

# Minutes

## Planning Committee

22nd July 2008



### Present

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
J E Abbott	Yes	Mrs M E Galione	Yes
J Baugh	Yes	D Mann	Apologies
E Bishop	Yes	Mrs J M Money	Yes
R J Bolton	Apologies	Lady Newton	Yes
J C Collar	Yes	J O'Reilly-Cicconi	Yes
Mrs E Edey	Yes	Mrs J A Pell	Yes
A V E Everard	Yes	Mrs W D Scattergood (Chairman)	Yes
J H G Finbow	Yes	Mrs L Shepherd	Yes
Ms L B Flint	Apologies	Mrs G A Spray	Yes
T J W Foster	Yes	R N Wilkins	Yes
Mrs B A Gage	Yes		

### 43 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor J E Abbott declared a personal interest in Application No. 08/00592/ADV – South Side BP Filling Station, London Road, Rivenhall End as he was a Member of Rivenhall Parish Council which had submitted representations on the application.

Councillor J Baugh declared a personal and prejudicial interest in Application No. 08/01101/FUL – 102 Kynaston Road, Panfield as he was the agent for the application. Councillor Baugh left the meeting whilst the application was discussed and determined by the Committee.

Councillor Mrs B A Gage declared a personal interest in Application No. 08/01071/FUL – Land adjacent to 1 Cross End, Pebmarsh as a neighbour was known to her.

Councillor Mrs M E Galione declared a personal interest in Application No. 08/00932/FUL – land adjacent to 20 Vicarage Avenue, White Notley as she was a Member of White Notley Parish Council.

Councillor Mrs J M Money declared a personal interest in Application No. 08/00398/FUL – Woodend Farm, Hatfield Road, Witham and Application No. 08/01058/FUL – 88 Church Street, Witham as she was a Member of Witham Town Council's Planning Sub-Committee.

Councillor Mrs J A Pell declared a personal interest in Application No. 08/01071/FUL – Land adjacent to 1 Cross End, Pebmarsh as the applicant and some of the objectors were 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.

44 MINUTES

**DECISION:** That the Minutes of the meetings of the Planning Committee held on 10<sup>th</sup> and 24<sup>th</sup> June 2008 be approved as a correct record and signed by the Chairman.

45 QUESTION TIME

**INFORMATION:** There were ten 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.

46 PLANNING APPLICATIONS APPROVED

**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 Director'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>
*08/00974/FUL (APPROVED)	Braintree	Mr David Nightingale	Demolition of existing garage and erection of a two-bedroom bungalow, land rear of 29 George Road.
<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01052/FUL (APPROVED)	Coggeshall	Wickford Development Co Ltd	Erection of vineyard wine centre, external store, dwelling and garage for wine centre manager, car parking and alterations to existing access to West Street, The Vineyard, West Street.

The Committee approved this application, subject to the following additional Information to Applicant.

Additional Information to Applicant

5. In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution and maximise energy efficiency. Light units should be flat to ground and appropriate timer/sensor controls should also be included as appropriate. The applicant is invited to consult with the local planning authority prior to the formal submission of details.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
08/01101/FUL (APPROVED)	Panfield	Mr D Eves	Erection of front and rear extensions with new chimney, 102 Kynaston Road.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01071/FUL (APPROVED)	Pebmarsh	Mr M Norfolk	Erection of one no. three bedroom two storey house, land adjacent to 1 Cross End.

The Committee approved this application, subject to the amendment of Condition 5 and the addition of the following conditions and Information to Applicant.

Amended Condition

5. Prior to the commencement of the development a parallel visibility splay of 2.4 metres across the site frontage as measured from the carriageway edge back into the site shall be provided. The area shall be kept clear of any obstruction exceeding 600mm in height at all times.

Additional Conditions

8. (SUS44) The development shall not be occupied until the area for bin storage indicated on the approved plans is provided. The area shall be retained in the approved form at all times.
9. (SUS46) Development shall not be commenced until details of external lighting to the site have been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development external lighting shall be installed in accordance with details, which shall have been submitted to and approved in writing by the local planning authority.

10. (SUS47) Development shall not be commenced until a scheme for the provision and implementation of water efficiency, resource efficiency, energy efficiency and recycling measures during the construction of the development has been submitted to and approved in writing with the local planning authority. The scheme shall include a clear timetable for the implementation of the measures and the construction shall be carried out in accordance with the agreed details.
11. (TREE33) Development shall not be commenced until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. Such scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise previously agreed in writing by the local planning authority.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings, or upon the completion of the development whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.

#### Additional Information to Applicant

3. (ISGN34) In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution, cause no unacceptable harm to natural ecosystems, maximise energy efficiency and cause no significant loss of privacy or amenity to nearby residential properties and no danger to pedestrians or road users. Light units should be flat to ground and timer / sensor controls should also be included as appropriate. The applicant is invited to consult with the local planning authority prior to the formal submission of details.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00592/ADV (APPROVED)	Rivenhall End	BP Oil UK Ltd	Signage in association with proposed improvements to existing service station, South Side BP Filling Station, London Road.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*08/00985/FUL (APPROVED)	Rayne	Mr N Davis	Erection of one and a half storey side extension, Lynray, Gore Lane.

The Committee approved this application, subject to the amendment of condition 3.

#### **Amended Condition**

3. The existing mature hedgerow on the east, north and west site boundaries shall be retained at a height of no less than 3m and no greater than 4m. Any part of this hedge which dies within a period of 5 years from the completion of this development shall be replaced in the next planting season with another of a similar size and species and maintained as such.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*08/01032/FUL (APPROVED)	Terling	T P Meredith Building Company	Proposed new dwelling and detached garage, Nutshell, Fairstead Road.

The Committee approved this application, subject to the replacement of condition 2 (standard condition SUS40 replaced by standard condition TREE33) and the following additional conditions and Information to Applicant.

#### **Replacement Condition**

2. (TREE33) Development shall not be commenced until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. Such scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise previously agreed in writing by the local planning authority.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings, or upon the completion of the development whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.

### Additional Conditions

9. (TREE36) The particulars to be submitted as part of the scheme of landscaping shall include a detailed survey plan drawn to an adequate scale indicating the height, girth, spread, species and exact location of all existing trees, shrubs and hedges on the site in accordance with BS5837:2005.
10. (TREE37) 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 and hedges.

11. (ENC31) Development shall not be commenced until details of all gates / fences / walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include position, design, height and materials of the screen walls/fences. The gates / fences / walls as approved shall be provided prior to the occupation of the building(s) hereby approved and shall be permanently maintained as such.
12. (WIN31) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order) no additional windows, doors, rooflights, voids or openings, as permitted by Classes A, B and C of Part 1 of Schedule 2, other than those indicated on the approved plans shall be placed or formed in the walls or roof of the extension hereby permitted without first obtaining planning permission from the local planning authority.
13. (PDEV31) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / provision of any building within the curtilage of the dwelling-house, as permitted by Classes A, B, C and E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.

### Information to Applicant

In respect of the matters of hard landscaping required under the landscaping condition above, you are advised that permeable surfaces should be used in order to reduce the risk of surface water runoff.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*08/00932/FUL (APPROVED)	White Notley	Mr and Mrs Mawson	Erection of a new three bedroom dwelling, land adjacent to 20 Vicarage Avenue.

The Committee approved this application, subject to the following additional conditions and Information to Applicant.

### Additional Conditions

8. (SUS43) Development shall not be commenced until details of the location and design of refuse bin and recycling materials storage areas (for internal and external separation) and collection points have been submitted to and approved by the local planning authority. Development shall not be occupied prior to the provision of refuse storage and collection facilities and vehicular access where required and refuse storage and collection facilities and vehicular access thereto shall be retained in the approved form thereafter.
9. (SUS46) Development shall not be commenced until details of external lighting to the site have been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development external lighting shall be installed in accordance with details, which shall have been submitted to and approved in writing by the local planning authority.
10. (SUS47) Development shall not be commenced until a scheme for the provision and implementation of water efficiency, resource efficiency, energy efficiency and recycling measures during the construction of the development has been submitted to and approved in writing with the local planning authority. The scheme shall include a clear timetable for the implementation of the measures and the construction shall be carried out in accordance with the agreed details.
11. (SUS48) Development shall not be commenced until a scheme of measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development has been submitted to an approved in writing by the local planning authority. Development shall be implemented in accordance with the approved details prior to the first occupation of the development and thereafter so maintained.

12. (SUS49) Development shall not be commenced until details of energy-efficient construction materials and processes, including measures for the long term energy efficiency of the building(s), and renewable energy resources have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed details, and shall thereafter be maintained in the approved form.
13. Development shall not be commenced until the two additional car parking spaces for 20 Vicarage Avenue have been provided and made available for the use of the occupants of number 20 Vicarage Avenue. The parking area shall not be used for any purpose other than the parking of vehicles thereafter.

#### Additional Information to Applicant

3. (ISGN34) In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution, cause no unacceptable harm to natural ecosystems, maximise energy efficiency and cause no significant loss of privacy or amenity to nearby residential properties and no danger to pedestrians or road users. Light units should be flat to ground and timer / sensor controls should also be included as appropriate. The applicant is invited to consult with the local planning authority prior to the formal submission of details.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00398/FUL (APPROVED)	Witham	Andrew Wood	Change of use and conversion of existing barn and rebuilding of attached garage to form Class B1 offices, farm office and temporary overnight accommodation for youth and charity workers (revised application), Woodend Farm, Hatfield Road.

Councillor Ian Goldsmith, Chairman of Hatfield Peverel Parish Council, joined the table for the consideration of this application.

Councillor Goldsmith stated that although the proposed development was modest, the Parish Council had noted that the site was outside the village envelope and it was considered that approval of the application would set a precedent. Councillor Goldsmith stated that the land between Witham and Hatfield Peverel was precious as it formed a buffer between two conurbations and he requested that the application be refused.

The Committee approved this application, subject to the following additional conditions and Information to Applicant.

#### Additional Conditions

6. (SUS43) Development shall not be commenced until details of the location and design of refuse bin and recycling materials storage areas (for internal



and external separation) and collection points have been submitted to and approved by the local planning authority. Development shall not be occupied prior to the provision of refuse storage and collection facilities and vehicular access where required and refuse storage and collection facilities and vehicular access thereto shall be retained in the approved form thereafter.

7. (SUS46) Development shall not be commenced until details of external lighting to the site have been submitted to and approved in writing by the local planning authority. Prior to the first occupation of the development external lighting shall be installed in accordance with details, which shall have been submitted to and approved in writing by the local planning authority.
8. (SUS47) Development shall not be commenced until a scheme for the provision and implementation of water efficiency, resource efficiency, energy efficiency and recycling measures during the construction of the development has been submitted to and approved in writing with the local planning authority. The scheme shall include a clear timetable for the implementation of the measures and the construction shall be carried out in accordance with the agreed details.
9. (SUS48) Development shall not be commenced until a scheme of measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development has been submitted to and approved in writing by the local planning authority. Development shall be implemented in accordance with the approved details prior to the first occupation of the development and thereafter so maintained.
10. (SUS49) Development shall not be commenced until details of energy-efficient construction materials and processes, including measures for the long term energy efficiency of the building(s), and renewable energy resources have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed details, and shall thereafter be maintained in the approved form.
11. (COU37) The temporary overnight accommodation hereby permitted shall be used only for such purposes and shall not be occupied by any lessee, tenant or guest for any period exceeding 28 days consecutively.

#### Additional Information to Applicant

3. In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution and maximise energy efficiency. Light units should be flat to ground and appropriate timer/sensor controls should also be included as appropriate. The applicant is invited to consult with the local planning authority prior to the formal submission of details.
4. You are reminded of the need to comply with the terms of the Green Travel Plan and the conditions and Travel Plan relating to the earlier planning application for the change of use of barn for use as a Place of Worship and for

47 PLANNING APPLICATIONS REFUSED

**DECISION:** That the undermentioned planning application be refused for the reasons contained in the report, as amended below.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00793/FUL (REFUSED)	Braintree	Mr C Bibbey	Erection of two bedroom cottage, 57 South Street.

The Committee refused this application, subject to the words 'and Policy RLP102' being inserted after the words 'Policy RLP100' in reason 2.

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**DECISION:** That the undermentioned planning application be refused for the reasons stated below.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01058/FUL (REFUSED)	Witham	Jackie Longman	Erection of two storey side/rear extension, 88 Church Street.

Policies RLP3, RLP17 and RLP90 of the Braintree District Local Plan Review and supplementary guidance contained within the Essex Design Guide for Residential and Mixed Use Areas, state that the siting, bulk, form and amenities of proposed extensions should be compatible with the original dwelling, be in harmony with the character of the area, and have no adverse impact upon nearby residential properties.

The proposed extension by reason of its siting, size, bulk and design together with its proximity to adjoining residential properties would appear overbearing, unduly prominent in the street scene, and out of character with residential development in the locality contrary to the above policies.

The proposed extension by reason of its bulk and position would be unduly overbearing and dominant, causing overshadowing, loss of outlook and an unacceptable loss of light, harmful to the amenities of the occupiers of the adjoining dwelling, and contrary to the above policies.

Information to Applicant

Your attention is drawn to the concerns of the neighbouring resident in respect of the accuracy of the boundaries shown on the submitted plans.

48 DISCHARGE OF CONDITION

**INFORMATION:** Members were reminded that the following planning application had been approved retrospectively at the Planning Committee meeting held on 21<sup>st</sup> November 2007.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*07/02047/COU (APPROVED)	Sible Hedingham	Stuart Radley	Change of use of land for the stationing of mobile home, Corders Builders Yard, Parkfields.

The Committee had approved the application, subject to three conditions requiring, inter alia, the submission of details showing the height, design and position of a fence to be erected along part of the northern boundary of the site; the submission of details of a native species hedge to be planted on part of the northern boundary; and that the mobile home should not be occupied until it had been re-sited within the application site to a position to be agreed. All conditions were subject to the written approval of the local planning authority. Members were requested to consider whether, based on information supplied, the conditions could now be discharged.

Members were advised that discussions had taken place between the applicant, the neighbours to the site and the Council, but that it had not been possible to reach agreement. In the circumstances, the applicant had offered the following in order to discharge the conditions:-

Condition 1 – The erection of a two metre high close-boarded wooden fence 3.4 metres from the boundary of the site. This had been partially erected as it was deemed permitted development.

Condition 2 – The planting of a pyracantha hedge, the middle of which would be located two metres from the site boundary. This had been agreed by the Council's Landscape Department.

Condition 3 – The applicant was of the view, that given the proposed boundary treatments, the re-siting of the mobile home would not be necessary. However, if the Committee considered it necessary he was prepared to move the home a further 1.3 metres from the boundary of the site to be in line with existing buildings on the site.

In discussing this matter, Members agreed that the proposals implemented and put forward with respect to conditions 1 and 2 were acceptable in order to discharge the conditions. However, it was considered that either leaving the mobile home where it was, or moving it by 1.3 metres was not acceptable as the Committee's original decision had been based on the intention that the home should be relocated to a position within the site where it would not affect the neighbours who had objected to it. In the circumstances, it was proposed that a decision on this aspect should be deferred pending the receipt of legal advice on the possibility of taking enforcement action and serving a breach of condition notice.

## **DECISION:**

- (1) That conditions 1 and 2 of planning approval 07/02047/COU with regard to the provision of a fence and hedge be discharged.
- (2) That a decision regarding the discharge of condition 3 (location of the mobile home) be deferred pending the receipt of legal advice on enforcement action/the service of a breach of condition notice and a report submitted to a future meeting of the Committee.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of Planning Services, 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 9.50pm.

MRS W D SCATTERGOOD  
(Chairman)

## APPENDIX

### PLANNING COMMITTEE

22ND JULY 2008

### PUBLIC QUESTION TIME

#### Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 08/01071/FUL – Land adjacent to 1 Cross End, Pebmarsh

(i) Statement by Mr Marcus Norfolk, 1 Cross End, Pebmarsh

Mr Norfolk stated that he was lucky to be able to build a new home for his family in what was a lovely area. He indicated that there was a school and a bus service nearby and that, if the development was approved, there would be a property available in the village for someone else to live in. Mr Norfolk stated that the property would be well designed and that he had worked with the District Council's Officers and the Parish Council in putting the proposal forward. Mr Norfolk stated that the proposal would not prevent use of the adjoining footpath.

(ii) Statement by Mr David Culmer, Trescuba, Cross End, Pebmarsh

Mr Culmer stated that he was speaking on behalf of himself and four of his nearest neighbours. Mr Culmer indicated that this site was at the end of a blind bend in the road where there was no footpath. He stated that children walked along this part of the road on their way to and from school and that vehicles often travelled along the road at speed. Mr Culmer quoted from a letter dated 1<sup>st</sup> July 2008 from Marguerite Livingstone (Planning Consultant) to the Council which stated that the site abutted the village settlement boundary and was adjacent to a rural and special landscape area; that the proposed dwelling would appear cramped on the site and out of keeping with the character and appearance of the area; and that the proposal was contrary to policies RLP 3, 10 and 90 of the Braintree District Local Plan Review and PPS1.

2. Statement by Mrs Jane Mawson, 29 Powers Hall End, Witham  
Application No. 08/00932/FUL – Land adjacent to 20 Vicarage Avenue, White Notley

Mrs Mawson stated that when she had purchased 20 Vicarage Avenue, White Notley it had been in need of complete modernisation. This had now been done to a high standard and the house offered a home to a family who were renting it. Mrs Mawson indicated that she had purchased the adjoining land and that she wished to build a property there. Mrs Mawson stated that her daughter was a school teacher and she wanted her to be able to stay locally and to live in the property. Mrs Mawson indicated that two parking places had been allocated for each property and that the driveway for No. 20 would be provided soon. Mrs Mawson indicated that some hedges would have to be removed and that the existing single storey extension would have to be demolished as it was not up to standard. Mrs Mawson said that there was a wide variety of house styles locally and that the new property would fit in

with these. She indicated that construction noise and upheaval would be kept to a minimum.

3. Statement by Mr Russell Forde, Smart Planning Ltd, Old School House, Rettendon Turnpike, Battlesbridge  
Application No. 08/00793/FUL – 57 South Street, Braintree

Mr Forde stated that the listed cottage had been empty for over 20 years. He indicated that the cottage had been in place first and that neighbouring development had followed and had turned its back on the cottage. Mr Forde stated that the principal view from South Street would not change and that the tree located on the site would stay. Mr Forde indicated that the garden sizes would be more than three times the normal standard, that the design of the new dwelling was modest, and that the dwelling would be subservient to the listed cottage. Mr Forde indicated that Essex County Council's Historic Buildings Adviser had not objected to the proposal.

4. Statements Relating to Application No. 08/00985/FUL – Lynray, Gore Lane, Rayne

(i) Statement by Mr Neil Traylen, 27 Medley Road, Rayne

Mr Traylen stated that he was speaking on behalf of himself and adjoining house owners, all of whom objected to the application. Mr Traylen referred to the numerous objections which had been submitted including those of Rayne Parish Council and a qualified Town Planner who had indicated how the proposal contravened planning policy. Mr Traylen stated that the proposal would lead to over development of the site; it would have an effect on wildlife; it would lead to the loss of light to properties in Medley Road; and if the extension was to be built as proposed it would result in existing trees on the site being killed. Mr Traylen stated that there was only one other property of a similar size nearby. Mr Traylen expressed concern about access to the site. He indicated that the site could only be accessed through the Conservation Area and he considered that the development would add to congestion on the un-adopted single track lane. Mr Traylen stated that delivery vehicles would cause a danger to children playing nearby. Mr Traylen referred to the Rayne Village Design Statement and to the need to protect existing trees.

(ii) Statement by Mr John Pearce, Memories Cottage, High Street, Wethersfield

Mr Pearce stated that he was a Chartered Town Planner and that he was representing Mrs Dupont who lived at Melody, Gore Lane, Rayne. Mr Pearce stated that Mrs Dupont objected to the proposed use of the dwelling as a Care Home. He indicated that the applicant had stated openly that the dwelling would be a Care Home and that the applicant had apparently applied for Care Home registration. Mr Pearce stated that previous extensions to the dwelling should have been linked to the Care Home proposal. Mr Pearce stated that this was not a suitable location for the intended use including access by staff and visitors and that it was back-land development. Mr Pearce requested that if the Committee was minded to approve the application a condition should be imposed restricting the dwelling's use to single family occupancy and that, should Care Home registration be sought, the details should be submitted to the Council.

(iii) Statement by Mrs Heidi Pearson, Blenheim House, Barnards Orchard, Rayne

Mrs Pearson urged the Committee to support Rayne Parish Council's objection to the application. She indicated that the proposal was against the Rayne Village Design Statement and she drew attention to Rayne's success in winning the Essex Village of the Year competition. Mrs Pearson stated that she understood that the applicant had submitted an application for Care Home registration. Mrs Pearson stated that if the northern and eastern hedgerows were to be removed this would lead to the loss of wildlife and to the loss of privacy to her own property. Mrs Pearson requested that if the application was to be approved two conditions should be imposed requiring that the existing mature hedgerows be retained and maintained; and that the property be occupied as a single family dwelling.

(iv) Statement by Mr John McLarty, Bidwells, Number One, Legg Street, Chelmsford (Agent)

Mr McLarty stated that the proposal was for a modest one and a half storey extension to the property. He indicated that 15% of the plot was proposed for development and that the proposal was not therefore excessive. Mr McLarty referred to a previously approved application which had sought to erect two bungalows on the site. Mr McLarty indicated that in submitting the current application regard had been given to planning policies. He indicated that Essex County Council's Historic Buildings Adviser had not objected to this application and that hedgerows would be retained.

5. Statement by Mr Barry Charles, 90 Church Street, Witham  
Application No. 08/01058/FUL – 88 Church Street, Witham

Mr Charles stated that he had lived in Witham for 34 years, 12 of these adjacent to the site and that he objected to the proposal. Mr Charles stated that the proposal would result in a two-storey flank wall being built very near to his property which would result in there being no sunlight to his property in Summer and total darkness in the Winter. Mr Charles stated that the proposal would blight his property and that it would affect the amenity of his property. Mr Charles indicated that he would defend any illegal encroachment onto his property resulting from the erection of the extension. Mr Charles indicated that he would not object to a single storey extension built on the footprint of the current proposal. Mr Charles suggested that the application be deferred to enable Members to attend a site visit. Mr Charles referred to a similar planning application at 10 Longfield, Witham which had been refused.

6. Statement by Mr Darren Mole, 38 Brook Meadow, Sible Hedingham  
Agenda Item 7 - Discharge of Condition - Application No. 07/02047/COU – Corders Builders Yard, Parkfields, Sible Hedingham

Mr Mole stated that the mobile home was situated behind his property and he referred to the Committee's previous decision which had required that the boundary treatments and siting of the mobile home be agreed. Mr Mole stated that the applicant's proposal to move the mobile was not acceptable as it would still not be far enough away.