

Minutes

Planning Committee

22nd November 2011



Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Lady Newton	Yes
R J Bolton	Apologies	J O'Reilly-Cicconi	Yes
C A Cadman	Yes	R Ramage	Yes
L B Flint	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		

Councillors J McKee and C Siddall were also in attendance.

69 DECLARATIONS OF INTEREST

The following interests were declared:

Councillor D Mann declared a personal interest in Application No. 11/01178/FUL – land adjoining Bocking Cemetery, Church Lane, Braintree as several correspondents were known to him; and a personal interest in Application No. 11/01335/FUL - Former Somerfield Stores, Rayne Road, Braintree as several correspondents were known to him.

Councillor J McKee declared a personal interest in Application No. 11/01335/FUL - Former Somerfield Stores, Rayne Road, Braintree as he was a resident of London Road, Braintree in proximity to the application site.

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.

70 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 8th November 2011 be approved as a correct record and signed by the Chairman

71 QUESTION TIME

INFORMATION: There were seven 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. An audio recording of the meeting is available from Member Services.

72 TREE PRESERVATION ORDER NO. 21/2011 – CHURCH COTTAGE, CHURCH STREET, KELVEDON

INFORMATION: Consideration was given to a report on Tree Preservation Order No. 21/2011, which related to a lime tree within the rear garden of Church Cottage, Church Street, Kelvedon. An objection had been submitted by the owners of the property to the making of the Order.

The Tree Preservation Order had been served in August 2011 following an assessment of the tree, which had shown that the making of an Order was appropriate.

DECISION: That Tree Preservation Order No. 21/2011 relating to Church Cottage, Church Street, Kelvedon be confirmed, subject to the owner of the land being given advice about pollarding/appropriate management of the tree.

73 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 11/01342/ADV - Shell Whitecourt, 201 London Road, Black Notley and 11/01422/FUL - 338 Panfield Lane, Braintree 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 the 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>
*11/01342/ADV (APPROVED)	Black Notley	Mr A MacDonald	Replacement of existing signage with 4 no. new canopy fascia, new pole sign, new spreader panels and pump numbers and other free standing signage, Shell Whitecourt, 201 London Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01178/FUL (APPROVED)	Braintree	Braintree District Council	Change of use of land to cemetery, allotments and public open space together with access improvements and provision of storage shed, land adjoining Bocking Cemetery, Church Lane.

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

Additional Condition

10. The car parking spaces shall be constructed using a permeable surface on a porous base and maintained as such in perpetuity.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01335/FUL (APPROVED)	Braintree	WM Morrison Supermarkets Plc	Variation of condition 11 relating to delivery times under approved application 94/00094/COU (Proposed delivery times to take place between 06.00 and 23.00 hours), Former Somerfield Stores, Rayne Road.

Councillor J McKee, District Council Ward Councillor, attended the meeting and spoke against this application.

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

Information to Applicant

1. The Planning Committee is concerned that the applicant is operating the site in an un-neighbourly manner which is adversely impacting on the amenities of the occupiers of adjacent residential properties through noise and general disturbance. Of particular concern is noise and disturbance (including vibration) from delivery vehicles including the parking of vehicles waiting to enter the site on the road immediately outside residential properties, staff members outside the building shouting and being noisy at unsociable hours and alarms going off at unsociable hours. Accordingly, the Planning Committee strongly urges the applicant to work with neighbours to seek to address these issues and adopt 'good neighbour' practices.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01422/FUL (APPROVED)	Braintree	Mr and Mrs C Reeve	Erection of two storey side extension and 2 no. single storey side extensions, 338 Panfield Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01313/FUL (APPROVED)	Earls Colne	Mrs Jane Caunt	Change of use from mortgage brokers (A2 use) to Tea Rooms (A3 use), 23 High Street.

The Committee approved this application, subject to Condition No. 3 being amended to read as follows:-

Amended Condition

3. The premises shall not be open for business outside the following hours:-
Monday to Friday 07.30 hours - 18.30 hours
Saturdays 08.00 hours - 17.00 hours
Sundays, Bank Holidays and Public Holidays 10.00 hours - 17.00 hours.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01177/FUL (APPROVED)	Hatfield Peverel	Mr Daniel Donegan	Erection of a group of service outbuildings to comprise garaging, garden machinery store, two stables, greenhouse, biomass boiler and wood pellet storage in connection with The Priory, The Priory, Church Road.

Councillor D Adams of Hatfield Peverel Parish Council attended the meeting and spoke against this application.

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

Additional Condition

9. The tree protection methods set out in the 'Tree Survey & Constraints Plan' (dated 16th May 2007) shall be implemented prior to construction and maintained as such throughout the construction period.

Information to Applicant

1. (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.

INFORMATION: Consideration was given to a report, for information, on planning appeal decisions received during October 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 8.50pm.

W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

22ND NOVEMBER 2011

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1. Statement Relating to Agenda Item 5 - TPO 21/2011, Church Cottage, Church Street, Kelvedon

Statement by Mr Andrew Burnford, Church Cottage, Church Street, Kelvedon (Objector)

2. Statement Relating to Application No. 11/01313/FUL – 23 High Street, Earls Colne

Statement by Mr Chris Loon, 15 Springfields, Great Dunmow (Agent)

3. Statements Relating to Application No. 11/01335/FUL - Former Somerfield Stores, Rayne Road, Braintree

- (i) Statement by Mr Lee McGeachie, Rayne Road Residents Association, 58 Rayne Road, Braintree (General observation)

- (ii) Statement by Mrs Siobhan Pierce, Rayne Road Residents Association, 72 Rayne Road, Braintree (Objector)

- (iii) Statement by Mr Paul Cornell, 56 Rayne Road, Braintree (Objector)

- (iv) Statement by Mrs Catherine Snelling, 50 Rayne Road, Braintree (Objector)

4. Statement Relating to Application No. 11/01177/FUL – The Priory, Church Road, Hatfield Peverel

Statement by Mr Martyn Pattie, 178 Bailey House, High Street, Ongar (Agent)