



## ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

12<sup>th</sup> January 2021

### **AGENDA ITEM 6 - 19/02123/OUT Site At Ash Tree Farm Bishops Stortford Road Roxwell Chelmsford**

In accordance with our standard practice we are reporting on this Green Sheet additional information which has become available since the publication of the report.

#### Update

Members will recall that an appeal was made against the Enforcement Notice that was served in respect of the unlawful deposit, storage and transfer of waste and other material. On 6<sup>th</sup> January 2021 the Inspector issued their decision.

The appeal was made only on the ground that additional time was required to comply with the Enforcement Notice. The appeal was allowed. The Enforcement Notice was upheld, and the Inspector gave an additional three months for compliance, extending the time for compliance with the Notice from six months to nine months.

#### Additional Representation

Since the report was circulated an additional representation from a Local Resident has been received. The representation says:

“I start by quoting paragraph 1.1 in the Item 6 paperwork ‘. Under the Council’s constitution the Planning Committee has not yet made a formal decision on the application and all options are available to the Committee, subject to the normal voting procedures.’

I ask members to think about this when they vote on this item later this evening.

I strongly support the Officer view that this application before you should be refused.

I am a neighbouring resident who has had to put up with years of meetings / discussions with our local councillor and CCC planning enforcement team about illegal activity on Ash Tree Farm. I strongly believe there are five material planning reasons not already brought to Members attention as to why this application should be refused. I outline my reasons for refusal below:

1. From the Planning application I cannot see that any consultation has been made with National Grid. I assume Members and Officers are aware that the site falls within the HSE Consultation Zone OZ. Should CCC be permitting a large housing development in such a zone? I think NOT. Please see attached map.

2. I can see no reference in the planning application a plan which shows the ACTUAL, I repeat, actual in the CCC adopted Local Plan, size of the Rural Employment Zone. This is important – especially as several councillors referred to ‘The Site’ being:

a. In the Rural Employment Zone and

b. A Brownfield Site

This is NOT the case. The Application Site (8.69 acres – in red) is more than DOUBLE the actual Rural Employment Zone (4.15 acres – in purple). See attached map. 4.54 acres is classified as greenfield land.

3. Having been a councillor for 7 years at Roxwell PC and 8 years as Chairman on Chignal PC I know too well how protective councillors and residents are of the countryside and Green field land and ensuring all permissions are within Chelmsford City Council Planning Policy. This application is not within CCC Policy as an allocated site. A neighbouring property has had a planning decision refused at appeal for ONE house. The Committee is possibly going to give approval for about half the houses (25+) on greenfield land.

4. Chelmsford City Council has an adopted Local Plan – with a five-year land supply. There is no requirement in planning policy for 55 houses in Boyton Cross. This application goes completely against that policy.

5. I see the proposed Planning Conditions. This application does not comply with then adopted CCC Local Plan. There is therefore the opportunity for the developer to be asked to make ‘additional’ financial contributions – I see no reference to:

a. Contribution for ECC Primary Education – has Roxwell School be consulted?

b. Contribution for ECC Secondary Education?

c. Contribution for Doctors Surgery / Medical – has Writtle Surgery been consulted? d. Contribution for Biodiversity Net Gain, this is included within CCC approved Planning Policy. Where are they going to be putting / allocating their additional 10% Net Gain?

e. Contribution to the Local Village – has Roxwell Memorial Hall be asked what they might require facilitating extra residents in the area?

f. I see no specific allocation for ‘local residents’ in Housing Association homes? Roxwell has struggled for nearly 20 years to get a few homes in Green Lane. This seems like an ideal opportunity to ask for more. I know there is demand locally.

g. There is no requirement to restore the area of woodland at the North of the site which was removed illegally and has had 1,000’s of tons of soil put on it.

The applicant and land users under his control have abused the planning system for years. The reporting of illegal activity by residents has not resulted in ANY activity being stopped. This quite rightly has annoyed ALL the residents, including myself. The residents want to see a change of use form a Rural Employment Zone to houses. This would require a planning permission to be granted on 4.15 acres (which I would support), NOT 8.69 acres. This would potentially result in about 25 new homes. There is no planning requirement for 55 houses. 55 homes will more than DOUBLE the size of Boyton Cross.

If nothing else I hope the Councillors request that CCC Enforcement Officers continue their work on this site / case and report back to residents on the progress of the Planning Enforcement Action

against the site owner. I would hope that CCC continue to pursue this action to obtain a conviction, criminal record and fine against the applicant to discourage such illegal activity being repeated on another site in the future.

By approving this application, the CCC Councillors are saying they support illegal activity to get a change of use on *greenfield land* in the Authorities Area. CCC councillors can never again be seen to overrule the Officers and indirectly support such blatant illegal activity.

It is my hope that those councillors who proposed and supported a motion that this application as being acceptable at the previous Committee meeting can now see that on this occasion they should vote in agreement with the appointed officers and vote to refuse the application as it currently stands. It is perfectly possible for this to be the outcome of this application, I repeat 'Under the Council's constitution the Planning Committee has not yet made a formal decision on the application and all options are available to the Committee, subject to the normal voting procedures.'"

#### **AGENDA ITEM 8 – 20/01156/FUL - Land at 210 Hullbridge Road**

##### **Addition of condition:**

*Prior to the first occupation of any of the dwellings hereby approved, a flood water evacuation plan shall be submitted to and approved in writing by the local planning authority. The approved plan shall thereafter be complied with at all times.*

##### *Reason*

*To ensure that there is safe evacuation for future occupiers in the event of flooding*