

MINUTES

of the

PLANNING COMMITTEE

held on 5 November 2019 at 7:00 pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, P Clark, A Davidson, S Dobson, P V Hughes,
R J Hyland, R Lee, G H J Pooley, R J Poulter, T E Roper,
C Shaw, R J Shepherd, M Springett and I Wright

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 Councillor R J Hyland who had appointed Councillor P Clark as his substitute.

3. **Minutes**

The minutes of the meeting held on 8 October 2019 were confirmed as a correct record and signed by the Chair.

4. **Public Question Time**

Members of the public or Parish Council representatives attended to ask questions on each of the items on the agenda. Details are recorded under the relevant minute number below.

5. **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.

6. **Regiment Way Golf Centre, Pratts Farm Lane, Little Waltham – 19/00561/FUL**

The Committee considered an application for new facilities at the Regiment Way Golf Centre, Pratts Farm Lane, Little Waltham, as agreed under the fifth Deed of Variation to the Channels legal agreement (18/01251/MOD106). The proposals included provision for adventure golf, safety netting, extensions to the driving range, an operational hub to provide food and drink facilities, the provision of training equipment for the driving range, the extension of the existing car park, a patio area with outdoor furniture, signage, the relocation of two existing golf course holes, and associated landscaping and engineering works.

A representative of Little Waltham Parish Council expressed concerns about the viability of the development; the additional traffic congestion it would cause and the need to ensure that vehicles using the facility should do so via Essex Regiment Way rather than the smaller access roads to the site; the lack of detailed plans for the adventure golf facility; and the removal and relocation of two of the holes of the existing nine-hole course.

Officers informed the committee that the delivery of the facilities was an obligation of the Section 106 Agreement for Channels and its viability was based on a detailed assessment. The Highway Authority was satisfied that the majority of vehicle trips to the facility would be directed to, and use, Essex Regiment Way and only a small number would use other roads, and that most of those trips were likely to be outside of rush hours. The applicant was required to continue to operate the nine-hole course and had indicated that the relocation of the two holes affected by the development would be completed by Christmas 2019, before work on the rest of the site began in April 2020. England Golf and Sport England were content with the arrangements for the continued operation of the nine-hole course.

Asked by the Committee what par the two relocated holes were and would be, the officers said that the new holes would both continue to be par three. Members were also told that conditions relating to the provision of lighting for the existing driving range could be replicated for the new range, and that a condition relating to the hours of operation of the facilities in the application, as detailed in paragraph 6.38 of the report to the meeting, could be added. With those assurances in mind, the Committee had no objection to the application.

RESOLVED that the application 19/00561/FUL in respect of the Regiment Way Golf Centre, Pratts Farm Lane, Little Waltham be approved subject to the conditions set out in the report to the meeting and additional conditions requiring that the hours of operation of the facilities be restricted to those detailed in paragraph 6.38 of the report and to require approval to a lighting scheme prior to the commencement of development.

(7.05pm to 7.30pm)

7. **18-20 Mildmay, Chelmsford – 19/01354/FUL**

Councillor G H J Pooley said that he was predetermined on this application and, with local residents, would speak against it. He took no part in the discussion of and voting on it.

The application before the Committee was for the demolition of the existing commercial building at 18-20 Mildmay Road, Chelmsford, the construction of four residential flats at first and second floor, a replacement commercial unit at ground floor level and the additional provision of cycle and bin stores.

Five local residents and a ward councillor spoke against the application. Their objections centred on:

- their understanding that the occupiers of the property would have no right of access over the car park at the rear of the proposed building and would therefore have no access to the proposed cycle parking area required as part of the development;
- the belief that the proposed building would change the character of the area from one with a mixed type and height of buildings to one that predominantly comprised three-storey structures that would create an overbearing effect and result in the loss of the openness of the existing street scene;
- the view that the proposal represented overdevelopment of a confined site;
- the concern that there would be an associated loss of privacy and amenity to neighbours caused by overshadowing and loss of light;
- worries that the safety of pedestrians would be compromised as a result of the development; the difficulties emergency vehicles would have accessing surrounding roads; and the lack of vehicular access to the commercial unit on the ground floor;
- the apparent loss of street lighting and the effect of this on night-time safety; and
- a perception that the proposed flats would not meet national space standards and the fact that the site was not allocated for housing in the Local Plan.

Responding to those concerns, officers told the Committee:

- the question of whether a right of way existed over the car park was a matter for the developer and landowner to resolve; if they were unable to do so, the development may not proceed;
- the Highway Authority was satisfied with the proposed parking provision and highway safety aspects of the development. Any lampposts removed would be replaced; and
- in the view of officers, neighbours' privacy would not be unduly compromised and whilst there would be some overlooking and loss of privacy, it was no more than would normally be expected in an urban environment and was acceptable.

In response to a question from the Committee as to why a previous application for the development of the site had been withdrawn, officers said that their concerns about the scheme could not be resolved by the applicant, who had decided not to proceed with it.

A number of members had concerns about the development and were minded to refuse it on the grounds that there was insufficient parking associated with it in an area already lacking adequate parking, and that there would be an adverse effect on local residents as a result of overlooking and associated loss of privacy and the loss of light.

RESOLVED that the Committee being minded to refuse application 19/01354/FUL in respect of the site at 18-20 Mildmay Road, Chelmsford, consideration of it be deferred to the next meeting to enable officers to prepare detailed reasons for refusal based on the following concerns:

1. A lack of adequate parking associated with the development.
2. The adverse effect the development would have on neighbouring residents in terms of their loss of privacy caused by overlooking and the loss of light.

(7.30pm to 8.15pm)

8. **19 Leybourne Drive, Springfield, Chelmsford – 19/01619/FUL**

An application had been submitted for a part two storey, part single storey front extension with garage at 19 Leybourne Drive, Springfield, Chelmsford and the creation of an additional parking space in the front garden.

A local resident attended the meeting to speak against the application, which he objected to on grounds of loss of light to his property, the inaccurate representation on the submitted drawings of the party wall between his house and the application property, and the fact that proposed guttering would overhang his property. Officers acknowledged that there would be some loss of light in the early morning but it would be only for a short time each day. The question of the party wall was something for the two property owners to resolve and was not a planning consideration. The guttering would not overhang the neighbour's property and rainwater drainage was adequate.

The Committee had no objection to the application.

RESOLVED that the application 19/01619/FUL in respect of 19 Leybourne Drive, Springfield, Chelmsford be approved subject to the conditions detailed in the report to the meeting.

(8.15pm to 8.26pm)

9. **Planning Appeals**

RESOLVED that the information on appeal decisions between 26 September and 28 October 2019 be noted.

(8.26pm to 8.27pm)

10. **Urgent Business**

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

The meeting closed at 8.27pm.

Chairman