

# Minutes

## Witham Area Committee

31<sup>st</sup> January 2006



Present:

| Councillors                | Present            | Councillors     | Present            |
|----------------------------|--------------------|-----------------|--------------------|
| J E Abbott                 | Yes                | P A Heath       | No                 |
| P R Barlow                 | Yes                | P J Hughes      | Yes                |
| K E Bigden (Vice-Chairman) | Yes                | M C M Lager     | Yes                |
| K D Boylan                 | Yes (until 9.25pm) | Ms J S M Martin | Yes (from 7.23pm)  |
| Dr R L Evans (Chairman)    | Yes                | R G S Mitchell  | Yes (until 8.25pm) |
| D M Finch                  | No                 | Mrs J B Reekie  | No                 |
| T J W Foster               | Yes                | Mrs K E Tearle  | Yes                |
| Mrs M E Galione            | Yes                | R A G Tincknell | Yes                |
| J E B Gyford               | Yes                | P J R Turner    | Yes                |

Councillor Mrs W D Scattergood, Cabinet Lead Member for Planning & Rural Affairs and Mr T J French, Chairman of the Standards Committee, were also in attendance.

The Chairman reminded those Members who found it necessary to leave the meeting early that it was courteous to firstly advise the Chair. A member of the public had commented in a letter to the Chairman that this had not occurred at the Witham Area Committee meeting on 29<sup>th</sup> November 2005.

### 69 DECLARATIONS OF INTEREST

The following Declarations of Interest were made:-

- Councillor K E Bigden declared a personal interest as the applicant was his neighbour in Agenda Item 7 - Application No. 05/02181/FUL – Benton View, Maldon Road, Witham.
- Councillor Lager declared a personal interest as a Member of Essex County Council which had promoted the schemes in Agenda Items 5 - Proposed 30mph Speed Limit and 6 – Proposed Zebra Crossing.
- Councillors P R Barlow, K Boylan, M C M Lager and Mrs K E Tearle declared personal interests as members of Witham Town Council in Agenda Item 7 – All Witham applications.
- Councillor J E Abbott declared a personal and prejudicial interest as a member of the Community Association in Agenda item 7 - Application No. 05/02226/FUL – Land Rear of Spring Lodge Community Centre, Chipping Hill, Witham. In accordance with the Code of Conduct, Councillor Abbott left the meeting during the discussion of this item.
- Councillor R G S Mitchell declared a personal interest as a member of Feering Parish Council in Application No. 05/01871/FUL – Herrolds Mead, Worlds End Lane, Feering.

- Councillor Mrs M E Galione declared a personal interest as a member of Witham & Countryside Society in Agenda Item 7 – Application No. 05/02427FUL – 59 Collingwood Road, Witham.
- Mr T J French, Chairman of the Standards Committee, declared a personal and prejudicial interest in Agenda Item 5 – Proposed 30mph Speed Limit – as one of the objectors was well known to him. In accordance with the Code of Conduct, Mr French left the meeting during the discussion of this item and the relevant part of Public Question Time.

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.

70 MINUTES

**DECISION:** The minutes of the meeting of the Witham Area Committee held on 3<sup>rd</sup> January 2006 were approved as a correct record and signed by the Chairman.

71 PUBLIC QUESTION TIME

**INFORMATION:** There were four 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.

72 PROPOSED 30MPH SPEED LIMIT – FULLER STREET AND RANKS GREEN, FAIRSTEAD

**INFORMATION:** The Committee considered a report on the objections received as a result of the formal advertising of the proposed 30mph speed limit to be implemented following the concerns expressed by the Parish Council.

**DECISION:** That notwithstanding the objections outlined in the report, an Order be made subject to and in accordance with the County Council's standard order making procedure.

73 PROPOSED ZEBRA CROSSING – HIGH STREET, KELVEDON

**INFORMATION:** The Committee were advised that this item had been withdrawn from the Agenda at the request of Kelvedon Parish Council.

74 PLANNING APPLICATIONS REFUSED

**DECISION:** That the undermentioned planning application be refused under the Town and Country Planning Act 1990 for the reasons set out in the report.

| <u>Plan No.</u>            | <u>Location</u> | <u>Applicant(s)</u>            | <u>Proposed Development</u>                                       |
|----------------------------|-----------------|--------------------------------|---|
| *05/02427/FUL<br>(REFUSED) | Witham          | Messrs T Bartlett<br>& Z Sinka | Erection of 1 no. two bed detached dwelling, 59 Collingwood Road. |

**DECISION:** That the undermentioned planning application be refused under the Town and Country Planning Act 1990 for the reasons set out below.

| <u>Plan No.</u>            | <u>Location</u> | <u>Applicant(s)</u> | <u>Proposed Development</u>  |
|----------------------------|-----------------|---------------------|--|
| *05/02226/FUL<br>(REFUSED) | Witham          | Andrew Epsom<br>BDC | Provide additional car parking (57 no. spaces) for Spring Lodge Community Centre, St John's Ambulance and Scouts, Land Rear of Spring Lodge Community Centre, Chipping Hill. |

Reasons for Refusal

1. The proposal will result in the loss of landscaped open space that presently contributes to the pleasant setting of the hall and its surroundings. In the absence of sufficient mitigation measures, the proposal is therefore contrary to the provisions of Policies BE1 of the Essex and Southend-on-Sea Replacement Structure Plan, and Policies RLP3 and RLP90 of the Braintree District Local Plan Review.

75 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>  |
|-----------------------------|-----------------|---------------------|--|
| *05/02145/FUL<br>(APPROVED) | Bradwell        | Miss J Elliff       | Construction of vehicular access, 5 Hillary Close, The Street.   |
| *05/01969/FUL<br>(APPROVED) | Braintree       | Mr S Kenny          | Demolition of existing dwelling and erection of two detached dwellings, 169 London Road.   |
| *05/02270/FUL<br>(APPROVED) | Feering         | M Carter Esq.       | Erection of temporary marquee from May until September (2007, 2008, 2009 inclusive), Prested Hall, London Road.                        |
| *05/02527/FUL<br>(APPROVED) | Feering         | Mr & Mrs Parker     | Erection of two storey side, single storey front and rear extension and erection of conservatory and garage, Harkstead, Rye Mill Lane. |

|                             |        |                                 |   |
|-----------------------------|--------|---------------------------------|---|
| *05/02418/FUL<br>(APPROVED) | Witham | Mr and Mrs Bayley               | Erection of detached dwelling,<br>Land Adjacent 8 Benton Close.   |
| *05/02024/FUL<br>(APPROVED) | Witham | Duncan and<br>Jennifer Wallace  | Erection of fence along public<br>footpath to prevent trespass,<br>Blunts Hall, Blunts Hall Road.                         |
| *05/02181/FUL<br>(APPROVED) | Witham | Mr I Hendon                     | Installation of small front dormer<br>window to en-suite between<br>existing dormer windows, Benton<br>View, Maldon Road. |
| *05/02361/FUL<br>(APPROVED) | Witham | Mr M J Twohig                   | Erection of single storey side<br>extension, 15 Blackthorn Road.  |
| *05/02366/FUL<br>(APPROVED) | Witham | Bridge Hospital<br>(Witham) Ltd | Erection of electrical sub-station<br>and fence, Bridge Hospital,<br>Hatfield Road.                                       |

The above application was approved, subject to an additional Condition as follows:

5. The substation hereby permitted shall be set into the ground as far as practicable below the existing ground level in accordance with details to be submitted to and agreed in writing by, the local planning authority prior to the commencement of development.

## 76 IMPROVEMENTS TO THE SCHEME OF DELEGATION

**INFORMATION:** The Committee considered a report by the Development Director on the principle of extending the scheme of delegation following concern expressed at Braintree Area Committee in July 2005 about the amount of time taken by the Committee to consider minor planning applications in Part B of the agenda. The report detailed the Development Control performance and related Best Value Performance Indicators and the recent failure to meet targets set by the Government.

Members were reassured that Town/Parish Councils would still have the opportunity to attend Area Committees and present their objections. The Committee also requested that the Ward Member be consulted on applications as part of the planning process. Several Members were concerned that extending the scheme of delegation should not remove the opportunity for members of the public to take part in the democratic process.

The main issues raised by the Committee were:-

- ❖ Town/Parish Councils to maintain a significant role in the planning process;
- ❖ Members have a right to call an item to Committee regardless of whether it is in their Ward.
- ❖ Greater investment in the planning process;
- ❖ General dissatisfaction in changing the scheme of delegation;
- ❖ Lobbying by Members possible within the restrictions of the Code of Conduct when applications were “live”;
- ❖ Timing of Member input;
- ❖ Issue with reliability of website;
- ❖ Clarify number of representations from public leading to committee report;
- ❖ Any extension of the scheme to be subject to review;
- ❖ Some Part B items are a waste of time and resources.

**DECISION:** That it be Recommended to the District Development Committee:

That the Committee supports the points raised by Members with regard to extending the scheme of delegation, as detailed above.

77 SECTION 106 – LAND ADJACENT 6 STRUTT CLOSE, HATFIELD PEVEREL

**INFORMATION:** The Committee considered a report on the amendment of the Section 106 Agreement relating to land adjoining 9 Strutt Close, Hatfield Peverel, following the approval of an application in 2002 for the change of use of the footpath adjoining the site.

**DECISION:** That the amendments to the Section 106 Agreement for the erection of signage directing pedestrians to use the existing footpaths be approved.

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 closed at 9.55pm.

DR R L EVANS  
(CHAIRMAN)

APPENDIX

WITHAM AREA COMMITTEE

31<sup>st</sup> January 2006

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement relating to Agenda Item 5 – Proposed 30mph Speed Limit – Fuller Street and Ranks Green, Fairstead

*(Mr T French, Chairman of the Standards Committee, left the meeting during the following statement)*

Statement by Mr Christopher French, 2 Tithe Cottages, Ranks Green

Mr French circulated some photographs to illustrate his points. Mr French supported the County Council's need to reduce vehicle speeds and improve road safety but felt that the Order had defects. With regard to Ranks Green, Mr French noted that the entrance to the village was in a dip with a sharp bend at the bottom of the dip. This was compounded by trees and scrub which screened the road, oncoming vehicles could not be seen until virtually at the bottom of the dip. Mr French considered that placing signs to the eastern side of the bottom of the dip would serve no purpose as they could not be easily seen. He suggested that the signage be sited instead on the western side of the bottom of the dip. With regard to Fuller Street, Mr French noted that the approach was down a narrow gully from the west between high banks and around a blind corner. Mr French considered that placing the signage just west of the cottage on the corner was inappropriate as drivers would be busy watching the road for oncoming traffic. Again, he suggested that the signage should be sited further west at the entrance to the gully to slow traffic before it reached the bend. If this was not possible, Mr French suggested advanced warning signs. He also referred to the restriction on the road south from Ranks Green into Fuller Street which was just south of a blind bend and again suggested advanced warning signs. Mr French concluded by stating that he did not agree that the signs proposed by the County Council were being placed where drivers had good visibility.

2. Statement relating to Application No. 05/02366/FUL – Bridge Hospital, Hatfield Road, Witham

Statement by Mr Sellem Patel, Alexander House, Hatfield Road, Witham

Mr Patel could not see how a sub-station on a different level could be justified. The building would be 5m high, 6" from his fence and was equivalent to the height of a two storey house. Mr Patel was concerned that it would block his light and did not agree it would have little impact. This was the only point where the land was high and the structure would cause overshadowing to his property. Mr Patel considered that the sub-station could be built elsewhere on level land where it would be less of an eyesore.

3. Statement relating to Application No. 05/02427/FUL – Land Adj 59 Collingwood Road, Witham

Statement by Mr Zenon Sinka (Joint Applicant)

Mr Zinka gave Members a brief history of the site which he and Mr Bartlett had owned since 1987. Many improvements to both 57 and 59 Collingwood Road had been carried out with planning approval, however, a similar application in 1989 had been allowed to lapse. Since then, the listing of No. 59 had come into force in 1998. Mr Zinka considered the proposal to be well designed for a natural urban infill which would complement the street scene. He noted that originally a three bedroom dwelling had been applied for but this had been withdrawn following discussions with officers. Mr Zinka stated that both Witham Town Council and Witham & Countryside Society supported the application. He felt it was sad that the recommendation was for refusal since many meetings had been held between their agent and officers at the Council.

4. Statement relating to Application No. 05/02270/FUL – Prested Hall, London Road, Feering

Statement by Mr Carter (Applicant)

Mr Carter noted that the report stated there had been no complaints about noise to the Council's Environment Health officer. He added that the Hall's modus operandi had been revamped and that music was only now allowed in the Hall and not the marquee. Mr Carter stated there would be no loss of amenity to neighbours and noted that Feering Parish Council had asked for noise to be controlled.