

Minutes

Planning Committee

30th March 2010



Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Mrs J M Money	Apologies
J C Collar	Yes	Lady Newton	Yes
Mrs E Edey	Apologies	J O'Reilly-Cicconi	Yes
Ms L B Flint	Yes	Mrs W D Scattergood (Chairman)	Yes
T J W Foster	Apologies	Mrs L Shepherd	Yes
Mrs B A Gage	Yes	Mrs G A Spray	Yes
Mrs M E Galione	Apologies		

153 DECLARATIONS OF INTEREST

The following declarations of interest were made:

All Councillors declared a personal interest in Application No. 09/01372/FUL – Scott End Farm, Finchingfield as the site land owner, Councillor J H G Finbow, was a fellow District Councillor who was known to them.

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

154 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 2nd February 2010 be approved as a correct record and signed by the Chairman.

155 QUESTION TIME

INFORMATION: There were four statements made, a summary of which is contained in the Appendix 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.

156 TREE PRESERVATION ORDER NO. 44/2009 – 9 MORTON WAY, HALSTEAD

INFORMATION: Members were advised that this item had been withdrawn from the Agenda as objectors had not been given sufficient notice that the matter was being

reported to the Committee. The Tree Preservation Order would be re-served and if any objections were submitted these would be reported to a future meeting.

157 PLANNING APPLICATION WITHDRAWN

INFORMATION: The Chairman reported that the undermentioned planning application had been withdrawn by the applicant.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00218/FUL (WITHDRAWN)	Braintree	Mr Christopher Robinson	Replacement of flat roof to pitched roof and conversion of existing detached double garage to ancillary habitable accommodation, 2 Newnham Close.

158 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 Head of District Development'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>
*09/01372/FUL (APPROVED)	Finchingfield	Gardiner Associates Fire Limited	Refurbishment of an existing farm track and the creation of an additional track to facilitate access to the Fire Training site, Scott End Farm.

The Committee approved this application, subject to the amendment of Condition 1 and the addition of an Information to Applicant as follows:-

Amended Condition

1. The track hereby approved shall only be used for agricultural purposes and by users of the fire training site at old site 7, Scott Avenue (as approved under Application No. 09/00593/FUL). Pursuant to 09/00593/FUL the track shall not be used for more than 30 training events at the fire training site per annum; and a log/diary of every training event held shall be kept and a written record of all events shall be submitted to the local planning authority for each respective calendar year by the 31st January of the following year.

Additional Information to Applicant

The applicant is advised, in the event that the number of training events is likely to exceed 30 days per annum, a new planning application will be required.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00142/FUL (APPROVED)	Gosfield	Mr Keith Thorogood and Mr Richard Harris	Erection of detached car port, 2 Park Cottages, The Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00176/FUL (APPROVED)	Gosfield	Mr T Mauder	Removal/variation of condition 3 of planning approval 06/00997/FUL - Retention of access track, Glen Cottage The Street.

159 SECTION 106 AGREEMENT

DECISION: That, subject to the applicant entering into a suitable planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution of £5,000 towards a vehicular activated sign in Chapel End Way, Stambourne, the Head of District Development be authorised to grant planning permission for the following development, in accordance with the conditions and reasons set out in his report, as amended below. Alternatively, in the event that a suitable planning obligation is not provided by the target date for determining this application, the Head of District Development be authorised to refuse the grant of planning permission.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00214/OUT (APPROVED)	Stambourne	Mr D Pyman	Erection of 3 no. dwellings, land adjoining Penfields, Chapel End Way.

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

Additional Condition

17. Prior to commencement of development details showing the existing and proposed ground levels, both inside and immediately adjoining the site and the slab and finished roof heights and levels of dwellings in relation to the neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority.

Additional Information to Applicant

3. Your attention is drawn to the concerns of the neighbouring residents at Pump Cottage and Old House Farm in respect of the piped ditch which runs along the eastern boundary of the site. In seeking to discharge the requirements of Condition 11 in respect of surface water drainage, you are advised to take into consideration the presence of this pipe and mitigating measures to ensure that it is not impeded and, where possible, its drainage function is improved.
4. You are advised that there may be a Right of Way across the application site for the benefit of Old House Farm and you are advised that the granting of this permission does not give any legal consent to impede or obstruct any lawful Rights of Way which may exist.
5. You are advised that Old House Farm is an operational livestock unit and that future occupiers of the dwellings hereby permitted should be made aware of this fact prior to occupation.

160 PLANNING APPEAL DECISIONS – FEBRUARY 2010

INFORMATION: Consideration was given to a report, for information, on planning appeal decisions received during February 2010. The report included a summary of each case and a précis of the decision.

DECISION: That the report be noted.

The Chairman advised Members that the next meeting of the Planning Committee which was scheduled for 13th April 2010 had been cancelled due to there being insufficient business to discuss.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Head of District Development, 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 8.05pm.

MRS W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

30TH MARCH 2010

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mr Michael Dowling, Pump Cottage, Chapel End Way, Stambourne
Application No. 10/00214/OUT – Land adjoining Penfields, Chapel End Way,
Stambourne

Mr Dowling stated that he was concerned about the drainage ditch at the site which was an overflow for his property Pump Cottage as there was a disagreement between the two adjoining landowners as to who had responsibility for it. Mr Dowling indicated that the development site was one metre higher than his land and he was concerned that there would be run-off onto his land if the overflow was not kept clear. Mr Dowling expressed concern also about being overlooked.

2. Statement by Mr Douglas Knight, Cottons Farm, Sculpins Lane, Wethersfield
Application No. 09/01372/FUL – Scott End Farm, Finchingfield

Mr Knight apologised for his behaviour at Causeway House, Braintree last year and he was sad that he had had to take this measure to get the matter noticed. Mr Knight stated that he had never given Mr Finbow or Gardiner Associates consent for planning matters and that there was a land dispute between them which was being dealt with by his Solicitor. Mr Knight stated that in 17 years of living at Cottons Farm there had never been a concrete farm track leading to the site. Mr Knight pointed out that the second entrance which had been formed was still being used and the hedgerow had not been re-instated. Mr Knight stated that Essex County Council estimated the cost of providing a roadway to the site to be £330,000 and he considered that the provision of a sight splay on Sculpins Lane would cause significant damage to the hedgerow although it could not be provided as the applicant did not own the land opposite. Mr Knight queried whether it would be safe for fire trucks of over 20 tonnes in weight to use the farm track. Mr Knight did not consider that the correct procedures had been followed with regard to the development and the farm track and he stated that if planning permission was granted he would seek a judicial review.

3. Statement by Mr Richard Harris, The Thatched Cottage, Church Street
Gestingthorpe. (Applicant)
Application No. 10/00142/FUL – 2 Park Cottages, The Street, Gosfield

Mr Harris stated that the concerns expressed about the first application had been addressed. The current proposal would run parallel to the house and it would have a reduced hip to the roof which was similar to adjoining cart lodges. Mr Harris considered that the design was historically correct and that it would both complement the house and enhance the street scene. Mr Harris stated that there was limited

parking available at No. 2 Park Cottages and that the cart lodge would provide additional off-street parking.

4. Statement by Mr Russell Forde, Smart Planning Ltd, Old School House, Rettendon Turnpike, Battlesbridge (Agent)
Application No. 10/00176/FUL – Glen Cottage, The Street, Gosfield

Mr Forde indicated that the applicants were no longer able to use an access to the site which they had previously used under licence and that they and visitors now had to gain access to their property via Park Lane. This meant that visitors now arrived at the rear of the property and they had to park their vehicle and walk round to the front. This was inconvenient and resulted in unnecessary movements of vehicles. Mr Forde stated that approval of the application would enable people to drive to the front of the property and it would not lead to additional movements of vehicles. Mr Forde stated that there were no planning or highway objections to the proposal. Mr Forde indicated that the applicant had worked from an office within the property for the last 40 years, but that this use was not significant.