

# Minutes

## Planning Committee

28th February 2017



### Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Yes
Mrs L Bowers-Flint	Yes	J O'Reilly-Cicconi (Vice-Chairman)	Yes
T Cunningham	Yes	Mrs I Parker	Apologies
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Yes
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Apologies		

### 133 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

Councillor Lady Newton declared a non-pecuniary interest in Application No. 16/01352/FUL - Land at Chalkney Meadows, Colchester Road, White Colne as she had spoken to one of the applicants prior to the submission of the application, but she had not expressed a view.

Councillor J O'Reilly-Cicconi declared a non-pecuniary interest in Application No. 16/01352/FUL - Land at Chalkney Meadows, Colchester Road, White Colne as Mr Andrew Thornton, who was speaking at the meeting during Question Time was known to him.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 16/01352/FUL - Land at Chalkney Meadows, Colchester Road, White Colne as Mr Andrew Thornton, who was speaking at the meeting during Question Time 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 application was considered.

### 134 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 14th February 2017 be approved as a correct record and signed by the Chairman.

### 135 **QUESTION TIME**

**INFORMATION:** There were three statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes. Those people who had registered to speak about a planning application spoke immediately prior to the consideration of the application.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

## 136 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 16/00501/FUL - Thatchetty Cottage, Waltham Road, Terling; 16/01438/FUL - Silver End Library, Broadway, Silver End; and 16/02005/FUL - 17 Rainbow Way, Colne Engaine 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 and reasons contained in the Development Manager's report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/00501/FUL (APPROVED)	Terling	Mrs Karen Dowsing	Erection of first floor side extension over existing kitchen, Thatchetty Cottage, Waltham Road.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/01438/FUL (APPROVED)	Silver End	Mr Shan Subramaniam	Proposed change of use of library to takeaway cafe and restaurant (A3 and A5), Silver End Library, Broadway.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/01693/REM (APPROVED)	Cressing	Mr D Savio	Application for approval of reserved matters following outline approval 15/00527/OUT - Demolition of existing bungalow and erection of 2 no. chalet bungalows, Queenswood, Tye Green, Braintree Road.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/01973/FUL (APPROVED)	Halstead	Mr Frank Ladkin Framar Development Ltd	Mixed use development comprising 6 residential units and commercial space. The works are for the erection of 1 detached dwellinghouse, the conversion of the existing workshop into an apartment and converting the existing building at 3 Market Hill to 4 flats and the change of use of the ground floor from A1 use to A4 use to become a wine bar/restaurant, 3 Market Hill.

The Committee approved this application, subject to the deletion of Condition No. 8, two additional Conditions and three additional paragraphs to the Information to Applicant as follows:-

#### **Deleted Condition**

8. Development shall not be commenced until details of the means of protecting all of the existing trees, shrubs and hedges on the site from damage during the carrying out of the development have been submitted to the Local Planning Authority for approval. The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the Local Planning Authority.

No materials, goods or articles of any description shall be stacked, stored or placed at any time within the limits of the spread of any of the existing trees, shrubs or hedges.

No works involving alterations in ground levels, or the digging of trenches, or excavations of any kind, (including the laying or installation of drains, pipes, cables or other services) shall be carried out within the extent of the spread of any existing trees, shrubs and hedges unless the express consent in writing of the Local Planning Authority has previously been obtained. No machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, hedges.

The Local Planning Authority shall be notified in writing at least 5 working days prior to the commencement of development on site.

#### **Additional Conditions**

8. (New) Details of any proposed external lighting to the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, maintained and operated in accordance with the approved details. There shall be no other sources of external illumination.
9. Prior to any development or preliminary ground works in relation to the new dwelling, a validation report prepared by a suitably qualified person confirming that all the asbestos has been removed from the site in accordance with the Control of Asbestos Regulations 2012 (Approved Code of Practice and Guidance) shall be submitted to and approved in writing by the Local Planning Authority.

#### Additional Information to Applicant

5. In addition to Condition No. 8, the applicant is advised that the installation of any external lighting may also require listed building consent.
6. In respect of Condition No. 9, the applicant is advised that all asbestos shall be removed from the site in accordance with the Control of Asbestos Regulations 2012 – Approved Code of Practice and guidance.
7. In respect of car parking, the applicant is requested to advise future occupiers/tenants of the development to park vehicles front to the bay within the designated areas of the site, given the constrained nature of the site.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/02005/FUL (APPROVED)	Colne Engaine	Mr and Mrs J Thompson	Erection of two storey rear extension and internal alterations, 17 Rainbow Way.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/02129/LBC (APPROVED)	Halstead	Mr Frank Ladkin Framar Development Ltd	Mixed use development comprising 6 residential units and commercial space. The works are for the erection of 1 detached dwelling house, the conversion of the existing workshop into an apartment and converting the existing building at 3 Market Hill to 4 flats and the change of use of the ground floor from A1 use to A4 use to become a wine bar/ restaurant, 3 Market Hill.

The Committee approved this application, subject to the amendment of Condition Nos. 5, 6 and 7 as follows:-

#### **Amended Conditions**

5. The works hereby approved at no. 3 Market Hill and the workshop building shall not take place until the applicant has secured and undertaken a programme of historic building recording (for no. 3 Market Hill and the 'workshop') in accordance with a written scheme of investigation to be submitted to and approved in writing by the Local Planning Authority.
6. No works shall commence within the building of no. 3 Market Hill until details have been submitted to and agreed in writing by the Local Planning Authority of a method for closing off the staircase at first floor level and details of where the banister (and associated fixtures/fittings) will be retained within the building. The details as agreed shall be that undertaken on site and thereafter retained.
7. No works shall commence (to no. 3 Market Hill or the workshop building) until details have been submitted to and agreed in writing by the Local Planning Authority, which set out which fixtures and fittings within the building are to be retained and whether they are to be retained in situ or stored elsewhere within the building and those fixtures and fittings which are to be removed. The details as agreed shall be that undertaken on site and thereafter retained.

## 137 **PLANNING APPLICATION REFUSED**

**DECISION:** That the undermentioned planning application be refused for the reasons contained in the Development Manager's report. Details of this planning application are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*16/01352/FUL (REFUSED)	White Colne	Messrs N and A Browning	Change of use of land to form seasonal wedding venue (1 May to 30 September inclusive) including erection of three linked Tipis, land at Chalkney Meadows, Colchester Road.

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 8.28pm.

Councillor Mrs W Scattergood  
(Chairman)

APPENDIX

PLANNING COMMITTEE

28TH FEBRUARY 2017

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 16/01352/FUL - Land at Chalkney Meadows, Colchester Road, White Colne
  - (i) Statement by Mr Andrew Thornton, Crossing Hill, Boley Road, White Colne, (Objector)
  - (ii) Statement by Mr Gary Hibbard, Bart Hall, Boley Road, White Colne (Objector)
  - (iii) Statement by Mr Joseph Greenhow, Joseph Greenhow Planning Ltd, Unit 5A Patches Yard, Cavendish Lane, Glemsford, Sudbury, Suffolk (Agent)