

Minutes

Planning Committee

1st March 2011



Present

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

110 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Ms L B Flint declared a personal interest in Application No. 10/01701/REM – P G Bones, Station Approach, Braintree as she employed P G Bones to service the boiler at her home, although she did not know any employee personally.

Councillor D Mann declared a personal interest in Application No. 10/01737/FUL – 286 Broad Road, Braintree as the owner of the site and several of the objectors were known to him.

Councillor Mrs J M Money declared a personal interest in Application No. 11/00050/FUL – 55 Longfield, Witham as she was a Member of Witham Town Council.

Councillor Lady Newton declared a personal interest in Application No. 10/01646/FUL – Broadfields Villa, Dunmow Road, Rayne as the owner of King and Co, The Tree Nursery Limited, who had objected to 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 items were considered.

111 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 15th February 2011 be approved as a correct record and signed by the Chairman.

112 QUESTION TIME

INFORMATION: There were five 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.

113 PLANNING APPLICATIONS APPROVED

Planning Application No. 11/00050/FUL – 55 Longfield, Witham was 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>
*10/01701/REM (APPROVED)	Braintree	Persimmon Homes	Erection of 64 no. one, two, three and four bedroom houses and flats, plus an estate road, car parking, cycle/bin stores and landscaping, P G Bones, Station Approach.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01737/FUL (APPROVED)	Braintree	Mr N Sproule	Change of use from A1/B8 to A1/D1, change of opening hours and internal refurbishment to provide veterinary surgery services with ancillary retail use, 286 Broad Road.

The Committee approved this application, subject to the amendment of Condition No. 5 and to the addition of two conditions and two paragraphs to the Information to Applicant as follows:-

Amended Condition

5. The hardstanding at the front of the site shall be kept clear at all times for the turning of vehicles and use by delivery vehicles.

Additional Conditions

8. Prior to the use hereby permitted commencing, the existing concrete driveway serving the car parking area, extending from the front elevation of the building to the rear elevation of the building, shall be replaced with tarmac and maintained as such thereafter.
9. No goods vehicle collecting from, delivering to, or operating from the site in connection with the use hereby permitted shall exceed 3.5 tonnes (maximum laden weight).

Additional Information to Applicant

2. The hardstanding referred to in the above condition should not be used for the parking of vehicles other than delivery vehicles.
3. The applicant is advised to keep a record of delivery and collection vehicles to the site for inspection by Council Officers for monitoring purposes.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01646/FUL (APPROVED)	Rayne	Mrs C Murton	Retention of vehicular access to serve Broadfields Bungalow, Broadfields Villa, Dunmow Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00050/FUL (APPROVED)	Witham	Mr & Mrs M J Sherwood	Erection of single storey side and rear extension, 55 Longfield.

114 SECTION 106 AGREEMENT

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00065/FUL (APPROVED)	Braintree	NO3 Ltd	Change of use from office to residential to include minor changes in fenestration to form 4 flats, 5 New Street.

DECISION: That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £4,450.20 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 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.

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

Information to Applicant

The applicant is advised that Listed Building Consent will be required if a gate is installed and attached to the Listed Building.

115 SIBLE HEDINGHAM CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

INFORMATION: Consideration was given to a report on the Sible Hedingham Conservation Area and the Appraisal and Management Plan which had been prepared.

The Committee was advised that under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council had a duty to review its Conservation Areas and to formulate and publish proposals for their preservation and enhancement. The Appraisal had identified several changes to the Conservation Area which would better reflect its architectural and historic interest, and the Management Plan proposed a number of actions and enhancements which would be beneficial to the character and appearance of the area. The review had been subject to public consultation between 18th November 2010 and 7th January 2011.

The Chairman, on behalf of the Committee, wished to thank the District Council's Officers, Sible Hedingham Parish Council and the Clerk to Sible Hedingham Parish Council for their work on this matter.

DECISION:

- (1) That the proposed changes to the Sible Hedingham Conservation Area be approved.
- (2) That the Sible Hedingham Conservation Area Appraisal and Management Plan be approved as a material planning consideration.

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 8.33pm.

MRS W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

1ST MARCH 2011

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mr Michael Smith, JCN Associates Ltd, 2 Exchange Court, London Road, Feering CO5 9FB (Agent)
Application No. 10/01701/REM - P G Bones, Station Approach, Braintree

Mr Smith stated that this application related to reserved matters following the grant of outline planning permission in 2009. Mr Smith stated that it was proposed to erect blocks of flats in the south western, south eastern and north eastern corners of the site, with a U-shaped terrace of houses running through the centre of the site and a smaller terrace against the eastern boundary. Mr Smith indicated that the site was next to the railway station and a short walk from the town centre which meant that it was an ideal location for a high density scheme.

Mr Smith stated that the design of the buildings would be of a Victorian character as opposed to the contemporary scheme with flat roofs which had been proposed at the outline stage. The buildings would follow the slope of the site and the design would be in keeping with the form of development in the surrounding area, providing an appropriate relationship with adjoining properties. Mr Smith explained that car parking would be provided at a rate of one parking space per one and two bedroom dwelling, with two spaces being provided for the three and four bedroom houses. A further ten spaces would be available for use by visitors. In accordance with the terms of a Section 106 Agreement, 30% of the dwellings would be made available for affordable housing and financial contributions would be made towards primary and secondary education; off-site public open space; highway improvements at the junction of Rose Hill and Station Approach; and improvements to cycleways at John Ray Park. Mr Smith stated that the scheme would make good use of an area of previously developed land.

2. Statements Relating to Application No. 10/01737/FUL – 286 Broad Road, Braintree

- (i) Statement by Mr John Foggo, 288 Broad Road, Braintree

Mr Foggo queried the need for a veterinary surgery in the area. Mr Foggo stated that he had been advised by the applicant that the proposed opening hours would be 9.00am to 12 noon and 2.00pm to 4.00pm five days per week and Saturday mornings, to which he had no objection. However, the application sought longer hours over seven days. Mr Foggo indicated that he had experienced problems with deliveries being made to the site and that this, together with activities taking place at the site after business closing times, had disrupted the enjoyment of his property by himself and his family.

(ii) Statement by Mrs Alison Hurrell, 284 Broad Road, Braintree

Mrs Hurrell stated that Broad Road was an extremely dangerous stretch of road. Mrs Hurrell indicated that she had previously operated a business from her property, but due to concerns about the safety of customers accessing the site, she had relocated to an alternative site. Furthermore, her neighbour at Broadfield Nursery had also taken steps to widen his driveway so that vehicles could be driven in and out safely.

Mrs Hurrell stated that there was often mayor traffic congestion along this stretch of road at any time of the day. Mrs Hurrell considered that the provision of a Veterinary Practice at 286 Broad Road would add to this congestion, particularly as appointments would be at ten minute intervals and could generate at least six vehicle movements per hour; customers would be dropping-off and collecting day patients; customers would be collecting repeat prescriptions, or purchasing medical supplies; and there would also be deliveries to the premises. Mrs Hurrell stated that there was insufficient space at the rear of the property for the parking of vehicles and she stated also that problems had been experienced with delivery vehicles parking on the highway and on her property blocking her access. Mrs Hurrell expressed concern that the hours/days of business use being applied for were longer than those originally indicated by the applicant.

Mrs Hurrell stated that she did not want her family to hear distressed, or noisy animals yelping, crying, or barking, or car doors banging. Mrs Hurrell indicated that the driveway leading from the highway to the rear of the premises was sub-standard and although a condition had been attached to a previous planning approval that this should be resurfaced, this had not been done. Mrs Hurrell expressed concern that drugs would be stored on site and, as the building was mainly of timber construction, she queried whether this would provide adequate security. Mrs Hurrell considered that more suitable premises for this use were available elsewhere.

(iii) Statement by Mr Nigel Sproule, Forge Veterinary Centre, 93B Head Street, Halstead CO9 2AZ (Applicant)

Mr Sproule stated that there had been a business use at this property for over 50 years. Mr Sproule considered that the amount of traffic generated by the Veterinary Surgery would be less than the existing retail use of the premises. Mr Sproule indicated that an appointments based system would be introduced probably at ten minute intervals. Mr Sproule stated that not all clients would have large cars and that daily deliveries would be made using small vans, not large lorries. Mr Sproule stated that he did not expect noise levels to increase and that 50% of the animals treated would be cats and 40% dogs. Mr Sproule anticipated that the only noise that might be heard would be from dogs being transferred between cars and the Surgery.

3. Statement by Mrs Celia Murton, Broadfields Villa, Dunmow Road, Rayne CM77 6SA (Applicant)
Application No. 10/01646/FUL - Broadfields Villa, Dunmow Road, Rayne

Mrs Murton stated that no hedgerow had been removed, only brambles, in order to

redefine the bank and to improve visibility towards Dunmow Road. Mrs Murton stated that she wished to close the current access and to move it from its location in the South East corner of the parcel of land to the North East corner. The access would be used solely by the occupiers of Broadfields Bungalow.