

was consistent with the pattern in Danbury; it would not cause harm and would be in harmony with local plans.

88 Public Question Time (16/01770/FUL) Land South West of 52 Maldon Rd)

The Chairman of Hands off Danbury wished to speak on behalf of the group.

The main points were:

- There was no need for a care home in the area as two local sites had already been identified in the Local Plan.
- Many local people would not be able to afford the fees and therefore the home would be for people from outside the area which would result in extra traffic. There was a lack of accessible public transport options.
- There were no employment issues in the village.
- The rest of the site should be protected which was agreed when the Medical Centre was approved.
- The harm caused by the proposal outweighed the benefits.
- The Parish Council and City Council were urged to refuse the application.
- The home would result in more frequent calls to the ambulance and police.
- Residents should be assisted to stay in their own homes and minimise care home use. They were already supported by the Medical Centre in this.
- The site lies within the Conservation area.
- This was a business proposal which the majority of the village does not need or want.

The following additional comments were made by residents.

There were many legal and planning issues to consider. The need was not established and the Medical Centre does not have capacity.

This was a large commercial building next to a green. It was not in keeping with other nearby properties.

There were concerns regarding the turn off from Maldon Road into the development. The Medical Centre had already made that a difficult right turn. The care home would increase the load on the road along with other developments in the Maldon District. It was already difficult to get an appointment at the Medical Centre. The home would be detrimental to the rest of the village and of no benefit.

A charity owned the Danbury Mission car park and the Medical Centre land which was on a long lease. Permission for access across the land had not been requested by the applicant.

There were concerns regarding access for residents of the care home. The pavements were narrow and the A414 was very busy which would be hazardous, especially to people with mobility issues.

The lack of parking spaces was a concern. There were only 22 spaces on the plans for 100 staff members, deliveries, visitors etc. It was likely that the Medical Centre car park would be used which would create issues for those using the Centre.

The proposed cedar cladding would look unattractive after a few years.

There was a question over who owned the land and what the relationship was between the applicant and developer. The Chairman noted this was not a planning issue.

The application was premature and should have been looked at in conjunction with the emerging Danbury Neighbourhood Plan. The Chairman advised that the Neighbourhood Plan could take up to 2 years to complete and any applications prior to adoption of the plan would be looked at in line with the current Danbury Planning Framework and Chelmsford City Council planning policies.

Oakland Primecare were then given a short opportunity to respond to some of the comments made.

The need had been calculated by an independent company and had looked within a five mile radius which was more relevant than the administrative boundaries. The majority of residents of the home would come from within this radius.

There was a shortfall of beds which would continue to grow. There were other care home allocations in the Chelmsford Local Plan but no indication that these sites were coming forward. If the sites were to come forward, there was still capacity for all three sites.

The Chairman then advised that the time limit had expired and the four representatives from Oakland Primecare left the meeting.

89 Public Question Time (16/01810/OUT)

Land East of Little Fields & North of Maldon Road

Gladman Developments had declined an invitation to speak. The Chairman invited comments from those present. The Chairman of Hands of Danbury spoke to thank the residents who had sent a response to the application. He asked if the Parish Council would provide the resources to fight any future appeal. The Chairman advised that the Parish Council were a consultee and could only consider planning applications submitted based on its merits and the views of the residents. The only response to an appeal was to go to judicial review which would be a significant cost that the Parish Council could not meet in its current budget unless a special precept was set. Chelmsford City Council may consider pursuing a judicial review but that could not be known at this time .

The following comments were made by the residents present.

Danbury needed more houses for those who can't afford to stay in the village.

The proposal would generate heavy traffic and would cause damage during and after construction.

What powers were there to reject spurious planning application as there was an implication on the tax payer to fight these types of development? The City Council

had to deal with each application that was submitted in line with its policies no matter what type of application it was.

If the application was approved, it would not stop at 140 houses as other sites would then be built on. The houses might not even be affordable.

If the precept was increased the whole village would have to contribute to this. It was asked if a straw poll could be taken of those present. The Chairman did not agree to this as it would be appropriate and it was not on the agenda. The costs were unknown, the whole village would need to be consulted and the wider implications would need to be considered.

ECC Highways had indicated they would prefer a single access onto Runsell Lane. If Runsell Lane was widened it would become more of a rat run to bypass the A414. The area would become urbanised.

The developers had indicated they would provide up to 35% low cost housing but could they provide less? There was a statutory requirement and it also depended on the view of the Planning Authorities. This would be decided if a detailed application was submitted.

The two schools in the village were already at capacity. There was a strain on all medical and dental services in the village. There were also older people who would like to stay in the village in smaller properties. Development always seems to be for larger properties. This would be the benefit in having a Neighbourhood Plan for the future.

A Trustee of the Landisdale Charity, who already provided some housing at the Church, advised that there was a need for more dwellings of this type as they had a waiting list of 10 eligible people. Landisdale Charity did own some land adjacent to the proposed development but it had no connection to the developers. They were not against development in general but the proposed density was too intense for Danbury.

The A414 was a main transport route from Chelmsford, London and the A12 to all the areas east of Danbury (Maldon and Dengie). This meant not only commuters coming through the village but any consumables going back into those towns and villages. There should be no further residential development to the east of Danbury until a bypass is created. The Chairman advised that the Parish Council were supportive of a bypass consisting of a new road built from Heybridge to the A12 which could become the new A414. The current A414 could then become a B road and have further traffic calming measures. This option had been rejected by Highways but the Parish Council would continue to lobby for it.

The site was outside the permitted development area and there would have to be special circumstances for an application to be approved. There was pressure from central government to build houses. Although it was outside the envelope, this did not mean it couldn't be developed but it did help as a reason for refusal. There were concerns regarding building on agricultural land and losing more green space. The area was known to flood as well.

The Chairman of HOD stated that Chelmsford City Council had done an excellent job with similar applications. They had had five appeals, which they had won, and one case from Boreham was at the High Court.

The Chairman of the Council advised the meeting that the Parish Council's responses would be submitted to Chelmsford City Council before the deadline and would also go on the Parish Council website.

The Chairman then thanked those present for attending and advised that the Council would now commence its meeting to agree its comments for both applications. The majority of residents then left the meeting.

90 Apologies for absence

Apologies were received and accepted from Cllr Wakefield.

91 Declarations of Interest

Members were reminded that they must declare any pecuniary or non-pecuniary interests they had in any items of business on the meeting's agenda. They were reminded that they would need to repeat their declaration at the appropriate point in the meeting and leave the room if the interest was a pecuniary one. Unforeseen interests must similarly be declared at the appropriate time. Councillors had a dispensation to speak on any items regarding the Danbury Community Association Trust Limited – Danbury Sports and Social Centre and the precept.

There were no interests declared in application 16/01770/FUL.

Cllrs Mrs Hallett and Kennewell declared a pecuniary interest in 16/01810/OUT and would leave the meeting prior to this item.

92 To Determine Response to Planning Application 16/01770/FUL (Land South West of 52 Maldon Road) - Construction of a 72 bed care home, together with 22 car parking spaces and landscaping.

A summary of the residents comments that had been received at the Parish Office had been circulated to the Council. The Clerk then read these aloud to the meeting.

Members then made the following comments:

Members agreed with the majority of comments made by residents and were happy for these to be included as part of the Parish Councils comments. Members referred to the Danbury Planning Framework Policies (DPF's 1, 5, 10, 11, 14, 15, 18, 21, 34, 38 and 41) and Chelmsford City Council Planning Policies (CP's 1, 9, 14, and 21, DC's 7, 11, 12, 17 and 37) which were all relevant to the application.

Members noted that the meadow was part of the Conservation area and that it was vital to keep it as the last undeveloped piece of land in this central part of the village. It was surrounded by trees and the applicant was proposing to remove 35 of them. The applicant had advised that they would replace the trees but this would be with smaller trees of different species. Some of the trees on the site had TPO's on them.

There was some dispute over the need for a care home. The current care home had beds available and also some local care providers were always recruiting for staff which indicated a lack of available employees locally.

There was already a flooding issue in Mill Lane which could be made worse by the development. There would be increase air pollution and light pollution.

There were concerns about the increased traffic and it was unlikely that the majority of staff would walk to work. The public transport in Danbury was limited. One Member noted that the transport figures appeared to contain some inaccuracies. The proximity to the road could be dangerous for those residing in the care home due to the amount of traffic and narrow pavements.

The meadow was unattractive and not looked after. There was concern that it would be developed on at some point in the future, even if this application was refused. The name of the meadow required clarification as it was referred to as both Bay Green Meadow and Hitchcocks Meadow. Bay Green Meadow was its correct name.

Cllr Carlin proposed that Danbury Parish Council objected to 16/01770/FUL (Land South West of 52 Maldon Road) based on the comments from residents and Members and that the application be referred to the local Ward Member. This was seconded by Cllr Keeler and all were in favour. The Assistant Clerk would construct a full response to send to Chelmsford City Council.

RESOLVED: that Danbury Parish Council objected to 16/01770/FUL (Land South West of 52 Maldon Road) based on the comments from residents and Members and that the application be referred to the local Ward Member.

93 To Determine Response to Planning Application 16/01810/OUT (Land East of Little Fields and North of Maldon Road) - Outline planning application for up to 140 residential dwellings (including up to 35% affordable housing), introduction of structural planting & landscaping, informal public open space & children's play area, surface water flood mitigation & attenuation, 2 no. vehicular access points: 1 no. from Maldon Road & 1 no. from Runsell Lane and associated ancillary works. All matters to be reserved with the exception of main site access.

Cllrs Mrs Hallett and Kennewell had declared a pecuniary interest in this item and both left the meeting at 9.05pm.

A summary of the resident comments that had been received at the Parish Office had been circulated to the Council. The Clerk then read these aloud to the meeting.

Members then made the following comments:

Members agreed with the majority of comments made by residents and were happy for these to be included as part of the Parish Councils comments. Members referred to Danbury Planning Framework Policies (DPF's 1, 5, 7, 11, 14, 18, 21, 34, 35, 38, 60, 61, 62, 63 and 64) and Chelmsford City Council Planning Policies (CP's 1, 5, 9 and 14 and DC's 6, 7, 11, 15, 17 and 37) which were all relevant to the application. Members also referred to NPPF paragraph 7.

Chelmsford City Council were confident that they could meet its required housing land supply. Danbury Planning Framework was still valid until 2021 when it would be succeeded by the Neighbourhood Plan. If any housing was allocated to Danbury in the New Local Plan this would be from 2021 and was not relevant now.

The infrastructure was inadequate. There was a dangerous access proposed onto the A414 (unsupported by Highways) and Runsell Lane was too narrow to accommodate more vehicles. It was unacceptable and contrary to the planning policies above to consider any widening of the lane which was already used as a rat run. There would also be more lorries during construction as well as long term with deliveries etc. The properties would increase the number of commuters as there were not enough jobs locally for this number of new residents.

Schools and the Medical Centre did not have the capacity to cope with the additional numbers. Although the developer had offered CIL contributions in mitigation to this, a one off payment was not sufficient to deal with these issues and the long term implications. Account needed to be taken of the children already in the village who would require school places in the future.

There would be a loss of rural environment and agricultural land. The site was located next to an existing village green and pond which appeared to have been disregarded by the development. There would be increased pollution and it was concerning that the proposals placed a play area next to the road. There could also be a potential hazard from Suds pond to children. This would have to be fenced off.

The rural view of the village as you approach Runsell Green would be spoilt and there would be increased light pollution. There was also potential for an increase in crime where large developments had been built.

The Community Engagement by the developer was inadequate.

Cllr Carlin proposed that Danbury Parish Council objected to 16/01810/OUT (Land East of Little Fields and North of Maldon Road) based on the comments from residents and Members and that the application be referred to the local Ward Member. This was seconded by Cllr Telling and all were in favour. The Assistant Clerk would construct a full response to send to Chelmsford City Council.

RESOLVED: that Danbury Parish Council objected to 16/01810/OUT (Land East of Little Fields and North of Maldon Road)based on the comments from residents and Members and that the application be referred to the local Ward Member.

There being no further business the meeting was closed at 9.25pm

Signed:

Cllr S Berlyn, Chairman

Date: