

MINUTES

of the

PLANNING COMMITTEE

held on 15 January 2019 at 7:00 pm

Present:

Councillor R J Poulter (Vice Chairman in the Chair)

Councillors E A Ahmed, L Ashley, R F Denston, P V Hughes,
F B Mountain, S W Pontin, R J Poulter, T E Roper, G C Seeley,
D W Stevenson, R A Villa, M D Watson and P R A Wilson

1. **Apologies for Absence**

Apologies for absence were received from Councillors M W Holoway, L A Millane and I Wright. Councillor D W Stevenson acted as substitute for Councillor Millane.

2. **Minutes**

The minutes of the meeting held on 4 December 2018 were confirmed as a correct record and signed by the Chairman.

3. **Public Question Time**

Members of the public attended to ask questions and make statements on items 6, 7 and 8 on the agenda. Details are recorded under the relevant minute numbers below.

4. **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. Councillor P R A Wilson declared a non-pecuniary interest in item 7 in his capacity as a governor of New Hall School and took no part in the consideration of and voting on the application.

5. **Announcements**

On behalf of the Committee the Chairman congratulated Councillor Villa on the award to him in the Queen's New Year's Honours List of the British Empire Medal for his 50 years' service to the community.

6. **Site at 140 Mill Road, Stock, Ingatestone, Essex – 18/01631/FUL**

The Committee considered an application for the construction of nine apartments with associated access, parking and landscaping on the site of 140 Mill Road, Stock. A Green Sheet was distributed at the meeting, setting out a correction to paragraph 6.14 of the report and stating that a unilateral undertaking to carry out habitat migration projects had been received.

One local resident, a representative of Stock Parish Council and a ward councillor attended to speak against the application. A representative of the applicant spoke in favour of it. Those who opposed the application did so on the following grounds:

- Whilst the principle of development of the site for a single dwelling was acceptable, the application represented excessive development in an area of large, single detached properties. The proposed building was much larger than the original property (now demolished) and twice the size of the last application, which was refused. The application was an unacceptable intensification of development on the site and would have an adverse impact on neighbouring properties and the local scene.
- The design of the proposed building was poor, contrary to national planning policy.
- Neighbouring properties would be overlooked.
- Parking provision was inadequate, with the possibility that vehicles would need to park on Mill Lane, to the detriment of highway safety.
- The loss of trees, including a protected oak tree, and the effect of the construction of basement parking on other trees, was not acceptable.
- The intensification of development on the site would have an adverse impact on drainage.

The person who spoke in support of the application questioned the accuracy of some of the statements made by objectors, saying the application accorded with all relevant policies; pointing out that there was an extant planning permission for a larger property on the site and that the proposed building fitted satisfactorily on the developable land; asserting that the design of the property and the proposed screening of the site accommodated the amenity of adjoining properties; and expressing the view that parking provision was acceptable and integrated on to the site.

In response to the concerns expressed by objectors, the officers said that:

- The proposed building would be within the defined settlement boundary and fitted acceptably on to the developable land.
- The design of the scheme was better than that of the refused application.
- The provision of 18 parking spaces for residents and four for visitors met the parking standards for a development of this size and type and there was no objection from the Highway Authority.
- The protected oak tree that would be removed was not the largest tree on the site and the Council's Tree Officer had no objection to its removal. There would be a condition that it be replaced and that further landscaping be provided.

Replying to questions from the Committee, the officers said that the entrance to the site would be sufficiently wide for vehicles and that any conflict between cars entering and leaving would be resolvable within the site. Planning officers and the Highway Authority regarded the parking provision as adequate and there was no justification to refuse the application on that ground. With regard to drainage, this was not a major development and the scheme adequately addressed any such requirements.

In the Committee's opinion, the application complied with relevant planning policies. The massing of the property, which was smaller than that for which an extant permission existed, was lessened by a design better than that for previous applications and the site was well screened, with overlooking carefully avoided. The building did not detract from the street scene, the provision of flats in the village was acceptable, and the parking provision met required standards. For those reasons, the Committee felt that planning permission should be granted, subject to the recommended conditions.

RESOLVED that application 18/01631/FUL in respect of the site at 140 Mill Road, Stock, Ingatestone, Essex be approved, subject to the conditions detailed in the report to the meeting and the amendment set out in the Green Sheet.

(7.08pm to 7.55pm)

7. **Beaulieu Park, White Hart Lane, Springfield, Chelmsford - 18/01514/REM**

Councillor P R A Wilson declared a non-pecuniary interest in this item in his capacity as a governor of New Hall School and took no part in the consideration of and voting on the application.

An application had been submitted for the provision of community gardens and associated strategic landscaping on land at Beaulieu Park to the west of New Hall School and to the east of Old Lodge Farm and All Lodge Court, Springfield. The application included the creation of landscaped open space, the provision of a secondary footpath/cyclepath, a community garden building, a formal garden and orchard area, an informal kickabout area for ball games and associated ancillary development. A Green Sheet was distributed at the meeting which set out a number of amendments to the report and further consultation responses received since its publication.

Twelve people attended the meeting to speak against the application and five in support of it. A ward councillor for Springfield also spoke in opposition. The main concerns among those who opposed the application were:

- The view that the scheme did not preserve the setting of the Grade I listed building at New Hall School, contrary to statutory requirements. The plans were inadequate, incomplete and lacked detail. They failed to mitigate sufficiently the impact of the new Beaulieu development on New Hall and threatened its heritage status. They diverged from the original guidance for landscaping associated with the Beaulieu Park development set out in the North Chelmsford Area Action Plan in that they included plans for car parking and buildings. The school had produced its own plans for community gardens, landscaping and footpaths which it felt were more sympathetic to the setting and improved the access to and from the school via the western gate. It was felt that no opportunity had been given to consider those plans and negotiate amendments to the submitted scheme to reflect the school's ideas.
- The applicant's proposals did not take account of the access to the school that could be provided via the western gate. They did not enable, and actually prevented, pedestrian access to the gate over the community garden land, which the school was promoting on grounds of security for pupils.
- The presence of buildings within the community gardens would have a detrimental effect on the condition of the historic wall at the school's western boundary. Allowing vehicular access and parking would harm the setting and the safety of users of the gardens.

Those who spoke in support of the application welcomed the provision of the green spaces and their accessibility by all parts of the community. The scheme had been thoughtfully conceived and the designers had engaged at all stages with the school to reflect the setting and accommodate access requirements as far as possible. The applicants had provided areas of green / public open space successfully in the Beaulieu development. The community gardens would be managed by the Land Trust, who would involve the community in their detailed design to ensure that they met its needs and wishes. Historic England regarded the plans as acceptable and sympathetic to the setting. The applicants were willing to discuss with New Hall School the idea of providing access to the gardens via the western gate during lesson times for educational purposes only.

The Committee was informed that it could only consider the reserved matters before it in respect of the defined area covered by the original planning permission granted in March 2014 and its associated parameter plans. However desirable it may be to include proposals to enable access to the gardens via the western gate, that was beyond the scope of the current scheme and would need to be the subject of a separate application by the school as the owners of the historic wall and the strip of land between it and the land the subject of the reserved matters. The Council would, however, be willing to facilitate discussions between all the interested parties to bring that about.

As regards other aspects of the objections, Historic England and the Council's heritage officer had been closely involved in the scheme's general design, and local schools, colleges and the wider community would take part in the development of its details. The effect of the scheme on the setting of New Hall was acceptable for the reasons set out in the report. The buildings to be provided were for community use and related to the function of the community gardens. Vehicular access to the car park would be restricted to service vehicles and those for disabled people. The car park would have a lockable bollard at its entrance and The Land Trust would be the keyholder. The applicants would be encouraged to achieve Secure by Design accreditation.

The Committee recognised that it could only make a decision on the scheme before it and that its consideration was limited to the land covered by the reserved matters. On that basis, all aspects of the application were acceptable. It asked, however, that an informative be added to reflect the desire that the applicants and New Hall School come to an arrangement regarding access by the school to the gardens by way of the western gate during lesson times and for educational purposes only.

RESOLVED that application 18/01514/REM in respect of the site identified in the report to the meeting at Beaulieu Park, White Hart Lane, Springfield, Chelmsford be approved, subject to the conditions detailed in the report to the meeting and with the addition of the following informative:

Informative 7 Western Gate

You are encouraged to liaise with New Hall School, the local planning authority and the highway authority, outside of the scope of this reserved matters approval, to discuss, and consider the feasibility of controlled pedestrian access by students and staff of New Hall School from the Western Gate to the Community Gardens in order to allow students and staff access to the gardens for educational purposes only, and strictly during lesson times.

(7.55pm to 9.17pm)

8. **Land at The Bell, 126 Main Road, Danbury - 18/01171/FUL**

The Committee had before it an application for the retention of the existing public house at 126 Main Road, Danbury, Chelmsford and the erection of a two-storey dwelling and bin/cycle stores. The application included associated landscaping and fencing and the provision of a replacement pub car park. A Green Sheet setting out amendments to two of the proposed conditions in the report was distributed at the meeting.

Four local residents, a representative of Danbury Parish Council, and a ward councillor attended the meeting to speak against the application. The agent for the applicant spoke in support of it. The objections related primarily to:

- The effect of noise and light pollution on residents whose properties adjoined the proposed car park at the rear of the public house. This was exacerbated by the fact that the site sloped towards properties in Parkdale, making light pollution more likely.
- Concerns about highway safety, given that the site was accessed from a very busy road and was close to a zebra crossing, mini roundabout, school and bus stop. Related to this were worries about large delivery vehicles accessing and egressing the site, their ability to turn around within the new car park, and the hours of delivery coinciding with times when the road was busiest.
- The loss of tree cover resulting from the construction of the car park, the effect on the ecology of the site, and the risk of surface water run-off to properties at the rear.
- The secluded nature of the relocated car park, the consequent effect on the security of adjoining properties, and the loss of part of the public house's garden.

The agent for the applicant informed the Committee that the Highway Authority regarded the access arrangements and the delivery management plan to be acceptable; the same number of parking spaces would be retained; the landscape buffer would minimise the impact of noise and light on local residents; the ecological survey had been carried out in June, which was widely regarded as an appropriate time to do so; and the proposals were consistent with the pattern of existing development.

Planning officers added that:

- The relationship of the application dwelling and the associated proposals with neighbouring properties was satisfactory.
- The potential for noise and light pollution had been mitigated.
- The highways implications had been carefully considered: the amount of traffic to and from the site would not change; the new access was further away from the crossing than the current one; the delivery management plan reduced potential problems caused by vehicles accessing and leaving the public house; and a condition could be added to prohibit deliveries outside of school hours.
- The surface of the car park would be permeable, reducing the risk of water run-off from the site.
- In terms of security, the relationship of the new dwelling with the footpath would enable the current open aspect to be retained.

In discussing the application, the Committee requested that notices be provided in the garden and car park of the public house asking users to respect the peace and quiet of neighbours, and that the building contractors be particularly aware of the safety of children whilst works were in progress. In response to questions, members were told that:

- Improved lighting of the area in and around the application site would reduce the safety issues associated with the seclusion of the car park.
- Enforcement action could be taken to ensure compliance with the delivery plan.
- The question of whether the proposals would affect the amenity of adjoining neighbours was, to an extent, subjective but in the officers' view they were not detrimental in this case and complied with Policy DC4.
- The effect of the proposal on the conservation area had been assessed by the Conservation Officer, who was content with them, and the impact was less than that associated with the application previously refused.
- The trees to be removed were not of great value.
- The arrangements for refuse collection vehicles were likely to be the same as at present.

The Committee believed that any concerns it might have had about the development had been satisfactorily answered. It felt that the proposed boundary treatment would be effective in minimising the impact of noise and light on neighbours; that the lighting plans addressed the issue of safety and security; and that the effect on the conservation area would be minimal. Members were therefore content to approve the application, subject to the amendment of condition 21 that deliveries to the public house during term time take place during school hours.

RESOLVED that application 18/01171/FUL in respect of land at The Bell, 126 Main Road, Danbury, Chelmsford be approved, subject to the conditions detailed in the report to the meeting, as amended below, and with the additional informatives referred to:

Revised wording for Condition 21:

Prior to the construction of the dwelling house all deliveries to the public house shall take place in accordance with the General Delivery Management Plan ref 1806-16/SMP/01 and in addition delivery vehicles shall not arrive at or depart from the site within the thirty minutes before the main pupil start time at the neighbouring Danbury Park Primary School and the thirty minutes after the main pupil finish time at the school during the school's term time and thereafter shall continue to take place in accordance with the agreed Plan and school related times unless otherwise agreed in writing by the local planning authority.

Additional informatives:

- Prior to the first use of the repositioned pub car park, details of signage to be displayed at the site to advise customers to leave the premises quietly shall be submitted to and agreed in writing by the local planning authority. The agreed signs shall be installed prior to first use of the car park and thereafter retained. Reason: In the interest of the amenities of neighbouring residential properties in accordance with policy DC4 of the Adopted Core Strategy and Development Control Policies Development Plan Document.
- The applicant is requested to install signage at the site to advise customers to leave the premises quietly before the first use of the repositioned car park and to retain them thereafter.

(9.17pm to 10.22pm)

9. Planning Appeals

RESOLVED that the information on appeal decisions between 21 November and 21 December 2018 be noted.

(10.22pm to 10.23pm)

10. Urgent Business

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

The meeting closed at 10.23pm.

Chairman