

Minutes

Planning Committee

16th August 2016



Present

Councillors	Present	Councillors	Present
R Bolton	Apologies	Lady Newton	Apologies
K Bowers	Yes	J O'Reilly-Cicconi (Vice-Chairman)	Yes
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Yes
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Yes		

54 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 16/01145/FUL - 3 The Centre, Halstead as the occupant of the shop premises was known to them as an elected Member of Braintree District Council and a fellow Member of the Planning Committee.

Councillor Mrs L Bowers-Flint declared non-pecuniary interests in the following applications for the reasons stated:-

Application No. 15/01598/FUL - Plots 1 and 2, Rectory Meadow, Rectory Road, Sible Hedingham as Councillor Don Smith, who was speaking during the meeting on behalf of Sible Hedingham Parish Council, was known to her in his capacity as Chairman of Rayne Parish Council.

Application No. 15/01599/FUL - Plots 3 and 4, Rectory Meadow, Rectory Road, Sible Hedingham as Councillor Don Smith, who was speaking during the meeting on behalf of Sible Hedingham Parish Council, was known to her in his capacity as Chairman of Rayne Parish Council.

Application No. 15/01600/FUL - Plots 5 and 6, Rectory Meadow, Rectory Road, Sible Hedingham as Councillor Don Smith, who was speaking during the meeting on behalf of Sible Hedingham Parish Council, was known to her in his capacity as Chairman of Rayne Parish Council.

Application No. 15/01601/FUL - Plot 7, Rectory Meadow, Rectory Road, Sible Hedingham as Councillor Don Smith, who was speaking during the meeting on behalf of Sible Hedingham Parish Council, was known to her in his capacity as Chairman of Rayne Parish Council.

Application No. 16/01133/FUL - 124 Swan Street, Sible Hedingham as Councillor Don Smith, who was speaking during the meeting on behalf of Sible Hedingham Parish Council, was known to her in his capacity as Chairman of Rayne Parish Council.

Application No. 16/00892/FUL - The Pigeon, Little London Hill, Finchingfield as the applicant was a client of her employer. Councillor Mrs Bowers-Flint left the meeting whilst this application was determined.

Councillor S Kirby declared a disclosable pecuniary interest in Application No. 16/01145/FUL - 3 The Centre, Halstead as he operated a business from the premises. Councillor Kirby left the meeting whilst this application was determined.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 16/00892/FUL - The Pigeon, Little London Hill, Finchingfield as the applicant was known to her. Councillor Mrs Parker declared a non-pecuniary interest also in Application No. 16/00897/FUL - land adjacent to Court House, Church Road, Twinstead as the applicant was known to her.

Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a non-pecuniary interest in Application No. 16/00897/FUL - land adjacent to Court House, Church Road, Twinstead as the applicant was known to her in his capacity as Chairman of Great Henny, Little Henny, Middleton and Twinstead Parish Council, and she had also been a customer of his business. The Chairman left the meeting whilst this application was considered and determined and in her absence the chair was taken by the Vice-Chairman.

Councillor P Schwier declared a non-pecuniary interest in Application No. 16/00897/FUL - land adjacent to Court House, Church Road, Twinstead as the applicant was known to him.

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

55 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 2nd August 2016 be approved as a correct record and signed by the Chairman.

56 **QUESTION TIME**

INFORMATION: There were two 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.

57 **PLANNING APPLICATION WITHDRAWN**

INFORMATION: The Committee was advised that the undermentioned planning application had been withdrawn by the applicants. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/00919/FUL (WITHDRAWN)	Lamarsh	Mr and Mrs O'Brien	Change of use from mixed use public house/restaurant (A4/A3) and residential dwelling (C3) to residential dwelling (C3), The Lamarsh Lion, Bures Road.

58 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 16/00892/FUL - The Pigeon, Little London Hill, Finchingfield; and 16/01145/FUL - 3 The Centre, Halstead 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 and reasons 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>
*16/00892/FUL (APPROVED)	Finchingfield	Mr and Mrs Millar	Erection of detached domestic outbuilding providing garaging, storage and workshop and construction of menage with associated landscaping works, The Pigeon, Little London Hill.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01145/FUL (APPROVED)	Halstead	Mr Marcus Morfolk	Replacement of existing rotten shop front window, 3 The Centre.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01103/OUT (APPROVED)	Hatfield Peverel	CCC Property	Demolish workshop and vehicle sales buildings, cease vehicle sales use and erection of 7 no. two storey terrace dwellings and 2 no. detached dwellings, formation of new vehicular access on The Street, layout parking spaces and form private amenity areas, Cowards Garage (Universal Garage), The Street.

The Committee approved this application, subject to the amendment of Condition No. 13 and the addition of a Condition and Information to Applicant as follows:-

Amended Condition

13. Development shall not commence until details of the location and design of the storage areas for refuse bins and separated recyclable materials and their collection points have been submitted to and agreed in writing by the Local Planning Authority. Where the refuse collection vehicle is required to pass over any internal access road that road shall be constructed to take a load of 26 tonnes. The approved refuse storage and collection facilities and the vehicle access thereto, if required, shall be provided prior to first occupation of the dwellings to which they relate and shall be permanently retained thereafter in the approved form.

Additional Condition

24. Details of a Travel Information and Marketing Scheme for Sustainable Transport shall have been submitted to and approved by the Local Planning Authority prior to the first occupation of any dwelling.

Information to Applicant

1. Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
2. Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £28 for householder applications and £97 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk.
3. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. An application for the necessary works should be made to development.management@essexhighways.org or SMO1 – Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester Business Park, Colchester, CO4 9YQ.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01598/FUL (APPROVED)	Sible Hedingham	Mr Sonny Watson-Lang	Erection of 2 no. dwellings and garages with associated ground works (Plots 1 and 2), Plots 1 and 2, Rectory Meadow, Rectory Road.

Councillor Don Smith, Chairman of Braintree Association of Local Councils, attended the meeting as the representative of Sible Hedingham Parish Council and he spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01599/FUL (APPROVED)	Sible Hedingham	Mr Robert Watson-Lang	Erection of 2 no. dwellings and garages with associated

ground works (Plots 3 and 4),
Plots 3 and 4, Rectory
Meadow, Rectory Road.

Councillor Don Smith, Chairman of Braintree Association of Local Councils, attended the meeting as the representative of Sible Hedingham Parish Council and he spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01133/FUL (APPROVED)	Sible Hedingham	DSG Developments	Refurbishment of Sydney Villa and demolition of conservatory and outbuilding, erection of 1 no. detached dwelling and 2 no. attached dwellings with associated gardens, garaging and parking and improved access, 124 Swan Street.

The Committee approved this application, subject to the addition of three Conditions as follows:-

Additional Conditions

14. No unbound materials shall be used in the surface treatment of the vehicular access within 6m of the highway boundary.
15. Each car parking space as shown on drawing no. 138-14-20A shall be to dimensions of 2.9m x 5.5m.
16. Prior to first occupation of the development hereby permitted, the vehicular access shall be altered as shown on drawing no. 138-14-20A, constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the carriageway shall be 5m and it shall be maintained at that width for 6m into the site and provided with an appropriate dropped kerb vehicular crossing of the footway.

Councillor Don Smith, Chairman of Braintree Association of Local Councils, attended the meeting as the representative of Sible Hedingham Parish Council and he spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/00897/FUL (APPROVED)	Twinstead	Mr and Mrs D Holland	Erection of three bedroom detached dwelling and detached double garage, land

The Chairman left the meeting whilst this application was considered and determined and in her absence the chair was taken by the Vice-Chairman.

59 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01600/FUL (APPROVED)	Sible Hedingham	Mr James Lang	Erection of 2 no. dwellings and garages with associated ground works (Plots 5 and 6), Plots 5 and 6, Rectory Meadow, Rectory Road.

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 payment of a financial contribution towards the provision of off-site public open space, 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 within three calendar months of the date of the Planning Committee's decision, the Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the addition of an Information to Applicant as follows:-

Information to Applicant

1. Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
2. Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £28 for householder applications and £97 for all other

types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk.

3. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. An application for the necessary works should be made to development.management@essexhighways.org or SMO1 - Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester Business Park, Colchester, CO4 9YQ.
4. You are advised that windows should be detailed so that trickle vents are inconspicuous. Bricks should resemble a traditional soft red Essex brick. A variety of materials should be used to avoid uniformity.
5. You are advised that the granting of planning permission does not absolve you from complying with the relevant law regarding protected species, including obtaining and complying with the terms and conditions of any licences required by Part IV B of the Circular 06/2005 (Biodiversity and Geological Conservation - Statutory Obligations).

Councillor Don Smith, Chairman of Braintree Association of Local Councils, attended the meeting as the representative of Sible Hedingham Parish Council and he spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01601/FUL (APPROVED)	Sible Hedingham	Miss Sandra Watson	Erection of 1 no. five bedroom detached dwelling with garage/carport with associated ground works (Plot 7), Plot 7, Rectory Meadow, Rectory Road.

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 payment of a financial contribution towards the provision of off-site public open space, 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 within three calendar months of the date of the Planning Committee's decision, the Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the addition of an Information to Applicant as follows:-

Information to Applicant

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Councillor Don Smith, Chairman of Braintree Association of Local Councils, attended the meeting as the representative of Sible Hedingham Parish Council and he spoke against this application.

60 **PLANNING AND ENFORCEMENT APPEAL DECISIONS – JULY 2016**

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during July 2016. The report included a summary of each case and a précis of the decision.

DECISION: That the report be noted.

Next Meeting

The Chairman announced that the next meeting of the Planning Committee scheduled for 30th August 2016 had been cancelled.

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 8.37pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

16TH AUGUST 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Application No. 15/01598/FUL- Plots 1 and 2 Rectory Meadow, Rectory Road, Sible Hedingham and Application No. 15/01599/FUL- Plots 3 and 4 Rectory Meadow, Rectory Road, Sible Hedingham

Statement by Mr David Wallace, Smart Planning, Old School House, Rettendon Turnpike, Battlesbridge, Essex, SS11 7QL (Agent for third party objector)

- 2 Statement Relating to Application No. 16/01133/FUL - 124 Swan Street, Sible Hedingham

Statement by Mr Edward Gittins, Edward Gittins & Associates, Unit 5, Patches Yard, Cavendish Lane, Glemsford, Sudbury, Suffolk, CO10 7PZ (Agent)