

Minutes

Planning Committee

24th September 2013

Present



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

55 DECLARATIONS OF INTEREST

The following interests were declared:-

Councillor S C Kirby declared a non-pecuniary interest in Application No. 13/00790/FUL - land adjacent to 36 Sarcel, Stisted as Councillor John Clark, Chairman of Stisted Parish Council who was speaking during the meeting in support of the application, was known to him through the Braintree Association of Local Councils. Councillor Kirby indicated that he had not discussed the application with Councillor Clark.

Councillor D Mann declared a non-pecuniary interest in Application No. 13/00790/FUL - land adjacent to 36 Sarcel, Stisted as some of the people making representations were known to him.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 13/00790/FUL - land adjacent to 36 Sarcel, Stisted as the Cabinet Member for Planning and Property with responsibility for affordable housing.

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

56 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 10th September 2013 be approved as a correct record and signed by the Chairman.

57 QUESTION TIME

INFORMATION: There were six statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

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

58 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00687/FUL (APPROVED)	Castle Hedingham	Mr R Beagrie	Erection of a single storey dwelling below ground level together with a garage and bin store at ground level, land rear of 1 and 3 Castle 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 (as amended) to secure a financial contribution of £2,587.26 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 within one calendar month of this decision, the Development Manager be authorised to refuse planning permission. 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>
*13/00811/FUL (APPROVED)	Kelvedon	Mr Richard Sargeant	Erection of single storey dwelling within new walled garden (replacing 1 No. apartment within Felix Hall), Felix Hall, Felix Hall Park.

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 four calendar months of this decision to:-

- Ensure that within an area of land encompassing Felix Hall and the walled garden there can only be two residential dwellings; that the old Hall shall not include more than one residential dwelling and that it shall not be sub-divided.
- That a level of restoration of Felix Hall is secured prior to the occupation of the new dwelling.

- Ensure that this permission would be an alternative to planning permission 09/01502/FUL and listed building consent 09/01503/LBC (ie. both schemes cannot be implemented).

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 four calendar months, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the necessary planning obligation. Details of this planning application are contained in the Register of Planning Applications.

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

Additional Condition

12. No development shall commence until details of an on-site compound including facilities for workmen, areas for the storage of plant and materials reasonably required for the development hereby approved and the associated restoration and repairs to Felix Hall have been submitted to and approved in writing by the local planning authority. Such facilities shall be installed and maintained for the duration of the development and thereafter removed upon the first occupation of the new dwelling. Notwithstanding the provisions of the Town and Country Planning, General Permitted Development Order 1995 (as amended) or, any other order amending or revoking that order, no other buildings, moveable structures, works, plant or machinery shall be stored/kept within the land edged red and blue on the approved plans other than within the approved compound for the duration of the development hereby approved.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00790/FUL (APPROVED)	Stisted	Hastoe Housing Association	Erection of 8 no. affordable houses comprising 4 no. one bedroom houses, 2 no. two bedroom houses and 2 no. three bedroom houses, land adjacent to 36 Sarcel.

DECISION: That, subject to no adverse representation being received from a landowner(s) on or before 2nd October 2013 and 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 restriction on the occupation and disposal of the residential units to include a clause to limit occupancy to local people, to the agreement of the Housing and Research Development Team.
- the management and maintenance of amenity areas that are not within the curtilage of any dwellinghouse.
- the requirement to comply with the Considerate Contractor Code of Practice and avoid causing nuisance during construction.

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 within one calendar month, the Development Manager be authorised to refuse planning permission; or in the event that an adverse representation is received from a landowner on or before the above-mentioned date, the grant of planning permission shall be deferred and the application shall be reconsidered by the Planning Committee. Details of this planning application are contained in the Register of Planning Applications.

Councillor John Clark, Chairman of Stisted Parish Council, attended the meeting and spoke in support of this application.

59 PLANNING AND ENFORCEMENT APPEAL DECISIONS – AUGUST 2013

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during August 2013. 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 8.30pm.

T J W FOSTER

(Chairman)

APPENDIX
PLANNING COMMITTEE
24TH SEPTEMBER 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 13/00790/FUL – Land adjacent to 36 Sarcel, Stisted
 - (i) Statement by Mrs Christine Hunt, 38 Sarcel, Stisted (Objector)
 - (ii) Statement by Mr Simon James, 33 Sarcel, Stisted (Objector)
 - (iii) Statement by Ms Ulrike Maccariello, Hastoe Housing Association, Rectory Farm Barns, Little Chesterford, Saffron Walden, Essex (Applicant)

- 2 Statements Relating to Application No. 13/00811/FUL – Felix Hall, Felix Hall Park, Kelvedon
 - (i) Statement by Mr Rob MacKay, Julia MacKay Properties, PO Box 11161, Colchester CO5 9YA (Correspondent)
 - (ii) Statement by Mr Kevin Ellis, The Garden House, Felix Hall Park, Kelvedon (Objector)
 - (iii) Statement by Mr Mark Wincer, Wincer Kievenaar LLP, Market Place, Hadleigh, Suffolk (Agent)