

## QUESTIONS AND STATEMENTS FROM THE PUBLIC TO THE PLANNING COMMITTEE ON 11 JANUARY 2022

### Item 6 – Marsh Farm Visitor Centre

#### 1. Ray Ricks – not being put in person

I submitted objections previously to the above planning application on behalf of Beechhead.

I note the application is recommended for approval at the Planning Committee to be held 11<sup>th</sup> January.

It is of course disappointing that the numerous material planning objections raised by local residents in response to the application have been set aside in the officer's recommendation.

Whilst the recommendation is acknowledged there are some outstanding matters that reasonably need to be considered before any planning permission is granted as they have the potential to cause harm to local residential and visual amenity. For example, the officer's report (para 6.14) indicates some uncertainty about the installation of sound systems and floodlighting and proposes that these can be covered by conditions.

Bearing in mind this is a sensitive site, located adjacent to residential areas as well as the open countryside and Marsh Farm Country Park, the full impact of the proposed development cannot be fairly assessed without the full details of what is proposed.

With that in mind it is difficult to see how the City Council can determine the application without the full details relating to sound systems, lighting, external finishes and landscape planting, all of which will have an impact on local residential and visual amenity.

It is not reasonable in these circumstances to rely on conditions when the particular matters outstanding may have a fundamental adverse impact on the local environment which, if found not to be capable of satisfactory mitigation, may result in the application being refused planning permission.

The application should therefore be deferred pending the submission of the relevant details and allow the local community the opportunity to comment on these detailed matters where appropriate and relevant.

I also comment on the officer's recommendation not to impose a condition restricting the use to Class F1(a); that relating to education only, thereby eliminating the potential expansion of leisure uses on a site that plainly continues to have adverse local impacts.

In that part of the CLEUD (14/0133) relating to this specific application site, it was defined as in use solely for storage purposes. This application represents an expansion of activities and presents a new chapter in the history of the site. Accordingly, if the City Council do not wish to allow an expansion of uncontrolled wider leisure activities on the site, it is entirely reasonable for a condition to be attached limiting the extent of the future use of the site.

It should also be remembered that the information supporting the application relies on the educational benefits to be derived from the application proposal. A condition restricting the use to Class F1 (a) would be consistent with what is proposed.

One final point concerns hours of operation. The officer's report indicates that such a condition is unnecessary. However, this is a discrete planning application for a use that if not controlled appropriately will cause harm to the local environment. It is entirely relevant therefore that the City Council attach a condition restricting the hours of opening to between 10am to 5pm each day consistent with what the applicants declare on the application form.

To conclude, I acknowledge that the officer's do not feel the application can be refused at this time, nevertheless in the interests of fairness, the application should be determined only once all relevant information has been submitted so that the full impact of what is proposed can be assessed.

I should be grateful if Members of the Planning Committee can have regard to my supplementary comments.

## 2. Lesley Arnold – to be put in person

This application should be restricted to F1(a)

6.3 of the Planning officers report clearly states "This site is not a community facility"

F2 clearly states 'F2 Local Community'

Which one is it?

F1(a) clearly states provision of **education**.

The application clearly states dinosaur based **educational** attraction.

On the planning statement POLICY DM 8 New buildings it clearly states No new buildings are proposed.

However, it would seem that an existing steel ribbed structure is to materialise in to a two story substantial building with a theatre complete with toilets and the disposal of foul sewage. Whilst I would agree that the new building may be occupying the same footprint, it is in my opinion a new building.

Could you advise why this is not classed as a New Building?  
Have building works commenced whilst awaiting planning consent?  
Are building Control involved?

Under 6.14 and 6.33 of the planning officers report it states; a sound/lighting system may be installed within the trail. This information was not contained in the original planning statement.

Why is this now included in the planning officer's report?

I raise the issue of the efficacy of the flood plans. In December the site was already flooding and visitors were being advised to wear wellingtons due to the very wet conditions. Weather conditions in December were dry/drizzle no heavy rain. Has the site been visited after a period of heavy rain to establish that surface water is draining effectively, particularly as the applicant has still to apply for a further retrospective planning application regarding hard landscaping all ready undertaken.

The Flood Warning Evacuation Plan submitted with the application which, in my opinion was not fit for purpose, requires the applicant to annually review these procedures. They had obviously not been reviewed since they had been put place in 2015.

Does this, in the planning officer's/Planning Committee's opinion indicate a responsibly managed company?

Especially in light of the many retrospective planning applications?

### 3. David Arnold – not being put in person

With reference to the Planning Statement submitted by the Applicant dated October 2021, I would like to refer to the section entitled **Community Liaison**.

At the open meeting with Residents on 8<sup>th</sup> December 2021 which I attended the Applicant made a point that he was disappointed that complaints and or comments were not directed to him rather than to the relevant department within Chelmsford City Council.

I felt that this was not an unreasonable request, so when what appeared to be a contradictory statement against what had been said at the meeting was made on the Applicants Facebook page, I followed the request and sent the email and receipt confirmed shown below. As yet I have received no response.

To say in the applicants Planning Statement that future plans have been outlined and discussed would only be accurate if you consider that saying that there were plans for Dinosaurs is sufficient to cover the amount of detail subsequently given in the Planning Application or that in Section 6.14 of the Planning Officers report to the Planning Committee e.g. sound system etc.

The above in my opinion shows that the Applicant has little interest of truly liaising with the community on future plans for Marsh Farm Visitor Attraction.

#### 4. Anne Rowland – to be put in person

This application should be refused for the following reasons:

Insufficient information has been provided to allow proper consideration of the proposal.

The proposal would lead to over intensification of uses on the site.

Inevitably it will attract a greater number of visitors and this will create more traffic problems due to inadequate parking areas being provided.

Any increase in traffic on Marsh Farm Road would be prejudicial to highway safety particularly for pedestrians and cyclists accessing the Country Park and riverside walks.

The proposal does not comply with planning policies of the Local Plan and the Neighbourhood Plan as the site is in a sensitive rural area of South Woodham Ferrers, within the Country Park and adjacent to residential development along its northern boundary.

However, if the Committee is minded to grant permission it must ensure that clear and concise conditions are imposed in addition to those recommended by the Planning Officer, which protect the amenity of residents from noise and general disturbance.

It is, therefore, requested that -

A condition be imposed to restrict the use to F1(a) Education only as the application description is for education purposes only. This cannot be seen as unreasonable and protects residents from any of the wider category of uses in F1/F2 taking place on the site.

A condition be imposed to restrict the hours of opening from 10.00 am to 5.00 pm. Again this cannot be seen as unreasonable as the application documents state that the opening hours will be from 10.00 am to 5.00 pm. This would protect residents from noise and disturbance and reduce the risk of the proposal adversely affecting residential amenity. For your information during October, November and December the Adventure Park has been open until 8.00 pm with visitors leaving until 9.00 pm which is unreasonable and completely inappropriate for a Children's Adventure Park which apparently caters for children below the age of 10.

To prevent traffic congestion and indiscriminate parking on adjacent roads a condition should be imposed to enforce the provision of the 956 parking spaces required by Essex Highways under application 21/00218/FUL.

#### 5. John Rowland – not being put in person

I wish to draw the following matters dealing with highway matters to the Planning Committee. I am a Fellow of the Chartered Institute of Highways and Transportation and have been giving advice on highway matters for many years.

I am particularly concerned that the planning officer has failed to acknowledge the requirement by Essex County Council Highways that provision of 956 parking spaces should be made for the proposed development. That figure was given by ECC in their response to the previous planning application 21/00218/FUL, following submission by the applicant of drawing P1526 which showed 956 parking spaces including approximately 250 on the East Field. This drawing was submitted as part of the documentation for the Premises Licence granted in 2016.

The planning officer's report on the current application completely ignores this specific requirement of 956 spaces which the County Council consider necessary for the previous and current planning applications.

It is inconceivable that officers of the planning authority have failed to take any account of the ECC parking requirement for the previous and current applications. It must be noted that it was the applicant who submitted drawing P1526. On that basis, the applicant must have expected that 956 parking spaces would be required, on the basis of the analysis by his own Highways Consultant.

I can see no possible reason for the planning authority to ignore the 956 spaces offered by the applicant and required by ECC Highways.

The planning officers must be aware, from inspections at the site, as part of their consideration of the application, that the East Field is currently in use continuously for activities and has marquees in place since September 2020. Moreover, the East Field has now been fenced to separate that area from the car parking which takes place on the West Field.

The Parking Accumulation Study referred to in the Planning Officer's Report was taken in June 2021 at a time when COVID restrictions affected the general level of activity at Marsh Farm. Specifically on the date of the survey the applicant was operating a "Toddlers' Event", aimed at attracting pre-school and younger aged children. At that time, it is a fact that the indoor soft play area was still closed. Consequently visitor numbers would have been lower than normal and would not represent a realistic parking demand.

In my experience dealing with highway matters, advising clients and local authorities, I am strongly of the opinion that this application should be refused. Accordingly, I urge this committee to refuse the application.

## 6. James Sinclair, applicant – to be put in person

- I'd like to thank Chelmsford City Council for granting us planning permissions over the last 7 years that have enabled us to progress to a successful farm attraction and children's education centre employing 180 full and part members of staff, many of them from the local South Woodham Ferrers area.
- This application for a dinosaur based education attraction allows us to move back, as it were, to the educational roots of Marsh Farm, supporting the

National Educational Curriculum whilst not increasing our livestock numbers as we will not be hosting any live dinosaurs!

- The dinosaur education attraction is not a stand-alone attraction but very much an integral part of Marsh Farm; there will be no change in the overall use or character of the site as a farm attraction, the new attraction being formed with conversion of the existing storage building by addition of new gates, fences, and landscape.
- We have liaised very closely with the many schools that visit Marsh Farm to ensure that the educational format discovering dinosaurs follows both Key Stage 1 and Key Stage 2 National Curriculum Science Programme.
- We shared our plans at the last Residents Meeting we chaired at Marsh Farm on the 8th December 2022 and had supportive feedback from many of the residents.

We have considered South Woodham Ferrers Town Councils objections and concerns:

**‘ a significant traffic increase’** .....Essex CC Highways Authority have been consulted and there is no objection.

- **‘The Environmental Health Officer’** raises no objection also to the proposal stating that it would not lead to material adverse impacts on noise that would harmfully affect the living accommodation and amenity of the local residents.

#### **‘Non Educational’ ....**

- Prior to covid we have had in excess of 250 primary schools visiting on an annual basis equating to in excess of 4,000 primary school children, whose education in this sector is extremely important to us.
- The dinosaur park will comprise of some 15 pre-fabricated dinosaurs. The activities on the farm will include rocks, fossils and dinosaurs.
- The conversion of the existing ancillary outbuilding in the south of the site will form a new theatre, interactive dinosaur display/games area plus associated reception and wc facilities for the children.
- **The site is located within a flood zone** – the Environment Agency have been consulted and they have no objection subject to reasonable planning conditions which will be complied with.

- We have also considered the objections received from neighbours, in relation to noise – the dinosaurs themselves will be passive and would not emit any noise.
- We therefore ask the Planning Committee to endorse the Planning Officer's recommendation of approval in this application subject to the conditions imposed.

## 7. Councillor Bob Massey – not attending the meeting

Once again I find myself having to write to this committee in support of a planning application on behalf of Marsh Farm.

It's unfortunate that meetings of this committee clash with Town Council meetings and I thank this committee for indulging these written submissions.

Members will recall previous retrospective applications submitted by Marsh Farm, the officer's report lists them and I find it somewhat surreal that, on an occasion when an application is submitted in advance, it gets called in after the closing date.

Marsh Farm is fondly remembered by many South Woodham residents as an educational venue. Essex County Council operated the site - at a considerable loss - for education purposes for many years before leasing it to Partyman group who have refocused Marsh Farm primarily as a family entertainment venue.

Partyman have been forced to diversify in the last couple of years as COVID pressures reduced public footfall and decimated their turnover.

I am pleased to see that, with this application, Marsh Farm is seeking to move back to its educational roots with this proposed new attraction which supports the national curriculum while not increasing its livestock commitments - the application makes no mention of hosting live dinosaurs!

As I have represented in the past, Partyman and Marsh Farm have striven to be responsible neighbours to those who live nearby. After a shaky start they have continued to host a residents' forum and have expanded their consultation more widely in the local community. They have also deployed noise monitors on the periphery of the site to ensure minimal nuisance to nearby homes.

They are still a local significant employer, the Town's second or third largest employer.

I welcome any application that strengthens this local business and helps it return to its 'edutainment' roots and, frankly, what kid doesn't love a dinosaur?

Councillor Ian Roberts has given notice that he intends to speak on this application on behalf of South Woodham Ferrers Town Council