

Minutes

Planning Committee

8th January 2013

Present



Councillors	Present	Councillors	Present
J E Abbott	Apologies	D Mann	Yes
P R Barlow	Yes	Lady Newton	Yes
E Bishop	Yes	J O'Reilly-Cicconi	Yes
R J Bolton	Yes	R Ramage	Yes
C A Cadman	Yes	W D Scattergood (Chairman)	Yes
T J W Foster	Yes	L Shepherd	Yes
P Horner	Yes	G A Spray	Yes
S C Kirby	Yes		

106 DECLARATIONS OF INTEREST

The following interests were declared:-

Councillor Bolton declared a non-pecuniary interest in Application No. 12/01498/FUL – Moat Hall Farm, Cornish Hall, End Road, Stambourne as the applicant and supporters of the application were known to him. Councillor Bolton left the meeting whilst this application was discussed and determined.

Councillor Cadman declared a non-pecuniary interest in Application No. 12/01498/FUL – Moat Hall Farm, Cornish Hall, End Road, Stambourne as he had met the applicant on site.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 12/01071/OUT – Pondholton Farm, Maltings Lane, Witham as she was the Cabinet Member for Planning and Property; and a non-pecuniary interest in Application No. 12/01402/LBC - 53 The Street, Stisted as the applicant was her GP.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the respective applications were considered.

107 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 18th December 2012 be approved as a correct record and signed by the Chairman.

108 QUESTION TIME

INFORMATION: There were six statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

109 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 12/01364/MMA - land rear of 37 - 45 Clare Road, Braintree and 12/01555/FUL - 33 Thistley Green Road, Braintree were determined en bloc.

DECISION: That the undermentioned planning applications be approved under the Town and Country Planning Act 1990, including Listed Building Consent where appropriate, subject to the conditions contained in the Development Manager's report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01364/MMA (APPROVED)	Braintree	Mr M Plummer	Application for a minor material amendment to approved application 12/00086/FUL - Amendment to erect a set of entrance gates across the driveway, land rear of 37 - 45 Clare Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01555/FUL (APPROVED)	Braintree	Mr K Newbold and Mrs T Headford	Erection of a single storey rear extension and alteration works, 33 Thistley Green Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01498/FUL (APPROVED)	Stambourne	Mr O Pickess	Retention of barn for agricultural purposes, Moat Hall Farm, Cornish Hall End Road.

The Committee approved this application, subject to the following conditions:-

Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans listed above.
2. All door and window frames within the building hereby approved shall be painted black and thereafter permanently maintained as such.

3. The existing buildings within the application site referred to as buildings 3 and 7 on the approved Block Plan shall be completely demolished not later than six months from the date of the first use of the development hereby granted planning permission. All materials resulting from the demolition shall be removed from the site.
4. The building hereby approved shall be used only for the purposes of agriculture in connection with the agricultural holding at this site, and shall not be used for living accommodation.
5. Prior to the commencement of any further work to the building, and demolition of the proposed buildings detailed in Condition 3, emergent surveys as specified in Paragraph 5.1.1 of the report prepared by Skilled Ecology Consulting Ltd dated October 2012 shall be undertaken to establish the level of use by bats and what constraints this places upon the buildings' use. Details of the methodology, findings and conclusions of the survey shall be submitted to the local planning authority within one month of the completion of the survey.

As the results of the previous survey indicated that protected species are present within the subject buildings, then details of the following shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development:-

- (a) a scheme of mitigation/compensation works, including a method statement, to minimise the adverse effects of the development on protected species. This should include details of any adaptations to the building structure and / or restrictions on the use of the first floor area;
- (b) a scheme of translocation to be submitted if necessary;
- (c) a programme of timings for the works referred to in a) above.

Mitigation/compensation works shall be carried out in accordance with the scheme and programme approved pursuant to the above.

If it is found that protected species are no longer present, details of the means of enhancing the biodiversity of the site by mitigation / compensation works to include a method statement shall be submitted to and approved in writing prior to the commencement of development.

Reason For Granting

The proposed development would not have an adverse effect on the rural character or appearance of the area, highway safety, or on the amenity of occupiers of nearby residential properties and is in accordance with the above policies in the Development Plan.

Statement

The local planning authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including

planning policies and any representations that may have been received and has granted planning permission in accordance with the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01402/LBC (APPROVED)	Stisted	Dr J Johnson	Replacement of three windows, 53 The Street.

Councillor John Clark, Chairman of Stisted Parish Council, spoke in support of this application.

The Committee approved this application, subject to the following conditions:-

Conditions

1. The works hereby permitted shall be begun on or before the expiration of three years beginning with the date of this consent.
2. The works hereby permitted shall be carried out in accordance with the approved plans listed above.
3. The windows on the first floor of the extension shall be glazed with obscure glass and shall be so maintained at all times.

Reason for Granting

The proposed development does not harm the architectural and historic value of this listed building and is in accordance with the above policies in the Development Plan.

110 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01071/OUT (APPROVED)	Witham	Churchmanor Estates PLC	Revised masterplan for a mixed use development comprising a commercial area for employment, neighbourhood centres, community facilities including food retail, non-food retail, a pub/restaurant, Class B1 office, retail warehousing, other uses within Classes A1 to A5, children's day nursery, health centre, sports facilities, residential dwellings, open space, landscaping and ancillary infrastructure at land

to the south of Hatfield Road
forming part of the Maltings
Lane development, Pondholton
Farm, Maltings Lane.

DECISION: That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the matters detailed in the Appendix to the Agenda report, the Development Manager be authorised to grant planning permission for the above development in accordance with the approved plans and the conditions and reasons set out in the report, as amended below. Alternatively, in the event that a suitable planning obligation is not agreed by 30th June 2013, the Development Manager be authorised to refuse planning permission.

The Committee approved this application, subject to the addition of the following paragraph to the Information to Applicant:-

Additional Information to Applicant

5. You are reminded in respect of Condition 1 that any application for further approval must conform to high standards in respect of design and landscaping, and must provide sufficient parking for the development.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Development Manager, Council Offices, Causeway House, Bocking End, Braintree, Essex CM7 9HB.

(Where applications are marked with an * this denotes that representations were received and considered by the Committee).

The meeting closed at 9.13pm.

W D SCATTERGOOD

(Chairman)

APPENDIX
PLANNING COMMITTEE
8th JANUARY 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 12/01498/FUL – Moat Hall Farm, Cornish Hall End Road, Stambourne
 - (i) Statement by Mr David Paterson, Church Farm Barn, Church Road, Stambourne (Supporter)
 - (ii) Statement by Mr Oscar Pickess, Moat Hall Farm, Cornish Hall End Road, Stambourne (Applicant)
2. Statement Relating to Application No. 12/01071/OUT – Pondholton Farm, Maltings Lane, Witham

Statement by Ms Lisa Skinner, Alliance Planning, 35 Old Queen Street, London (Agent)
3. Statements Relating to Application No. 12/01402/LBC – 53 The Street, Stisted
 - (i) Statement by Mrs Lesley Collins, Border Reivers, 1 Brickwall Farm, Stisted (Supporter)
 - (ii) Statement by Mrs Mary Hogarth-Jones, The Manse, 50 Church Street, Coggeshall (Supporter)
 - (iii) Statement by Dr Jenny Johnson, 53 The Street, Stisted (Applicant)