

MINUTES
of the
PLANNING COMMITTEE
held on 3 December 2024 at 7pm

Present:

Councillor J. Sosin (Chair)
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, R. Hyland, J. Lardge, R. Lee, V. Pappa, G. Pooley, E. Sampson,
A. Thorpe-Apps, C. Tron and P. Wilson

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 Cllr Hall. No substitutions were made.

3. Declarations of Interest

All Members were reminded that they must disclose any interests they knew they had 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 became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 1 October 2024 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Public Questions and Statements had been submitted in advance for Items 6 and 7, they are summarised under the relevant item. [The questions and statements submitted in advance can be viewed via this link.](#)

6. 22/00721/FUL – Land Adjacent 14 Creekview Road, South Woodham Ferrers, Chelmsford, Essex, CM3 5GU

The Committee considered an application for the construction of six dwellings, along with alterations to an existing pond with a new aerator and a new playground area. The Committee

heard that the proposal site was within a garden that had been privately owned for 30-40 years which was fully enclosed with hedges and trees, which could not be seen into from the public street. The Committee were informed that the garden had been very well maintained, with a large pond. The Committee heard of some recent planning history on the site, which had included the refusal of a scheme for eight houses which had also been dismissed at appeal stage, mainly due to concerns with the significant loss of 31 trees. The Committee were informed that the scheme now before them, did not have an unacceptable loss of trees, instead it included some replacement trees, the retention of the hedge along the front boundary of the site, along with the use of hedges to demark garden boundaries between the six properties. The Committee were also informed that the hedging increased the biodiversity and green nature of the scheme.

The Committee heard that officers were content with the neighbour relationships, any overlooking as a result of the development would be onto driveways, rather than gardens and the design of the properties was in keeping with neighbouring houses, including steeply pitched roofs and a similar mix of materials. The Committee were informed that the proposal was in the urban area where new housing was deemed acceptable, trees were being retained or replaced as necessary and the design and neighbour relationships were acceptable, therefore the application had been recommended for approval.

The Committee heard from members of the public both in support of and against the application and also noted the submitted statements that were not read out at the meeting. In summary those speaking for the application informed the Committee that the application was robust and of a high quality, had resolved every planning issue raised, was within a private garden, with carefully designed separation distances between the properties and complied with local and national policies. The Committee also heard that the scheme was crucial within the current housing climate, was on private land with no public right of way and that the development of the site would allow other families to benefit from new housing in the area.

In summary, those speaking against the application highlighted concerns about previous refusals at the site, no need for additional housing in South Woodham Ferrers, the ability to look over and enjoy the space, the historic use of the site, covenants being ignored, habitat loss, and claimed assurances that the site would not be built on. The Committee also heard that there would be a negative impact on wildlife, the designs were out of character and that the scheme was similar to previous refusals.

The Committee also heard from a local ward member, who spoke against the application. They raised concerns in line with those heard from local residents and stated that in the late 1970's, when the land had been scheduled for development, the site had been designated as public open space and over time had instead been added to the curtilage of the private garden of number 14. They stated that if the owner was struggling to maintain the land, it could be returned to open space, biodiversity claims were not accurate and they had not had time to engage with their own biodiversity experts. They also informed the Committee that there were significant local objections to the scheme and that it did not differ enough from previous refusals.

In response to the points raised, officers reiterated that as detailed in their report, the land in question was simply a private garden with no local plan designation over it. The history of the site may be interesting and the original intention may have been different, but the land remained a private garden and therefore the application could only be considered with that understanding. Officers also highlighted that the bio-diversity net gain was not required due to when the application had been submitted, but had been offered by the applicant anyway, pre-

commencement conditions were expected for applications such as this one and they were content that the ecology of the site had been correctly looked at.

In response to points and questions raised by members of the Committee, officers stated that;

- The pond was within the current garden and the owner could fill the pond in if they wished to do so.
- The scheme now before the Committee did not lead to the removal of most trees as the previous one did and the canopy view would be kept.
- The planning inspectorate did not have any concerns with the principle of housing at the site when considering the previous applications and appeal.
- The management and maintenance of hedges on the site was covered for five years by condition.
- The impact on the highway network would be insignificant, due to the small scale of the development, visibility was in excess of requirements and in highway terms there would not be any detriment to safety or efficiency.
- It was unusual for an application to provide a potentially public play area but this was something an applicant could do if they wished, the Council would have no involvement in the maintenance of it though.
- A condition could be added to remove the class E permitted development rights, which would mean planning applications would have to be submitted for any outbuildings. It was also noted that permitted development rights for any extensions to the six properties had already been included.
- The bio diversity net gain had been secured by condition, therefore leading to the protection of the hedges.

The Committee held a vote to approve the application, subject to the conditions detailed in the report and an additional condition to remove the Class E permitted development rights.

RESOLVED that the application be approved, subject to the conditions detailed in the report and an additional condition to remove Class E permitted development rights for the six properties.

(7.02pm to 7.48pm)

7. 21/01545/OUT – Land North of Warren House, Roxwell Road, Writtle, Chelmsford, Essex

The Committee considered an outline application for Strategic Growth Site 2 comprising up to 880 new homes, a primary school, travelling showpersons site, sports facilities and other uses, plus associated landscaping and habitat creation, public open space and play facilities, roads and infrastructure (all matters reserved except access), together with a detailed scheme in the south east corner for Phase 1A comprising of 311 houses plus associated roads, parking and infrastructure (Landscaping reserved for Phase 1A). The Committee heard that the development would deliver 35% affordable homes and conformed with the Local Plan. The Committee were informed that the application was not a hybrid one, as there were reserved matters for both elements of the application.

The Committee were informed that the site had been allocated in the Local Plan as a sustainable urban extension to the urban area and had resulted from an approved masterplan, which had been looked at by both the Policy Board and Cabinet. The Committee also heard that the application had been accompanied by an Environmental Statement and would be a positive contributor economically and socially. The Committee were informed that the development was required to meet the Council's identified growth needs and would

satisfactorily meet the requirements of Strategic Growth Site Policy 2. The Committee heard that the application mitigated its own impact and had been recommended for approval by officers subject to the conditions in the report, the additional one highlighted in the green sheet and the completion of the Section 106 agreement.

The Committee heard from members of the public both in support of and against the application and also noted the submitted statements that were not read out at the meeting. In summary those speaking for the application informed the Committee that the application was in accordance with the local plan, had been through an extensive master planning process, supplied vital housing and crucial infrastructure, provided the required affordable housing, mitigated any highway impacts through new additions to the highway network and bus routes and provided a travelling showpersons site. The Committee also heard that the design of the homes would be in keeping with the local area, community facilities would be provided and the development was a holistic sustainable one that future residents and the nearby community could enjoy.

In summary, those speaking against the application highlighted concerns about a previous Statement of Common Ground with the Parish Councils, to provide traffic mitigation measures throughout the village of Writtle, but the proposal only offered mitigations to a certain point within Writtle, which would lead to an immensely detrimental effect upon the environment of Writtle. The Committee also heard concerns about flooding on Lawford Lane and the need for a condition or financial contribution to alleviate it, the width of cycleways and queries on earlier ideas regarding modifications to the Roxwell Road/Chignal Road junction.

The Committee also heard from two Councillors in the adjoining St Andrews Ward. They highlighted that they were pleased with the pedestrian/cycle links into their ward and the importance of sustainable transport, concerns with differing widths of the links, the management of the links, the use of the pedestrian/cycle links by motorised bikes and e scooters and requested more details about the improvements to the area behind Avon Road. They also informed the Committee that they were pleased to see the Avon Road play area, getting much needed improvements and queried why the additional bus loop would not be in place until the 600th occupation. They also raised concerns about the impact on local GP surgeries and asked why the proposed new facility would not be in use until later in the development. The Committee also heard that there would be a lack of amenities at the start of the development, leading to increased driving, the transfer to the City Council of the strategic open spaces to give residents clarity, energy matters including the use of solar and heat pumps, improvements to the St Andrews ward whilst the new residents relied on the pre-existing amenities and other improvements that could be sought via Section 106 agreements.

In response to points and questions raised by members of the public, ward Councillors and members of the Committee, officers stated that;

- The Statement of Common Ground referred to had been at the local plan examination stage, since then the transport assessments had been scrutinised by Essex County Council and there had been important considerations made in the design of the scheme to mitigate highway impacts and a different conclusion had been reached in comparison to the Parish Council.
- The width of the bridge links to the East of the site would be dealt with via conditions and they would be built prior to first occupation.
- Specific details of play area improvements would not be expected at this stage and the details would be considered by colleagues in Parks Services.
- An either/or provision had been put in place for ongoing maintenance of open spaces. The Council's preference was to take on responsibility but it was not within the

Council's control whether a developer transfers the land to the Council, but it was a policy of the Council that where the Council was offered to take responsibility for management of public open space it would do so, hence why it had been outlined as an either/or option instead.

- A balance needed to be struck with the occupation trigger for the introduction of the bus service, to avoid future viability issues if initial take up is low due to low occupation rates.
- The NHS required a facility on the site and the role of the planning authority was to obtain the commitment to build a facility in line with the NHS consultation response, again it would be rare for the facility to be open at first occupation.
- Due to the urban nature of the scheme, it was common for amenities to be secured through different phases of the development, due to pre existing facilities nearby.
- Mitigations for the St Andrews ward would be looked at with the developer but they needed to be realistic, meet planning tests and be related to the impact of the new development.
- The 35% affordable housing would be detailed via the S106 agreement and was a legally binding agreement,
- It was not always clear at this stage if the pedestrian/cycle routes would be shared or separated, but it was anticipated that they would be separated.
- It was anticipated that the healthcare facility would come on board at the 500 occupation mark and the school between 300-600 occupations.
- The crossing would form part of the new roundabout on Roxwell Road, serving the Eastern side of the site with primary vehicular access and that was expected before first occupation.
- The ten year time limit for the development was normal for similar applications.
- The 35% affordable housing was for both the 311 subset and the overall 880 homes.
- The travelling showpersons site would not be adopted by the City Council and would normally be dealt with by the developer.
- The Police had been consulted at pre application and masterplan stage and the development contained normal measures such as limiting alleyways and plenty of on plot parking, the use of CCTV was for the individual homeowners to decide upon.
- The application was different to ones further away from the City Centre, as some infrastructure was already nearby and would be utilised as a result.
- The transport assessment took into account the busiest peak hour impact on the network and it had looked at other growth factors, so included impacts up until 2032, the package of measures provided was comprehensive and along with the robust assessment, Essex Highways were satisfied that there would not be a severe impact in Highway terms.
- Officers could look to deal with the provision of the healthcare facility at Section 106 stage and would take on board the views of members that it should be provided at an earlier stage than the expected 500 occupations currently (potentially 400th occupation).
- Visitor parking was provided within the proposals along with overprovision of spaces at some of the larger properties.

RESOLVED that Subject to an agreement, as indicated in the report presented to the Committee, being entered into pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the conditions detailed in the report and the additional condition on Road construction as detailed on the green sheet of amendments.

(7.49 pm to 9.58 pm)

8. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 1st September and 15th November 2024 be noted.

The meeting closed at 9.58 pm.

Chair