

Minutes

Planning Committee

18th August 2009



Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Mrs J M Money	Apologies
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	Apologies	Mrs L Shepherd	Yes
Mrs B A Gage	Yes	Mrs G A Spray	Yes
Mrs M E Galione	Yes		

63 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Ms L B Flint declared that she did not have a personal interest in respect of people speaking during Question Time regarding Application No. 09/00745/FUL – Sideview, Braintree Road, Cressing.

Councillor Mrs M E Galione declared a personal interest in Application No. 09/00782/FUL – The Strutt Memorial Ground, Maldon Road, Hatfield Peverel as the person speaking during Question Time was known to her.

Councillor Lady Newton declared a personal interest in Application No. 09/00699/FUL – Central Park and site of former Blue Bridge Garage, Halstead in her capacity as the Cabinet Member with responsibility for housing.

Councillor D Mann declared a personal interest in Application No. 09/00782/FUL – The Strutt Memorial Ground, Maldon Road, Hatfield Peverel as a person who had submitted representations was known to him.

Councillor Mrs W D Scattergood declared a personal interest in Application No. 09/00782/FUL – The Strutt Memorial Ground, Maldon Road, Hatfield Peverel and Application No. 09/00745/FUL – Sideview, Braintree Road, Cressing as the applicants' agents 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.

64 QUESTION TIME

INFORMATION: There were seven 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.

65 PLANNING APPLICATION DEFERRED

DECISION: That the undermentioned planning application be deferred to enable consultation to take place on the amendments submitted by the applicant's agent on 18th August 2009.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*09/00745/FUL (DEFERRED)	Cressing	Mr Farr	Erection of replacement dwelling and one no. additional dwelling, Sideview, Braintree Road.

Councillor Clive Hawkins, Chairman of Cressing Parish Council, joined the table and spoke on this application. Councillor Hawkins referred to the dangerous access to and from the site onto the B1018 and to the fact that the access lane was single track only. Councillor Hawkins stated that there was poor visibility from the access onto the main road, that parents and children crossed the access on their way to and from school and that it would be difficult for a fire engine to gain access to the site. Councillor Hawkins referred to problems of overlooking which would occur if the proposal was approved and he indicated that the hedge on the boundary of the site was not in the ownership of the applicant. The Parish Council requested that the application should be refused.

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>
*09/00788/FUL (APPROVED)	Braintree	Mrs Alexandra Chami	Retrospective consent for change of use from A1 (retail) to A3 (cafe/restaurant) with tables and chairs outside, 23 Market Place.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*09/00782/FUL (APPROVED)	Hatfield Peverel	Hatfield Peverel Parish Council	Recreational ground to be used as a multi use games area, The Strutt Memorial Ground, Maldon Road.

Councillor Mrs Brenda Smith, representing Hatfield Peverel Parish Council, and Councillor Ron Elliston, District Councillor for Hatfield Peverel, joined the table and spoke on this application.

Councillor Mrs Smith stated that the Parish Council had submitted the application on behalf of the Youth Action Group, but that the facility would be available for use by everyone. Councillor Mrs Smith stated that the proposed hours of use referred to in the Committee report were acceptable as the pitch was unlikely to be used outside these times, but she requested that there should not be a condition requiring the area to be locked. Councillor Mrs Smith stated that the location of the games area would not impact on existing uses of the Recreation Ground, that trees would screen the area from residential properties, more CCTV cameras would be installed and, whilst some noise would be generated, the area would provide a safe place for children to play.

Councillor Elliston stated that he was also speaking on behalf of Councillor David Bebb District Councillor for Hatfield Peverel. Councillor Elliston stated that whilst the provision of facilities for youth and the fund-raising efforts which had taken place were to be applauded, there was concern that the facility would have a negative effect on the occupiers of nearby residential properties, particularly from the rowdy behaviour of teenagers gathering in the late hours, their swearing, drinking and drug taking. Councillor Elliston referred to the minimum distance recommended by Sport England between a multi use games area and residential properties and to the concerns expressed by the District Council's Environmental Health Department about the close proximity of the proposal to residential properties. Councillor Elliston stated that the facility would not be managed, or locked outside the hours of operation, that it would not be in harmony with its surroundings and he requested that the application be refused.

The Committee approved this application, subject to the amendment of Condition No. 3 and the addition of an Information to Applicant as follows:-

Amended Condition

3. Hours of use amended to 8.00am to dusk each day.

Information to Applicant

Members of the Planning Committee would welcome the installation of CCTV on the MUGA in the interests of public safety.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*09/00800/FUL (APPROVED)	Kelvedon	Mr Gerry Dolden	Change of use from dwelling house to office, 213 High Street.

67 **PLANNING APPLICATION REFUSED**

DECISION: That the undermentioned planning application be refused for the reasons set out in the Head of District Development's report as amended below.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*09/00699/FUL (REFUSED)	Halstead	Barratt Homes (Eastern Counties)	Redevelopment of site comprising erection of business units and 69 dwellings, creation of new accesses and associated open space, Central Park and site of former Blue Bridge Garage, Colchester Road.

The Committee refused this application in accordance with the reasons set out in the Head of District Development's report, subject to the first sentence of the second paragraph of reason 1 being amended to read:-

'In this instance it is considered that the proposed development is contrary to the development plan on the grounds that it represents mixed use development with an inappropriate provision of residential accommodation on an area of the site which is allocated as an employment policy area.'

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

The meeting closed at 9.08pm.

MRS W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

18TH AUGUST 2009

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 09/00745/FUL – Sideview, Cressing Road, Braintree

(i) Statement by Mr Douglas Watkins, 21 Mill Lane, Cressing

Mr Watkins stated that he was speaking on behalf of three objectors and he expressed concern about the dangerous highway access to the site, indicating that vehicles could not pass along the narrow access lane and would have to be reversed out onto the B1018 with limited visibility and across a path used by school children. Mr Watkins stated that previous applications had been considered on the basis that the adjacent hedge would be reduced in height, but he indicated that this hedge was not in the ownership of the applicant. Mr Watkins stated that the proposed development was out of proportion and that it would overlook adjoining properties, particularly Marston.

(ii) Statement by Mr John Baugh, John Baugh Ltd, 67 Church Lane, Bocking, Braintree (Agent)

Mr Baugh stated that the access to the site and the development of two two-storey dwellings had been approved in principle. Mr Baugh considered that the development would be compatible with its surroundings and that there would be no overlooking of adjoining properties or gardens. Mr Baugh indicated that any possible overlooking from a window on plot 2 could be overcome by the provision of a rooflight and he had submitted an amendment to the plans to allow this.

2. Statements Relating to Application No. 09/00699/FUL – Central Park and Site of Former Blue Bridge Garage, Colchester Road, Halstead

(i) Statement by Mr Gerald Davies, 160 Colchester Road, Halstead

Mr Davies queried what would happen to the footpath to the rear of the site which provided vehicular access for off-street parking for residential properties in Colchester Road, Halstead. Mr Davies expressed concern about additional vehicles which would be using the access at peak times and also the access from development at nearby Priory Hall.

(ii) Statement by Mr Andy Butcher, Bidwells Property Consultants, Number One, Legg Street, Chelmsford (Agent)

Mr Butcher stated that Essex County Council Highways did not object to the access to the site and that the footpath would be retained. Mr Butcher stated that

whilst the land had an established employment use, the site was in a poor condition and currently its best use was not being achieved. Mr Butcher indicated that an increase in the use of the site would require a new access and this could not be achieved without incorporating residential use within any future development scheme which was why an application for mixed use had been submitted.

3. Statement by Mr Reece Packford, Hatfield Peverel Youth Action Group
Application No. 09/00782/FUL – The Strutt Memorial Ground, Maldon Road, Hatfield
Peverel

Mr Packford stated that the idea for a multi use games area had started two years ago and it had been put forward on the basis that everyone would be able to use it. Mr Packford indicated that many people were working hard to provide the facility and he asked the Committee to help them achieve their goal.

4. Statements Relating to Application No. 09/00788/FUL – 23 Market Place, Braintree

(i) Statement by Mr Charbel Chami, 3 Chestnut Way, Takeley, Essex (for
applicant)

Mr Chami stated that the Fire Authority had approved the intended use of the premises and that the use would fit in with the café style of Braintree's Market Place.

(ii) Statement by Mr Anthony Graves, John Anthony Enterprises, The Cottage,
Hall Road, Panfield (for applicant)

Mr Graves considered that the property's use as a good value coffee shop should be supported as it helped to attract visitors to the town.