

Minutes

Planning Committee

26th April 2011



Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Mrs J M Money	Yes
J C Collar	Yes	Lady Newton	Yes
Mrs E Edey	Yes	J O'Reilly-Cicconi	Yes
Ms L B Flint	Yes	Mrs W D Scattergood (Chairman)	Yes
T J W Foster	Yes	Mrs L Shepherd	Yes
Mrs B A Gage	Yes	Mrs G A Spray	Yes
Mrs M E Galione	Yes		

133 DECLARATIONS OF INTEREST

The following interests were declared:

All Councillors declared a personal interest in Application No. 10/01693/FUL – Fairy Farm, Toppesfield Road, Wethersfield as the applicant was a serving District Councillor who was known to them.

Councillor J C Collar declared a personal interest in Application No. 11/00347/FUL – Place House, Dunmow Road, Great Bardfield as he had viewed the application site from an objector's garden.

Councillor Ms L B Flint declared a personal and prejudicial interest in Application No. 11/00347/FUL – Place House, Dunmow Road, Great Bardfield as the applicant was a client of her employer. Councillor Ms Flint left the meeting whilst the application was discussed and determined.

Councillor D Mann declared a personal and prejudicial interest in Application No. 11/00347/FUL – Place House, Dunmow Road, Great Bardfield as he had served on the Board of Greenfields Community Housing when the applicant had been the Chairman of that Board. Councillor Mann left the meeting whilst the application was discussed and determined.

Councillor Mrs J M Money declared a personal interest in Application No. 11/00324/FUL – land rear of 2 to 8 Guithavon Valley, Witham as she was a Member of Witham Town Council's Planning Committee.

Councillor Lady Newton declared a personal interest in Application No. 11/00347/FUL – Place House, Dunmow Road, Great Bardfield as the applicant was known to her.

Councillor Mrs W D Scattergood declared a personal interest in Application No. 11/00284/FUL – Henny House, Fenn Farm Road, Great Henny as her husband was a Member of Great Henny, Little Henny, Middleton and Twinstead Parish Council which had objected to the application; and Application No. 10/01364/OUT - Former Goods Yard, Bures Road, White Colne as an adviser who had assisted White Colne Parish Council with the application was known to her.

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.

134 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 12th April 2011 be approved as a correct record and signed by the Chairman.

135 QUESTION TIME

INFORMATION: There were nine statements made, a summary of which is contained in the Appendix to these Minutes.

Any amendments to the Officers' recommendations having taken into account the issues raised by members of the public would be dealt with by conditions, a summary of which is contained within the appropriate minute. Full details of the Decision Notices are contained in the Register of Planning Applications.

136 PLANNING APPLICATION WITHDRAWN

INFORMATION: The Chairman reported that the undermentioned planning application had been withdrawn from the Agenda. The application would be considered at a future date.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00318/FUL (WITHDRAWN)	Helions Bumpstead	Mr M Haylock	Erection of replacement dwelling and detached single garage, 2 Horsham Hall Cottages, Haverhill Road.

137 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 11/00284/FUL – Henny House, Fenn Farm Road, Great Henny, 11/00273/FUL – 12 Churchill Avenue, Halstead and 11/0223/FUL – 77 Chelmer Road, Witham 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 which are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00211/FUL (APPROVED)	Feering	Mrs Tina Hamilton	Erection of first floor side extension, 2 Sherwood Way.

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

Additional Condition

3. The first floor ensuite window on the North-East facing elevation shall be glazed with obscure glass and shall be so maintained at all times.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00284/FUL (APPROVED)	Great Henny	Mr Rumsey	Erection of garage, Henny House, Fenn Farm Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00108/FUL (APPROVED)	Halstead	Mr R Thomas	46 no. car parking spaces to the rear and side of premises and associated access road, Wade International Ltd, Third Avenue, Bluebridge Industrial Estate.

This application was dealt with as a Part A application.

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

Additional Condition

7. Prior to the commencement of the development, details of the proposed soil mound at the rear of the site shall have been submitted to and approved by the Local Planning Authority and thereafter implemented only in accordance with the approved details.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00273/FUL (APPROVED)	Halstead	Mrs P Patteson	Erection of lean to roof to replace kitchen flat roof, canopy roof and alteration works, 12 Churchill Avenue.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00336/FUL (APPROVED)	Hatfield Peverel	Hatfield Peverel Parish Council	Removal of condition 3 of approval 09/00782/FUL relating to securing of gates to the multi-use games area outside the hours of 0800 to dusk, Strutt Memorial Ground, Maldon Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01693/FUL (APPROVED)	Wethersfield	Mr John Finbow	Proposed replacement dwelling and new attached annexe, Fairy Farm, Toppesfield Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00127/ADV (APPROVED)	Witham	Lota Training	3 Flag adverts for training courses, Unit 3, Cullen Mill, 49 Braintree Road.

Councillor M C M Lager, District Council Ward Member and Councillor for Witham Town Council, joined the table and spoke on this application. Councillor Lager referred to the design of the flags and he considered that they represented further encroachment into the centre of Witham in an area which had mixed residential and commercial uses. Councillor Lager considered that the flags would cause damage to the amenity of residents and to the Chipping Hill Conservation Area.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00223/FUL (APPROVED)	Witham	Mrs Banks	Erection of second storey rear extension and internal alterations and part ground floor rear extension and new detached single garage, 77 Chelmer Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00330/FUL (APPROVED)	Witham	Miss Charlotte Langley	Continued use of land for sale of cars, J B Smythe Monumental Mason, Easton Road.

Councillor M C M Lager, District Council Ward Member and Councillor for Witham Town Council, joined the table and spoke on this application. Councillor Lager stated that the site, which was close to the railway line and at a very busy road junction, had previously been used for a Stonemason's business. This use had been a low key operation with few goods vehicle movements and limited impact on local residents. Councillor Lager considered that change of use of the land to the sale of cars had altered the character of the site and that it would be difficult to prevent further erosion of the area.

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

Additional Condition

6. The development hereby approved shall ensure that car parking facilities are available within the site for clients visiting the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be made available within two months of this decision and shall be retained as such thereafter.

138 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00347/FUL (APPROVED)	Great Bardfield	Mr J C Flack & Ms C S Forder	Erection of two bedroom cottage including landscaping works, land adjoining Place House, Dunmow 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 a financial contribution of £1112.55 towards the provision of open space and sport and recreation facilities in the local area, 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 the target date for determining the application, the Development Manager be authorised to refuse the grant of planning permission.

Councillor Mrs Janet Dyson, Chairman of Great Bardfield Parish Council, joined the table and spoke on this application. Councillor Mrs Dyson stated that the Parish Council considered the development of a dwelling within the curtilage of Place House, a Grade II* Listed Building, to be unacceptable. Councillor Mrs Dyson referred to Government advice about the importance of historic buildings and to a previous application for the site which had been dismissed on appeal.

The Committee approved this application, subject to the amendment of Condition No. 13 as follows:-

Amended Condition

13. Two parking spaces for the occupants of Place House and two parking spaces for the occupants of the new dwelling shall have been provided prior to the first occupation of the new dwelling and thereafter retained at all times

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01364/OUT (APPROVED)	White Colne	Essex County Council	Outline planning permission for residential development (up to 5 dwellings) and creation of new access/highway alterations, Former Goods Yard, Bures 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 a financial contribution towards the provision and/or enhancement of 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, the Development Manager be authorised to refuse the grant of planning permission.

The Committee approved this application, subject to the amendment of Condition No. 21 and to an additional condition as follows:-

Amended Condition

21. Delete the words '(or beneficial occupation of the office building hereby permitted)' from the penultimate sentence of the final paragraph.

Additional Condition

27. (TREE58) Development shall not be commenced until details of the means of protecting all of the existing trees, shrubs and hedges on the site from damage during the carrying out of the development have been submitted to the local planning authority for approval. The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the local planning authority.

No materials, goods or articles of any description shall be stacked, stored or placed at any time within the limits of the spread of any of the existing trees, shrubs or hedges.

No works involving alterations in ground levels, or the digging of trenches, or excavations of any kind, (including the laying or installation of drains, pipes, cables or other services) shall be carried out within the extent of the spread of any existing trees, shrubs and hedges unless the express consent in writing of the local planning authority has previously been obtained. No machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, hedges.

The Local Planning Authority shall be notified in writing at least 5 working days prior to the commencement of development on site.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00324/FUL (APPROVED)	Witham	Mr R J Hossack	Application for a new planning permission to replace an extant planning permission (08/00428/FUL) in order to extend the time limit for implementation - Erection of new 2 bedroom dwelling, land rear of 2 to 8, Guithavon Valley.

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 cover the required contribution towards the provision and/or enhancement of open space within the vicinity of the site, 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. Alternatively, in the event that a suitable planning obligation is not agreed by the target date for determining the application, the Development Manager be authorised to refuse the grant of planning permission.

139 PLANNING APPLICATIONS DEFERRED

DECISION: That the undermentioned planning applications be deferred for the reason stated below.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01710/OUT (DEFERRED)	Kelvedon	Scope	Demolition of The Grangewood Centre and provide and develop 3 no. 4 bed and 1 no. 3 bed semi independent care homes together with proposed management and orangery buildings with 18 no. staff and visitor parking spaces. Existing land to the north east of the site to be redeveloped

into 3 no. 2 storey houses with parking court and 5 no. 2 storey 4 bed houses with attached double garages, Grangewood Centre, 10 - 12 High Street.

Councillor Terry Dixon, representing Kelvedon Parish Council, joined the table and spoke on this application. Councillor Dixon referred to revised drawings which had been submitted following the close of the consultation period which had not been received by the Parish Council in time to comment. Councillor Dixon expressed concern that local residents had not been kept informed about the changes. Councillor Dixon considered that as the proposal had changed significantly, the application should be deferred to allow more time for representations to be submitted.

The Committee deferred this application in order to provide statutory consultees with sufficient time to consider the details of revised proposals submitted by the applicant.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01711/CON (DEFERRED)	Kelvedon	Scope	Demolition of The Grangewood Centre and provide and develop 3 no. 4 bed and 1 no. 3 bed semi independent care homes together with proposed management and orangery buildings with 18 no. staff and visitor parking spaces. Existing land to the north east of the site to be redeveloped into 3 no. 2 storey houses with parking court and 5 no. 2 storey 4 bed houses with attached double garages, Grangewood Centre, 10 - 12 High Street.

Councillor Terry Dixon, representing Kelvedon Parish Council, joined the table and spoke on this application and application no. 10/01710/OUT (as outlined above).

The Committee deferred this application in order to provide statutory consultees with sufficient time to consider the details of revised proposals submitted by the applicant.

140 **PLANNING APPEAL DECISIONS – MARCH 2011**

INFORMATION: Consideration was given to a report, for information, on planning appeal decisions received during March 2011. The report included a summary of each case and a précis of the decision.

DECISION: That the report be noted.

At the close of the meeting, the Chairman stated that this was the last meeting of the Committee in the current Civic Year and Council Administration. The Chairman wished to record her thanks to Members of the Committee for their attendance and input and she wished those not returning after the forthcoming Election well. The Chairman wished to thank Officers also for their excellent reports and advice.

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 10.00pm.

MRS W D SCATTERGOOD

(Chairman)

APPENDIX
PLANNING COMMITTEE
26TH APRIL 2011
PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 11/00347/FUL – Land adjoining Place House, Dunmow Road, Great Bardfield

(i) Statement by Mr A Antcliff, South Lodge, Great Bardfield, CM7 4SD

Mr Antcliff considered that the proposed dwelling would not be subordinate and that its dormer window would overlook and affect the amenity of South Lodge. Mr Antcliff stated that the proposal was contrary to Local Plan Review policies RLP 3, 10 and 90.

(ii) Statement by Mrs Joyce Antcliff, South Lodge, Great Bardfield, CM7 4SD

Mrs Antcliff questioned how the proposed dwelling could be considered as subordinate to the coach house building attached to her property.

(iii) Statement by Mrs Jenny Rooney, The Gables, Vine Street, Great Bardfield

Mrs Rooney stated that Great Bardfield Historical Society had not been consulted, but objected to the proposal. Mrs Rooney indicated that Place House was the only Grade II* Listed Building in the village and that it had historical significance to both Great Bardfield and Essex. Mrs Rooney considered that the proposed development would adversely affect the setting of the adjacent buildings to the detriment of the enjoyment of future generations.

(iv) Statement by Mr John Osborn, Chapel Cottage, Dunmow Road, Great Bardfield

Mr Osborn considered that the proposed dwelling was inappropriate and that it would have an adverse impact on the area and adjacent buildings including Chapel Cottage and the Listed Building Place House.

(v) Statement by Ms Caroline Forder, Place House, Dunmow Road, Great Bardfield (Applicant)

Ms Forder stated that Place House had been a family home for centuries and that it had evolved and had been modernised over time to provide its current features. Ms Forder stated that the proposed building was a modest cottage

which would not cause harm to Place House and this had been confirmed by the Historic Buildings Adviser. Ms Forder stated that Place House and its grounds had been in a poor state when purchased two years ago and that subsequently she had sought to improve them without causing any harm.

(vi) Statement by Mr John Flack, Place House, Dunmow Road, Great Bardfield (Applicant)

Mr Flack stated that the application should be determined on facts, policy, precedent and the advice of the Council's advisers and officers. Mr Flack stated that the proposal was for a small two bedroom cottage to be located on a two acre site. Mr Flack stated that the proposal met Government guidance set out in Planning Policy Statement 5, all relevant legislation and the Council's Local Plan and that the Historic Buildings Adviser did not consider that it would cause harm to the adjacent Listed Building or the Conservation Area.

2. Statement by Mr Kevin Cooke, Treasurer - Kelvedon and Feering Heritage Society, Old Timbers, Church Street, Kelvedon
Application Nos. 10/01710/OUT and 10/01711/ CON – Grangewood Centre, 10-12 High Street, Kelvedon

Mr Cooke read from a prepared statement. Mr Cooke stated that Kelvedon and Feering Heritage Society did not object to residential development on the site in principle, but was concerned about the proposed density of development, the detrimental effect this would have on traffic movements and the lack of amenity space which would be available following the implementation of parking requirements.

The Society considered that an outline planning application was inappropriate for a site within a Conservation Area and that the indicative layout showed a very cramped and substandard arrangement of houses too close to the boundary wall and which would be swamped by parked cars.

The Society was concerned about the amount of traffic that would access a very busy stretch of the High Street. In addition, the Society considered that the proposed bell-mouth junction would be an unsightly intrusion in the Conservation Area and a traffic hazard very close to the existing junction at St Marys Square and several bus stops where pedestrians crossed the road. The Society felt that a mews entry via a pavement crossover would be more appropriate.

The Society requested the submission of a detailed planning application and plans detailing the layout, style and design of the proposed properties.

3. Statement by Ms Toni Hylton, Atkins, 5 Wellbrook Court, Girton Road, Cambridge (Agent)
Application No. 10/01364/OUT – Former Goods Yard, Bures Road, White Colne

Ms Hylton read from a prepared statement. Ms Hylton considered that the site was suitable for residential development, subject to a high standard of layout, design and adequate access arrangements. Ms Hylton stated that the buildings had been sited

in order to minimise overlooking to properties in Colchester Road and by making use of existing trees which would be retained. The dwellings would be one and a half storeys high, or cottage style and they would be set further back within the site. The proposed visibility splays would meet requirements and parking could be provided on site without the need for additional parking on Bures Road.

4. Statement by Mr Tony French, Ramley, The Spinney, Hatfield Peverel
Application No. 11/00336/FUL – Strutt Memorial Ground, Maldon Road, Hatfield
Peverel

Mr French spoke in support of the application. Mr French stated that his property was one of the nearest to the Recreation Ground which was used by various people. Mr French indicated that people were unlikely to use the multi-use games area at night as they would not be able to see and that anti-social activities could still occur whether the area was kept open, or not. Mr French stated that the multi-use games area was a much needed facility.