

Minutes

Witham Area Committee

15th August 2006



Present:

Councillors	Present	Councillors	Present
J E Abbott	Yes	P A Heath	Apologies
P R Barlow	Yes	P J Hughes	Yes
K E Bigden (Vice-Chairman)	Yes	M C M Lager	Yes
K D Boylan	Apologies	Ms J S M Martin	Apologies
Dr R L Evans (Chairman)	Yes	R G S Mitchell	Apologies
D M Finch	Apologies	Mrs J B Reekie	Yes
T J W Foster	Apologies	Mrs K E Tearle	Apologies
Mrs M E Galione	Yes	R A G Tincknell	Yes
J E B Gyford	Yes	P J R Turner	Apologies

32 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:-

- Councillors P R Barlow and M C M Lager declared personal interests as members of Witham Town Council which had commented on both items in Agenda Item 6 - Application No. 06/01291/FUL – Essex Strategic Health Authority, 8 Collingwood Road and Application No. 06/01125/FUL – 30A Newland Street.
- Councillor K E Bigden declared a personal interest as a member of Hatfield Peverel Parish Council which had commented on the items in Agenda Item 6 – Application No. 06/01299/FUL – 63 Church Road; Application No. 06/00883/FUL – Kissingate, Church Road; Application No. 06/01049/FUL – Black Gables, Maldon Road; Application No. 06/01194/FUL – 8 Birkdale Rise; Application No. 06/01390/FUL – 12 Beech Rise.

In accordance with the Code of Conduct, all Councillors remained at the meeting, unless stated otherwise, and took part in the discussion for all the above items and the vote thereon.

33 MINUTES

DECISION: The minutes of the meeting of the Witham Area Committee held on 18th July 2006 were approved as a correct record and signed by the Chairman.

34 PUBLIC QUESTION TIME

INFORMATION: There were ten statements made, a summary of which is appended to these Minutes.

Any amendments to the Officers' recommendations having taken into account the issues raised by members of the public would be dealt with by conditions, a summary of which is contained within the appropriate minute. Full details of the Decision Notices are contained in the Register of Planning Applications.

35 ANTI-SOCIAL BEHAVIOUR IN WITHAM

INFORMATION: The Committee considered a report on the alleged anti-social behaviour by a family in Cornel Close, Witham, updating the situation reported at the previous Witham Area Committee meeting. Members were advised that the mother of the family identified as responsible for the nuisance had been interviewed and reminded of her obligations under the terms and conditions of her tenancy. The Committee noted that the situation had been dealt with and it was once again emphasised that it would be beneficial to involve ward members in such situations at the outset in future.

DECISION: That the report be noted and the action taken by officers endorsed.

36 PLANNING APPLICATION WITHDRAWN

INFORMATION: The undermentioned planning application was withdrawn by the applicant prior to the meeting.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*06/01438/T56 (WITHDRAWN)	Rivenhall	C R Barnes Ltd	Installation of a 15.0 metre telecommunications pole incorporating 3 no. antennas, and 2 no. equipment cabinets located within a fenced compound, Glebe Farm, Rectory Lane.

37 PLANNING APPLICATIONS APPROVED

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 Director's report, as amended below, details of which are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*06/01389/FUL (APPROVED)	Feering	Mr and Mrs R Mitchell	Demolition of existing conservatory and erection of two storey rear extension, Bidlake, Inworth Road.

*06/01299/FUL (APPROVED)	Hatfield Peveler	Mr A Rogers	Demolition of existing garage and erection of single storey granny annexe, 63 Church Road.
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The above application was approved, subject to the addition of Conditions CONS7, CONS9, CONS10 and an Informative advising that planning consent does not over-ride any existing covenants on the property.

*06/01049/FUL (APPROVED)	Hatfield Peveler	Tony Rymill	Erection of detached garage to front of dwelling, Black Gables, Maldon Road.
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*06/01194/FUL (APPROVED)	Hatfield Peveler	Mr P Garland	Erection of two storey side and front extension and single storey rear extension, 8 Birkdale Rise.
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The above application was approved, subject to an additional Condition as follows:-
The Silver Birch trees, which will need to be removed as a result of the development hereby approved, shall be replaced with suitable specimens on the application site, in accordance with further particulars to be submitted to and approved in writing by the local planning authority.

*06/00957/FUL (APPROVED)	Terling	Orange Personal Communications Ltd	Erection of 24.5 metre monopole, incorporating 3 no. DBDP antennae and 2 no. 600mm transmission dishes with associated equipment cabinets at ground level, Great Loys Farm, Fairstead Road.
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*06/01125/FUL (APPROVED)	Witham	Mr H Yasasin	Retention of flat roof shed, 30A Newland Street.
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The above application was approved, subject to the amendment of Condition 2 to read:-
Within 1 month of the date of this permission all existing lighting shall be removed from the structure. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) no form of additional external lighting or illumination shall be provided without the prior written consent of the local planning authority.

Condition 3 was amended to read 2 months rather than 4 months.

An Informative was also added as follows: The applicant/agent is advised that further to Condition 2, any proposed external lighting scheme that is submitted to the local planning authority for consideration should include a detailed specification of the proposed position, design, height, levels of luminance, hours of use and energy efficiency of the external lighting proposed.

38 PLANNING APPLICATION DEFERRED

INFORMATION: Councillor Renow of Hatfield Peverel Parish Council joined the table for this item. Councillor Renow referred Members to the comments made in Public Question Time, particularly with regard to the Essex & Southend-On-Sea Replacement Structure Plan. He noted that the site facing Maldon Road was a busy road but the rear was a different matter; what was green space would become a car park. A viable visibility splay was difficult to devise but was not considered viable at this location.

DECISION: That the undermentioned planning application be deferred in order that a more detailed application could be considered detailing the pedestrian access at the rear (known as Coffin Path).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*06/00883/FUL (DEFERRED)	Hatfield Peverel	Woodhill Property Developments	Erection of 8 no. 2 bed flats, Kissingate, Church Road.

39 PLANNING APPLICATIONS REFUSED

DECISION: That the undermentioned planning applications be refused for the reasons set out in the report.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*06/01390/FUL (REFUSED)	Hatfield Peverel	Mr & Mrs Brown	Erection of two storey side extension, 12 Beech Rise.
*06/01291/FUL (REFUSED)	Witham	Essex Strategic Health Authority	Installation of roof guardrails/ ladders and air conditioning units, Essex Strategic Health Authority, 8 Collingwood Road.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the Office of the Development Service Director, Council Offices, Causeway House, Bocking End, Braintree, Essex, CM7 9HB.

(Where applications are marked * this denotes that representations were received and considered by the Committee).

The meeting commenced at 7.15pm and closed at 10.13pm.

DR R L EVANS

(CHAIRMAN)

APPENDIX

WITHAM AREA COMMITTEE

15th August 2006

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 06/01390/FUL – 12 Beech Rise, Hatfield Peverel

(a) Statement by Mr Roger Bozza, 14 Beech Rise, Hatfield Peverel

Mr Bozza spoke in opposition to the application. He stated that he did not wish to engage in a mud slinging contest and was sympathetic to Mr Brown's need to increase the size of his living accommodation but he considered that Mr Brown did have alternatives. Mr Bozza felt that Mr Brown should not be permitted to proceed at the expense of his amenities, any side extension would be overbearing to his side windows, too close and too bulky. Mr Bozza considered this application to be similar to the previous application and felt it was unneighbourly and would have an unacceptable impact, being overbearing and resulting in overshadowing and loss of outlook. He noted that the planning officers had visited his property to assess the impact and the application was recommended for refusal. Mr Bozza referred to letters and photographs in support of the application which had been submitted by people entirely unaffected by the proposal.

(b) Statement by Mr Peter Brown (Applicant)

Mr Brown circulated photographs to illustrate his statement. He stated that he had lived in his property for 13 years and had two teenage daughters. He now had an overriding need to take care of his elderly mother who had health problems and he was therefore looking to increase the size of his property by an additional bedroom. Mr Brown referred to the photographs and noted that the garage would come forward 1m on the ground floor only, the roof would be hipped along with the ridge line. He had been advised that it would be better to extend at the rear of the house but did not understand this. He noted that the utility room and garage had been in this location for 30 years.

2. Statements Relating to Application No. 06/00883/FUL – Kissingate, Church Road, Hatfield Peverel

(a) Statement by Mr Robert Hill, Henley, Maldon Road, Hatfield Peverel

Mr Hill confirmed that he was speaking as a resident of Hatfield Peverel and not as a Parish Councillor. He considered that the development was wrong, it was a wonderful site. Mr Hill referred to policies RLP3, 4, 11, 71, 75 and 90 and considered that none of these policies would be met by the development.

(b) Statement by Miss Anita Kittle (Agent)

Miss Kittle stated that she represented the applicant. It was considered that the scheme was generally compliant with all the Council's policies. She noted the

development was on a major road between Maldon and Hatfield Peverel, a mile from the railway station. Miss Kittle stated that PPG3 requires more efficient use of land without compromising the environment. The previous application had been refused as the trees were to be removed. However it was now agreed that there was pedestrian access to the rear of the site and the County Council objection had been withdrawn. She noted that the planning officers accepted the new proposal and there was no reason why this application should now be refused and she had been instructed by the applicant to commence appeal proceedings should the Committee fail to make a decision tonight. Miss Kittle concluded by stating this was an appropriate scheme within the town development boundary.

(c) Statement by Mr Gordon Doel, 2 The Spinney, Church Road, Hatfield Peverel

Mr Doel circulated copies of his statement together with a plan of the area to all Members of the Committee. He considered that this application only differed from the previous one by the reduction of 2 flats and noted that the density was still in excess of the ODPM recommendation. Mr Doel felt therefore that the size, height and bulk were still out of keeping with the area and represented over-development. He referred to the Highway Authority guidance on visibility splays and noted that trees and bushes were present within the 60m splay. Turning to the issue of the footway, Mr Doel had not seen a site plan of the proposed pedestrian access known as Coffin Path and questioned the safety of it and visibility splays. Mr Doel considered that the application failed to comply with Essex and Southend-On-Sea Replacement Structure Plan Policies T8, BE1 and CS2 and Local Plan Policies RLP3, 4, 9 and 90 and he requested that planning permission be refused.

(d) Statement by Mrs Donna Goddard, Chair of Governors, St Andrews Junior School, Hatfield Peverel

Mrs Goddard introduced herself as representing Hatfield Peverel Infant School and Day Nursery. She stated that the Governors, parents and carers were concerned for the safety of the children in the area, particularly the likely increase in on-street parking and proximity of the driveway to Church Street. She had witnessed several near misses and one actual accident in the past few months. Mrs Goddard presented a petition of some 480 signatures to the Chairman objecting to the development and urged the Committee to refuse the application in the interests of the safety of the local children.

(e) Statement by Mrs Vivian Cooke, 26 Stone Path Drive, Hatfield Peverel

Mrs Cooke confirmed that she was speaking as a resident of Hatfield Peverel and not as a Parish Councillor. She noted the site was in a rural area and therefore the proposal represented gross over-development. She stated that until earlier this year, a covenant had been in place preventing such proposals. One dwelling was to be replaced by eight; Mrs Cooke questioned what exterior lighting would be erected. She considered that the flats were not wanted or necessary for this area and would urbanise it. Mrs Cooke urged the Committee to consider the effect of the proposal on immediate neighbours.

3. Statement Relating to Application No. 06/01291/FUL – Essex Strategic Health Authority, 8 Collingwood Road, and Application No. 06/01125/FUL – 30A Newland Street, Witham

Statement by Mr David Smith, 9 Ben Sainty Court, Witham

Mr Smith stated that the majority of the residents were elderly and that both these applications affected his property. He had only moved in last October but no applications had been revealed by the search and he was dismayed that two retrospective applications had now been submitted for either side of his property. He had been attracted to the area as there were strict planning regulations governing the conservation area and he was concerned that precedents could be set for any future applications. Mr Smith was pleased to see the recommendation for refusal and hoped this would be supported by the Committee, together with the recommendation for refusal by Witham Town Council. He added that the air conditioning was audible 24 hours a day.

4. Statement Relating to Application No. 06/01291/FUL – Essex Strategic Health Authority, 8 Collingwood Road, Witham

Statement by Mr John Allen on behalf of Whitehall Court Residents Association

Mr Allen noted that most of the residents were elderly and not able to attend the meeting. He had been at Whitehall Court for five years, the handrails had been erected two years ago and completely changed the appearance of the building. They appeared to increase the building's height by another storey and were overbearing and unsightly. He noted that handrails were unnecessary at the Marsh building and questioned why they were used on this building. Mr Allen stated there had been an 80 signature petition against the previous application and these objections were still valid. He hoped the Committee would reject the application.

5. Statement Relating to Application No. 06/01194/FUL – 8 Birkdale Rise, Hatfield Peverel

Statement by Mrs Brenda Smith, 3 Ferndown Way, Hatfield Peverel

Mrs Smith circulated some photographs and confirmed that she was speaking as a resident of Hatfield Peverel and not as a Parish Councillor. She noted that properties extended in this area tended to be at the end of blocks however this extension would make the view from the rear one of a terrace. Mrs Smith pointed out that two Silver Birch trees had been omitted from the application and was disappointed they may be chopped down, particularly as there had recently been a talk on tree preservation in the village. She stated that her property was a chalet style and as such the proposal would block the light from her ground floor windows.