

MINUTES
of the
PLANNING COMMITTEE
held on 9 December 2025 at 7pm

Present:

Councillor R. Lee (Chair)
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, H. Clark, J. Frasca, S. Hall, R. Hyland, J. Lardge, J. Raven, E. Sampson, A. Thorpe-Apps, C. Tron and P. Wilson

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 Cllr Pappa, Cllr Raven substituted for them.

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 4 November 2025 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Public questions had been submitted in advance for Item 7, which are summarised under the relevant item. [The questions and statements submitted in advance can be viewed via this link.](#)

6. 21/01961/OUT and 21/01961/FUL - Land North West Of Hamberts Farm, Burnham Road, South Woodham Ferrers, Chelmsford

The Committee were reminded that the above application had been granted planning permission in February 2023, it was noted that since then the scheme had been independently assessed and deemed to be unviable due to specific site costs, significant highway

infrastructure costs and lower house values. The Committee heard that as a result the City Council's Cabinet had agreed to use Community Infrastructure Levy (CIL), to make the scheme viable in March 2025. The proposal before the Planning Committee was to amend the heads of terms of the S106 agreement, because CIL would now fund elements of the proposal instead. The Committee's Legal Advisor confirmed that the decision to use CIL in this instance, was one the Cabinet had been entitled to make and that there were not any issues with that decision. The Committee also noted that addition of a public art condition to the list of previously agreed conditions. The Committee noted that it was frustrating to see viability issues, but were pleased that a solution had been found to maintain the important 35% affordable housing target. Members requested a review mechanism in the S106 in case the viability of the scheme improved. Officers confirmed that this could be included.

RESOLVED to amend the heads of terms of the legal agreement as detailed in the report, with an additional condition requiring Public Art Provision.

(7.04pm to 7.08pm)

[7. 25/01046/FUL - The Old Nursery, Butts Green Road, Sandon, Chelmsford, CM2 7RN](#)

Cllr Armstrong declared a non registrable interest for this item and left the meeting for this item.

The Committee considered an application for a material change of use of land, for the stationing of caravans for residential purposes, the laying of hard standing and erection of a dayroom ancillary to that use. The Committee were informed that the application had been called in by a Local Ward Member on the grounds of the site being agricultural, concern about the impact on the local area, the need for traveller sites to be adequately addressed in the Local Plan, highway safety concerns and to allow the public to voice their opinions. The Committee were informed that the application was for one Gypsy/Traveller pitch consisting of one tourer caravan, one static caravan and a dayroom building and that existing road access would be used. It was noted that the proposal included native hedgerow and tree planting and that subject to conditions, there would be no adverse impact on the character of the area or the intrinsic character and beauty of the countryside. It was noted that the application was acceptable to the Local Highway Authority, there would be no harm to protected species and it would deliver at least a 10% biodiversity net gain. The Committee heard the proposal was acceptable from a flood risk perspective and that it complied with Policy DM3 of the adopted Local Plan, which allowed for unallocated developments for Gypsy/Traveller Pitches. The Committee noted that the plan-led outcome was for the approval of planning permission, subject to conditions and there were also material considerations, such as meeting an unmet need for Gypsy/Traveller pitches which weighed in favour of granting planning permission. In summary, there were no adverse impacts in granting planning permission, the scheme complied with the adopted Local Plan and further material considerations, including Paragraph 11d of the NPPF being engaged, indicated that planning permission should be granted, therefore the application had been recommended for approval.

The Committee heard from a member of the public who spoke in support of the application, highlighting the fundamental need in the County for Gypsy/Traveller pitches, the lack of a demonstrable five year land supply of deliverable Gypsy/Traveller sites for the Council, the minimal effect on local amenity, no objections from the Highways Authority and conditions that would be complied with.

The Committee also heard from members of the public who spoke against the application. They stated that there was no proven local need for the site, that the site was not in a sustainable location and highlighted drainage, fire safety and highway safety concerns. They also raised concerns about existing planning permission on the site, the fact that 112 local residents had objected to the application, a view that it would have a significant detrimental impact on the local countryside, the setting of a precedent for future similar sites if approved and that the Council should protect residents from random unallocated developments.

In response to the points raised, officers stated that;

- The Council did not need to know the specific occupier, just that they met the Gypsy/Traveller requirement, as detailed by condition.
- The test in Policy DM3 did not say that adequate services had to be within walking distance, the use of private cars was acceptable.
- Previous planning permissions did not restrict new permissions being applied for and approved.
- Dayrooms were a common feature on similar sites and Essex Fire and Rescue had not raised concerns about the addition of a dayroom, including a kitchen and bathroom.
- The drainage solution detailed by the applicant was acceptable; subject to a condition.
- Concerns about the precedent of approving the application, were not valid as all applications were considered on their own merit, against planning policies at the time.
- It was perfectly acceptable to grant planning permission with conditions, guidance supported this and they often enhanced the quality of developments and helped enable them.
- Some of the conditions were common procedural ones, to require implementation within three years, in addition to conditions restricting the number of caravans and the occupation of the pitch by those meeting the gypsy/traveller definition.
- The number of objections did not need to alter an officer's conclusion, the consultation period gathered views of the public, but officers had to also look at planning policies and material considerations.
- Essex Fire and Rescue Service had not raised any concerns with the application, so it could be not viewed as unacceptable in terms of fire safety.
- The use of the site if approved, would change from agricultural to residential.
- Potential noise or disturbance from the site was viewed as minimal, due to it consisting of one pitch and would not be significantly different from the land being in active agricultural use, this was also the case for headlight glare.

The Committee also heard from the Local Parish Council, who asked the Committee to listen carefully to the concerns raised by residents, stated that the application did not follow NPPF guidelines and suggested that a site visit would be beneficial. The Committee also heard from a Local Ward Councillor who echoed the concerns that had been raised by the public. They also stated that it felt that the application was being made to fit as it was a gypsy/traveller site, it was out of keeping with the local area and that another application for something else may well have been recommended for refusal. They also suggested that a site visit would be beneficial, raised concerns about the impact on natural habitats, the sustainability of residents reaching services from the site and concerns about access into and out of the site onto the 60mph road. They also stated that the Council's Local Plan should be providing sufficient sites in allocated locations, to prevent unallocated applications coming forward and that approving the application would set a precedent and potentially lead to similar sites being applied for, also out of keeping with the local area.

In response to the further points raised, officers stated that;

- The titled balance in the NPPF was engaged due to the lack of a five year land supply, this led to positive views of development being required to be taken unless there were strong reasons for refusal.
- The land was not previously developed land, so was essentially being considered as coming from a greenfield perspective.
- National planning policy includes policies about assessing the cumulative impact of gypsy/traveller sites on an area and that all applications were considered on their own merit, therefore just because one site might be granted, it did not mean all similar applications would also be granted, as the cumulative impact would then be assessed.
- Officers sought views from Essex Highways, who had no concerns in terms of highway safety.
- A preliminary ecological appraisal had been submitted as part of the application and officers had agreed with the recommendations within it.
- The site had sufficient space to easily exceed the 10% biodiversity net gain requirement, including native hedge planting and new trees.
- Despite just being one pitch, if granted it would be 10% of the unallocated gypsy/traveller sites required, therefore it would be beneficial to meeting requirements.
- A recent court case had led to the expansion of the definition of a gypsy/traveller, which had led to many local authorities suddenly having a significantly increased need for sites.
- The Local Plan Review had put forward as many gypsy/traveller sites as possible, with 30 being allocated, and also carried out a 'call for sites' as part of the preparation of the Local Plan Review.

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

- They had visited the site and knew the area well.
- A proposed condition had been included for a site development scheme to be submitted, requiring details of planting, fencing and gates etc. It was noted that the maintenance of a hedge to a specific height could not be conditioned though.
- Any additional caravans on the site would require additional planning permission and could be investigated by the planning enforcement team if necessary.
- The site had existing agricultural use and therefore, it would be expected to see slow moving large vehicles entering and exiting via the existing site access, also that the static caravan would not be expected to enter and leave the site regularly. There was no injury record or recorded incidents along the stretch of highway in vicinity of the existing access, but due to it not being in regular use, the highway verge had become overgrown. It was noted that a strong suggestion had been included as part of the consideration, that it should be cleared to maintain viewpoints when entering and leaving the site.
- There were other multiple access points from other properties onto the road, that had been there for many years.
- Conditions could be included to require vegetation to be removed or phased back, to provide a visibility splay, but not on third party land. Instead, an informative could be added to encourage the applicant to phase back any vegetation when carrying out works to the site.
- The area around the site consisted of other residential properties.
- It was common public knowledge that the Council could not demonstrate a five year land supply and this had to be taken into consideration. It was also noted that appeals to the planning inspectorate could go both ways, but it was expected that for appeals to be dismissed where there was not a demonstrable five year land supply, that there would have been quite significant harms from the applications.

- They were confident on the required number of gypsy/traveller pitches being accurate and regularly looked at public, private and unauthorised sites to assist with this.

Members of the Committee also expressed views, regarding sustainability concerns of the site location and other recent appeals where the planning inspectorate had refused permission. Members also noted the need for gypsy/traveller sites and the tilted balance in favour of development where there were not significant impacts and that there was a city wide need for sites and that decisions should be made against planning policies, not just local feedback.

RESOLVED that the application be approved subject to the conditions detailed in the report and the addition of an informative relating to the cutting back of foliage around the access.

(7.09pm to 8.51pm)

8. 24/00775/S73 Section 73 - 10 Moulsham Chase Chelmsford Essex CM2 0TB

Cllr Armstrong returned to the meeting for this item.

Cllrs Clark, Frasca, Hall, Lardge, Lee, Sampson and Tron declared non registrable interests for this item and left the meeting at this point. Cllr Dobson took the Chair for the remainder of the meeting.

The Committee were asked to consider a proposal that sought retrospective planning permission to vary condition 2 of 24/00775/FUL, which related to an outbuilding that had been built taller than originally approved. The Committee were informed that the application had been referred to them, because the applicant was a City Councillor and representations had been received on the application. The Committee heard that the enlarged outbuilding would retain a design, form and appearance that would remain in character with the local area and other similar buildings in the locality. It was noted that the proposal now sought a height of 3.1m and the addition of solar panels to the roof, the outbuilding had already been built to those details. The Committee were also informed that the outbuilding would not by virtue of its size or siting, adversely affect the residential amenity of any neighbouring properties and was therefore recommended for approval.

Members of the Committee expressed their dissatisfaction with the application being made retrospectively, despite having permission granted two times previously and also queried whether the additional height would impact on the neighbouring property. In response to questions and points raised, officers confirmed that the outbuilding had natural timber cladding, the solar panels added some further height, but that the final building was not uncommon with other instances within the urban setting. It was also noted that the neighbouring garden was of a significant size and that the outbuilding was not overbearing as a result.

RESOLVED that the application be approved.

(8.52pm to 9.08pm)

9. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 23rd October and 24th November 2025 be noted.

(9.07pm to 9.08pm)

The meeting closed at 9.08pm.

Chair