if they did, what, if any, restrictions would be place on them, as part of the adoption process.
- Potential future expansion had been considered by the applicant, and the area identified to facilitate this was to the east of the proposed school building, which would not encroach on the playing fields. It was noted that it would not be reasonable to include a condition requiring the foundations to be capable of bearing a third level for future development as this would add additional cost without good planning grounds.
- It was noted that Remembrance Avenue did have street lighting. Footpath 14 and the other informal access between Remembrance Avenue and the footpath to the south were not lit.
- The proposed southern boundary of the school playing field was approximately 200 metres and the proposed school building was approximately 300 metres from the main New Hall School building. As part of the wider Masterplan for Beaulieu, Chelmsford City Council had considered New Hall School and secured an engineered bund and a 12-metre standoff between the south of the proposed school site and the New Hall site which was considered sufficient for the school site to come forward in an appropriate manner.

There being no further points raised, the resolution, was proposed by Councillor John Jowers and seconded by Councillor Mike Steptoe. Following a vote of 9 in favour, 1 abstention, it was

Resolved

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the details of the application dated 16/12/2022 and shown on drawings titled: 'Site Location Plan', drawing number: BEAULI-IWD-XX-XX-DR-A-2200 (Revision P03), dated 17/11/22; 'Proposed Site Plan – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2201 (Revision P05), dated 24/02/23; '2FE Site Masterplan', drawing number: 2258-WWA-LS-ZZ-D-L-0101 (Revision P19), dated 22/02/23; 'Site Levels Plan', drawing number: 2258-WWA-LS-ZZ-D-L-0103 (Revision P05), dated 22/02/23; 'GF – General Arrangements – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2500 (Revision P05), dated 24/02/23; 'FF – General Arrangements – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2501 (Revision P06), dated 24/02/23; 'Roof Plan – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2502 (Revision P06), dated 24/02/23; 'Proposed Elevations – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2503 (Revision P08), dated 12/04/25; 'Proposed Sections A-A & B-B', drawing number: BEAULI-IWD-XX-XX-DR-A-2504 (Revision P03), dated 24/02/23; and 'Proposed Sections E-E & F-F', drawing number: BEAULI-IWD-XX-XX-DR-A-2701 (Revision P02), dated 24/02/23 and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the County Planning Authority, except as varied by the following conditions.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with policies DM13 – Designated Heritage Assets, DM14 – Non-Designated Heritage Assets, DM15 – Archaeology, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings, DM27 – Parking Standards, DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

3. The development hereby permitted shall be constructed from the material palette detailed on drawing titled 'Proposed Elevations – 2FE', drawing number: BEAULI-IWD-XX-XX-DR-A-2503 (Revision P08), dated 12/04/25. The brick courses of the building shall furthermore be laid out as shown on the drawing titled 'Elevation Setting Out', drawing number: BEAULI-IWD-XX-XX-DR-A-2731 (Revision P02), dated 12/04/25.

Reason: In the interest of the amenity of the local area and to comply with policies DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

4. The development hereby permitted shall be implemented in accordance with the hard and soft landscaping scheme (inclusive of boundary treatments, fencing and gates) detailed within drawings titled 'Soft Landscape Strategy', drawing number:

2258-WWA-LS-ZZ-D-L-0301 (Revision P05), dated 20/02/23; 'Hard Landscape Plan', drawing number: 2258-WWA-LS-ZZ-D-L-0105 (Revision P05), dated 22/02/23; 'Landscape Details Sheet 1 of 2', drawing number: 2258-WWA-LS-ZZ-D-L-0501 (Revision P04), dated 22/02/23; 'Landscape Details Sheet 2 of 2', drawing number: 2258-WWA-LS-ZZ-D-L-0502 (Revision P04), dated 22/02/23; and 'External Works Construction Details', drawing number: BEAULI-IWD-XX-XX-DR-C-6100 (Revision P2), dated 17/03/23; and within the document titled 'Outline Landscape Specification', document reference: 2258-WWA-LS-T-L-0602, undated. With regard to this, the approved soft landscaping scheme shall be implemented within the first available planting season (October to March inclusive) following completion of the construction phase of the development.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), in the interests of the environment and the amenity of the local area and to comply with policies DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

5. The soft landscaping scheme hereby approved shall be managed and maintained in accordance with the details contained within the document titled 'Beaulieu Park Primary School Landscape Management and Maintenance Plan', document reference: 2258-WWA-LS-ZZ-T-L-0601, dated December 2022. In the event that any tree or shrub, forming part of the approved soft landscaping scheme, dies, is damaged, diseased or removed within 5 years of the date of beneficial occupation of the development hereby permitted, that tree or shrub shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to be agreed in advance in writing by the County Planning Authority.

Reason: In the interests of the environment and the amenity of the local area, to ensure the landscaping proposals are effectively managed following implementation and to comply with policies DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

6. The development hereby permitted shall be implemented in accordance with the biodiversity enhancement measures detailed within the document titled 'Beaulieu Primary School, Boreham, Biodiversity Enhancement Statement' produced by Richard Graves Associates, undated. The proposed bat and bird boxes, outlined within the aforementioned, shall be installed on-site prior to beneficial occupation of the development.

Reason: To conserve and enhance Protected and Priority species, to allow the County Planning Authority to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and to comply with policies DM16 – Ecology and Biodiversity, DM20 – Delivering Community Facilities, DM23 – High

Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

7. No fixed external lighting other than that shown and detailed on drawing titled 'External Lighting Layout Plan', drawing number: 8301 (Revision P04), dated 12/12/2022 shall be erected or installed on-site. Should any change be proposed to the specification of lighting outlined within the aforementioned and/or any additional external lighting be proposed to be installed, the specification of such lighting including details of the location, height, design, sensors and luminance shall be first submitted to the County Planning Authority for review and approval in writing. The lighting approved to be installed shall be erected, installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area), in the interests of highway safety, to minimise impact on light sensitive biodiversity and to comply with policies DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments of the Chelmsford Local Plan (2020).

8. Prior to beneficial occupation of the development hereby permitted, details of the external sound level emitted from all external plant, machinery and equipment installed shall be submitted to the County Planning Authority for review and approval in writing. The details shall furthermore outline any mitigation measures proposed to ensure that the external sound level emitted from plant, machinery and equipment proposed to be installed would be equal or lower than the existing background sound level. The assessment shall be made in accordance with BS 4142:2014+A1:2019 and the assessment shall be based on all plant, machinery and equipment operating together at design duty with impact predicted/assessed at a range of nearby sensitive receptors (or areas respective to the location of these). The development shall subsequently be implemented and managed in accordance with the details approved.

Reason: In the interests of adjacent residential amenity and to comply with policies DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments of the Chelmsford Local Plan (2020).

9. The development hereby permitted shall be implemented in accordance with the surface water drainage scheme as detailed within the document titled 'Flood Risk Assessment & Drainage Strategy Report' (Fifth Issue), produced by Ingleton Wood, dated 17 March 2023 inclusive of the drawing titled 'Drainage Layout' drawing number: BEAULI-IWD-XX-XX-DR-C-6000 (Revision P1), dated 17/03/23; drawing titled 'Private Drainage Schedules Sheet 1 of 2', drawing number: BEAULI-IWD-XX-XX-DR-C-6001 (Revision P1), dated 17/03/23; drawing titled 'Private Drainage Schedules Sheet 1 of 2', drawing number: BEAULI-IWD-XX-XX-DR-C-6002 (Revision P1), dated 17/03/23; drawing titled 'Private Drainage

Construction Details Sheet 1 of 2', drawing number: BEAULI-IWD-XX-XX-DR-C-6003 (Revision P2), dated 17/03/23; drawing titled 'Private Drainage Construction Details Sheet 2 of 2', drawing number: BEAULI-IWD-XX-XX-DR-C-6004 (Revision P2), dated 17/03/23; the submitted micro drainage calculations; and the following mitigation measures:

- limiting the discharge from the site to 46l/s for all storm events up to and including the 1 in 100 year plus 40% climate change storm event; and
- providing attenuation storage for all storm events up to and including the 1:100 year storm event inclusive of 40% climate change.

The drainage scheme, inclusive of the aforementioned mitigation measures, shall be fully implemented prior to beneficial occupation of the development and maintained, in perpetuity, as per the details outlined in section 7.0 of the document titled 'Flood Risk Assessment & Drainage Strategy Report' (Fifth Issue), produced by Ingleton Wood, dated 17 March 2023.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development, to provide mitigation of any environmental harm which may be caused to the local water environment and to comply with policies DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings, DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

10. The playing field design and construction shall be implemented in accordance with the specification and implementation programme set out in the document titled 'Natural Turf Specification', produced by Agrostis Sports Surface Consulting, dated 06 March 2023.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

11. The development hereby permitted shall be implemented in accordance with the carbon/energy saving measures outlined within the 'Energy Strategy Report', produced by Ridge, dated October 2022 and detailed within the drawings and details approved as part of this permission.

Reason: In the interests of energy efficiency, delivering the carbon savings suggested as part of the proposals and to comply with policies DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments and DM25 – Sustainable Buildings of the Chelmsford Local Plan (2020).

12. Prior to beneficial occupation of the development hereby permitted, the car parking area as shown on drawing titled '2FE Site Masterplan', drawing number: 2258-WWA-LS-ZZ-D-L-0101 (Revision P19), dated 22/02/23 shall be constructed and laid out as approved. The three electric vehicle charging points shall furthermore be installed, within the approved car park area, and be ready for use. In addition to this, the cycle/scooter parking, as shown on the same drawing,

shall be constructed/installed. The specification for the cycle/scooter parking is to be as detailed within the document titled 'Outline Landscape Specification', document reference: 2258-WWA-LS-T-L-0602, undated. The car parking areas and cycle and scooter racks/shelters shall be permanently retained for the lifetime of the school and shall not be used for any other purpose.

Reason: To provide a suitable level of parking on-site, to provide appropriate facilities to store cycles and scooters on-site, in the interest of highway safety and to comply with policies DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM27 – Parking Standards of the Chelmsford Local Plan (2020).

13. The construction phase of the development hereby permitted shall be completed in accordance with the document titled 'Construction Management Plan', produced by Carter, undated and drawings titled 'Construction Phase Surface Water Drainage Strategy', drawing number: BEAULI-IWD-XX-XX-DR-C-6005 (Revision P1), dated 17/03/23 and 'Tree Protection Plan', drawing number: 2258-WWA-LS-ZZ-D-L-0702 (Revision P04), dated 23/02/23.

Reason: In the interests of the environment, amenity and highway safety and to comply with policies DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

Informative

Prior to the beneficial occupation of the development a finalised school travel should be prepared, in liaison with the Highway Authority, and this should be subsequently implemented, managed and monitored in perpetuity.

8. Land at Hollow Lane, Broomfield, Chelmsford

The Committee considered report DR/08/23, by the Chief Planning Officer, concerning an unauthorised waste development.

Following comments and concerns raised by members, it was noted:

- Officers would continue to monitor the land. If it were to be sold, the buyer or a solicitor performing a land search may approach the County Council for further information regarding the enforcement notice. Enforcement notices were recorded on the Local Land Charge Register held by the District Council, which would usually be considered by a solicitor when performing a land search.
- It was noted that the land was unregistered with the Land Registry at the time of the meeting.

There being no further points raised, the resolution was proposed by Councillor Dave Harris and seconded by Councillor Mike Garnett. Following a unanimous vote in favour, it was

Resolved

That, at this current time, no further action is taken by the County Planning Authority in respect of the breach of planning control and extant Enforcement Notice relating to this subject to no further importation taking place. The Enforcement Notice will remain on the land and if the land is sold and/or formally registered to a landowner, the CPA would proactively work towards compliance with the extant requirements of the Enforcement Notice with the parties involved.

9. Enforcement of Planning Control Update

The Committee considered report DR/09/23, by the Chief Planning Officer concerning an update on the enforcement of planning control.

The Committee NOTED the report.

10. Applications, Enforcement and Appeals Statistics

The Committee considered report DR/10/23; applications, enforcement and appeals statistics, as at the end of January 2023.

The Committee NOTED the report.

11. Applications, Enforcement and Appeals Statistics

The Committee considered report DR/11/23; applications, enforcement and appeals statistics, as at the end of February 2023.

The Committee NOTED the report.

12. Applications, Enforcement and Appeals Statistics

The Committee considered report DR/12/23; applications, enforcement and appeals statistics, as at the end of March 2023.

The Committee NOTED the report.

13. Date of Next Meeting

The Committee noted that the next meeting was scheduled for 10.30am on Friday 26 May 2023, to be held in Committee Room 1, County Hall, Chelmsford.

There being no further business, the meeting closed at 13:16.