

GREEN SHEET

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE – 22 JUNE 2021

Item 6 – Fox and Hounds, Ramsden Heath – 21/00482/FUL

Additional comments from Public Health and Protection, Chelmsford City Council

This Service has previously received complaints of noise regarding the use of the outdoor area and marquee when the premises was permitted to operate. These complaints related to amplified noise and amplified sound from use of the outdoor area. Visits in response to complaints have been made to the area by officers. On one occasion during the afternoon on 30th August 2020 a noise nuisance was witnessed by an officer. In accordance with the legislation the premises were given the opportunity to avoid formal action by providing proposals on how noise levels will be controlled satisfactorily in the future. These written proposals were accepted as satisfactory. Since this time no visits from officers have established noise from the premises amounting to a nuisance.

Under the terms of the premises licence the use of the outdoor area is permitted. In terms of compliance with Covid-19 regulations, and to operate in a Covid-safe way by reducing risk of spread of infection, the use of the outdoor space is also acceptable.

While I do not object to the siting of the marquee and associated buildings in the garden area, I do have some concerns regarding the future use of the outdoor area when hospitality is permitted to reopen later this month. This clearly depends on what activities are proposed to take place in the outdoor area/marquee and if, by their nature, they cause disturbance to residents. This Service has powers to deal with any substantiated noise nuisances under the Environmental Protection Act 1990.

Comments from a neighbour

We call the environmental protection team two occasions over the weekend, but sadly there wasn't anybody available. On Saturday night so we call the police who attended the scene. We had the same issue on Sunday from 11.45am, the Marquee's and garden was so busy the fox & hound pub hired the field opposite, there was 60 vehicles in the field at 13.45.

The Marquees and outdoor space had hundreds of patrons watching football, there was people with klaxons, hooters, rattles shouting and using offensive racial chants and foul language.

The noise disturbance was so unbearable we had to go out to Joan's son to escape the noise nuisance. Return home at 21.00. We did contact Environmental Protection in the Morning (Sunday) however, no one was available

The fox & hound are televising all England games in the marquee's, due to the apparent failure to control this noise nuisance, we have no option but to vacate our property every time there is an event because the noise disturbance is to great. We have all this to look forward to again on Friday night.

The Councils website under usage for Marquee's state's that the db levels should not exceed 85, sadly the Council does not do this type of monitoring or recording.

Item 8 – Chelmer Waterside Access Road – 21/00024/FUL

Environment Agency consultation response (21/6/21): **No objection**

Consultation response extract

Flood Risk

Our maps show the site lies within fluvial, Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a single carriageway road, bridge and associated works, from Wharf Road to Baddow Road to provide access to the emerging Chelmer Waterside Neighbourhood, which is classified as a 'Essential Infrastructure' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA). To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced B3553T72-30-RP-004 and Fluvial Flood Risk Hydraulic Modelling B3553T72-30-RP-009 are:

Actual Risk

- The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change.
- The site does not benefit from the presence of defences.
- The proposed single carriageway road, bridge and associated works have been modelled.

- Model report referenced Fluvial Flood Risk Hydraulic Modelling B3553T72-30- RP-009 show that the work include a negligible increase flood depths in areas that already flood up to the (1 in 100) annual probability event, including a 65% allowance for climate change.
- Areas that are above a negligible risk have been investigated additionally within the FRA and confirmed as either at less vulnerable locations or land under ownership of Chelmsford City Council.
- The FRA and report have investigated any possible change in depth in areas of residential development against finished floor levels. It confirms that there will be no change to the level of risk that is faced by the developments currently.
- Finished minimum site levels have been proposed at 23m AOD. This is below the 1% (1 in 100) annual probability flood level including 65% climate change of 24.06m AOD and therefore at risk of flooding by 1.06m depth in this event.
- Therefore assuming a velocity of 0.5m/s the flood hazard is danger for all including the emergency services in the 1% (1 in 100) annual probability flood event including climate change.
- This proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 1% (1 in 100) annual probability including climate change flood event). We have no objections to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been submitted by the applicant but you should determine its adequacy to ensure the safety of the occupants.
- Compensatory storage has been provided

Item 9 – No. 117 Lady Lane – 21/00316/FUL

1. Following the completion of the committee report for the development at 117 Lady Lane a representation has been received objecting to the development, stating that the increase in the roof height and scale of the development will unbalance the appearance with the attached neighbour and be harmful to character of the street. The matters raised within the representation have already been addressed within the committee report, so no further comments are required to address the representation received

2. The proposed front elevation drawing has been amended in order to accurately reflect the constructed front facing rooflights and to match the second floor plans.
3. Following the completion of the committee report the Council have received an email indicating that it is possible that the proposed development has not been completed in accordance with the approved plans in their opinion and can a decision be deferred on the current planning application until a future Planning Committee Meeting.

The application 20/00778/FUL has approved all of the proposed works associated with the current application with the exception of the new side window. Should the development have not been built in accordance with the approved plans then this would be a matter for the Councils Enforcement team to pursue. Despite this, no evidence has been provided to show that the building works are not in accordance and the applicant has indicated that building works are not yet complete.