

MINUTES

of the

PLANNING COMMITTEE

held on 9 June 2020 at 6:00 pm

Present:

Councillor J A Sosin (Chair)

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

Also present: Councillors P Clark, J Lardge and J A Potter

1. Chair's Announcements

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

2. Attendance and Apologies for Absence

The attendance of those present was confirmed. Apologies for absence had been received from Councillor E J Sampson.

3. Declarations of Interest

All Members are reminded that they must disclose any interests they know they have 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 become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Minutes

The minutes of the meeting on 11 February 2020 were confirmed as a correct record.

5. Public Question Time

Members of the public attended to ask questions and make statements on all of the items on the agenda. Details are recorded under the relevant minute numbers below.

6. Nos 10-12 and 14 Hanbury Road, Chelmsford – 19/01917/FUL

7. Nos 10-12 and 14 Hanbury Road, Chelmsford – 19/01916/FUL

8. No 14 Hanbury Road, Chelmsford – 19/01692/FUL

The Committee had before it

- an application (19/01917/FUL) for the change of premises at 10-12 and 14 Hanbury Road, Chelmsford from B2 (printing press) and B8 (storage) to sui generis (a builders merchants);
- an application (19/01916/FUL) for a rear and side extension of premises at 10-12 and 14 Hanbury Road, Chelmsford, the construction of three metre high acoustic fencing, and retrospective permission for exterior works to the building; and
- an application (19/01692) for permission to demolish the western part of Unit 4 and the offices to the south frontage of the site at 14 Hanbury Road, Chelmsford; the replacement and repair of the remaining roof and wall cladding; the installation of signage; and the construction of a 2.1 metre perimeter fence.

A Green Sheet of setting out two additional conditions for Item 6 and the amendment of a condition for Item 7 had been circulated.

After receiving a presentation from officers on the applications, the Committee heard in person from three residents who lived near the application site, and from a local ward councillor, and considered a written objection from another local resident. All objected to the applications on the grounds that

- they were contrary to planning policy;
- works had taken place to date without the required planning permission;
- the development would lead to unacceptable noise disturbance to local residents and the proposed conditions of planning permission, if granted, were inadequate in relation to hours of operation of the business and the permitted hours relating to construction and vehicle movements once the site was operational;
- the inadequacy of proposed screening and acoustic fencing;
- the unsuitable materials proposed for the roof of the new building and their reflective nature; and

- the overdevelopment of the site and, generally, the adverse impact the proposal would have on the amenity of nearby residents.

Responding to the comments and questions from the Committee, officers said that the proposed use was not uncommon in an industrial estate that was bordered by residential properties and was not out of keeping with the location. Storage had been a long-established use on the site and there were similar uses on other parts of the industrial estate. The proposed extension at the rear of the building would screen the materials stored on the site and the relationship of the building to neighbouring residential properties was acceptable. The materials to be used for the roof were utilitarian, acceptable and similar to those used on other buildings on the industrial estate. The hours of use were much the same as for other businesses on the estate and the condition relating to them offered more control than had existed in relation to the previous use of the building. The lighting arrangements were not regarded as harmful to the amenity of local residents and light from the proposed extension would be directed upwards rather than towards residential properties.

With regard to potential noise disturbance, the officers and the applicant's acoustic consultants believed that adequate measures were proposed to mitigate the effects on residents of operations at the site. There was a difference of opinion between the noise consultants engaged by the applicant and the residents and they had used different methodology in coming to their conclusions. However, the officers felt that while some noise could be expected from the proposed operation, the proposal did not contravene planning policy, the proximity of the use to residential properties was not unusual and the plans to minimise it as far as possible were reasonable. The noise impact assessment made by the applicant's consultants was based on a building constructed with a single skin and were acceptable on that basis. Should the conditions relating to noise and hours of operation not be observed, the Council could take action to enforce them.

After discussion, the Committee felt that a site visit to enable members to assess for themselves the impact of the proposed development on residential properties would be appropriate in this case.

RESOLVED that the three applications 19/01817/FUL, 19/01916/FUL and 19/01692/FUL in respect of 10-12 and 14 Hanbury Road, Chelmsford be deferred to enable a site visit to be held.

(6.07pm to 7.01pm)

9. Land South of 2 Hayes Chase, Battlesbridge, Wickford – 20/00359/FUL

The Committee considered an application for the change of use of land to the south west of Hayes Chase, Battlesbridge to enlarge the residential garden of the property that adjoined it and to erect a detached garage with associated enlarged hardstanding.

Members had before them a statement in support of the application submitted on behalf of the applicant and a ward councillor attended to recommend that it be approved on the grounds that there were special circumstances centred on the medical needs of the occupant of the adjacent bungalow.

Whilst the Committee had sympathy for the circumstances of the applicant, members felt that whilst a material planning consideration this did not outweigh the harm the proposed development would cause to the Green Belt. The bungalow was not occupied at present and thought could be given to adapting it to provide the storage space required by the applicant. There was also no clear evidence that the garage of the size proposed was required for storage.

The Committee concluded that the application was clearly contrary to the National Planning Policy Framework (NPPF), local policy DM6 and was not one of the examples of special circumstances set out paragraph 145 of the NPPF.

RESOLVED that application 220/00359/FUL in respect of land to the south of 2 Hayes Chase, Battlesbridge be refused for the reason set out in the report.

(7.01pm to 7.28pm)

10. No 90 Brook Lane, Galleywood, Chelmsford – 20/00251/FUL

An application had been received for a first floor rear and side extension to 90 Brook Lane, Galleywood.

The Committee heard in person from a resident who lived adjacent to the application site and who objected to the proposed development on the grounds that it would have an overbearing and overshadowing effect on a neighbouring property and result in loss of light to it, and the detrimental effect it would have on the street scene. A ward councillor attended to speak against the application in similar terms. The Committee also considered a representation in support of the application from the applicant.

Members felt that it would have been helpful to have more information on the impact on sun lines and officers' views on the neighbour's assertion that the drawings for the application were not accurate and were not representative of the impact of the development on his property. They concluded that they could not make a decision on the application without assessing for themselves the effect of the application on the neighbouring property and agreed to defer it for a site visit.

RESOLVED that application 20/00251/FUL in respect of 90 Brook Lane, Galleywood be deferred for a site visit.

(7.28pm to 7.54pm)

11. Land South of 69 Torquay Road, Chelmsford – 20/00094/FUL

Councillor Lee spoke against this application in his capacity as a ward councillor. After doing so, he took no part in the discussion of the application or in the decision below.

This application was for the erection of a two-storey detached dwelling on land to the south of 69 Torquay Road and a part one-storey, part two-storey rear extension to the host dwelling.

Three local residents and a ward councillor attended the meeting to object to the application. The Committee also considered a written representation from another resident who opposed it. All were of the view that the application was out of keeping with the existing street scene in Torquay Road and would be detrimental to the character of the cul-de-sac and the amenity of its residents.

Although officers were of the view that the application was acceptable in terms of its size, scale, design and effect on the openness of the area, members believed that the application would be detrimental to the area for the reasons given by the objectors.

RESOLVED that the Committee being minded to refuse application 20/00094/FUL in respect of 69 Torquay Road, Chelmsford, consideration of it be deferred to the next meeting to enable officers to prepare detailed reasons for refusal based on the following concern:

- the adverse effect the development would have on the street scene of Torquay Road and the character and openness of current development in that road.

(7.54pm to 8.21pm)

12. Site at Writtle Wick Family Centre, Chignal Road, Chelmsford – 20/00396/FUL

Councillor Ashley spoke against this application in her capacity as a ward councillor. After doing so, she took no part in the discussion of the application or in the decision below.

Permission was sought for the change of use of the Writtle Wick Family Centre, Chignal Road from a children's day centre (D1) to three dwellings (C3) and the construction of an additional four dwellings, including a garage, parking spaces and all associated works.

The Committee heard from a local resident and a ward councillor who objected to the application and received written representations against it from two other residents. The objections centred on the fact that the access road to the application site was not owned by the applicant and that permission for access would therefore need to be obtained before the development could begin; that, in any case, the access was inadequate for large vehicles; the disturbance caused to nearby residents from the additional traffic generated and safety concerns for the occupier of Writtle Wick Cottage caused by the proximity to that property to

traffic using the access road; the loss of part of the boundary wall around the former family centre; and the loss of amenity that would result should permission be granted.

Responding to those comments and to questions from members, officers said that the width of the driveway was sufficient for two vehicles to pass safely and that in considering appeals against the refusal of previous applications the planning inspector had had no concerns about highway safety. A condition requiring the provision of a speed bump to slow traffic using the driveway could be considered. It would be difficult, however, to enforce any condition requiring that refuse collection take place entirely within the curtilage of the application site. On whether sufficient efforts had been made to retain the family centre for community use, the planning policy applicable at the time of this and previous applications was such that its change of use was not prohibited. The property had been openly marketed with the option for community use but there had been no firm bids on that basis. The extent of works required to the building to preserve its listed status if it were to be retained for community works was a consideration for any potential owner. The potential for the retention of the property as a community facility had therefore been sufficiently explored.

Councillors Davidson and Pooley abstained from the ensuing vote on the application.

RESOLVED that application 20/00396/FUL in respect of the Writtle Wick Family Centre, Chignal Road, Chelmsford be approved, subject to the conditions set out in the report to the meeting and consideration of an additional condition requiring the provision of traffic calming measures for vehicles exiting the site.

(8.21pm to 8.56pm)

13. Site at Writtle Wick Family Centre, Chignal Road, Chelmsford – 20/00397/LBC

The Committee considered an application for listed building consent, which was associated with the application referred to in minute number 12 above in respect of the Writtle Wick Family Centre, Chignal Road, Chelmsford.

RESOLVED that application 20/00397/LBC in respect of the Writtle Wick Family Centre, Chignal Road, Chelmsford be approved, subject to the conditions set out in the report to the meeting.

(8.56pm to 8.57pm)

14. Planning Appeals

RESOLVED that the information on appeal decisions between 30 January and 1 June 2020 be noted.

The meeting closed at 8.58pm

Chair