

# Minutes

## Planning Committee

15th March 2011



### Present

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

### 116 DECLARATIONS OF INTEREST

The following declaration of interest was made:

Councillor Ms L B Flint declared a personal interest in Application No. 11/00080/OUT – 271-275 Rayne Road, Braintree as she employed the applicant, P G Bones Ltd, to service the boiler at her home.

In accordance with the Code of Conduct, Councillor Ms Flint remained in the meeting and took part in the discussion when the application was considered.

### 117 MINUTES

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 1st March 2011 be approved as a correct record and signed by the Chairman.

### 118 QUESTION TIME

**INFORMATION:** There were two 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.

## 119 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 11/00063/FUL – Back House Croft, Bulmer Street, Bulmer; 11/00082/FUL – 98 Tilkey Road, Coggeshall; and 11/00070/FUL – 11 Edmund Green, Gosfield were determined en bloc.

**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 Manager'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>
*11/00063/FUL (APPROVED)	Bulmer	Mrs Jane Rowe	Variation of conditions 3 & 4 following planning permission 06/02456/FUL, Back House Croft, Bulmer Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00082/FUL (APPROVED)	Coggeshall	Mr & Mrs R Ager	Proposed single storey front extension, 98 Tilkey Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00070/FUL (APPROVED)	Gosfield	Mr P Jinks	Erection of first floor side extension and single storey rear extension, 11 Edmund Green.

## 120 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00080/OUT (APPROVED)	Braintree	P G Bones Ltd	Erection of 9 no. residential dwellings complete with on-site parking, 271 - 275 Rayne 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 to secure a financial contribution of £14,400 towards pedestrian crossing facilities in Rayne Road, Braintree and a contribution towards the provision of open space and sport and recreation facilities in the local area, the calculation of which will be dependent upon the number and type of dwellings, 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 agreed by the target date for

determining the application, the Development Manager be authorised to refuse the grant of planning permission.

The Committee approved this application, subject to an additional paragraph to the Information to Applicant as follows:-

Information to Applicant

- 10 You are advised that in submitting any reserved matters application, that consideration is given to the separation of built development from 1 Francis Road, by way of boundary treatments, location of parking and amenity areas.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00067/FUL (APPROVED)	Great Yeldham	Mr G Paraskeva	Application for a new planning permission to replace an extant planning permission 07/02603/FUL - Erection of a pair of link detached three bed dwellings and vehicular crossover, land adjacent to Croft View, Leather Lane.

**DECISION:** That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £3,141.26 towards the provision and/or enhancement of open space within the vicinity of the site, 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, the Development Manager be authorised to refuse the grant of planning permission.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00072/FUL (APPROVED)	Halstead	Mr B Day	Application for a new planning permission to replace an extant planning permission (08/01257/FUL) in order to extend the time limit for implementation - Erection of a single dwelling with attached garaging and associated landscaping works, 1 Sudbury 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 to secure a financial contribution of £2,290.51 towards the provision and/or enhancement of open space within the vicinity of the site, 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 agreed, the Development Manager be authorised to refuse the grant of planning permission.

The Committee approved this application, subject to an additional paragraph to the Information to Applicant as follows:-

Information to Applicant

- 4 You are advised in respect of Condition 17 that any system of piling must take into account the possibility of underwater springs in the area, and the need to maintain adequate protection of the foundations of neighbouring properties.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/01472/OUT (APPROVED)	Sible Hedingham	Mr & Mrs David Shreeve	Erection of a single chalet bungalow in garden, land adjacent 21 Gibson Road.

**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 Manager, the imposition of a suitably worded condition to secure a financial contribution of £1,570.63 towards the provision and/or enhancement of public open space within the vicinity of the site, 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 (where necessary) is not agreed by the target date for determining the application, the Development Manager be authorised to refuse the grant of planning permission.

121 PLANNING APPEAL DECISIONS – FEBRUARY 2011

**INFORMATION:** Consideration was given to a report, for information, on planning appeal decisions received during February 2011. The report included a summary of each case and a précis of the decision.

**DECISION:** That the report be noted.

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 7.55pm.

MRS W D SCATTERGOOD

(Chairman)

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APPENDIX

PLANNING COMMITTEE

15TH MARCH 2011

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mr Ian Hicks, 1 Francis Road, Braintree  
Application No. 11/00080/OUT – 271-275 Rayne Road, Braintree

Mr Hicks stated that he wished to reiterate the comments made in his written representations. Mr Hicks stated that, whilst he had no objection in principle to the development, he was concerned about the proximity of the proposed dwellings to the boundary of his property and the affect that this could have on any future proposals to extend his own property. Mr Hicks referred also to the potential effects of the development on light levels to his property and his view. In addition, Mr Hicks expressed concern about dust and noise during construction works.

2. Statement by Mr Lionel Francis, 107 Head Street, Halstead  
Application No. 11/00072/FUL – 1 Sudbury Road, Halstead

Mr Francis stated that he lived next door to the development site. Mr Francis indicated that the site had always been used as a garden and he considered that the proposal was speculative. Mr Francis indicated that the present Government was against 'garden grabbing'. Mr Francis pointed out that there were a number of underground springs in the area and he suggested that stronger foundations might be required. Mr Francis expressed concern also that any pile-driving works could undermine the integrity of his Victorian property.