

Minutes

Planning Committee

29th April 2008



Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	Mrs M E Galione	Yes
J Baugh	Yes	D Mann	Yes
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	Yes	Mrs G A Spray	Yes
T J W Foster	Yes	R N Wilkins	Apologies
Mrs B A Gage	Yes		

3 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor J Baugh declared a personal interest in Application No. 08/00380/FUL – 14 Chalks Road, Witham as he was known by the Agent.

Councillor J C Collar declared a personal interest in Application No. 08/00254/FUL – Wayside Cafe, The Street, Hatfield Peverel as his son's partner was the manager of a BUPA Care Home in Bishops Stortford.

Councillor T J W Foster declared a personal and prejudicial interest in Application No. 08/00526/REM – 18 New Road, Kelvedon as the applicant was well known to him and he had a commercial contract with him. Councillor Foster left the meeting whilst the application was discussed and determined by the Committee.

Councillor Mrs B A Gage declared a personal and prejudicial interest in Application No. 08/00254/FUL – Wayside Cafe, The Street, Hatfield Peverel as a member of her family had objected to the application. Councillor Mrs Gage left the meeting whilst the application was discussed and determined by the Committee. Councillor Mrs Gage declared a personal interest in Application Nos. 08/00520/COU and 08/00521/COU – 37 (Plot1) and 35 (Plot 2) Sportsmans Lane, Hatfield Peverel as a member of her family was in the auditorium.

Councillor Mrs J M Money declared a personal interest in Application Nos. 08/00274/FUL – 15 St Nicholas Close, Witham; 08/00380/FUL – 14 Chalks Road,

Witham; and 08/00428/FUL – land rear of 4 to 8 Guithavon Valley, 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. 08/00272/FUL – Nether Priors, Colchester Road, Halstead as the Agent 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.

4 MINUTES

DECISION: That the Minutes of the meetings of the Planning Committee held on 4th and 18th March 2008 be approved as a correct record and signed by the Chairman.

5 QUESTION TIME

INFORMATION: There were thirteen statements made, a summary of which is contained in the Appendix to these Minutes.

In view of the number of people wishing to speak, it was moved, seconded and agreed that Question Time be extended to enable everyone to be heard.

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.

6 PLANNING APPLICATIONS WITHDRAWN

INFORMATION: The Committee was advised that the undermentioned planning applications had been withdrawn from the Agenda.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
08/00503/ELD (WITHDRAWN)	Coggeshall	Mr Obermann	Application for Certificate of Lawfulness for an existing use – use of existing property as a dwellinghouse, 24 East Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
08/00534/FUL (WITHDRAWN)	Kelvedon	H P Smith and Sons	Erection of workshop, Polish Camp Site – Rivenhall Airfield, Woodhouse Lane.

7 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>
*08/00552/FUL (APPROVED)	Belchamp Otten	Mrs A Brow	Erection of single storey link extension between existing house and adjacent garage, Beech House, The Street.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00275/FUL (APPROVED)	Earls Colne	Mr & Mrs T Hanks	Erection of rear conservatory, 26 Reuben Walk.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00515/FUL (APPROVED)	Great Yeldham	S Conway	Erection of rear extension to form grannie annexe, Crossing Cottage, Poole Street.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00520/COU (APPROVED)	Hatfield Peverel	Rollings Commercial Ltd	Change of use of land to form extension to existing garden, 37 (Plot 1) Sportsmans Lane.

Councillor Ian Goldsmith, the Chairman of Hatfield Peverel Parish Council and Councillor David Bebb, District Councillor for Hatfield Peverel Ward, joined the table and spoke on this application.

Councillor Goldsmith stated that in the preparation of the Hatfield Peverel Village Plan 2006 villagers had been questioned on the extension of the village envelope and 89% had indicated that they were against this. Whilst it was noted that this application was for only a small extension, it was considered that it would set a precedent. Councillor Goldsmith stated that the site was within a Special Landscape Area where policy RLP 90 of the Braintree District Local Plan Review applied and that the proposal should be rejected.

Councillor Bebb endorsed the comments made by Councillor Goldsmith. He stated that the site was outside the village envelope and that it would intrude into the Special Landscape Area. Councillor Bebb did not want approval to set a precedent.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00521/COU (APPROVED)	Hatfield Peverel	Rollings Commercial Ltd	Change of use of land to form extension to existing garden, 35 (Plot 2) Sportsmans Lane.

Councillor Ian Goldsmith, the Chairman of Hatfield Peverel Parish Council and Councillor David Bebb, District Councillor for Hatfield Peverel Ward, joined the table and spoke on this application. The comments made are outlined under application no. 08/00520/COU above.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00526/REM (APPROVED)	Kelvedon	Mr E King	Erection of 5 no. two bedroom dwellings, 18 New Road.

The Committee approved this application, subject to the following additional condition and Information to Applicant:-

Additional Condition

9. Permeable surfaces will be provided in the courtyard parking bays.

Information to Applicant

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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00274/FUL (APPROVED)	Witham	Po Ming Cheung	Demolition of outbuilding and garage and erection of two bedroom house with integral garage, 15 St Nicholas Close..

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00380/FUL (APPROVED)	Witham	Mr T Healey	Erection of detached 3 bed property, 14 Chalks Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00428/FUL (APPROVED)	Witham	R J Hossack	Erection of new 2 bedroom dwelling, land rear of 4 to 8 Guithavon Valley.

8 **PLANNING AGREEMENTS**

DECISION: That, subject to either the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 or, if considered appropriate by the Development Director, the imposition of suitably worded conditions to cover the payment of a financial contribution of £3,250 towards play equipment; a financial contribution of £9,963 towards highway improvements; the provision of Transport Information Packs; the maintenance of amenity space; a public open space contribution; the provision of Historic Interpretation Boards; and the adoption of the Considerate Contractor Code of Practice, the Development Director be authorised to grant planning permission under powers delegated to him, subject to the conditions and reasons set out in the report, and as amended below, details of which are contained in the Register of Planning Applications. In the event that a suitable planning obligation (where necessary) is not provided by the target date for determining the application, the Development Director be authorised to Refuse the grant of planning permission.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00272/FUL (APPROVED)	Halstead	Essex County Council & Colne Housing Society	Conversion and change of use of Nether Priors care home and adjacent Flint Cottages to residential use (use class C3) and construction of 8 no. new supported housing units (use class C2), Nether Priors, Colchester Road.

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

Additional Conditions

12. 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. The details should include provision for the storage of two standard sized wheeled bins for each new apartment with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. 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.

13. 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. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). Lights shall be installed, maintained and operated in accordance with the approved details prior to the occupation of the development. There shall be no other sources of external illumination.

Additional Information to Applicant

2. In seeking to meet with the requirements of the maintenance of the open space you are advised to have careful regard to the maintenance of the existing ground levels at the boundary of 1 Harold Close and to not undertake works that would adversely harm the integrity of the existing gradient slope.

DECISION: That, subject to either the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 or, if considered appropriate by the Development Director, the imposition of suitably worded conditions to cover the provision of affordable housing at 30% of dwellings on site; a financial contribution towards pedestrian and traffic management improvements; a financial contribution towards the provision of bus season ticket vouchers; a financial contribution towards education; the provision and management of public open space; a financial contribution towards play equipment; a financial contribution for public art; adherence to the Considerate Contractor Code of Practice; and the restriction of heavy construction traffic to The Street, the Development Director be authorised to grant planning permission under powers delegated to him, subject to the conditions and reasons set out in the report, and as amended below, details of which are contained in the Register of Planning Applications. In the event that a suitable planning obligation (where necessary) is not provided by the target date for determining the application, the Development Director be authorised to Refuse the grant of planning permission.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00273/FUL (APPROVED)	Rayne	Knight Developments Ltd	Demolition of existing industrial buildings. Decontamination of site and erection of 82 dwellings and 3 offices with access from The Street and Brunwin Road, Rayne Foundry, The Street.

Councillor M Phillips, the Chairman of Rayne Parish Council, joined the table and spoke on this application.

Councillor Phillips stated that the proposed three-storey buildings were not in keeping with the area and he considered that these should be two-storey in height. In particular, Councillor Phillips indicated that the three-storey building proposed for the middle of the site was on higher ground and that if this was to be approved the ground level should be lowered. Councillor Phillips queried whether further offices were required as there were alternative office facilities available elsewhere in the village.

The Committee approved this application, subject to the amendment of Conditions 28 and 33 and to an additional Information to Applicant as follows:-

Amended Conditions

28. Details showing the existing and finished site and slab levels including geotechnical measures to ensure soil stability shall be submitted to and approved in writing prior to development commencing. The development shall be carried out in accordance with the agreed details.
33. Development shall not be commenced until a Code for Sustainable Homes Assessment has been carried out indicating that rating of Code Level 3 can be achieved on all new dwellings. The development shall be constructed in accordance with the said Assessment and Post Construction Reviews shall be carried out in accordance with the Code for Sustainable Development's procedures. Unless otherwise agreed in writing, prior to the first occupation of the first of each type of dwelling being constructed as part of the development, Post Construction Review certificates shall be submitted to the local planning authority, with the remainder of certificates generated in relation to all other dwellings on the development submitted to the local planning authority prior to the occupation of the final dwelling. The minimum requirements to Ene 7 shall be achieved.

Additional Information to Applicant

2. 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.

9 PLANNING APPLICATIONS REFUSED

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

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00533/COU (REFUSED)	Braintree	Mr Eswaran	Change of use of ground floor to hot food take-away, 49 Stubbs Lane.

The Committee refused this application for the following reasons:-

Policy RLP11 of the Braintree District Local Plan Review states that permission will not be given for employment or other new uses which by reason of their character or appearance, or the noise, fumes, smell and traffic which they generate, will harm the character of a predominantly residential area and make it a less pleasant area in which to live.

Therefore the main issue in the determination of the application is whether the proposed change of use would harm the character of the residential area and make it a less pleasant area in which to live.

Policy RLP62 states that planning permission will not be granted for development including changes of use which will, or could potentially, give rise to polluting emissions to land, air and water, or harm to nearby residents including noise, smell, fumes, vibration or other similar consequences, unless: i) adequate preventative measures have been taken to ensure that any discharges or emissions, including those which require the consent of statutory agencies, will not cause harm to land use, including the effects on health and the natural environment; and ii) adequate preventative measures have been taken to ensure that there is not an unacceptable risk of uncontrolled discharges or emissions occurring, which could cause harm to land use, including the effects on health and the natural environment.

It is considered the proposed change of use of the application site to an A5 Takeaway would adversely harm this residential area, giving rise to a loss of amenity by virtue of increased traffic generated, insufficient parking provision and general noise and disturbance.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*08/00254/FUL (REFUSED)	Hatfield Peverel	Islanders Fish Restaurants & Take Away Ltd	Demolish existing vacant 'bungalow' and outbuildings previously used as a cafe and erection of 2/3 storey 42 bed care home with parking areas, bin and cycle stores and landscaped gardens, Wayside Cafe, The Street.

Councillor Ian Goldsmith, the Chairman of Hatfield Peverel Parish Council and Councillor David Bebb, District Councillor for Hatfield Peverel Ward, joined the table and spoke on this application.

Councillor Goldsmith stated that the building, if approved, could not be built as a covenant had been imposed on the sale of the land to the applicant restricting its use to food purposes. The former owner had indicated that he would seek an injunction if an alternative use was introduced. Councillor Goldsmith stated that the site was in a dangerous location on highway grounds. He indicated that, whilst Essex County Council had refused a request to provide yellow lines and parking restrictions nearby, they had recently installed high kerbs and railings near to the first property adjacent to the exit slip road from the A12 and they must, therefore, acknowledge a danger. Councillor Goldsmith considered that the design, massing and fenestration of the proposal were out of keeping with Hatfield Peverel.

Councillor Bebb stated that the proposal was a substantive, material change in the use of the site, and that it was unacceptable in terms of safety and car parking and it was out of character with the area.

Councillor Bebb stated that it was inappropriate to site a care home on the edge of one of the busiest trunk roads in the country and he queried whether Essex County Council had analysed the proposal thoroughly. He indicated that 48% of vehicles travelling past the site were breaking the speed limit and would not be able to stop in time if a vehicle was exiting from the care home. Councillor Bebb stated that there were only five to six seconds between a vehicle leaving the A12 and reaching the site and that it was difficult to see vehicles going into and coming out of the site. Councillor Bebb stated that if vehicles were parked outside the chalet bungalows opposite the site this would further restrict visibility. He stated that if approved there would be an overlap when staff changed shifts and this could lead to difficulties between traffic turning right into the site and traffic leaving the A12. Councillor Bebb considered that the proposed architecture of the building was not in-keeping with houses nearby and he queried the amount of amenity space that would be available. He stated that there would not be a pleasant outlook for residents and that being 40 metres from a trunk road there would be noise and health issues.

The Committee refused this application for the following reasons:-

The application site lies within the village envelope next to the A12 slip road.

Policy RLP20 states that within predominantly residential areas in towns and villages, permission will be given for the development of residential care homes providing that: The quality of design is in-keeping with surrounding properties and landscape in terms of scale, form, layout and materials; there is sufficient amenity open space; boundary treatments provide privacy and a high standard of visual amenity both for residents and neighbouring properties; provision is made for the storage and recharging of wheelchairs and invalid carriages; there are shops, health facilities and regular public transport services in close proximity to the site; and parking is provided in accordance with the Council's standards.

Policy RLP90 states that the scale, density, height and massing of buildings should reflect or enhance local distinctiveness; the layout, height, massing and overall elevational design of buildings and developments shall be in harmony with the character and appearance of the surrounding areas; both the overall planning and detailed design shall incorporate measures to ensure the maximum practical environmental sustainability in relation to energy conservation, water efficiency, waste separation; there should be no undue or unacceptable impact on the amenity of any nearby residential properties.

It is considered that this proposal is of inappropriate design, its excessive massing is out of character with the area; the proposed development is in an inappropriate location for the care of vulnerable people; inadequate access and turning provision is provided for service/refuse vehicles to enter and leave in a forward gear; there is insufficient amenity space for residents; there will be a detrimental impact on neighbour amenity; no provision is made for the storage of wheelchairs; there is an inability to effectively discharge the proposed conditions on noise and air quality issues; no detailing is provided on sustainability provision. The proposed development is therefore considered contrary to the above policies.

During the course of their discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended beyond 10.15pm to enable all business on the Agenda to be transacted.

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 10.40pm.

MRS W D SCATTERGOOD
(Chairman)

APPENDIX

PLANNING COMMITTEE

29TH APRIL 2008

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 08/00533/COU – 49 Stubbs Lane, Braintree

(i) Statement by Mr Roger Stokoe, 26 Stubbs Lane, Braintree

Mr Stokoe stated that it would not be acceptable for local residents to be disturbed at unsocial times. He indicated that there was insufficient parking at the site, with the lay-by only having room for two vehicles. Mr Stokoe expressed concern about possible vermin. Mr Stokoe said that he had purchased his house as he was happy with the local environment and the convenience of the corner shop and hairdresser closing at 6.00pm to 7.00pm. This use was now changing and he asked the Council to stop the proposed development in a residential area.

(ii) Statement by Mr Brian McClean, The Conifers, Salcombe Road, Braintree

Mr McClean stated that the proposed use was unsuitable for a residential area and that it would lead to increased traffic volume, congestion and disturbance. He indicated that people wishing to take their take-away home would use their cars, especially in wet weather, but that the majority of customers were likely to be students from Alec Hunter School. Mr McClean stated that the applicant was likely to attract people from nearby areas also. Mr McClean stated that bollards on the concrete apron fronting the premises prevented vehicular access and the adjacent lay-by only had room for two cars. Mr McClean indicated that driving conditions at the corner of the road were hazardous and that some drivers who blocked the way were abusive. Mr McClean considered that problems would increase if late night hours were allowed and, whilst the Council could impose conditions to control certain uses, there was limited action which could be taken against anti-social behaviour. Mr McClean stated that there were adequate, similar facilities within a one mile radius of the site.

2. Statements Relating to Application No. 08/00272/FUL – Nether Priors, Colchester Road, Halstead

(i) Statement by Mr R Leach, 1 Harold Close, Halstead

Mr Leach explained that he lived in Harold Close, which was a small lane located to the side of Nether Priors and that his property shared a boundary with Nether Priors to the side and rear. Mr Leach stated that, whilst he did not object to the proposal, he was concerned that the difference in ground levels could affect his property. Mr Leach indicated that trees growing on the bank to the rear of his property were mostly dead or dying elms and that if these

were removed half of his garden would fall onto land at Nether Priors. Mr Leach asked that the applicants be requested to consult him should any alterations to the bank be proposed. Mr Leach stated, that previously if the adjoining waste ground had been covered with weeds, he had been able to ask Essex County Council to clear them and he sought reassurance that he could continue doing this if the problem recurred.

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

Mr Butcher stated that this application had been submitted following detailed consultation with the District Council and it sought to provide specialist accommodation in the town. Mr Butcher indicated that the existing care home no longer met the required standards and the proposal was for new supported units. Mr Butcher stated that maintenance of the outside areas would be covered under the terms of the proposed Section 106 Agreement and that his client had no objection to these. Mr Butcher referred to a package of proposals that would be provided including extensive landscaping, the protection of trees, ecological and sustainability measures, and provision for highways, transport and play equipment.

3. Statements Relating to Application No. 08/00254/FUL – Wayside Cafe, The Street, Hatfield Peverel

(i) Statement by Mr Terry Fullbrook, 3 Wentworth Close, Hatfield Peverel

Mr Fullbrook stated that he lived in one of 63 properties on the estate adjoining the site and that the only way into and out of the estate was via Gleneagles Way and The Street where traffic met with vehicles going to and coming from the A12. Some of these vehicles would be speeding and some drivers were intimidating. Mr Fullbrook considered that traffic at the care home would add to the existing traffic problems. He stated that the slip road from the A12 was one of the most dangerous in the country. Concern had been expressed about the time taken by traffic leaving the A12 to slow down to 30 mph as required by the 30 mph speed limit sign which was located by the proposed care home. Mr Fullbrook stated that with the additional traffic and the possibility of residents at the care home wandering out there could be a fatality.

(ii) Statement by Mr Brian Langley, 5 Wentworth Close, Hatfield Peverel

Mr Langley expressed concern about the safety of residents at the proposed care home in the case of a fire. He considered that the care home would not be able to meet current requirements as a fire engine could not properly access, or turn within, the site.

(iii) Statement by Mr Steve Ambrose, 7 Wentworth Close, Hatfield Peverel

Mr Ambrose considered that there would be inadequate car parking available at the care home particularly for staff and that there was no car parking for people with disabilities. Mr Ambrose stated that the quality of the air next to the A12 was not good for elderly people, particularly those with breathing difficulties, and he considered that the noise of traffic could also be a problem.

Furthermore, Mr Ambrose considered that there would not be sufficient amenity open space at the care home, there would be no privacy and neighbouring properties would be overlooked.

(iv) Statement by Mrs Sheryl Lumb, Stafford Court Residential Care Home, Venables Close, Canvey Island, Essex (For Applicant)

Mrs Lumb stated that she had been caring for the elderly for over 20 years and that such health care had increased. Mrs Lumb indicated that more purpose built care homes were needed and that empty, derelict land such as the application site was ideal. Mrs Lumb stated that highways and parking issues had been addressed in the revised plans and that Essex County Council was not objecting to the proposal. Parking facilities for people with disabilities would also be provided. Mrs Lumb stated that only a small proportion of residents would be able to enjoy the outside environment by the nature of their condition, but that amenity space would be available. Mrs Lumb considered that the amount of traffic generated by the home would be less than the current cafe. She stated that sustainable proposals would be incorporated within the building. Mrs Lumb stated that the home would care for people with physical disabilities and dementia and that there was currently a shortage of specialist beds for such people in the Braintree area.

4. Statements Relating to Application No. 08/00273/FUL – Rayne Foundry, The Street, Rayne

(i) Statement by Mr Peter Lane, 12b Brunwin Road, Rayne

Mr Lane stated that he objected to the proposed access to the site, not the development. He stated that the option of having two exits from the site was historical as there had originally been two developers and it had not been possible to agree to the access. Mr Lane stated that the majority of the original representations had commented on the exit to Brunwin Road. Mr Lane stated that Brunwin Road was very small and that there was a considerable amount of parking along it, which already caused a problem. He stated that the exit route for at least 40 cars from the new development would be past in excess of 80 houses in Brunwin Road. However, if there was only one access from the site onto The Street this would impinge on only 12 houses. Mr Lane stated that vehicles coming from Brunwin Road would have to negotiate the traffic lights, whereas if they exited onto The Street they could travel either towards the traffic lights, or go in the opposite direction towards Dunmow thus lessening congestion problems. Mr Lane stated that people buying the new properties would do so knowing that there would be only one access, but existing residents of Brunwin Road had no option.

(ii) Statement by Mr Stephen Voke, Tudor Cottage, 27 The Street, Rayne

Mr Voke stated that he was not against the overall development of the site, but that he objected to the three-storey element along The Street. Mr Voke indicated that he lived next door to the site in a 14th Century grade II listed building and that if the proposal was allowed there would be a 30 foot high wall with roof along his boundary. Mr Voke expressed concern about loss of light and overlooking. Mr Voke considered that the existence of the three-storey property Rayne House was not relevant as this was further along The

Street and it was set back from the road within its own grounds. Mr Voke stated that the village had changed since the closure of the foundry and the construction of the A120 bypass and he questioned why offices were still required as part of the development.

5. Statement by Ms Linzi Barrett, 15 Chalks Road, Witham
Application No. 08/00380/FUL – 14 Chalks Road, Witham

Ms Barrett stated she endorsed the comments of Witham Town Council who had recommended refusal of this application on the grounds of overdevelopment. Ms Barrett stated that there was also a hazardous vehicular access. Ms Barrett referred to the Prescription Act of 1862 which stipulated that if a property had benefited from natural daylight to its windows for 20 years or more, proposals which sought to block this light should not be allowed. Ms Barrett stated that the proposal would block the light to the sitting room of her property and that it would also impact on the first floor landing window.

6. Statements Relating to Application Nos. 08/00520/COU and 08/00521/COU – 37
and 35 Sportsmans Lane, Hatfield Peverel

(i) Statement by Mr Kevin Dale, 31 Sportsmans Lane, Hatfield Peverel

Mr Dale stated that the site was in an attractive open, rural landscape setting and that the change of use would have an impact on the valley and neighbours. Mr Dale indicated that the proposal was 100% in a Special Landscape Area, which was protected by policies RLP 78 and 79 of the Braintree District Local Plan Review. Mr Dale considered that there were strong grounds that the new application would cause loss of and harm to the character of the area. Mr Dale indicated that attempts were being made to breach the village envelope and he referred to a recent appeal decision on a neighbouring site which indicated that development outside the village boundary should not be permitted. Mr Dale stated that nothing new had been put forward to justify an exception to this. Mr Dale welcomed the removal of permitted development rights, but he questioned whether an increase in the size of the plot would enable more development to take place.

(ii) Statement by Mrs Janet Assar, Brook Farm, Wickham Bishops Road, Hatfield Peverel

Mrs Assar stated that she was a resident of Hatfield Peverel and the Parish Tree Warden. Mrs Assar said that she was strongly opposed to the change of use. She considered that the proposals for the sites were getting bigger and there was a need to stop the momentum. Mrs Assar felt that the two houses proposed were very large. She indicated that a new 11 foot gate access had now been installed and that apparently the gardens were now considered to be too small. However, she felt that there was a large garden plot already. Mrs Assar stated that she was against the planned development of the site and she considered that the size of the site should dictate the scale of the development. Mrs Assar considered that scale and sensitivity were important to the site.