

MINUTES

of the

PLANNING COMMITTEE

held on 11 February 2020 at 7:00 pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, A Davidson, S Dobson, P Hughes,
R J Hyland, R Lee, G H J Pooley, R J Poulter, S Rajesh,
T E Roper, R J Shepherd and M Springett

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 C Shaw and I Wright. Councillor Shaw had appointed Councillor Rajesh as her substitute.

3. Declarations of Interests

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda. Those declared are referred to in the relevant minutes below.

4. Minutes

The minutes of the meeting held on 14 January 2020 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Members of the public attended to ask questions and make statements on items 7 and 8 on the agenda. Details are recorded under the relevant minute numbers below.

6. **Land Adjacent to Rye Cottage, Larks Lane, Broad Green, Great Waltham – 19/01261/FUL**

(M8, PL26, 2020) At its meeting on 14 January 2020 the Committee had deferred for a site visit consideration of an application for the demolition of existing stables on land to the east of Rye Cottage, Larks Lane, Great Waltham and the construction of two residential dwellings with detached car ports.

The Committee discussed a motion that the application be refused on the grounds that it was contrary to policies DC 2 and DC 12 and emerging policy CO5 in that it was not an infill development as it was on a large site that could accommodate more than one property. Granting it would open up the possibility that the gaps between the new building and the properties on either site could themselves be the subject of infill applications in the future, altering the pattern of development in the village. The application was also considered to be damaging to the character of the surrounding area.

Those who spoke against the motion expressed the view that the application complied with emerging policy CO5. Officers confirmed that infill development in respect of sites similar to or wider than the application site had been granted or allowed on appeal. The application could only be considered on its merits, not in the context of whether it might create the potential for further infill development in the future.

On being put to the vote, the motion to refuse the application was lost. After a further vote, the majority were in favour of granting the application.

RESOLVED that subject to the completion of a Section 106 Agreement pursuant to the Town and Country Planning Act 1990 to secure the provision of a visibility splay across the frontage of Rye Cottage, the Director of Sustainable Communities be authorised to grant planning application 19/01261/FUL in respect of land adjacent to Rye Cottage, Larks Lane, Broad Green Great Waltham, subject to the conditions set out in the report to the meeting.

(7.05pm to 7.30pm)

7. **Land South-West of Broadacres, Lodge Road, Bicknacre, Chelmsford – 19/01800/FUL**

The Committee considered an application for the construction of six bungalows and three vehicular accesses with associated additional landscaping on land to the south-west of Broadacres, Lodge Road, Bicknacre.

One local resident attended to speak against the application and two residents and the agent for the applicant spoke in support of it. Councillor Poulter spoke on the application in his capacity as a ward councillor before withdrawing from the meeting during the Committee's discussion of and voting on it.

The resident opposed to the application referred to the increase in traffic the development would generate in the narrow Lodge Road, which already experienced parking problems associated with football matches taking place at the nearby sports ground. Those who spoke in favour of the development said that it would provide much needed purpose built accommodation for the elderly, had strong local support, was acceptable in its relationship with existing properties and in highways terms, and did no harm to the intrinsic character of the countryside.

Councillor Poulter said that the Committee had to consider whether the developer's intention to restrict the ownership of the property in perpetuity to people of 55 years of age and over with a local connection was sufficient to outweigh the apparent contravention of policies DC2 and CO4 governing the type of development permitted in the Rural Area. This was the focus of subsequent discussion among members of the Committee, some of whom pointed out that there was no condition requiring the age-related restriction proposed, that this could not be considered an exceptions site, was not within the defined settlement boundary of the village and could set a precedent if approved.

Officers informed the Committee that while this was not an exceptions site and was outside of the defined settlement boundary, it was in a sustainable location and did no harm to the character of the area. It was not possible to impose age-related restrictions on the occupation of the properties without clear evidence of the demand for such accommodation in the local area, which the applicant had not provided to the satisfaction of the Council. The developer could, however, include a covenant requiring that the properties only be sold to people with a local connection over the age of 55. The officers added that the application met current parking standards and was acceptable on highway and road safety grounds.

The Committee felt that it could not determine the application until it was clear that there was evidence of local need and demand for property specifically for the elderly in the Woodham Ferrers and Bicknacre area. It therefore deferred a decision to enable the applicant or others to provide that evidence, if it existed.

RESOLVED that application 19/01800/FUL in respect of land to the south-west of Broadacres, Lodge Road, Bicknacre be deferred to give the applicant or others the opportunity to produce evidence that there is a demand for accommodation in the area that would be restricted in perpetuity to those of 55 years of age or over with a connection to the Woodham Ferrers and Bicknacre area.

(7.30pm to 8.15pm)

8. **Land Rear of 101 New London Road, Chelmsford – 19/00126/FUL**

An application had been submitted for the construction of a five-storey block on land to the rear of 101 New London Road, Chelmsford to provide eight one- and two-bedroom flats. A Green Sheet distributed at the meeting corrected one of the measurements in the report on the application.

A local resident attended the meeting to speak against the application, stating that it was a poor quality design, had inadequate or problematic access for its residents, construction traffic and service vehicles, was overbearing and overlooked current and proposed residential properties and did not safeguard the amenities of neighbouring residents. The agent for the applicant was also in attendance and spoke of the refinements that had been made to the design of the application after discussions with planning officers, the fact that it provided much needed accommodation in the city centre, was in keeping with current and proposed developments nearby and mitigated overlooking.

Councillor Pooley, speaking in his capacity as a ward councillor for the area, said that he shared the following concerns of local residents about the application:

- its relationship to all three of the nearby developments given planning permission in recent years and to 101 New London Road;
- the application did not contribute to the overall improvement of the area and was a piecemeal development in the conservation area between New London Road and Moulsham Street;
- the access to the parking area for the development went beneath some of the flats and the incorporation of the bin storage area, which would also serve 101 New London Road, as part of the structure of the development would cause disturbance to its residents;
- no thought appeared to have been given to checking whether the site was contaminated;
- the site did not therefore lend itself to a high quality design or a good quality of life for those living in the development; and
- the height of the building and the presence of a roof garden would result in overlooking and an overbearing relationship with existing and planned residential properties nearby.

Before withdrawing during the Committee's discussion of and voting on the application, Councillor Pooley said that it should be refused on those grounds and that it was contrary to emerging policy MP1 due to the cumulative effect of development in the area.

In response to the comments made, officers said that this was a city centre site where change was to be expected and issues relating to access and relationships between building were not uncommon. In the case of this development there was adequate space between it and other residential sites; a construction management plan would ensure adequate and properly managed access for construction vehicles; a condition could be imposed requiring that the site be checked for contamination and any remediation work carried out before construction began (although the officers did not consider this to be necessary); the refuse store would also serve 101 New London Road, which currently lacked adequate storage of that type; and pedestrian access for the residents of the new development could be permitted through 101 New London Road. In response to a question about the parking for residents associated with the development, officers acknowledged that it was constrained, not ideally laid out and manoeuvring could be difficult, but imposing current space standards would reduce by more than half the number of vehicles that could be accommodated. On balance, it was acceptable because it was no different to the parking that currently existed, which, historically, appeared to work satisfactorily.

Whilst conscious of the development's limitations, the Committee felt that the application was acceptable and could see no reason to refuse it.

RESOLVED that application 19/00126/FUL in respect of the site at the rear of 101 New London Road, Chelmsford be approved, subject to the conditions set out in the report to the meeting.

(8.17pm to 9.07m)

9. **Planning Appeals**

RESOLVED that the information on appeal decisions between 3 and 30 January 2020 be noted.

(9.07pm to 9.08pm)

10. **Urgent Business**

There were no matters of urgent business brought before the Committee.

The meeting closed at 9.08pm.

Chairman