

MINUTES
of the
PLANNING COMMITTEE
held on 15 September 2026 at 7pm

Present:

Councillor H. Ayres (Chair)

Councillors, H. Clark, P. Clark, S. Dobson, J. Frasca, R. Hyland, S. Rajesh, E. Sampson,
J. Sosin, A. Thorpe-Apps and C. Tron

Also in attendance:

Cllr Lee

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 Cllrs Hall, Pappa and Wilson. Cllr Frasca substituted for Cllr Hall.

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 meetings on 30th June and 7th July 2026 were confirmed as correct records and signed by the Chair.

5. Public Question Time

Public questions had been submitted in advance for Item 6 and are summarised under the relevant item [and can be viewed via this link](#).

6. 25/00158/OUT – Land West of Barbrook Way, Priory Road, Bicknacre, Chelmsford, Essex

Cllr Dobson declared a non registrable interest and left the Committee for this item, to instead speak as the local ward member.

The Committee considered an outline application for the provision of up to 250 dwellings (including affordable housing and self-build plots), including vehicular and pedestrian access from Barbrook Way, land for a new early years and childcare nursery facility, land for a community facility, public open space, landscaping, surface water attenuation and associated infrastructure with all matters reserved except for access. The Committee were informed that the application had been called in by the local ward member. [The Committee also noted the green sheet of amendments to the item.](#)

The Committee were reminded that due to the Council not having a five year housing land supply, the National Planning Policy Framework (NPPF) directed that applications for development that would address an evidenced unmet need, should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, known as the tilted balance. The Committee heard that the application was able to mitigate its own impacts in relation to traffic, ecology, flooding, the historic environment, residential amenity, education and health and that the main concern raised by residents related to vehicular access. The Committee were informed that the Highways Authority were content with the proposals however. The Committee were informed that whilst the development would change the character and appearance of the site from rural fields, to a residential development, the plans detailed a landscape led scheme, with mitigated impacts, but with some residual impacts remaining. The Committee also noted that in the overall planning balance, significant weight should be attributed to the provision of up to 250 new dwellings, including 88 affordable housing units, along with the other infrastructure benefits and that the benefits of the proposals were not substantially outweighed by the residual impact to the character and appearance of the landscape, leading to an officer recommendation for approval.

The Committee heard from a member of the public who spoke in support of the application, highlighting the need for housing and the 5 year housing land supply shortfall, the inclusion of 88 affordable homes, open space and biodiversity benefits, alongside the allocation of the site in the emerging Local Plan. The Committee also heard from members of the public who raised concerns with the application, regarding access and highway safety, pressure on existing infrastructure and services, impact on the rural character and countryside, prematurity of the application with the site's allocation in the emerging local plan yet to be examined, ecological and biodiversity issues, land ownership queries and the fact that there had been significant local opposition to the proposal.

The Committee also heard from a Parish Councillor who echoed the concerns raised by local residents, but focused on the issue of prematurity and the application being considered before the site allocation had been examined by the Planning Inspectorate. They highlighted that it could undermine the plan making process and that if approved, any decision made on the soundness of the site would have been pre-empted by an approval and they would be denied the opportunity to scrutinise the scale and location of the site. They stated that there was no urgency to consider the application and that it should instead be considered once the emerging Local Plan had been examined.

The Committee also heard from a local ward member, who also echoed the concerns raised by local residents and highlighted the issue with access from the narrow cul-de-sac, with significant traffic on a single route in and out of the development leading to safety and

congestion issues. They also raised concerns about if Essex Highways standards were being followed and the legal right to use the strip of land at the end of Barbrook Way. They also highlighted pressures on local infrastructure including on schools and GP surgeries, the cumulative effect across neighbouring villages and the matter of approval before the site had been examined as part of the Local Plan process. They also stated that if approved, consideration should be given to residents with a Bicknacre connection for the affordable homes and asked that the application be refused due to unresolved harms and a fundamentally unsuitable proposed access.

The Committee also heard from the Cabinet Member for Planning and Place-Shaping who highlighted other examples of estates being built out to include more housing, that the application met all planning obligations, was policy compliant, included vital infrastructure and that weight should be given to the site's approval in the emerging Local Plan by both Cabinet and Full Council. The Committee also heard that prematurity was not normally a reason for refusal, and that despite being a single entry/exit point to the site, this was not uncommon with other estates elsewhere. They also highlighted that if not approved, it could open the door to speculative developments without affordable housing and infrastructure and that sites such as this were vital to supply quick and much needed housing for those on the housing register and in temporary accommodation.

In response to the points raised, officers stated that;

- The single access point complied with the requirement for a single and/or dual access requirement in the site policy.
- Essex County Council had been consulted on education matters and secondary school desks had been accounted for, with a 5% surplus alongside primary school places and transport to secondary schools.
- Government policy had led to changes in what was deemed acceptable compared to previous years and with a lack of a 5 year housing land supply, the balance was tipped in favour of development as a starting point.
- All ecological matters had been considered by an independent consultant, who had been out on site with officers and that despite a missing month in the bat survey, they were content that all key elements regarding bats had been covered.
- The raised issue of prematurity was unlikely to be a valid refusal reason and would only be applicable, where undermining the whole plan making process, for example if somewhere was contrary to the spatial strategy.
- Other access ideas could not be considered, the Committee could only consider the proposal before them.
- There would be a loss of agricultural land, but the Government required the building of houses, so inevitably there would be a loss of greenfield land.
- Issues of land ownership were not material planning considerations and the applicant had confirmed that they had carried out the required due diligence.
- Affordable housing had to be allocated to those most in need of housing, rather than based on if they had connections to Bicknacre.

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

- The NHS had been consulted and had requested £188k of contributions which had been agreed by the applicant.
- There was no technical refusal reason for not accepting access via Barbrook Way.
- A package of mitigations had been proposed regarding highways and there was no technical objection that could be made as the proposals were viewed as acceptable.

- There were not any suitable refusal reasons based on residential amenity, which would normally be related to overlooking or overshadowing, but due to the site being landscape led, this was not foreseen to be an issue.
- No road improvements were included, but improved pedestrian links were that would assist new residents in reaching existing infrastructure.
- Bicknacre was a key service settlement with facilities and services already in place, which meant the application was in line with the Council's Spatial Strategy to place new housing in areas with walkable facilities, hence the contributions to improve pedestrian footpaths included within the application.
- A legal obligation was in place for education funding and if the applicant didn't build the nursery, they would have to make contributions to the County Council to fund it instead.
- The Committee could only consider the application before them, and other suggested access points or arrangements were not able to be considered.

RESOLVED that the application be approved subject to the completion of a S106 agreement, together with compliance with the conditions detailed in the report, the details of those items and variations that may be considered necessary and appropriate to be delegated to the Director of Sustainable Communities/Planning Development Services Manager, in consultation with the Chair and/or Vice Chair of the Planning Committee and the amendments on the Green Sheet.

(7.23pm to 8.47pm)

7. 26/00099/ENFA – Land Rear of Highfields, Writtle Road, Margaretting, Ingatestone

The Committee were asked to consider confirming an Article 4 Direction, following the decision by officers to implement the Direction with immediate effect in April 2026 on the above land, to remove specific permitted development rights. The Committee were informed that action had been taken following reports that the site appeared to be subdivided into smaller plots and marketed to be sold at auction and that the land was in the rural area to the northwest of the Defined Settlement of Margaretting, within the Metropolitan Green Belt. The Committee were also informed that there were nearby Listed Buildings. The Committee were informed that the Direction would remain in place until 30th October 2026, required consultation had been carried out, with numerous site notices in place, following which two objections had been received. The Committee heard that officers viewed the confirmation as necessary, to continue to protect the Green Belt and rural character of the area, in addition to heritage and surface water flood risk, therefore in accordance with paragraph 3.4.7.23 of the Constitution, the recommendation to confirm the direction had been referred to the Planning Committee. It was noted that if not confirmed, the protections in place would cease at the end of October.

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

- The decision had not been left to the last minute, instead statutory consultations had been carried out as required by legislation, leading to the timeframe that had taken place.
- An Article 4 Direction was a preventative measure, that could only be used where the development had not been carried out, other enforcement measures could only be used once a breach had occurred. It was also noted that the use of an injunction would not be appropriate, due to the higher level of evidence required.

- Officers had contacted the auction house advertising the land parcels and objections had been received back from them in response.
- The confirmation of the Article 4 Direction would remove permitted development rights for certain forms of development, but would not prevent planning permission applications coming forward, they would be dealt with as usual instead.

Cllr P Clark asked that it be noted that they had challenged the reason an injunction wasn't being used and felt that something stricter should have been done.

RESOLVED that the Article 4 Direction ART4/2026/1 be confirmed.

(7.04pm to 7.22pm)

8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 25th June and 28th August 2026 be noted.

The meeting closed at 8.48pm.

Chair