

MINUTES

of the

PLANNING COMMITTEE

held on 8 October 2019 at 7:00 pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, A Davidson, S Dobson, J Frasca, P V 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 K Bentley, P Clark, R Massey and L Millane

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 M Springett, who had appointed Councillor J Frasca as his substitute.

3. **Minutes**

The minutes of the meeting held on 3 September 2019 were confirmed as a correct record and signed by the Chair.

4. **Public Question Time**

Members of the public attended to ask questions and make statements on item 8 on the agenda. Details are recorded under the relevant minute number below.

5. **Declarations of Interests**

All Members were reminded to declare any Disclosable Pecuniary Interests (DPI) or other registerable interests where appropriate in any of the items of business on the meeting's agenda. Those declared are referred to in the relevant minutes below.

6. **Site at Jubilee Farm, Newney Green, Writtle, Chelmsford – 19/01149/FUL**

(M7, PL10, 2019) The Committee considered a report on the detailed reasons for the refusal of an application for the demolition of two existing dwellings and an equestrian centre on a site at Jubilee Farm, Newney Green, Writtle, and its redevelopment to provide six dwellings with associated landscaping, access, garages, parking and amenity space.

RESOLVED that the application 19/01149/FUL in respect of the site at Jubilee Farm, Newney Green, Writtle, Chelmsford be refused for the reasons set out in the report to the meeting.

(7.05pm to 7.08pm)

7. **154 Celeborn Street, South Woodham Ferrers, Chelmsford – 19/01304/FUL**

The application before the Committee was for the demolition of the existing garage at 154 Celeborn Street, South Woodham Ferrers and the construction of a front extension with three side-facing dormers and rooflights and a new car port. A two-storey front bay extension, a rear single-storey glass box extension, fenestration changes to the front of the property and the corbelling of the left-hand side chimney were also proposed.

A ward councillor attended the meeting to speak on behalf of local residents who objected to the application. Their concerns, which were shared by the Town Council, centred on the view that the proposal represented over-development of the site, was overbearing, of a poor design and adversely affected the street scene and the amenities of neighbours. The application also failed to incorporate the pre-application advice given by planning officers and was the latest in a series of applications that had resulted in a substantial increase in the size of the original property.

The Committee was informed that no limit was placed on the number of applications that could be made in respect of a property, and each had to be considered on its merits. Pre-application advice could not be regarded as imposing constraints on development and was simply a guide to developers. Officers did not regard the proposal as over-development, the car port and front extension were relatively minor features, and the scheme was not so harmful to the street scene that a reason for refusal on that ground could be justified.

The Committee decided against holding a site visit before determining the application. Whilst a comment was made that it would have been useful to know how the proposal differed from the pre-application advice given and why the scheme was acceptable to the officers nonetheless, the Committee was of the view that the development was acceptable in its context.

RESOLVED that the application 19/01304/FUL in respect of 154 Celeborn Street, South Woodham Ferrers, Chelmsford be approved, subject to the conditions detailed in the report to the meeting.

(7.08pm to 7.29pm)

8. **Morelands Industrial Estate, Tile Works Lane, Rettendon, Chelmsford – 19/00384/OUT**

Councillor R J Poulter informed the Committee that he was pre-determined on this application and wished to speak on it in his capacity as ward councillor. He withdrew from the meeting after doing so and took no part in the decision.

The Committee considered an outline planning application for the demolition of existing buildings at the Morelands Industrial Estate, Tile Works Lane, Rettendon and, in their place, a residential development of up to 92 dwellings with public open space and landscaping, with all matters reserved except for the access into the site from Tile Works Lane. It was also proposed to relocate the existing bund to the west of the A130 road. A Green Sheet of additions and alterations to the report before the Committee was distributed at the meeting.

Two members of the public, a representative of Rettendon Parish Council and two ward members spoke in support of the application. They emphasised the disturbance the current use caused to local residents, the environmental damage from pollution and contamination and the unlawful activities still taking place at the site.

The Committee shared those concerns and believed that the proposed scheme would be a substantial improvement on the present use. The only questions in members' minds concerned the loss of industrial units; the lack of affordable housing, although this was understandable on grounds of viability and the particular challenges presented by the site; the impact of the development on the surrounding road network; and whether the Committee was being asked to decide separately on that part of the application site within the site allocation boundary and that outside of the boundary to the north.

In response to those points, the officers said that the application was in two parts as the site covered areas to which different policy considerations applied; it should, however, be decided as a single application. The whole of the application area was being brought forward to make the scheme viable, after taking into account the cost of decontamination, and compliant with policy. It would not be viable if the developer was required to provide 35% affordable housing. They had agreed, however, to a commuted sum of £60,000 in lieu of that provision and it would be allocated towards some form of affordable housing on another site. The development would result in no more vehicle movements than the present use and would reduce considerably the number of heavy goods vehicles on surrounding roads. The development did not represent intensification of the use of the existing site and therefore no further road improvements could be required or were necessary. The Committee was also informed that East Hanningfield had now designated their Neighbourhood Plan area and would begin the process to draw up their Plan; it was within the scope of a Neighbourhood Plan to allocate further commercial units in the parish to replace those lost by the Morelands site if there was an identified need.

RESOLVED that:

1. the Committee being minded not to refuse the application 19/00384/OUT in respect of the site at Morelands Industrial Estate, Tile Works Lane, Rettendon, Chelmsford refers it for consultation to the Secretary of State as required by Articles 9 and 10 (as development covered by Article 5) of the Town and Country Planning (Consultation) (England) Direction 2009;

2. for the purposes of Article 5(e) the report to the meeting constitutes the Statement of the material considerations which this Council consider indicate the reasons for this departure application being determined otherwise than in accordance with s38(8) of the Planning and Compulsory Purchase Act 2004; and
3. Upon the expiry of the 21 day period in which the Secretary of State has to respond from the date on which she confirms receipt of the material required under Article 10, or upon notification that the Secretary of State does not intend to intervene (if received sooner than the 21 day period), the Director of Sustainable Communities be authorised to grant the application, subject to an agreement as indicated in the report to the Committee being entered into by 8 April 2020 pursuant to the Town and Country Planning Act 1990 and the conditions set out in the report, as amended by the Green Sheet distributed at the meeting.

(7.29pm to 8.19pm)

9. **Planning Appeals**

RESOLVED that the information on appeal decisions between 23 August and 25 September 2019 be noted.

(8.19pm to 8.20pm)

10. **Urgent Business**

There were no matters of urgent business brought before the Committee.

The meeting closed at 8.20pm.

Chairman