

Minutes

Planning Committee

7th January 2014

Present



Councillors	Present	Councillors	Present
J E Abbott	Apologies	S C Kirby	Yes
P R Barlow	Yes	D Mann	Yes
E Bishop	Yes	Lady Newton	Yes
R J Bolton	Yes	J O'Reilly-Cicconi	Yes
L B Bowers-Flint	Yes	R Ramage	Apologies
C A Cadman	Apologies	L Shepherd	Yes
T J W Foster (Chairman)	Yes	G A Spray	Yes
P Horner	Yes		

86 DECLARATIONS OF INTEREST

The following interests were declared:-

All Councillors declared a non-pecuniary interest in Application No. 13/01192/MMA - The Bungalow, Bulmer Street, Bulmer as one of the applicants was known to them as an elected Member of Braintree District Council and a fellow Member of the Planning Committee.

Councillor J P L P O'Reilly-Cicconi declared a disclosable pecuniary interest in Application No. 13/01192/MMA - The Bungalow, Bulmer Street, Bulmer as he was the co-applicant. Councillor O'Reilly-Cicconi left the meeting whilst this application was discussed and determined.

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

87 MINUTES

INFORMATION: It was reported that the Minutes of the meeting of the Planning Committee held on 17th December 2013 were not available and it was agreed that they should be deferred to the next meeting for approval.

88 QUESTION TIME

INFORMATION: There was one statement made. Details of the person 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.

89 TREE PRESERVATION ORDER NO. 13/2013 – 18 KEMPE ROAD, FINCHINGFIELD

INFORMATION: Consideration was given to a report on Tree Preservation Order No. 13/2013 relating to 18 Kempe Road, Finchingfield. Objections to the making of the Order had been submitted by the owners of the property and a neighbour living at 17 Kempe Road, Finchingfield against the inclusion of a walnut tree (T1) within the Order.

The Tree Preservation Order had been served in July 2013 following an assessment of the tree, which had shown that the making of an Order was appropriate.

The objectors had been advised that the presence of a Tree Preservation Order should not prevent work being carried out to the tree, subject to an application for consent being submitted to the Council.

DECISION: That Tree Preservation Order No. 13/2013 relating to 18 Kempe Road, Finchingfield be confirmed.

90 TREE PRESERVATION ORDER NO. 14/2013 – SUNDERN, TIDINGS HILL, HALSTEAD

INFORMATION: Consideration was given to a report on Tree Preservation Order No. 14/2013 relating to Sundern, Tidings Hill, Halstead. An objection to the making of the Order had been submitted by the developer of a new property at 33 Ozier Field, Halstead which adjoined the site against the inclusion of an oak tree (T1) within the Order.

The Tree Preservation Order had been served in July 2013 following an assessment of the tree, which had shown that the making of an Order was appropriate.

The objector had been advised that the presence of a Tree Preservation Order should not prevent work being carried out to the tree in a managed way, subject to an application for consent being submitted to the Council.

DECISION: That Tree Preservation Order No. 14/2013 relating to Sundern, Tidings Hill, Halstead be confirmed.

91 PLANNING APPLICATION APPROVED

Planning Application No. 13/01297/MMA - The Milking Barn, West Street, Coggeshall was determined en bloc.

DECISION: That the undermentioned planning application 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. 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>
*13/01297/MMA (APPROVED)	Coggeshall	Mr Myeo	Application for removal or variation of condition no. 2 of planning application 10/01054/FUL, The Milking Barn, West Street.

92 SECTION 106 AGREEMENTS

Planning Application Nos. 13/01192/MMA - The Bungalow, Bulmer Street, Bulmer and 13/01154/FUL - Mill House, Church Road, Greenstead Green were determined en bloc.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/01192/MMA (APPROVED)	Bulmer	Mr and Mrs John O'Reilly-Cicconi	Variation of Condition 2 of planning permission 12/01074/FUL - to amend the design of the dwelling approved for Plot 2, The Bungalow, Bulmer Street.

DECISION: That, subject to the applicants entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to cover the following matter:

- The variation of the legal agreement that was completed in respect of application no. 12/01074/FUL to reflect the fact that the development on plot 2 may be undertaken in accordance with application no. 13/01192/MMA

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 within one calendar month of the meeting, the Development Manager be authorised to refuse planning permission. 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>
*13/01154/FUL (APPROVED)	Greenstead Green	Mr Ashley Foakes	Erection of 1 bedroom, single storey detached annexe, replace existing double garage with 2 storey side extension, replacement of existing conservatory with new orangery (garden room) and new porch, Mill House, Church 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 cover the following matters:

- To not sell, transfer, or otherwise dispose of any part of the site except by way of a disposal of the whole of the site
- To not cause, or permit the Annexe to be occupied by anyone other than relatives or children of a person occupying the main house, provided such occupation is ancillary to and connected with the occupation of the main house, or non-paying guests of a person occupying the main house, or otherwise than to the intent that it shall be ancillary to, and form part of, the main house.

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 provided, 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 following additional Information to Applicant:-

Additional Information to Applicant

1. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and applications for necessary works shall be made to Essex County Council.

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 7.35pm.

T J W FOSTER

(Chairman)

APPENDIX
PLANNING COMMITTEE
7TH JANUARY 2014
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Item 5 – Tree Preservation Order No. 13/2013 – 18 Kempe Road, Finchingfield

Statement by Mr David Punt, 18 Kempe Road, Finchingfield (Owner)