

MINUTES

of the

PLANNING COMMITTEE

held on 14 January 2020 at 7:00 pm

Present:

Councillor J A Sosin (Chair)

Councillors L Ashley, H Ayres, S Dobson, R J Hyland,
J Frasca, R Lee, L Millane, G H J Pooley, R J Poulter, T E Roper,
C Shaw, R J Shepherd, M Springett and I Wright

Also present: Councillors M Bracken, I Grundy, M J Mackrory, S Rajesh
and M Steel

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 A Davidson and P Hughes. They had appointed Councillors J Frasca and I Millane respectively as their substitutes

3. **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.

4. **Minutes**

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

5. **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.

6. **Land Adjacent to 27 High Street, Stock, Chelmsford – 19/01486/FUL**

An application had been received for the demolition of existing buildings on land adjacent to 27 High Street, Stock, the removal of the tennis court and the construction of a new dwelling with detached double garage. The scheme would also involve the construction of a new access road from the front parking area and a new garden wall.

Representatives of Stock Parish Council and one of the local ward councillors attended the meeting to speak against the application. They were concerned that insufficient weight was being given to the harm the development would have on the historic curtilage of Compass Gardens, a listed building adjacent to the driveway providing access to the application site, harming its special character and its setting. They argued that the Council had a statutory duty to protect the historic environment of the area around the application site which would be adversely affected by the scale and spread of the development. They said that local residents were also concerned about the access to the site from the High Street, which was already a heavily used road.

A representative of the applicants spoke in support of the development, saying that access would be via an existing driveway and was acceptable to the Highways Authority; that the Council's Conservation Officer had no objection to the development; and that the visual impact would be neither material nor harmful, with the dwelling being at the rear of the application site and barely visible from the High Street.

The Highway Authority representative and the Conservation Officer confirmed that the development was acceptable from their points of view. The latter said that the new dwelling would be outside of the land occupied by the historic building of Compass Gardens; that there had been development in the past in the space between Compass Gardens and 31 High Street; that the new building would be set back and not visible from the High Street; and that the driveway would be a single track, with an unmetalled surface and no hard boundary.

The Committee had a number of questions about vehicle movements to and from the site, why access could not be gained from The Paddock, and the significance it should place on the presence of the historic curtilage of Compass Gardens. In the end, however, it was reassured that the development was acceptable in the context of the planning authority's statutory duty to preserve historic assets and in all other respects.

RESOLVED that application 19/01486/FUL in respect of the site on land adjacent to 27 High Street, Stock be approved, subject to the conditions set out in the report to the meeting.

(7.05pm to 7.42pm)

7. **Chelmsford Rugby Football Club, Coronation Park, Timsons Lane, Chelmsford – 19/01755/FUL**

The Committee considered an application for an extension to the balcony on the west elevation of the Chelmsford Rugby Football Club clubhouse in Coronation Park, Timsons Lane, Chelmsford and the construction of a new associated external staircase.

Three members of the public and a local ward councillor attended to speak against the application, while two representatives of the Rugby Club spoke in support. Those who opposed it did so mainly on the basis of the noise from music associated with evening events at the clubhouse that would be all the more apparent as result of the presence of the balcony. They referred to previous noise nuisance from the clubhouse, particularly when the windows and doors were left open, and asked why a planning condition relating to the control of noise from the premises, similar to that required under its premises licence, could not be included in any permission, if granted. The representatives of the Rugby Club explained the purpose of the balcony and said they would seek to minimise any disturbance to nearby residents.

The Committee heard from a representative of the Council's Public Health and Protection Service, who said that there had been no substantiated evidence of noise nuisance from the clubhouse in the past. The Committee was advised that the presence of the balcony itself was not the issue when it came to the question of noise from the premises, but whether the management was fulfilling the requirements of the licence for the activities taking place in the building.

On the whole, the Committee felt that on planning grounds there could be no objection to the application but that the licensing conditions relating to the prevention of noise nuisance would be reinforced by the inclusion in the permission of an informative that the applicant have regard to them when holding events involving loud music.

RESOLVED that application 19/01755/FUL in respect of the Chelmsford Rugby Football Club, Timsons Lane, Chelmsford be approved, subject to the conditions set out in the report to the meeting and the addition of the following informative:

The applicant's attention is drawn to the Club Premises License (06/00477/LAPREC) for the Chelmsford Rugby Football Clubhouse. The licensed activities as stated on the Certificate shall only be carried out between the hours of 10.00 and 00.00. The noise mitigation conditions which are to be adhered to are contained within Annex 3 of the Certificate.

The applicant should ensure that the requirements of the license are adhered to at all times and failure to do so could result in the license being reviewed.

(7.42pm to 8.26pm)

8. **Land East of Rye Cottage, Larks Lane, Great Waltham, Chelmsford – 19/01261/FUL**

An application had been submitted for the demolition of existing stables on land to the east of Rye Cottage, Larks Lane, Great Waltham and the construction of two residential dwellings with detached car ports. The application also involved associated works, including a new vehicular access.

Three local residents and a local ward councillor spoke against the application. Their objections related to:

- the current restrictions on the use of part of the site, which allowed its use only for the siting of stables;
- the fact that it was an infill development and contrary to policy DC12 and emerging policy CO5;
- the increase in the number of vehicle movements on Larks Lane, which was narrow and already heavily used, road safety concerns about vehicles entering and leaving the site, and the lack of parking for construction and delivery vehicles;
- the loss of hedgerows;
- the enforceability of the Section 106 agreement preserving sightlines from the site;
- the presence of a pond on the site which would make any development more difficult;
- loss of light to the garden of 1 Thatched Cottages;
- concerns that the design of the properties was out of keeping with other houses in the village; and
- the danger presented to the adjacent thatched cottages by any fires associated with the site clearance and building works.

In response to those points, the officers informed the Committee that:

- there was sufficient room for two vehicles to pass one another in Larks Lane and the proposed development, with an estimated six vehicle movements per day, would not affect that; the developers would not be reliant on the use of the private layby for the parking of vehicles;
- the hedges would be removed and repositioned to provide the required sightlines, not removed entirely;
- the proposed Section 106 agreement would run with the ownership of the land and would therefore be enforceable, whoever the owner was;
- ownership of the land the subject of the application and any restrictions on its use were not a planning consideration but were matters for the developer to resolve before beginning work;
- emerging Local Plan Policy CO5 and current Policy DC12 gave the Council sufficient discretion and flexibility to allow more than one small dwelling to be built on an infill site. In reality, although this application was for two semi-detached houses, it would be one building block of a size and in a pattern similar to other buildings in the village;
- there would be no overshadowing of the garden of 1 Thatched Cottages; and
- the burning of materials on site would be controlled by proposed Condition 19.

The Committee's discussion of the application centred on whether, as an infill development, it was permissible under policies DC12 and CO5. It considered that this was best judged by a site visit and discussion of the issue in the light of that. It therefore deferred a decision on the application pending the holding of a site visit.

RESOLVED that application 19/01261/FUL in respect of the site on land to the east of Rye Cottage, Larks Lane, Great Waltham be deferred to enable the Committee to hold a site visit.

(8.26pm to 9.12pm)

9. **Planning Appeals**

RESOLVED that the information on appeal decisions between 22 November 2019 and 3 January 2020 be noted.

(9.12pm to 9.13pm)

10. **Urgent Business**

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

The meeting closed at 9.13pm.

Chairman