

QUESTIONS AND STATEMENTS FROM THE PUBLIC

TO THE PLANNING COMMITTEE ON 3rd October 2023

Item 6 - 23/00195/FUL – Garages Rear of 27 Medway Close, Chelmsford, Essex

Questions carried across from September Meeting

Question from Mr D

I have a number of objections to the planning application:

1 Access road to the site.

My concerns fall into 2 areas if permission is granted:

1.1 Pre and during construction

1.2 Post constructio

1.1 Pre and during construction.

Last year we had our garden landscaped and fencing on the borderline replaced. Our old fencing had over time been damaged a number of times by vehicles using the access road. When we had the work carried out last year lorries delivering building supplies were not able to get down the full length of the road. The kink in the roadway at the bottom of number 7 Avon Road made it impossible to get any further. My concern is the large number of material and equipment lorries that would need to access the proposed site that would be unable to gain access to the site without possible damage to my perimeter fencing.

1.2 Post construction.

In the Transport Statement section 4.27 states “a vehicle tracking assessment has been undertaken” and “the vehicle tracking assessment is shown in appendix 6”.

In appendix 6 pages 1 and 2 show the vehicle tracking for ECC Refuse Collector 3 axle, page 1, and Fire appliances, page 2. In both tracking profile the green area showing the vehicle tracking actually overlaps part of my boundary fence and for the Refuse Collector at one point the green tracking actually extends beyond my boundary fence and into my garden. Therefore I do not accept that these vehicles would be able to navigate the roadway without damaging my boundary fence.

2 Local Parking Demand

In the Transport Statement section 4.15 to 4.24 covers Local Parking Demand.

In section 4.19 analysis of current parking is shown. I challenge the validity of these figures due to the timing of the surveys. The times that the analysis was carried out were 09:00, 13:00 and 16:00 each day. I do not believe that these are true

representatives of the current situation as they were all carried out during the working day when a number of residents would have their vehicle away from home. A truer representation would include the figures for overnight parking when residents were home.

The Transport Statement section 4.24 states that the parking survey and plan is shown in appendix 5. The survey details in Appendix 5 is for a completely different area and bears no relevance to this planning application.

In section 4.21 it states that there are 84 legal parking spaces in the marked area of the Street Inventory plan. I would like to understand how this figure was arrived at. The access road to the site is not wide enough to allow any parking without blocking access to the site. The street sections of Medway Close and Thames Avenue are narrow and only permits parking on one side of the roads. Thames Avenue is also the local bus route.

If the area marked covering Avon Road is expected to have parking both sides of the road then it would effectively make it a single track road which would be dangerous because vehicles entering the section would not be able to see if vehicles were entering from the other direction due to the 90 degree curved bend in the road. Currently parking occurs on the side of the road nearest the houses but not on the side of the road nearest the green area which enables two way traffic movement.

3 Loss of trees and green area

The building of the house would involve the loss of well established trees and a large green natural area with the associated wildlife. Last year the grassed areas around Medway Close , Avon Road and Thames Avenue were subject to the council's 'No Mow' policy to provide more areas of wild flower growth to encourage more insect and wildlife activity. From communications with Councillor Stephen Robinson last year the intention is to continue with this policy this year and yet it would appear that the council are happy to lose a large area of established green area and associated trees.

Question from Mr P

I would like to voice my concern at the town planning meeting at 19:00 on Tuesday 5th September. My concern is the following:

I have written evidence from Joe Reidy, Corporate Property Manager for Chelmsford Council that states "Chelmsford Council Purchased [30 Medway Close] at a premium to improve access to the site" this was in June 2021. What was the process in June 2021, to conclude that 30 Medway Close needed to be purchased at a premium to gain access to the site; and how was this premium justified before any planning permission or neighbouring resident consultation was sought? I would like to formally investigate how the decision of "paying a premium for a property" was reached within the council and who decided to take the risk of purchasing a property for a development without established development permission.

Question from Mr C

Proposed new houses at the garage site off MEDWAY CLOS.

I WISH TO RESPOND TO THE PROPOSED PLANS AS FOLLOWS.

Point 1. There is no mention of where all the cars that park now in the garage area (at least 10 cars) are going to park in the future.

Point 2. Where it says on the plans "Existing rear access retained" is that for all six of the Medway close houses that have rear access now ? (this is covered on the title deeds.)

Point 3. The Maisonette, how close is it to the boundary of 25 Medway close ? it appears a lot less than 10 meters. According to Chelmsford Local Plan adopted 27 May 2020 it should be 15 meters.

Point 4. Medway Close has always had parking issues, the road is only 5 metres wide, when cars are parked in line on one side only of the existing road. Access into the new proposed housing area will need a slip road or tapered mouth in order for even normal cars to access, emergency vehicles or even delivery vehicles will have extreme difficulty, this needs to be done first.

Point 5. The existing houses in Medway Close are approximately 1 metre above the land level of the garage and wood area, the houses in Avon Road are 2 metres, according to the proposed plans the new build is being raised up to counter flood risk, however that then makes visual intrusion into existing properties worse.

There is a question of property value that has not been shown or considered, any estate agent will say that properties in both Avon Road and Medway Close backing on to this new development will lose value, what compensation is being offered? because I see nothing in the proposal covering this point.

Question from Mr B

I wish to attend the above meeting on 5/9/2023 19:00, where the planning and development of the derelict Garages in Medway close will be considered.

All statements have already been placed online in the planning application, so hopefully all members of the panel are fully conversant with all the complaints and legal issues.

My main issue is that I purchased my house in 1994 (from a council member) and as it is an extended semi, the only access into my garden is via th rear gate. This has always been the case.

In the plans that I saw it appears that trees and bushes are to be planted directly in front of my gate restricting access.

In the plans it states that there are no water features / ponds anywhere near. Incorrect, as I have a 1 metre deep pond in my garden, which is only 2 m from the fence. This

pond was there when the house was purchased and is normally used during the frog and newt breeding season.

The area around the garages is also used as an area of foraging for the local badger sett, which is approx 500m away.

All the houses in this part of Avon road are self owned, bar No17 (who have given the local populace many heartaches over the years) and to be placing further social houses in the area will be most unwelcome.

Question from Mrs M

I have the below statement regarding the proposed development of the garage site at the rear of my property, 19 Avon Road. Unfortunately I am unlikely to be able to attend the meeting and I hope my comments can still be shared and considered. I give permission for my name and address to be shared at the meeting.

1. The proposed development does not meet the planning requirements to be 15m from existing residential properties. The council cannot expect residents to abide by planning rules if they don't do so themselves.
2. Windows to the rear bedrooms overlook directly into the gardens of 13-25 Avon Road which is a privacy issue. Our homes are currently unoverlooked and the design of this development is excessively intrusive.
3. The gardens are not an adequate size for a home where 5+ people will reside.
4. Bin sheds are to the rear of the property creating an area where vermin could be attracted close to the boundary of our properties.
5. The access to the proposed development is inadequate. Cars cannot safely proceed from Medway Close into the development without the risk of encountering pedestrians who will not be on a suitable footpath as there is not the width to have one.
6. Fire engines, ambulances, refuse collection vehicles will all be unable to turn into and out of the proposed development, particularly if cars are parked directly opposite on Medway Close. Any of the properties requiring a delivery made on a large vehicle will have to block Medway Close to do so.
7. Families with 4+ children will reside in the five 4 bedroom houses. This area is not an appropriate size for 20+ people to live and excessive overcrowding will lead to unacceptable levels of noise.
8. Carports are not wide enough to fit a larger car, which will be needed for families of this size, leading to the likelihood of cars being parked in the road.
9. There is nowhere for a work van to be parked. If one or more of the residents has a larger works van for building trades or courier work, these will end up parked either in the visitor bays or on Medway Close or Avon Road creating an obstruction for current residents.

10. The parking surveys conducted in the application are farcical. Claiming there is space for 80+ cars in the area is simply untrue. Sometimes there isn't space for one or two cars.

11. The proposed development is bordered by established trees which have several species of wildlife, including bats, which are protected. No proper consideration has been made on the impact of housing 20+ human beings and 6+ vehicles in such close proximity.

12. The council published a commitment to increasing our green spaces. The council claims to be hugely focused on environmental issues. This area would be perfect for a wildflower community garden. The whole community could enjoy this space, bordered by woodland. An alternative site that is not bordered by woodland and with appropriate access must be found for this housing.

The need for additional housing for social rent is undeniable, but shoe-horning people into inappropriate sites and negatively impacting the lives of the current residents, many of whom have paid hundreds of thousands of pounds for their properties, is not the solution.

Thank you for considering my views.

Question from Mr D

He has lived around here for over 70 years.

He is concerned about the wildlife including deer, foxes, badgers, sparrows, hawks, newts, slow worms, grass snakes and hedgehogs.

He says the site was once a wildlife area and people on Avon Road could dump things over their fence to make compost.

He is concerned about lack of privacy.

Questions added for October Meeting

Question from Mr B

Right next to the Medway Close site is a separate application for 6 Houses on Roxwell Road under number 23/00862/FUL. On the Roxwell Road application councillors Stephen Robinson, Ann Davidson and Joanne Hawkins have commented that they "feel that having 6 properties here is over development". That site is 2739 sqm.

So, why has the planning officer on this Medway Close site not even considered whether this is 'overdevelopment' when this application is for 6 properties on an even smaller site of just 2380m and these plans breach the 15m rule in Annex B of the Local Development Plan?

Based on the above breach of the Council's own rules, can the planning officer explain how has he and/or the council has protected the rights and interests of the neighbours? And will he be happy to defend his impartiality in this process in front of a judge?

Question from Mrs S

Statement of Rachel Scarrott for Planning Committee Meeting 3rd October 2023

(2 min time estimate)

Ref: Planning Application 23/00195/FUL - Garages off Medway Close

A) Fire Safety:

I accept the need for social housing, but it does need to be safe, especially for vulnerable people.

This application has multiple breaches of the Local Development Plan and Building Regulations, including fire safety regulations.

Paul Coleman, Fire Safety Manager at Essex County Fire and Rescue Service, has also raised these concerns directly with Building Regulations department, the planning officer and planning officer's manager.

The Fire Service has not been added to public portal as a consultee. I am concerned that the Committee has no evidence directly from the Fire Service.

The fire safety concerns relate to access, the turning circle and the need to reverse more than 20m. (see attached documents relating to fire engine size and limits on reversing).

Particularly after the Grenfell disaster, fire safety is not something that can be compromised.

B) 15m back to boundary distance:

From a neighbour perspective, the *houses* must be a minimum of 15m from our *boundaries*.

Block plan (p137/197 agenda pack), shows that they are all only 10m from our rear boundaries on Avon Road.

I, and my neighbours have a right to privacy, not just inside our houses, but also in our *rear gardens*.

That is why the LDP has two distinct figures. See attached table from LDP.

25m is the distance required between *buildings*

And 15m is the minimum distance that the new houses have to be to our *boundaries*.

The planning officer has been confusing these two separate standards.

But you cannot trade one off for the other.

See attached Essex County Council design guide which helps to explain this very point.

Line 4: "New houses may not encroach any closer than 15m to an existing rear *boundary* – *even though* with a closer encroachment, 25m between the rears of the *houses* could still be achieved"

This is not just a recommendation, this is a clear minimum standard in the LDP.

The rules made by the Council must also apply to the Council.

Applicant should be asked to revise plans to adhere to LDP and Building Regs, particularly fire safety standards.

Or, consider alternative plan for this small site, such as re-wilding given the presence of protected species and the Climate Emergency declared by CCC.

Rachel Scarrott, 2nd October 2023

Annex A

From: Richard Lincoln-smith <rls@essex-fire.gov.uk>
Subject: RE: Webform submission from: Contact us
Date: 13 September 2023 at 16:54:56 BST
To: R Scarrott
Cc: Mailbox - Fleet Transport <fleet.transport@essex-fire.gov.uk>

Good afternoon Ms Scarrott,

My apologies but on further investigation, the information on width and length previously supplied is not quite correct.

The dimensions to accommodate any of our frontline appliances are;

* Length – 8.64m
* Width – 2.55m body width (2,980mm including wing mirrors) *
Height – 3.38m

Kind Regards,

Richard Lincoln-Smith MSOE, MITRE, EngTech
Engineering Support Officer
Fleet and Equipment Services | Fleet Workshops

Essex County Fire and Rescue Service
Fleet Workshops, London Road, Colchester, Essex, CO3 9AA
Tel: 01376 576946 | Mob: 07595 288692 | www.essex-fire.gov.uk

* Please note that the Council has used the wrong width (2.4m instead of 2.98m) for the tracking diagrams on p35 of the Transport Statement.

See para 15.10

Fire and rescue service vehicles should not have to reverse more than 20m from the end of an access road.

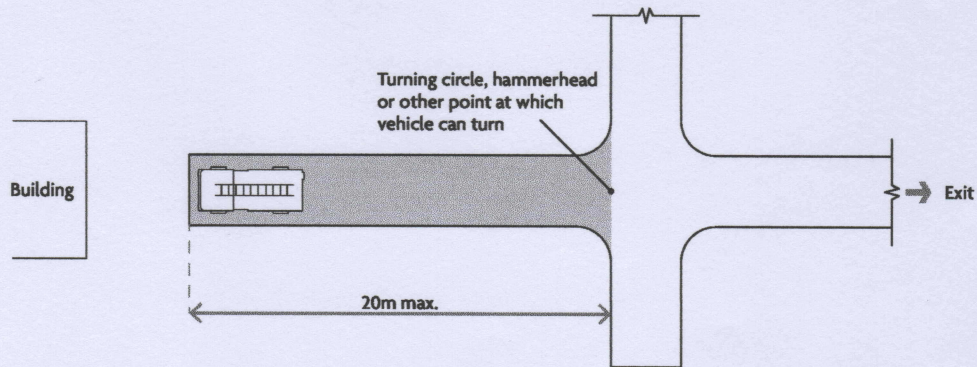
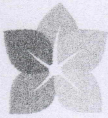


Diagram 15.3 Turning facilities

On current plans the fire vehicle would have to reverse more than 20m from outside plots 1, 2 + 3.



B.6 The requirements may be relaxed where privacy is 'designed-in' through careful arrangement of internal accommodation, placement of windows, window design or screening. Shorter back-to-back distances may also be acceptable when the buildings face each other at an angle, typically 30 degrees or more. If there is a change in level between buildings, it may be possible for back-to-back distances to be adjusted.

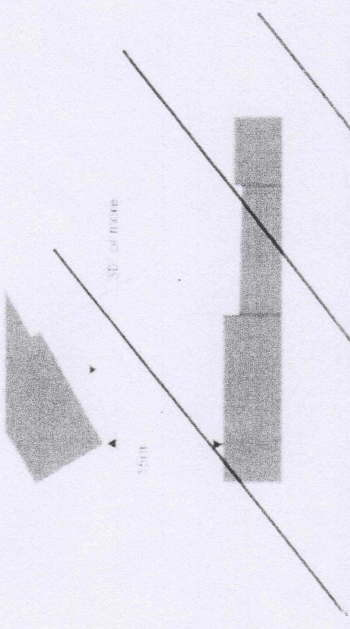
B.7 To ensure a good standard of living for the occupier of a new or extended property all habitable rooms must have at least one window in a wall allowing outlook and ventilation which meets these standards.

Table 9 : Privacy and proximity standards

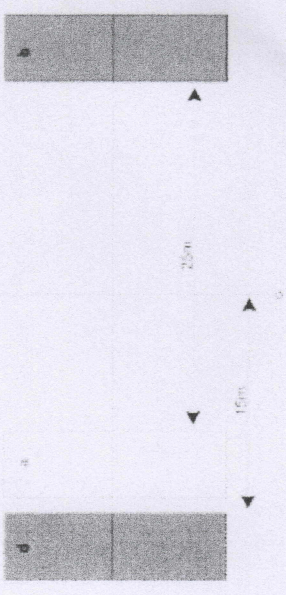
Criteria	Chelmsford City Centre and SWF Town Centre	Outside of Chelmsford City Centre and SWF Town Centre
A. Minimum back-to-back (or front-to-back) distance between parallel 2 or 3 storey buildings with rear or front-facing windows serving habitable rooms on upper floors	20m	25m
B. Minimum back-to-back (or front-to-back) distance between parallel 4 or more storey buildings with rear or front-facing windows serving habitable rooms on upper floors*	27.5m	35m
C. <u>Minimum</u> back-to-boundary distance where new buildings, or extensions to existing buildings, have a back-to-back relationship with existing residential buildings**	15m	
D. Minimum distance between a window serving an upper-floor habitable room and the side garden boundary of an adjacent property (unless the privacy zone is otherwise protected)***	15m (add 4m for each additional storey)	
E. Minimum back-to-flank wall distance****	12.5m for a two storey flank wall (add 4m for each additional storey)	



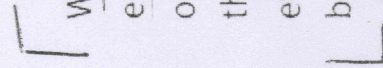
Annex A D



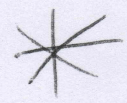
Back of houses at more than 30 degrees to one another. Separation to be reduced to 15 metres from the nearest corner



a. New house b. Existing house c. Existing rear boundary d. New house to be set back at least 15m



Where new development backs on to the rear of existing housing, existing residents are entitled to a greater degree of privacy to their rear garden boundary. Where the rear faces of the new houses are approximately parallel to those of the existing homes, the rear of the new houses may not encroach any closer than 15m to an existing rear boundary – even though with a closer encroachment, 25m between the rears of the houses could still be achieved.



Where the rears of the new houses face those of the existing homes at an angle of more



Question from Mrs C

One of the questions I sent through to the cancelled meeting was about the blocking off of access to the back of our property. That property is xxxx. The back access is on our deeds and shows on the consultation documents as being blocked off when the new development is in place.

Another of my questions was about access to the derelict garages. We recently completed a test of a pantechnican and concrete lorry into the area. The turning circle does not allow for access to large vehicles. They do not fit and also block access to the back of our property.

I asked whether the construction company were part of the considerate construction scheme. Still awaiting an answer. A lot of us work from home, and in London, and I was asking about the potential noise pollution during building.

The documents that were submitted, as part food consultation, states that there is no asbestos in the garage roofs. There is. When a company previously tried to block off the garages and remove the garage detritus, they were stopped as asbestos was found.

I emailed my list of concerns according to the original consultation documents, highlighting questions in each of the documents. No replies were forthcoming. I submitted them via the online form and via the email given. I have never received anything.

Thanks.

Item 7 - 23/01167/FUL – Little Cleatop, South Street, Great Waltham, Chelmsford, Essex, CM3 1DP

Question from Mr P

My wife and I moved to Great Waltham 30 years ago when I was appointed Vicar of the parish. We quickly fell in love with the village, became involved in many of the activities of this busy community and made many friends, so when my term as Vicar came to an end we were determined that we would remain in the village. We moved to a small house in the middle of the village until Claremont came on the market and we were able to snap it up, so 19 years ago (next month) we moved in and began the process of turning it into our “forever home”, ideally placed with views over open farmland and enough space to develop gardens that have become a sanctuary for wildlife and a quiet secluded space for tired old people to relax in peace.

When 2 years ago Sinead and Andy moved in next door we welcomed them, and we fully expected that they too would want to create their forever home – and who wouldn't? It is a lovely place!

We were not, and are not dumb enough to believe that we wouldn't have to make any adjustments to accommodate their dreams. Change happens and we all have to adjust to it. However, when we saw their plans we realised that they posed serious problems for the one place at the heart of our feelings of well-being and peace of mind, namely our bedroom.

1. Unfortunately the rooms on the upper floor of our house all have windows to the side. So if the plans for Little Cleatops are executed as they stand two-thirds of our bedroom window will look out onto a solid wall just 2 metres away across the narrow space between the two buildings, blocking out most of the light, not to mention the view. As things stand both the privacy and the peace of the bedroom will be compromised.
2. The same narrow space is divided down the middle by the boundary fence between the properties. The plans envisage the heat pump being squeezed into the 1 metre wide space between the house and the boundary fence. A gap of 1 ½ metres in front of the fan is required for the machine to work properly. If the fan doesn't work properly it will keep running on and off 24/7 generating very little energy and a great deal of noise, well above the legal decibel limit and right below our bedroom window.

Having said that I do believe both problems could be mitigated in ways that could benefit both parties. For example the dormers could be moved a little further up the roof allowing a great deal more light into our bedroom without any significant loss of floor space in the bedrooms of L Cleatops, and the heat pump should definitely be resited and the best place would be on the back wall of the property facing the open space of the garden. It would then be able to function efficiently and almost totally silently.

Question from Mr W

Thankyou for the time to review this application. Having moved to Great Waltham in June '21 we were fortunate to find Little Cleatop with its wonderful location. Unfortunately, the bungalow itself was and is still in need of significant improvement. Since moving in, some personal changes mean that not only will Andy's twins be living here post-university, but the physical condition of his elderly father, with disability, is worsening, and it is looking very likely his parents will have to move in with us also.

Our priorities for this build are to allow for a bigger, more practical family two storey home, to maximise energy efficiency including integrated solar panels, insulation and heat source pump, to use environmentally friendly materials, to compliment the neighbouring houses with the same pitch roof and mimicking their west elevation for consistency on entry to this part of the village, to blend in, with soft natural materials and tree-planting, and also to be creative, all whilst working within our limited budget by keeping the same discrete footprint set well back from the road, using existing foundations, and making the most of the views of surrounding nature.

During the extensive pre-application process we have listened to the planning team, amending our design to consider the neighbours, by, for example, significantly reducing any anterior projection of the first floor, and recently, providing an alternative heat source pump location, ensuring privacy with screening, and removing the external staircase on the west elevation for simplicity of design.

At all stages, even before application, we have informed and been available to neighbours and to the parish council in its meeting, where there were no objections. We have listened to our architect and the council, to reach a layout and design that hopefully works for everyone.

Thankyou