

MINUTES
of the
PLANNING COMMITTEE
held on 3 May 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, S Dobson, P Hughes, R J Hyland, J Lardge, R Lee,
G H J Pooley, R J Poulter, T E Roper, E Sampson and C Shaw

Also present: Councillor W Daden and M J Mackrory

1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting.

2. Apologies for Absence

Apologies for absence had been received from Councillor I Wright.

3. Declarations of Interest

All Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 5 April 2022 were confirmed as a correct record.

5. Public Question Time

Statements and questions were submitted by members of the public on Items 6 and 7. Details are recorded under the relevant minute numbers below.

6. Land East of Hill Road South, Chelmsford – 20/00239/FUL

Councillor G H J Pooley declared a non-pecuniary interest in this item. He spoke as a ward councillor on the application but took no part in its consideration.

The Committee considered an application for the erection of a gas pressure reduction station (GPRS) installation on land to the east of Hill Road South, Chelmsford. The application included associated works for a temporary works compound, a means of enclosure, improvements to the access way, and the provision of a new access road from Hill Road South. Permission was also sought for the provision of a medium pressure/low pressure district governor on land adjacent to Wharf Road.

Seven local residents had submitted written statements to the meeting objecting to the application and three attended to put them in person. The objections cited concerns about increased noise and odour, loss of visual amenity, loss of trees and habitat, and potential contamination of the allotment land on which the development would be carried out. They also questioned why other potential sites had been discounted as suitable, why some parts of the ecology report associated with the application had been redacted, whether the results of further habitat surveys should be awaited before the application was decided and whether development should be permitted on statutory allotments. The ward councillor who spoke on the application reiterated a number of the concerns made by the residents.

Responding to those concerns and questions from members of the Committee, officers said that:

- Some parts of the ecology report published on the Council's website had been redacted for data protection reasons and to remove any reference to badgers on the site
- Further surveys of reptiles and bats had been carried out in April, as a result of which the applicant had agreed to retain eight trees between the GPRS and the Lockside residences that had been due to be removed. An ecologist would also be on site to ensure that there was no disturbance to bats during the works
- In terms of alternative sites, the application needed to be considered on its own merits and it was not for the Council to suggest that other sites might be more suitable. The applicant had considered other sites but had ruled them out owing to a number of constraints at each. The Ardleigh site had been mentioned in the report to the meeting because it was comparable to the one planned at Chelmer Waterside and could form a basis for assessing the likely noise levels
- Any allotment plots lost as a result of the development would be replaced and the Chelmer Waterside Development Framework set out a commitment to increase overall the number of allotments on the wider development site
- The GPRS was a sealed system and the applicant was confident that there would be no contamination of the site. The system would, however, be constantly monitored
- The assessment of potential noise from the equipment carried out by the applicant's noise consultant had taken into account the cumulative effect of noise emissions from more than one source and had indicated that levels at residents' properties would be acceptable
- The concerns expressed by Essex Waterways about access to the south side of the canal near the district governor would be overcome by the removal of the present fencing, improving accessibility to the waterway.

The Committee was of the view that the applicant had taken reasonable steps to mitigate the effects of the proposed development and to overcome the concerns expressed during the consultation on the application. It therefore concluded that there were no grounds on which to refuse the application.

RESOLVED that planning application 22/00239/FUL in respect of land to the east of Hill Road South, Chelmsford be approved subject to the conditions detailed in the report to the meeting.

(7.04pm to 7.53pm)

7. Broomfield Mill, Mill Lane, Broomfield – 21/01399/FUL

An application had been received for the construction of a residential annexe in the rear garden of Broomfield Mill, Mill Lane, Broomfield.

The applicant attended the meeting to speak in support of the application, as did a ward councillor for the area. Both argued that the application site had been incorrectly classified as functional flood plain, Flood Zone 3B, that the site had been occupied and developed for centuries without any serious flooding problems, that this development would have no material effect on the risk of flooding and that the applicant was willing to replace any lost flood plain elsewhere on the property. It was also argued that the development would provide additional accommodation and that the Council had discretion to approve the development notwithstanding the flooding classification.

Officers informed the Committee that the Strategic Flood Risk Assessment carried out as part of the adopted Local Plan had identified this site as lying within fluvial Flood Zone 3B, the area at highest risk of flooding, on which no new development would be permitted unless there were material planning considerations to justify otherwise. The Environment Agency concurred with that classification and had said that the applicant had provided no evidence to successfully challenge it. Without that evidence, the Council was required to determine the application in the light of its Local Plan classification.

The Committee accepted that no evidence to overturn the classification of the site in the Local Plan had been provided by the applicant and therefore the Council had no option other than to refuse the application.

RESOLVED that planning application 21/01399/FUL in respect of Broomfield Mill, Mill Lane, Broomfield, Chelmsford be refused for the reasons detailed in the report to the meeting.

(7.53pm to 8.38pm)

8. 259 Baddow Road, Great Baddow, Chelmsford – 22/00274/FUL

The Committee had before it an application in respect of 259 Baddow Road for a two storey side extension and a single storey side/rear extension, raising the height of the existing rear first floor external walls and adding a new pitched roof.

RESOLVED that planning application 22/00274/FUL in respect of 259 Baddow Road, Great Baddow, Chelmsford be approved, subject to the conditions set out in the report to the meeting.

(8.38pm to 8.42pm)

9. Planning Appeals

RESOLVED that the information on appeal decisions between 23 March and 19 April 2022, and on all appeals decided in 2021/22, be noted.

(8.42pm to 8.43pm)

The meeting closed at 8.43pm

Chair