

Minutes

Planning Committee

2nd September 2008



Present

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

63 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor J Baugh declared a personal interest in Application No. 08/01377/FUL, the erection of five dwellings at 1 Mill Lane, Colne Engaine as he was known by the agent.

Councillor Mrs Spray declared a personal interest in the three Planning applications to be considered for Colne Engaine and Earls Colne as she is the Ward Member.

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.

64 MINUTES

DECISION: That the Minutes of the meetings of the Planning Committee held on 22nd July 2008 be approved as a correct record and signed by the Chairman.

65 QUESTION TIME

INFORMATION: Eight statements were made and a summary of these 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.

66 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 Head of District Development'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>
*08/01014/OUT (APPROVED)	Coggeshall	Mr Stephen Howlett	Erection of a two bedroom dwelling at 19 Churchfield Road.

The Committee approved this application, subject to an amendment to condition 1 and additional conditions and reasons 9 to 13 as set out below:

Amend Condition 1: beginning of first sentence to read "Approval of the details of the:- (a) access, (b) appearance and (c) landscaping of the development..."

Add Condition 9 – SUS 32

Add Condition 10 – SUS 48

Add Condition 11 – SUS 49

Add Condition 12: "Prior to the commencement of the development, two off-street car parking spaces shall be provided within the curtilage of No.19 Churchfield Road, in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Add Condition 13 "Prior to the occupation of the new dwelling, two off-street car parking spaces shall be provided within the curtilage of the new dwelling, in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority".

Add Reason 9 - RSUS33

Add Reason 10 – RSUS32

Add Reason 11 – RSUS32

Add Reason 12 "To ensure that adequate parking is provided off-street to serve the existing dwelling".

Add Reason 13 "To ensure that adequate parking is provided off-street to serve the new dwelling".

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01379/FUL (APPROVED)	Earls Colne	Ms Janice Sibley	Erection of two-storey side extension to form 2 no. two bedroom flats at 47 Atlas Road.

The above application was approved subject to additional condition number 10 as follows:-

Condition 10: WIN33 insert after 'the' two first floor lobby windows 'on the' south west and north west facing elevations shall be glazed with etc.
Reason 10 RWIN31

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01226/FUL (APPROVED)	Toppesfield	Mr P Row	Proposed replacement dwelling and single new dwelling at Mallows Cottage, Gainsford End Road.

The above application was approved subject to the following amendment to condition 12 and informatives 5 and 6 as set out below:

Condition 12 – Delete the last part of sentence from 'for the lifetime of the development'

Informative 5: In respect of Condition 3, it is anticipated that the hard and soft landscaping scheme will include the provision of a native species hedge along the site frontage to replace the hedge to be removed. In addition, mature specimen trees will be required to replace the trees which are to be removed to facilitate development. Finally, in respect of areas of hard landscaping porous surfaces should be used for the driveways and any other areas.

Informative 6: In respect of the first floor west facing window to the proposed infill dwelling facing Myrtle Cottage, in the interests of neighbourliness you are asked to consider either removing this window, glazing it with obscure glass or making it a high-level window in order to safeguard the privacy of adjoining residents.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01162/FUL (APPROVED)	Wickham St Paul	Gloria Jones	Demolition of existing small timber framed barn and erection of single storey building on the same footprint as ancillary accommodation Manderley, School Road.

The Committee approved this application, subject to the following amendment to condition 2:

Delete the words "summerhouse and store" and replace with the word "building"

DECISION: That the undermentioned planning application be refused for the reasons contained in the officer's report.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/01366/FUL (REFUSED)	Earls Colne	Bernard Vermilio	Application for a certificate of lawfulness for an existing use – change of use of land for the provision of hand car wash and car valeting bay at Barn Garage, 6 Lower Holt Street.

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>
*08/01377/FUL (REFUSED)	Colne Engaine	Stanfield Developments Ltd.	Erection of five no. dwellings, garages and carports with associated groundworks at 1 Mill Lane.

The Committee refused the above application for the following reasons:

1. The application site lies within the Colne Engaine Village Envelope where Policies RLP3, RLP9, RLP10, RLP56 and RLP90 require proposals for residential development to be of a scale, design and intensity which is in harmony with the surrounding existing development and where it satisfies amenity, design, environmental and highway criteria. In addition, Policy RLP10 states that development will only be permitted where the adjacent road system is able to cope with the traffic likely to be generated.
2. In this case it is considered that the proposal represents overdevelopment of this site in the village centre. The size and bulk of dwellings will be visually intrusive from the wider area. Furthermore, the proposed layout is considered to be cramped. Not all plots meet the required minimum provisions for private amenity space set out in the Essex Design Guide. The proposed parking layout is also considered cramped and it has not been satisfactorily demonstrated that a vehicle turning space can be provided to enable cars to enter and leave the development in a forward gear which may result in additional on-street parking in the vicinity of the site to the detriment of highway safety.
3. Finally, it is also considered that the level of traffic generated by a development of this size would have an adverse impact on the highway network in the immediate area, particularly in respect of the junction of Mill Lane and Church Street to the detriment of highway and pedestrian safety.

Councillor John Powell, Chairman of Colne Engaine Parish Council, joined the table for the consideration of this application.

Councillor Powell, stated that the Parish Council could see no difference between this application and the one rejected by the Committee 6 months ago. He commented that the site was very prominent right in the centre of the village and this together with the adjacent proposal for 8 dwellings would have a huge effect on the village. It would also have implications for the School, there were significant traffic implications with considerable conflict likely between cars and pedestrians. He urged Members to reject the application and stated the Parish would consider judicial review if the wrong decision was made.

68 DISCHARGE OF CONDITION

INFORMATION: Members were reminded that the following planning application had been approved retrospectively at the Planning Committee meeting held on 21st November 2007 and Members had received updates at the meetings held on 22nd July and 5th August 2008.

<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 approved the discharge of condition 3 subject to the applicant re-siting the mobile home by 1.3m as agreed within 8 weeks of the grant of the discharge.

DECISION:

- (1) That it be noted that conditions 1 and 2 of planning approval 07/02047/COU with regard to the provision of a fence and hedge had already been discharged.
- (2) That condition 3 (location of the mobile home) be discharged subject to the mobile home being relocated by 1.3 metres as agreed by the Head of District Development and that this takes place within 8 weeks of the Council's confirmation that the condition has been discharged.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of Head of District Development, 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).

At the close of the meeting Councillor Ms Flint updated the Committee on the outcome what she felt were positive discussions between representatives of AJAG and Essex Gliding Club concerning the future use of Ridgewell Airfield.

The meeting closed at 9.30pm.

MRS W D SCATTERGOOD (Chairman)

APPENDIX

PLANNING COMMITTEE

2ND SEPTEMBER 2008

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 07/02047/COU Corders Builders Yard, Parkfields, Sible Hedingham

(i) Statement by Mr Darren Mole

Mr Mole referred to the previous meetings when the Committee had considered this matter. He questioned some of the information contained in the officer's report such as whether all objectors had in fact been consulted. He felt that the applicant had ignored the wishes of the Committee regarding condition 3. Mr Mole expressed concern at the location of the mobile home, the height of the fence, the loss of privacy and noise coming from the site.

(ii) Statement by Mr Radley

Mr Radley, the applicant, explained the history to this application, the fact that he had obtained permission previously and that this was a very similar application to the one that had lapsed. He said that in accordance with the Planning Condition he had moved the mobile further onto the site and was prepared to re-site to improve this still further. He was also prepared to plant a hedge that he admitted would take a little while to establish but he did not feel he could do any more to satisfy his neighbours.

(iii) Mrs G Massey

Mrs Massey spoke in support of the application stating that although she was a Member of the Parish Council she was speaking in a personal capacity. She was impressed with the work that the applicant had undertaken on the site. She did not feel there was any overlooking and believed that should this not be approved that the applicant should appeal against the decision.

2. Statement by Philip Morphy
Application No. 08/01379/FUL – 47 Atlas Road, Earls Colne

Mr Morphy, spoke as the applicant and architect, focusing his comments on three key areas;

- (a) he stated that the design and massing of the scheme had been reduced from the previous application;
- (b) adequate off-street car parking had been made available;
- (c) there were two or three similar schemes near by that set a precedent for this type of extension.

He urged Members to support the proposal.

3. Statement by Peter Curtis
Application No. 08/01162/FUL – Manderley, School Road, Wickham St Paul

Mr Curtis, the agent, spoke about how the applicant had spent two years bringing this barn back to its former glory. It was on a large site and needed more accommodation. He stated that there were permitted development rights to make this building ancillary to the accommodation. He stated that the proposed building only varied slightly from the existing building. He urged Members to approve the application.

4. Statements Relating to Application No. 08/01377/FUL – 1 Mill Lane, Colne Engaine

(i) Statement by Patricia Taylor

Mrs Taylor commented on the historical importance of this site, the fact that its location right in the centre of the village was very important, it faced a T-junction and there were no pavements. The site was located in a very picturesque part of the Colne Valley and the proposed development would overwhelm the village. She urged Members to refuse the application.

(ii) Statement by Mr Nigel Chapman, Agent

Mr Chapman explained that an application had been approved for 5 dwellings in 1990 and this was renewed in 1995. At that time the property was not considered listable. This site and the adjacent parcel of land were in different ownership, there was a separate access for each site and the level of the land changed significantly – these were all reasons why it would not be feasible to join the sites together and treat as one. Mr Chapman stated that the principal of development was established. Concerns had been raised about flooding but he had information that indicated that the risk of flooding was likely to be reduced as result of the development.

5. Statement by John Smith
Application No. 08/01366/ELD – Barn Garage, 6 Lower Holt Street, Earls Colne

Mr Smith stated that the car wash had been in existence for more than ten years either as an ancillary use or combined with the garage. He believed that it had always been operated as ancillary to the car wash.