

Minutes

Planning Committee

16th July 2013

Present



Councillors	Present	Councillors	Present
J E Abbott	Yes	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	Yes	R Ramage	Yes
C A Cadman	Yes	L Shepherd	Yes
T J W Foster (Chairman)	Yes	G A Spray	Apologies
P Horner	Yes		

Councillors Beavis and Johnson were also in attendance.

24 DECLARATIONS OF INTEREST

The following interests were declared:-

Councillor J E Abbott declared a non-pecuniary interest in Application No. 13/00590/FUL - Molly's Wood, Hulls Mill Lane, Sible Hedingham as the applicant was known to him.

Councillor C A Cadman declared a non-pecuniary interest in Application No. 13/00590/FUL - Molly's Wood, Hulls Mill Lane, Sible Hedingham as he had been a Member of Braintree District Council's Mi-Community Fund Judging Panel which had awarded a grant to the Friends of Molly's Wood for the facilities for which planning permission was being sought.

Councillor S C Kirby declared a non-pecuniary interest in Application No. 13/00491/FUL - Shed at rear of 3 Market Hill, Halstead as he was a Member of Halstead Town Council, but he had not taken part in any discussion on the applications.

Councillor D Mann declared a non-pecuniary interest in Application No. 13/00590/FUL - Molly's Wood, Hulls Mill Lane, Sible Hedingham as he had been a Member of Braintree District Council's Mi-Community Fund Judging Panel which had awarded a grant to the Friends of Molly's Wood for the facilities for which planning permission was being sought.

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.

25 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 2nd July 2013 be approved as a correct record and signed by the Chairman.

26 QUESTION TIME

INFORMATION: There were five 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.

27 PLANNING APPLICATIONS APPROVED

Planning Application No. 13/00499/FUL - Toms Cottage, Bulmer Street, Bulmer was 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>
*13/00619/FUL (APPROVED)	Bardfield Saling	Mr and Mrs M Brady	Erection of open bay cart shelter, alterations to landscaping including relocation of vehicular and pedestrian access to site, Rose Cottage, New Green.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00590/FUL (APPROVED)	Sible Hedingham	Mr R Green	Erection of 2 no. timber buildings, one to be used as an eco toilet and one will be a timber shed to be used for rural studies for schools and other groups using the community wood, Molly's Wood, as a resource, Molly's Wood, Hulls Mill Lane.

Councillors J C Beavis and H D Johnson, District Councillors for Hedingham and Maplestead Ward, attended the meeting and spoke in support of this application.

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

Conditions

1. (TIME31) The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.
2. (PLAN33) The development hereby permitted shall be carried out in accordance with the approved plans listed above.
3. Prior to the commencement of the development the details of the vehicle parking area shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be provided prior to the first use of the building and shall be retained at all times thereafter.
4. When the buildings hereby permitted are no longer used as a resource and education centre by the Molly's Wood Trust they shall be demolished/removed and the site reinstated to its former condition in accordance with details to be submitted to and agreed in writing by the Local Planning Authority before demolition/removal.
5. The buildings hereby permitted shall only be used by schools and community groups visiting the site, as guests of the Molly's Wood Trust, to undertake rural studies and for no other purpose.

Information to Applicant

1. (IN40) Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £25 for householder applications and £85 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk
2. (IN41) Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of

demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.

3. With regards to discharging condition no.3, the applicant is advised that the Council would not wish the parking area to be constructed to form a hard standing, but that the use of a system of plastic mesh to reinforce the ground would be acceptable.

28 SECTION 106 AGREEMENT

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00491/FUL (APPROVED)	Halstead	Mr A Hunter-Blair	Erection of a detached dwelling, Shed at rear of 3 Market Hill.

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 two calendar months of this decision to secure a financial contribution of £1,774.11 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 two 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 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 Nos. 3 and 5, the addition of a Condition and Information to Applicant and the deletion of an approved plan reference as follows:-

Amended Conditions

3. The development hereby permitted shall not be occupied until the car parking area for the new dwelling and 3 Market Hill, as indicated on submitted plan PAS/H-BLA/06/C, has been surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development. All areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the Local Planning Authority.
5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to

throughout the construction period. The Statement shall include details of:

- i) the proposed hours of working;
- ii) the hours during which construction materials shall be delivered to or removed from the site, the type and size of vehicles to be used, the number of such vehicles permitted on the site at any one time, and details of the means to ensure such number is not exceeded;
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of security hoarding;
- vii) wheel washing facilities;
- viii) measures to control the emission of dust and dirt during construction;
- ix) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- x) information on how any potential asbestos will be identified and removed.

Additional Condition

16. (CONS40) No piling shall be undertaken on the site in connection with the construction of the development until a system of piling and resultant noise and vibration levels has been submitted to and agreed in writing by the Local Planning Authority and shall be adhered to throughout the construction process.

Information to Applicant

1. (IN40) Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £25 for householder applications and £85 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk
2. (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.

Deleted Approved Plan

Plan Ref: PAS/H-BLA/06 Version: B

29 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>
*13/00499/FUL (REFUSED)	Bulmer	Mrs S Charlton and Mr D Byford	Demolition of existing flat roofed side extension and erection of two storey side extension and erection of single storey garage/store, Toms Cottage, Bulmer Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00639/FUL (REFUSED)	Little Maplestead	Mr and Mrs A Crudgington	Change of use of land to domestic garden associated with Saxbys, land adj. Saxbys, Gestingthorpe Road.

30 PLANNING AND ENFORCEMENT APPEAL DECISIONS – JUNE 2013

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during June 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 8.40pm.

T J W FOSTER

(Chairman)

APPENDIX
PLANNING COMMITTEE
16TH JULY 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Application No. 13/00491/FUL - Shed at Rear of 3 Market Hill, Halstead

Statement by Mr Paul Sutton, Cheffins, Clifton House, 1 and 2 Clifton Road, Cambridge (Agent)
- 2 Statement Relating to Application No. 13/00619/FUL - Rose Cottage, New Green, Bardfield Saling

Statement by Mrs Susan Murphy, Highfields, New Green, Bardfield Saling (Objector)
- 3 Statement Relating to Application No. 13/00639/FUL – Land adj. Saxbys, Gestingthorpe Road, Little Maplestead

Statement by Mrs Margaret Crudgington, Saxbys, Gestingthorpe Road, Little Maplestead (Applicant)
- 4 Statements Relating to Application No. 13/00590/FUL – Molly's Wood, Hulls Mill Lane, Sible Hedingham
 - (i) Statement by Mrs Jenny Bishop, Green Architect, Hampers, Oak Road, Little Maplestead (Agent)
 - (ii) Statement by Mrs Angela Weatherley, Secretary - Molly's Wood, (address not supplied) (Supporter)