

Minutes

Planning Committee

7th May 2013

Present



Councillors	Present	Councillors	Present
J E Abbott	Yes (from 8.30pm)	D Mann	Yes
P R Barlow	Yes	Lady Newton	Yes
E Bishop	Yes	J O'Reilly-Cicconi	Yes
R J Bolton	Yes (until 9.10pm)	R Ramage	Yes
C A Cadman	Yes	W D Scattergood (Chairman)	Yes
T J W Foster	Yes	L Shepherd	Apologies
P Horner	Yes	G A Spray	Yes
S C Kirby	Yes		

158 DECLARATIONS OF INTEREST

The following interests were declared:-

All Councillors declared a non-pecuniary interest in Application No. 13/00346/FUL - 5 Woodland Way, Gosfield as one of the applicants was employed by Braintree District Council and he was known to them.

Councillor R J Bolton declared a disclosable pecuniary interest in Application No. 13/00240/FUL - Moat Hall Farm, Cornish Hall End Road, Stambourne as the applicant and objectors were known to him. Councillor Bolton left the meeting whilst this application was discussed and determined.

Councillor C A Cadman declared a non-pecuniary interest in Application No. 13/00240/FUL - Moat Hall Farm, Cornish Hall End Road, Stambourne as he had discussed the application with the applicant, although he had not expressed an opinion.

Councillor P Horner declared a non-pecuniary interest in Application No. 13/00240/FUL - Moat Hall Farm, Cornish Hall End Road, Stambourne as he had visited the site, where the applicant had indicated the buildings which were relevant to the application.

Councillor D Mann declared a non-pecuniary interest in Application No. 13/00173/FUL - Water Tower, land South of Three Counties Crematorium, Halstead Road, Braintree as some of the objectors were known to him.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 13/00008/FUL - Houchins Farm, Houchins Lane, Coggeshall, as the applicant and his family were known to her.

Councillor J P L P O'Reilly-Cicconi declared a non-pecuniary interest in Application No. 12/00562/FUL - Tile Kiln Barn, Braintree Road, Sible Hedingham as a person involved with the application was known to him; and a non-pecuniary interest in Application No. 13/00173/FUL - Water Tower, land South of Three Counties Crematorium, Halstead Road, Braintree as an objector was known to him.

Councillor W D Scattergood declared a non-pecuniary interest in Application No. 12/00562/FUL - Tile Kiln Barn, Braintree Road, Sible Hedingham as objectors were known to her in her capacity as a Ward Member; and a non-pecuniary interest in Application Nos. 12/01549/FUL and 12/01550/LBC - The Swan Inn, Swan Street, Sible Hedingham as the applicant and objectors were known to her in her capacity as a Ward Member.

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

159 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 16th April 2013 be approved as a correct record and signed by the Chairman.

160 QUESTION TIME

INFORMATION: There were eleven statements made. Details of the people who spoke at the meeting are 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.

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

161 NATIONAL PLANNING POLICY FRAMEWORK

INFORMATION: The Committee considered a report presented by Mrs E Dash, Planning Policy Manager, on the National Planning Policy Framework (NPPF) one year on since its publication. The report explained the relationship between the NPPF and the Braintree District Core Strategy and the emerging Braintree District Site Allocations and Development Management Plan. Mrs Dash explained the relevance of the policies contained within these documents to the Council's determination of planning applications.

The Chairman thanked Mrs Dash for her comprehensive report and she asked that a summary of the presentation be circulated to Members of the Planning Committee.

DECISION: That the report be noted.

162 TREE PRESERVATION ORDER NO. 3/2013 - 5 and 7 GREENWAY GARDENS, BRAINTREE

INFORMATION: Consideration was given to a report on Tree Preservation Order No. 3/2013 relating to land at 5 and 7 Greenway Gardens, Braintree. Objections to the making of the Order had been submitted by neighbours living at 2, 4 and 6 Springmead, Braintree against the inclusion of two oak trees (T1 and T2) within the Order.

The Tree Preservation Order had been served in February 2013 following an assessment of the trees, 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 trees, subject to an application for consent being submitted to the Council.

DECISION: That Tree Preservation Order No. 3/2013 relating to land at 5 and 7 Greenway Gardens, Braintree be confirmed.

163 PLANNING APPLICATION WITHDRAWN

INFORMATION:- The Committee was advised that the following application had been withdrawn from the Agenda by the Development Manager. 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>
*13/00175/OUT (APPROVED)	Panfield	Mr M Reid	Demolition of side extension and erection of detached dwelling, Kyra, Hall Road.

164 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 13/00346/FUL - 5 Woodland Way, Gosfield; 13/00244/FUL and 13/00245/LBC - Folly Farm, Herkstead Lane, Steeple Bumpstead; and 13/00269/FUL - 18 Millbridge Road, Witham 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 these planning applications are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00008/FUL (APPROVED)	Coggeshall	Mr A Dixon-Smith	Conversion and extension of existing storage barn into wedding venue, with associated wedding venue gazebo, marquee, car parking and landscaping. Change of use of Farm House into accommodation for wedding party in association with wedding venue, Houchins Farm, Houchins Lane.

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

Additional Condition

15. No outdoor displays or use of fireworks, pyrotechnics or other such outdoor entertainment shall occur in conjunction with the use of the application site for the purposes hereby approved.

Additional Information to Applicant

3. It is recommended that you contact the Council's Environmental Services Team prior to the commencement of development to ensure that the proposed works comply with food safety, licensing and health and safety requirements. Please also be aware that the premises will have to be registered with the Council's Environmental Services Department as a food business.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00195/LBC (APPROVED)	Gosfield	Gosfield Men's Social Club	Erection of small rear extension to form porch, installation of wall mounted gas fire boiler in existing entrance porch, replacement of two windows and removal of existing internal window between snooker room and bar area and replacement with doorway, Gosfield Men's Social Club, The Street.

The Committee approved this application, subject to the following additional Condition:-

Additional Condition

5. Works to the porch shall not be commenced until samples of the materials to be used on the external finishes have been submitted to and approved in writing by the Local Planning Authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00375/FUL (APPROVED)	Gosfield	Gosfield Men's Social Club	Erection of rear extension to form entrance porch, Gosfield Men's Social Club, The Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00346/FUL (APPROVED)	Gosfield	Mr J and Mrs S Hayden	Erection of single storey and two storey rear extension, 5 Woodland Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01549/FUL (APPROVED)	Sible Hedingham	Mr A Buckingham	Conversion of redundant public-house into 1 no. 4 bedroom semi-detached dwelling and 1 no. 3 bedroom semi-detached dwelling, The Swan Inn, Swan Street.

The Committee approved this application, subject to the deletion of paragraph (e) from Condition No. 14 and the addition of three paragraphs to the Information to Applicant as follows:-

Additional Information to Applicant

4. With regard to Condition No. 21 it is expected that the proposed rear boundary treatment should be a post and rail fence and not a picket fence.
5. Any future owners should be made aware that they are responsible for the maintenance of the land adjacent to the culvert and ditch.

6. (ISGN34) In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution, cause no unacceptable harm to natural ecosystems, maximise energy efficiency and cause no significant loss of privacy or amenity to nearby residential properties and no danger to pedestrians or road users. Light units should be flat to ground and 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>
*12/01550/LBC (APPROVED)	Sible Hedingham	Mr A Buckingham	Conversion of redundant public-house into 1 no. 4 bedroom semi-detached dwelling and 1 no. 3 bedroom semi-detached dwelling, The Swan Inn, Swan Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00269/FUL (APPROVED)	Witham	Mr and Mrs L Campbell	Erection of two storey side/rear extension, 18 Millbridge Road.

165 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00173/FUL (APPROVED)	Braintree	Mr J Melia	Change of use of disused water tower into a residential dwelling to include an extension and alterations, Water Tower, land South of the Three Counties Crematorium, Halstead 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) within one calendar month of this decision to secure a contribution of £1,718.94 towards the provision and enhancement of public open space, 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 within one month, the Development Manager be authorised

to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the Open Spaces Supplementary Planning Document. Details of this planning application are contained in the Register of Planning Applications.

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

Additional Condition

9. Development shall not be commenced until a scheme(s) including an implementation timetable for the following has been submitted to and approved in writing by the Local Planning Authority:-
- (a) water efficiency, resource efficiency, energy efficiency and recycling measures, during construction;
 - (b) measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development;
 - (c) measures for the long term energy efficiency of the building(s), and renewable energy resources;
 - (d) details of the location and design of refuse bin and recycling materials storage areas (for internal and external separation) and collection points;
 - (e) details of any proposed external lighting to the site.

The development shall be constructed in accordance with the approved details and thereafter so maintained.

Information to Applicant

The applicant is advised to carefully consider the use of soakaways to ensure adequate surface water drainage on the site and to prevent run-off.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01651/OUT (APPROVED)	Witham	Misses J, J, O Rees, Nicholls & Wood	Application for a new planning permission to replace an extant planning permission 09/01679/OUT - Erection of 4 no. flats with associated parking and private amenity space, land adjacent to 9 Carraways.

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 secure an open space contribution of £3,314.68 towards the provision and enhancement of public open space, 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 within one month of this decision, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the Open Spaces Supplementary Planning Document. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the amendment of Condition No. 1 as follows:-

Amended Condition

1. Approval of the details of the:-

- (a) Appearance
 - (b) Landscaping
- (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority.

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this decision notice.

The development hereby permitted shall be begun within two years from the date of the final approval of the last of the reserved matters.

166 PLANNING APPLICATIONS REFUSED

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

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/00562/FUL (REFUSED)	Sible Hedingham	Tile Kiln Estate Ltd	Creation of a new vehicular access to create a new entrance to a field to replace the existing access, Tile Kiln Barn, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00240/FUL (REFUSED)	Stambourne	Mr O Pickess	Variation of condition no. 3 for Planning Permission 12/01498/FUL- to retain buildings No. 3 and No. 7 and demolish building No. 8 instead, Moat Hall Farm, Cornish Hall End Road.

In determining this application, the Committee authorised the Development Manager to approve an application, if submitted, to vary the condition to enable buildings 3 and 8, as shown on the original block plan submitted with application 12/01498/FUL, to be demolished.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00244/FUL (REFUSED)	Steeple Bumpstead	Mr C Fletcher	Erection of two storey rear extension and internal alterations, Folly Farm, Herkstead Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00245/LBC (REFUSED)	Steeple Bumpstead	Mr C Fletcher	Erection of two storey rear extension and internal alterations, Folly Farm, Herkstead Lane.

At the close of the meeting, Councillor Scattergood indicated that she would be standing down as Chairman of the Committee whilst she undertook her role as Chairman of the Council over the forthcoming Civic Year. Councillor Scattergood thanked all Councillors and Officers for their support over the past six year period.

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 9.25pm.

W D SCATTERGOOD

(Chairman)

APPENDIX
PLANNING COMMITTEE
7TH MAY 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Item 6 - TPO 3/2013 – 5 and 7 Greenway Gardens, Braintree
 - (i) Statement by Mr Stephen Cowell, 4 Springmead, Braintree (Objector)
 - (ii) Statement by Mr Cecil Ludar-Smith, 2 Springmead, Braintree (Objector)
- 2 Statements Relating to Application No. 12/00562/FUL - Tile Kiln Barn, Braintree Road, Sible Hedingham
 - (i) Statement by Mr Jim Lock, Little Boaleys, Braintree Road, Sible Hedingham (Objector)
 - (ii) Statement by Mr Mark Fox, 20 Gurton Road, Coggeshall (Agent)
- 3 Statement Relating to Application No. 13/00173/FUL – Land South of Three Counties Crematorium, Halstead Road, Braintree

Statement by Mr Peter Matthewman, The White House, 116 High Garrett (Objector)
- 4 Statements Relating to Application No. 13/00008/FUL - Houchins Farm, Houchins Lane, Coggeshall,
 - (i) Statement by Mr Norman Stechman, Cuckoos Farm, East Gores Road, Coggeshall (Objector)
 - (ii) Statement by Mr Noel Mead, Bracks Cottage, Bracks Lane, Broad Green, Coggeshall (Objector)
 - (iii) Statement by Mr Adam Dixon-Smith, c/o Neil Jennings Architect, Wendon House Studio, 82 High Street, Kelvedon (Applicant)

5 Statement Relating to Application No. 12/01651/OUT – Land adjacent to 9 Carraways, Witham

Statement by Mrs Rocio MacDonald, 20 Clayshotts Drive, Witham (Objector)

6 Statements Relating to Application No. 13/00240/FUL - Moat Hall Farm, Cornish Hall End Road, Stambourne

(i) Statement by Mr David Paterson, Church Farm Barn, Church Road, Stambourne (Supporter)

(ii) Statement by Mr O Pickess, Moat Hall Farm, Cornish Hall End Road, Stambourne (Applicant)