

MINUTES
of the
PLANNING COMMITTEE
held on 5 April 2022 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors S Dobson, J Frasca, P Hughes, R J Hyland, J Lardge,
G H J Pooley, R J Poulter, T E Roper, E Sampson, C Shaw and I Wright

Also present: Councillors N Chambers, A B Sosin and M Steel

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 had been received from Councillors L Ashley and R Lee. The latter had appointed Councillor J Frasca as his substitute.

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 8 February 2022 were confirmed as a correct record.

5. Public Question Time

A statement was made by a member of the public on Item 6. Details are recorded under minute number 6 below.

6. 13 Cherry Garden Road, Great Waltham, Chelmsford – 21/02397/FUL

The Committee considered an application for the formation of a vehicle access across the verge fronting 13 Cherry Garden Road, Great Waltham.

The agent for the applicant attended the meeting to speak in favour of the application. He disputed the officers' view that the provision of posts to delineate the route of the access would be a visual intrusion and argued that it was not a justifiable reason for refusal. He pointed out that the application overcame the concerns of the inspector who had dismissed the appeal against a previous refusal, and said that the posts would be low and of a natural colour and material, that neighbours and the Parish Council had not objected to the application and that there were similar crossings in Great Waltham. A ward councillor for the area said that local residents and the Parish Council were divided about the application and he raised questions about the Council's position as the owner of the land over which the access would pass and the application of the recently adopted Open Spaces Policy in this particular case. He too pointed to crossings that had been approved in the past and the fact that cars currently parked on grass verges elsewhere in Great Waltham, with no action taken to stop it. He added that the properties fronting the greensward had no other means of access and that residents would be unable to charge electric cars if crossings could not be created.

In discussing the application, the Committee raised concerns about the precedent that would be created if it were to be granted and the effect this would have on the amenity and character of the area, especially if the posts were not properly maintained. Asked to explain further the reasons for recommending refusal, officers said that their concerns were not only about the appearance of the posts but the effect the proposal as a whole would have on visual amenity and the character of the area.

Members appreciated that this was a marginal decision but, on balance, felt that the application should be refused for the reason given in the report, i.e., that the proposed vehicle access and cross over together with the installation of numerous timber posts would result in a significant visual impact that would be harmful to the undeveloped, open and verdant character and appearance of the street and would therefore fail to comply with policy DM23.

RESOLVED that planning application 21/02397/FUL in respect of 13 Cherry Garden Road, Great Waltham Chelmsford be refused for the reasons detailed in the report to the meeting.

(7.04pm to 7.35pm)

7. 10-12 Hanbury Road, Chelmsford – 19/01916/S73

An application had been received for the variation of condition 4 of planning permission 19/01916/FUL (the construction of a rear and side extension to 10-12 Hanbury Road, Chelmsford; the construction of three-metre high acoustic fencing; and retrospective permission for exterior works to the building). The application sought permission for alterations to the finish of the rear elevation sloped roof.

Councillor J Lardge had referred the application to the Committee in response to local residents' concerns about noise disturbance from the site. Having expressed those concerns and urged the Committee to consider whether the noise levels from the site were acceptable, Councillor Lardge took no further part in the consideration of the application.

The Committee was informed by an officer from the Public Health and Protection Service that the noise levels from the site had been measured in 2021 and had confirmed that the noise levels anticipated from the activities on the site were correct and acceptable. Modelling of the noise attenuation levels anticipated as a result of the new design of the roof indicated that they were not likely to be significantly different from the levels measured in 2021 and may be slightly lower. The Committee was assured that although noise levels were considered to be acceptable, action could be taken by Public Health and Protection if at any time they constituted a statutory nuisance.

In response to questions from members, officers said that the access gate referred to in the representations from residents gave maintenance access to the rear of the building and was unlikely to affect overall noise levels from the building. It would not be possible to enforce any condition that completely prohibited any light from the building outside of the hours of operation as, owing to the building's rooflights, it would be reasonable to expect some low level of ambient light from the building at night from, for example, security lighting.

RESOLVED that planning application 19/01916/FUL in respect of 10-12 Hanbury Road, Chelmsford be approved, subject to the conditions set out in the report to the meeting.

(7.35pm to 7.51pm)

8. 275 Baddow Road, Great Baddow, Chelmsford – 22/00014/FUL

The Chair declared an interest in this item and left the meeting during its consideration. The Vice Chair, Councillor Wright, took the chair for this item and Item 9.

The Committee had before it an application for the demolition of the office building on the site of 275 Baddow Road, Great Baddow and the construction of eight dwellings and the widening of the existing access.

A representative of Great Baddow Parish Council and a ward councillor for the area attended the meeting to express concern about the application on the grounds that:

- The access to the site was not adequate and poor sightlines gave rise to safety concerns
- Parking provision for residents and visitors was not adequate given the size of the proposed dwellings
- The application represented overdevelopment of the site
- Existing properties would be overlooked and in some cases would be less than the back to boundary distance of 15m set out in Appendix B to the Local Plan
- Some of the properties would have garden spaces below the minimum standard for dwellings of their size.

In response to those concerns, officers said that:

- The existing access would be widened by 1.5m and Essex Highways were satisfied with the access and egress arrangements for the site and the sightlines. There was sufficient width for two vehicles to pass and vehicle movements to and from the site would be no greater than at present
- Essex Highways also had no concerns about the parking provision, which met current standards
- Whilst the back to boundary distances in some cases were below the minimum standard, there would be a better relationship with existing houses as the proposal removed built form further from the neighbours' rear garden boundaries. Two dwellings had been designed to prevent overlooking of existing properties fronting Baddow Road, with obscure glazing provided at first and second floor levels where necessary, and a difference in ground levels and the retention of a boundary wall would prevent overlooking in other cases
- Whilst the gardens of some of the properties would be below minimum standards, the shortfall in private amenity space would be made up by the provision of terraces as part of the buildings' design
- In general, whilst the development did not meet a small number of development standards, its overall design and impact on the area was considered to be acceptable

Although some members expressed concern about the effect of the development on an already congested local road network, the safety of the site's ingress and egress arrangements, and the effect the development would have on neighbours' amenity, the Committee was generally of the view that the development would be acceptable. It asked, however, that an additional condition be added to remove permitted development rights for new windows in the proposed properties in order to maintain the satisfactory relationship between dwellings.

RESOLVED that planning application 22/00014/FUL in respect of 275 Baddow Road, Great Baddow, Chelmsford be approved, subject to the conditions set out in the report to the meeting and an additional condition to remove permitted development rights for new windows.

(7.51pm to 8.42pm)

9. Planning Appeals

RESOLVED that the information on appeal decisions between 14 March and 22 March 2022 be noted.

(8.42pm to 8.43pm)

The meeting closed at 8.43pm

Chair