

MINUTES
of the
PLANNING COMMITTEE
held on 5 September 2023 at 7pm

Present:

Councillor J. Sosin (Chair)
Councillor S. Dobson (Vice Chair)

Councillors S. Hall, R. Hyland, J. Lardge, R. Lee, V. Pappa, E. Sampson, A. Thorpe-Apps,
C. Tron, P. Wilson

Also Present:

Councillors J. Jeapes and S. Scott

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 were received from Councillors Armstrong and Thompson. No substitutions were made.

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 4 July 2023 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Public questions and statements were asked on Items 6,8 and 9 and are detailed under the relevant items. [The statements submitted in advance can be viewed via this link.](#)

6. 22/01877/FUL – Land South of Colam Lane, Little Baddow, Chelmsford, Essex

Cllr Tron arrived at 7.10pm and therefore did not take part in or vote on Item 6.

The Committee considered an application for a change of use of agricultural land to use as equestrian land. This also included the construction of a barn and riding arena, formation of access and associated area of hardstanding. Officers reminded the Committee of the recently adopted neighbourhood plan in Little Baddow. It was noted that the dates for producing the report and considering the application, did not align with the adoption of the plan and that was why the report did not refer to it. The Committee were informed however that officers were aware of its emergence and it had since been considered. It was also noted that the same situation had occurred with Item 9.

It was noted that the application had been referred by a local ward Councillor so that the impacts of the proposal on the character and beauty of the countryside could be considered. The Committee were reminded that an application for a temporary rural workers dwelling on the same site had been approved by them in June 2023. It was noted that the applicant's family now lived on the site but that despite being submitted at the same time, officers felt the application for the dwelling needed considering first. It was noted that no trees had been removed when creating the new access, the proposed barn was of an acceptable height and used existing trees and hedges as a backdrop, also that the proposed menage did not include any lighting or fencing. The Committee also heard that Essex Highways were happy with the proposed access, the development was of an acceptable impact and was supporting a small rural business. The Committee were informed that the proposals complied with the requirements of the Chelmsford Local Plan Policies S1, S11 and DM8 in respect of new development in the rural area, therefore the application was recommended for approval.

The Committee heard from the applicant who highlighted that the visual impact from the public footpath would be minimal, buildings like these were expected in the countryside, it was supporting an essential part of their business, screening would be provided, they were happy with proposed conditions, the highways officer were happy with the access and no trees had been removed.

The Committee also heard from a member of the public who referred to a previous application on the site that had been refused. They stated that the current application had much more detail, which revealed a plan for more land and roadside sales activity. They felt it was an unsuitable place for such activity on a narrow and winding road, that had protected lane status. They stated approval would be destructive and of permanent harm to the countryside.

The Committee also heard from two local ward members, they raised the following points;

- The damage caused to the historic hedge and the fact that it had been removed before seeking planning permission, thereby effectively giving a green light to similar issues.
- Permanent buildings were now being built for a business that may not end up being viable.
- The original business case was now being undermined as the current application removed further pastures for the alpacas.
- It appeared that other elements were loosely being added to the business, including the roadside sales of farm goods, how would the narrow road facilitate this.

- The natural beauty of the area would be affected and other ancillary buildings would be required for the business in the future.
- The road was too narrow to support the development and two cars could not easily pass by each other.
- They supported the concerns of local residents who would be significantly affected and stated that it should be refused on the original refusal grounds from the previous application.

In response to the various points raised, officers informed the Committee that;

- The recommendation for approval, was supporting a new local business, in line with the planning policy to support new businesses to begin and flourish whilst standing the test of time.
- The previously refused application was simply for equestrian activity when nothing else was on the site, this was now a very different application for a business with a lawful temporary use.
- The development was reasonable in scale and design, especially for a business that could only operate in the rural area. If further buildings were required, then they would be subject to the same planning application processes.
- Essex Highways were happy with the access and planning permission was not required for on road sales.

In response to questions and comments from the Committee, officers stated that;

- The road was already a narrow one and had been that way for many decades, it was not felt that this would have a significant impact on it, as there were passing places and as the site already had permission to operate and movements were already taking place.
- The previously refused application had a higher visual impact, whereas with the one being considered, the building was further from the road.
- The menage area would just be for personal use as a recreational activity, it was also just speculative to discuss what future ideas the applicant may have.
- 6m of the historic hedgerow had been lost in creating the access, but no trees had been removed.
- There was planting already along the Western boundary to minimise the visual impacts.
- The business was in a sustainable location as it could not operate for example in a City Centre location.
- A condition could be added to ensure that any on road sales of farm goods would have to take place inside of the farm gate.

RESOLVED that the application be approved subject to the conditions detailed in the report and an additional condition that any on road sales of farm goods have to take place inside the farm gate.

(7.03pm to 7.43pm)

7. 23/00195/FUL – Garages Rear of 27 Medway Close, Chelmsford, Essex

This item was withdrawn from the agenda. This was due to it being brought to the Council's attention that some data relating to parking surveys was added to the file and not publicly consulted upon and the public should have had an opportunity to consider the new information before a decision is reached by the Committee. The Council will now reconsult on the application proposals prior to the matter being considered by the Committee at a later date.

8. 23/00781/FUL – Garage Block Rear of St Michaels Drive, Roxwell, Chelmsford, Essex, CM1 4NX

The Committee considered an application for the demolition of existing garaging, 3 new affordable dwellings with associated access improvements, parking, private amenity space and landscaping. The Committee was informed that the application was on previously developed land, which was owned and operated by the City Council, therefore in line with the Constitution, the matter was one for the Planning Committee to decide. It was noted that the development would provide terraced properties, with two parking spaces each, improved site access and the retention of the play area.

The Committee heard that objections to the application had been received, covering a range of topics, including displacement of parking, impact of new resident parking on local roads, access and neighbour amenity. It was noted that the application assessment concluded the proposal was compliant with the development plan, provided vital affordable housing, had no adverse impact on neighbours and was therefore recommended for approval.

The Committee heard from a member of the public who raised concerns with the application including, the detrimental effect on the existing playground, the fact that the Parish Council had already provided affordable housing in 2021 for those with local connections, the rejection of the site as a development in 2012 and drainage issues. They also felt that more than enough affordable units were already in place or planned for Chelmsford and felt that the development would do nothing to enhance the village of Roxwell.

The Committee had also received comments from the local ward Cllr in writing, as they had been unable to attend, they stated that the site had been deemed unsuitable in the past, the road was too busy and narrow, the proposed access was too narrow and access to the play area and allotments would be restricted. They also felt that the siting of affordable housing close to or adjoining a play area was one that should be considered wisely. They also stated that the vetting of potential tenants was not to be taken lightly especially in relation to play areas and recreation. They asked the Committee to seek a risk awareness report from ROSPA and to defer the application.

In response to the various points raised, officers informed the Committee that;

- The siting of the development near to the playground would actually improve surveillance of the playground area, in turn making it safer by having family homes nearby. Most of the boundary would still be enclosed by open railing.
- The need for affordable housing was not area specific and had to be considered as a city wide approach.

- The previously proposed scheme included relocating the playground and at pre application stage this was not supported by officers.
- The sewerage and drainage concerns were covered by condition 5.
- There was more than sufficient on street parking available in the area to cover any displacement from the loss of the garages and the development itself would provide two spaces per unit along with visitor spaces too. Surveys had been undertaken at 3 different times to monitor this.

In response to questions and comments from the Committee, officers informed them that;

- The parking spaces provided by the development would exceed the standards expected.
- The previous application was for an extra property and involved moving the playground which was not deemed as suitable.
- It was typical for terraced properties to have bin and cycle storage at the front of their properties.
- The road was wider enough to allow access even with cars parking on street.
- The Council would be liable to pay the Community Infrastructure Levy as applicant.
- Officers would liaise with the applicant to discuss the use of solar panels on the properties.
- There was a difference in material that would be used between the driveways and footpaths to differentiate the usages.

RESOLVED that the application be approved subject to the conditions detailed in the report.

(7.44pm to 8.20pm)

9. [23/00834/FUL – Land Rear of Hill Cottage, Colam Lane, Little Baddow, Chelmsford, Essex](#)

The Committee considered an application for the demolition of existing outbuildings and the construction of a new detached dwelling. The development also included removal of a roadside overgrown conifer hedge to improve highway visibility. The Committee heard that the site was in the defined settlement of Little Baddow and was a parcel of land that currently formed part of the rear garden of Hill Cottage. It was noted that the proposal was for a 3-bedroom house to replace the existing rear garage and a garden outbuilding, with the new property using existing access from North Hill. The Committee was informed that the application had been called in by a local ward member, so that the impacts of the proposal with regards to the street scene, public highway and neighbour amenity could be considered.

Officers informed the Committee that the position of the proposed house would not result in unacceptable overlooking and would also retain an acceptable relationship with all neighbouring properties. It was also noted that the proposals would meet the development standards contained with the Chelmsford Local Plan, would have a safe vehicular access from the highway and provide sufficient off-street parking provisions. The Committee were also informed that the design was in keeping with the local area, used sympathetic materials and fitted in with the street scene, a nearby preserved tree would also be protected. Therefore, the application was recommended for approval.

The Committee heard from the applicant who stated that the development would provide an energy efficient family home in a sustainable location whilst providing a net gain in biodiversity and multiple highway improvements. They stated they had worked with both the Council, Parish Council, Highways authority and local residents and the scheme adhered to relevant policies. They stated the application had been modified to address concerns of overlooking and pre commencement conditions would be utilised to address highway and surface water flooding concerns.

The Committee also heard from members of the public who felt the application would lead to highway safety issues, overlooking of multiple neighbour rear gardens and conflicted with the recently adopted neighbourhood plan as the landscape and character of the area would not be respected and enhanced. They also stated that there were no nearby amenities, a new family home would create a hazardous highway situation, the initial garage had been built without planning permission and that the road itself was often used as a rat run due to traffic on the A414. They also stated that manoeuvring at the crossroads nearby to the new proposed entrance would become more hazardous.

The Committee also heard from a local ward member, who felt the issues of local residents needed to be reemphasised. They stated that the drainage issues were of concern and wanted any condition to be reinforced on that matter and also asked if the junction works referred to would take place before any building work.

In response to the various points raised, officers informed the Committee that;

- The local neighbourhood plan had been adopted during the application process, but officers felt the proposals respected the objectives and visions of the plan.
- Drainage issues were covered by condition 14 on the application.
- Junction improvements would take place before building work and this was highlighted by condition 13.

In response to comments and questions from the Committee, officers informed them that;

- The initial garage building was unauthorised but that was not a relevant consideration for this application, which was in the defined settlement and acceptable in principle.
- The Highways authority were satisfied that the parking provided was acceptable for a dwelling of the proposed size.

RESOLVED that the application be approved subject to the conditions detailed in the report.

(8.21.pm to 8.43pm)

10. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 8th June and 20th August 2023 be noted.

The meeting closed at 8.44pm.

Chair