

**MINUTES
of the
PLANNING COMMITTEE
held on 11 January 2022 at 7:00pm**

Present:

Councillor J A Sosin (Chair)

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

Also present: Councillors K Bentley, M J Mackrory and M Sismey

1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting.

2. Apologies for Absence

There were no apologies for absence.

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 7 December 2021 were confirmed as a correct record.

5. Public Question Time

Questions were asked and statements made by members of the public on Item 6. Details are recorded under minute number 6 below.

6. Marsh farm Visitor Attraction, Marsh Farm Road, South Woodham Ferrers – 21/02024/FUL

Councillor P Hughes declared a non-pecuniary interest in this application and took no part in its consideration.

The Committee considered an application for the change of use of land and buildings at the Marsh Farm Visitor Attraction, South Woodham Ferrers to a dinosaur based educational attraction (F1/F2), including installation of prefabricated dinosaurs; children's play equipment and activity areas; and use of existing polytunnel structure as covered area with seating. A Green Sheet of additions and alterations to the information in the report had been circulated before the meeting.

Questions and statements from five members of the public opposing the application were put to the meeting. A ward councillor and a representative of South Woodham Ferrers Town Council also attended the meeting to speak against the proposal. The applicant attended to speak in support of the application and a statement from another ward councillor in favour of it was considered.

Those who opposed the application did so on the following grounds:

- This was the latest in a series of applications in respect of the site which had changed it from its original use as an urban farm and educational facility to something more akin to a retail and commercial use.
- The proposal would add to additional pressure on the local road network, to the detriment of local residents.
- Concern that parking on the site would be insufficient to meet the additional demand.
- The site was liable to flooding but lacked an up to date Flood Warning Evacuation Plan and the proposed use would put more members of the public at risk should flooding occur.
- The lack of clarity over how noise and lighting from the proposed activities would be managed.
- The application contained no information on the hours of use of the new facilities and it was considered that these should be limited to 10am to 5pm.
- A lack of liaison by the applicant with the local community over the proposal.

In speaking in support of the application, the applicant said that the new facility would add to the educational character of Marsh Farm, that Essex Highways had no objection to the proposal on grounds of traffic and parking, that the Environment Agency had no objection provided flooding-related precautions were taken, and that Public Protection had no objections on grounds of noise. The ward councillor who had submitted a statement in support of the application welcomed the additional educational facilities and said that it would strengthen the business, which was a major local employer.

In discussing the application, several members of the Committee expressed reservations about the additional traffic using an already busy local road network and the lack of a condition on the hours of use of the new facilities. Clarity was also sought about the use class the new proposal would fall within.

Responding to the questions and concerns raised, officers informed the Committee that:

- The application was ancillary to and would complement the existing use of Marsh Farm. The facility would fall within use classes F1/F2, which covered educational and community uses, and there was no planning reason to restrict the use to educational purposes only. It was acknowledged that there had been several retrospective applications in respect of Marsh Farm in the past but this application needed to be considered on its own merits.
- It was not anticipated that the proposal would lead to a significant increase in traffic on surrounding roads. The location of Marsh Farm meant that the only access was via the adjacent residential areas. A car parking survey in June 2021 had indicated that the additional parking as part of an earlier application would be sufficient to accommodate the current and proposed uses at the site. The effect of traffic going to and from the site on the road network had been assessed as part of that application.
- Conditions associated with any grant of permission would cover flood mitigation measures and details of emergency refuges and a flood plan. It was normal practice that the more detailed aspects of applications were covered by condition rather than being required at the application stage.
- The hours of operation of Marsh Farm were governed by its licence issued under the Licensing Act 2003 and the new facility would also be covered by that licence. The licence stated that the opening hours of the premises were 09:00 – 20:30 every day, but matters including the sale of alcohol and performances were permitted to the hours of 09:00 to 18:00 except for a limited number of days in the year when longer hours were permitted for special events. It would be difficult to argue that the new facility should have different hours of operation from the rest of the site.

Having heard all the comments and responses, the majority of the Committee had no objection to the application and saw no reason other than to recommend to the Director of Sustainable Communities that it should be approved.

RESOLVED that the Director of Sustainable Communities be recommended to grant planning application 21/02024/FUL in respect of the Marsh Farm Visitor Attraction, Marsh Farm Road, South Woodham Ferrers, subject to the conditions set out in the report.

(7.05pm to 8.17pm)

7. Planning Appeals

RESOLVED that the information on appeal decisions between 25 November and 22 December 2021 be noted.

(8.17pm to 8.18pm)

The meeting closed at 8.18pm

Chair