

MINUTES
of the
PLANNING COMMITTEE
held on 20 June 2023 at 7:00pm

Present:

Councillor J A Sosin (Chair)

Councillors J. Armstrong, S. Dobson, S. Hall, R. Hyland, J. Lardge, R. Lee, , E. Sampson, A. Thompson, C. Tron and P. Wilson

Also Present:

Councillors Bugbee, C. Davidson, Pooley and Scott

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 Councillors Pappa and Thorpe-Apps.

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 18 April 2023 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Public questions and statements were asked on Items 7,8,9 and 12 and are detailed under the relevant items. [The statements submitted in advance can be viewed via this link.](#)

6. Appointment of Vice Chair

RESOLVED that Cllr Sue Dobson be appointed as the Vice Chair of the Committee for 2023/24.

7. 20/02064/OUT – Strategic Growth Site North Of Woodhouse Lane, Broomfield, Chelmsford, Essex & Item 8 21/00881/FUL – Broomfield Hospital, Hospital Approach, Broomfield Chelmsford, Essex, CM1 7ET

Declarations of Interest – Cllr Sosin declared a Non registrable interest for Items 7 and 8 and left the meeting for them. Cllr Dobson took the Chair for Items 7 and 8.

The Committee considered Items 7 and 8 together, due to them being related. Item 7 was for an outline application for residential development for up to 512 dwellings including affordable housing and custom build homes (Use Class C3), Local Centre (Use Classes E, F,1 and F,2), formal and informal open space, and associated infrastructure with all matters reserved expect for primary access. Item 8, was for the Formation of highway connection north of Woodhouse Lane, closure of sections of Woodhouse Lane, provision of turning heads north of Woodhouse Lane and connection to existing highway drainage. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included an amendment to condition 26 to include a note about land ownership.](#)

The Committee was informed by the chair that all members could take part in the discussions and vote on the two items, not just those who were present in August 2022. It was noted that it had the status of a new application and members had the whole report before them.

The Committee was reminded of the resolution it agreed in August 2022 to approve 20/02064/OUT subject to the completion of the Section 106 agreement, the conditions set out in the report and securing delivery of the link road. Officers informed the Committee that work had been undertaken to secure the delivery of the link road but this had not been possible as an agreement on the future maintenance arrangements, costs and liability of the proposed link road could not be reached with the NHS Trust. Therefore an alternative transport strategy had been agreed by parties in lieu of the hospital link road. The Committee heard that this included a financial contribution of £1,350,000 primarily towards a shuttle bus service between the Chelmer Valley Park and Ride Site and Broomfield Hospital to be provided by the applicant. The Committee heard that officers had undertaken extensive investigation and analysis and concluded that the traffic impact that resulted from the proposal could be suitably mitigated through a package of appropriate mitigation. It was highlighted to the Committee by officers, that with the exception of traffic matters, all other matters considered previously remained unchanged. The Committee was informed that both applications were being recommended for approval.

The Committee heard a statement from the applicant, which highlighted the ongoing work that had been undertaken with partner organisations to secure an acceptable transport position for the scheme. The Committee heard that the alternative transport strategy was the result of extensive consultation and was supported by the NHS Trust and City and County Council, including significant contributions towards the cost of the park and ride service. The applicant also stated that the rest of the application remained as previously agreed.

A local resident addressed the Committee and informed them that residents still held major concerns about traffic on Main Road in Broomfield. They highlighted the Memorandum of Understanding that had agreed the provision of the link road which they felt was still a fundamental part of the application. They stated that the park and ride service would not be

sufficient to mitigate the impact of the development. A further local resident also highlighted concerns for hospital staff having to use the park and ride service. They informed the Committee that there did not appear to be mention of a 24/7 service and would staff be expected to rely on the service on a dark winter night, which they felt was a potential personal security issue.

A representative from Broomfield Parish Council also addressed the Committee. They raised concerns about how the £1.35m figure should be split between the park and ride service and other alternative transport arrangements. They highlighted ongoing issues with traffic levels within the Parish, especially near the hospital and asked the Committee to work with the Parish and its residents to show how development can work in their best interests. The Committee heard that there was no evidence that spending £1m on the park and ride scheme was the right thing to do and it could be argued that further funding would then be required. The Committee were asked to remove the specified £350,000 from the wording of the proposed obligation, so that there was no limit of what could be put towards local schemes that may come forward through the emerging Neighbourhood Plan.

Two local ward members and two other City Councillors also addressed the Committee and the following concerns were raised;

- The link road had been a fundamental element to improve traffic in the area which was already very congested.
- Would the park and ride service be viable?
- Other measures should be considered rather than just relying on the park and ride service.
- What levels of service would be provided by the park and ride, would it be sufficient and cover all shift patterns and would free parking be removed to encourage its use?
- How long would the financial contribution keep the service running for?
- Why was the link road now not required, despite the local plan inspectorate stating it was required?
- Roads in the area were already operating over capacity and the development without adequate mitigation would just increase this.

In response to the points raised by members of the public and local Councillors, officers stated that they were not indicating that the link road was no longer necessary. They were stating that it was no longer possible to be delivered, due to the land being owned by the NHS trust who could not reach an agreement, therefore other options had to be considered. It was noted that the Highways authority felt the alternative arrangement was suitable and would adequately mitigate the impact of the development. The £350,000 towards other measures had been calculated on the basis that £1,000,000 could fund a park and ride service for a five year period, leaving £350,000 for other schemes. It was noted that the service had been successful pre covid and there was demand for it to be restarted. It was also noted that the bus service would be run the same as any others in the area and that specific details of the service would be established with Essex County Council. Officers from the Highways authority also stated that the funding would not fund the service permanently, but it was hoped that over the 5 year period, there would be an adequate modal shift to make the service self sustainable. They also noted that the package of mitigations was adequate in their view and it would be down to officers to develop the service. They felt that a 24 hr service was unnecessary as the key aim of the service was to reduce traffic at peak times. Officers from the Highways authority also stated that they could not object to the evidence provided and they were comfortable with the mitigations being put forward.

Officers also informed the Committee that the local plan and masterplan were starting points for consideration. It was noted that the application before the Committee, was for housing and the question to be answered, was whether the proposed mitigations would adequately mitigate the harm from that development. It was noted that the link road would have been a preferred option, but the Committee had to decide if the new proposals would allow the housing development to go ahead without a negative impact on traffic in the local area.

Members of the Committee expressed disappointment and concerns that the link road had proved not to be possible. Members also queried whether the park and ride service would be adequate but noted that the Highways authority were happy with the mitigations being provided. Members also noted the importance of 500 new homes for the area and noted that any development would have some level of impact.

In response to questions from the Committee, members were informed that;

- There had been plans to reinstate the park and ride service previously and officers were keen for it to be running again, it was noted that this provided an opportunity to do so.
- The spine road would still be able to accommodate a link road in the future if it was to ever be put in place.
- The £1.35m figure being put forward, was the same as the proposed cost of the link road, therefore no party was being short changed.
- There would be a cost impact for the park and ride service to cover all hospital staff shifts 24/7.
- The detailed plans for the park and ride service and how often it would run, were not yet set in stone.

A member of the Committee proposed that the applications be approved with a change to the wording of the financial contribution of £1.35m. It was proposed that the wording at page 20 of the agenda pack in the first bullet point for highways and transportation be amended to read;

“ A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan.”

The above proposal was seconded and then voted on by the Committee.

RESOLVED that the applications at Items 7 and 8 be approved.

20/02064/OUT be approved subject to the completion of a S106 agreement and compliance with the conditions detailed in the report and; with the following condition added , “*A financial contribution of £1,350,000 (index linked) to be paid by the developer towards the mitigation of the impact of development traffic on B1008, primarily on provision of Park and Ride Shuttle services to Broomfield Hospital from Chelmer Valley Park and Ride site and fare incentives to encourage staff, patients and visitors to use this service; and on alternative transport travel schemes in the vicinity of the Hospital as identified in the emerging Broomfield Neighbourhood Plan*”

21/00881/FUL be approved subject to the completion of a S106 agreement and compliance with the conditions detailed in the report.

(7.04pm to 9.08pm)

9. 22/01723/FUL – The Avenue Springfield And Land Forming Part Of Beaulieu Parks Sports Ground, Springfield, Chelmsford, Essex

Declarations of Interest – Cllr Wilson declared a Non registrable interest for Item 9 and left the meeting for that item.

The Committee considered an application for the construction of a two-way bus link and pedestrian and cycle paths to connect the Beaulieu Park Railway Station to White Hart Lane with utility, landscape and infrastructure works, together with associated and ancillary development. The Committee heard that the application had been referred as it included CCC owned land and an adverse third party representation had been received. [Members of the Committee were also directed to the green sheet of amendments for the meeting, which included a change to condition 11, a late letter of representation from New Hall School and a response from the planning agent and highways authority.](#)

The Committee were informed that the Beaulieu Park Railway Station formed the cornerstone of a series of sustainable transport measures for North-East Chelmsford and that following reserved matters approvals, work had commenced on the station at the end of 2022. It was noted that the application brought forward the requirement for a two-way bus link road from White Hart Lane to the new station as set out within the S106 agreement. The Committee heard that the bus link road together with the associated footway and shared footpath/cycle path had been the subject of extensive pre-application discussion and negotiation. It was noted that the scheme was acceptable to the heritage sensitivity of the site and met all required design standards. The Committee was informed that the scheme formed a key component of the overall sustainable transport strategy for Beaulieu Park Railway Station and was recommended for approval, subject to the completion of a S106 agreement.

Two public statements were made at this point of the meeting. One member of the public highlighted concerns with a discharge of conditions application - ref: 09/01314/DOC/314. They stated that the pond had not been constructed in accordance with the original approved plans and it was not holding the promised minimum 300mm of water. It was noted that several local residents held concerns and had submitted objections. The planning agent for the application also addressed the Committee. They stated that the delivery of the new station was a critical step for delivering sustainable public transport in Chelmsford. They informed the Committee that the principle of the bus link was well established through the adopted Local Plan and the Beaulieu Outline planning permission approved in 2014. They noted that the application would enable them to start work on a key piece of infrastructure and referred to the proactive engagement with officers and other stakeholders over the last two years. It was also noted that the proposal had been amended in response to comments and that it was in line with the City Council's policies.

In response to the concern raised about the discharge of conditions application above, officers stated that it was a technical matter and specialist landscape advice had been sought. It was noted that a RoSPA report had been undertaken for the attenuation basin which set out a recommendation for knee rail fencing to be provided around the edge of the basin; the

application sought to regularise the installation of the new fencing with a planting scheme alongside. The Committee heard that the Council was aware of the 11 letters and would be considering them along with the specialist advice.

In response to questions from the Committee, it was noted that some new bus routes would be created alongside the extension of some existing ones. The Committee also heard that specialist lighting bollards would be used on the upgraded path around the edge of the Beaulieu Park Recreation Ground, these were of a design in line with those already in place in Oaklands Park for heritage sensitivity and would provide adequate lighting.

RESOLVED that the application be approved, subject to an agreement, as indicated in the report, being entered into by 20th September 2023 pursuant to the Town and Country Planning Act 1990 and subject to the conditions detailed in the report.

(8.49pm to .9.21pm)

10.23/00134/FUL - Land Adjacent 2 Pease Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for one affordable rent dwelling in the defined settlement of East Hanningfield, it was noted that the application had been referred to the Committee as it was sited on land owned and managed by the City Council. It was noted that objections to the application had been received covering a range of topics, but loss of green space, overdevelopment of the housing estate, increase in parking stress and impact to character were the main issues raised. It was noted that the application was recommended for approval subject to conditions.

Members of the Committee were informed that the property would be for affordable rent tenure and would include two parking spaces at the front of the dwelling. Members of the Committee agreed that housing of this type was urgently needed and that the loss of green space was justified against the housing need. It was also noted that other large recreational areas were available nearby. It was also confirmed by officers that condition 3, detailing the property being for affordable rent, would stay in place as the Council would build the property for that purpose.

RESOLVED that the application be approved subject to the conditions detailed in the report.

(9.22pm to .9.34pm)

11. 23/00194/FUL – Play Area Payne Place, East Hanningfield, Chelmsford, Essex

The Committee considered an application for the redevelopment of existing amenity space and car parking, to provide three affordable dwellings, with associated works including a new through road and provision of additional car parking spaces. The Committee heard that along with Item 10, the application was by the City Council so had been referred to Committee. Objections had been received including the loss of open space, displacement of parking and access to existing properties and neighbour amenity. It was noted that the application, along with Item 10 also provided for the urgent need for affordable housing and this had to be justified against the loss of open space. Members were also informed that a financial contribution had been secured to improve and enhance other existing pieces of Open Space in East

Hanningfield, which weighed heavily in favour if the development in the planning balance. Therefore the application had been recommended for approval subject to conditions.

In response to questions from the Committee, officers stated that the view of parking and highways was that the application would not add extra stress to the local parking situation. Officers also stated that the parking surveys had been carried out by the County Council and if they had held concerns about the timings of the surveys, they would have raised this. It was also noted that there would be space to in theory add further parking spaces in the future if required. Officers also stated the importance of the requirement of new four bedroom affordable dwellings to assist with the high numbers in temporary accommodation.

Officers also agreed to add two conditions requested by the Committee. These included the provision of a footpath around the side of the development to provide garden access for the middle-terraced property and a duplication of condition 3 from Item 10 to ensure the development was for affordable housing.

RESOLVED that the application be approved subject to the conditions detailed in the report and two additional conditions ;

- The new dwelling in this development shall not be used for any purpose other than the provision of Affordable Housing within the definition as given within the National Planning Policy Framework.
- The addition of a footpath around the side of the development to provide garden access for the middle terraced property.

(9.35pm to .9.53pm)

12.22/01650/FUL – Land South of Colam Lane, Little Baddow, Chelmsford, Essex

The Committee considered an application for the erection of a rural workers dwelling for a temporary period of up to three years. It was noted that the proposed building was required to provide accommodation for a rural worker in association with the alpaca breeding business at the site. The Committee heard that an independent appraisal of the application documents and the on site rural business had been commissioned, to assess whether the dwelling was required in association with the business. The consultant had advised the Council that the business generated a requirement for one full time employee, necessary to be on site for security and animal welfare reasons. It was noted that no alternative accommodation on the site was available and it was not felt it would have a detrimental impact on the intrinsic character and beauty of the surrounding countryside. Therefore, the application was recommended for approval.

The Parish Council and a local ward member both raised concerns with the application including the below;

- A breach of planning regulations, proving that any retrospective application was possible.
- A highways contravention had taken place by accessing the road through hedgerow.
- A request for a stop order by the Parish Council had not been responded to.
- Large areas of hedgerow would have to be removed for visual splays, further damaging the tranquillity.
- No notices had been served on adjacent landowners.
- Why had the development not been stopped when it was first reported?

- Would similar applications be submitted in the future?
- Was overnight care for the alpacas actually required?

In response to the concerns raised, officers stated that it was not unreasonable for a three bed property to be used for this purpose. Officers highlighted the consultants report that had detailed the requirement for overnight care and the application would not have been recommended for approval if they had said otherwise. It was also noted that queries on access were subject to a different application and comments would be considered. Officers also stated that it was not common for retrospective applications like this to take place but that it did not influence their decision.

Members of the Committee agreed that the temporary period of three years, provided a reassurance and that it was important to support new businesses. In response to other points, officers noted that a caravan on the site would be replaced by this dwelling, and the internal layout of the application did not breach any rules. It was also noted that only the applicant could benefit from the planning permission and if the business were to be sold, then someone else would have to apply for permission.

RESOLVED that the application be approved subject to the conditions detailed in the report.

(9.54.pm to 10.32pm)

13. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 1 May and 7 June 2023 be noted.

The meeting closed at 10.32pm.

Chair