

Minutes

Planning Committee

2nd March 2010



Present

Councillors	Present	Councillors	Present
J E Abbott	Apologies	D Mann	Yes
E Bishop	Apologies	Mrs J M Money	Yes
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	Yes	Mrs L Shepherd	Apologies
Mrs B A Gage	Yes	Mrs G A Spray	Yes
Mrs M E Galione	Yes		

148 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Ms L B Flint declared a personal interest in Application No. 10/00009/FUL – land adjacent to 10 Wrights Avenue, Cressing as the objectors were known to her and they lived in the same road as her. Councillor Ms L B Flint stated that the application site was not near to, or in sight of her own property.

Councillor D Mann declared a personal interest in Application No. 10/00078/FUL – land adjoining 19 Churchfield Road, Coggeshall as two objectors were known to him. Councillor Mann declared a personal interest also in Application No. 10/00009/FUL – land adjacent to 10 Wrights Avenue, Cressing as two objectors were known to him.

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

149 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 19th January 2010 be approved as a correct record and signed by the Chairman.

150 QUESTION TIME

INFORMATION: There were three 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.

151 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>
*10/00079/ADV (APPROVED)	Braintree	Mr N Euen	Retrospective application for the erection of temporary advertising board at corner of Tortoiseshell Way and London Road for sales purposes, land South of Tortoiseshell Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00078/FUL (APPROVED)	Coggeshall	Mr Steve Howlett	Demolition of existing detached double garage and erection of new three bedroom detached dwelling, land adjoining 19 Churchfield Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00009/FUL (APPROVED)	Cressing	DSD Properties Ltd	Erection of 4 bed detached dwelling, land adjacent 10 Wrights Avenue.

Councillor Anton Liebscher, representing Cressing Parish Council, joined the meeting and spoke on this application. Councillor Liebscher stated that the Parish Council was concerned about the legality of the application, its compliance with the Development Plan, the impact of the development on neighbours and the community, excess water issues, and parking problems. Councillor Liebscher stated that the proposal would lead to the loss of green areas, that the capacity of the site was "tight" and that the proposal would lead to the loss of one parking space at the existing property which could cause problems as on-street parking in Wrights Avenue was already overburdened. Councillor Liebscher stated that it was not clear from the drawings as to what space would be taken up by the proposed building. Councillor Liebscher indicated that although the ownership of the land had been discussed many times, the Parish Council considered this needed further investigation. Councillor Liebscher considered that the proposed dwelling could not be built without knocking down the neighbour's garage. Councillor Liebscher stated that neighbours had reported that gardens were being flooded and this had been exacerbated by building work carried out on the site.

Councillor Liebscher considered that there were a number of anomalies with the application and the supporting documents and he expressed concern about what consultation had taken place with neighbours. Councillor Liebscher asked the Committee to reject the application.

The Committee approved this application, subject to Condition 7 being amended to read as follows:-

Amended Condition

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / provision of any building within the curtilage of the dwelling-house, as permitted by Classes A to E of Part 1 of Schedule 2 of that Order, shall be carried out without first obtaining planning permission from the local planning authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00077/FUL (APPROVED)	Finchingfield	Mr Harvey Scoot	Siting of temporary agricultural dwelling, Finchingfield Farm, Howe Street.

The Committee approved this application, subject to Condition 1 being amended to read as follows:-

Amended Condition

1. This permission shall expire on 30th June 2015 and on or by that date the use of the site for the purposes of stationing a mobile home shall be discontinued, the mobile home shall be 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 28 days before removal.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00031/FUL (APPROVED)	Rayne	Mr A Luciani	Proposed demolition of existing outbuilding and erection of two storey side extension, 12 Capel Close.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00067/FUL (APPROVED)	Rayne	Mr K Hume & Ms J Reynolds	Erection of single storey rear extension, 59 Capel Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*09/1679/OUT (APPROVED)	Witham	Trustees of J R Wood	Erection of 4 no. flats with associated parking and private amenity space, land adjacent 9 Carraways.

152 PLANNING APPEAL DECISIONS – JANUARY 2010

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

It was reported that the reference to Application No. 09/00128/FUL – 1 Gasworks Cottages, Station Road, Earls Colne should state Kelvedon not Earls Colne.

DECISION: That the report be noted.

The Chairman advised Members that the next meeting of the Planning Committee which was scheduled for 16th March 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 8.37pm.

MRS W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

2ND MARCH 2010

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mr Harvey Scoot, Finchingfield Farm, Howe Street, Finchingfield (Applicant)
Application No. 10/00077/FUL – Finchingfield Farm, Howe Street, Finchingfield

Mr Scoot stated that he had been in the turf business for 20 years and that he now wished to combine this with rearing alpacas. Mr Scoot considered that the two enterprises complemented each other. Mr Scoot indicated that it was important for the alpacas' welfare to have someone living on site. Mr Scoot stated that the application complied with the Council's policy and that independent consultants considered the enterprise to be viable.

2. Statement by Mrs Nhung Wan, 32 Carraways, Witham
Application No. 09/01679/OUT – Land adjacent to 9 Carraways, Witham

Mrs Wan considered that the proposal would be an 'eyesore' in an area which was picturesque and a home for wildlife. Mrs Wan expressed concern about potential problems with parking and about emergency vehicles being able to gain access through the very narrow entrance to Carraways. Mrs Wan considered that the proposal did not contribute to the residential layout of the area.

3. Statement by Mr Adam Reynolds, 59 Capel Road, Rayne (Applicant's Son)
Application No. 10/00067/FUL – 59 Capel Road, Rayne

Mr Reynolds asked the Committee to support the application to provide a downstairs bedroom and wet room. Mr Reynolds stated that he was in a wheelchair and that he found manoeuvrability difficult. Mr Reynolds indicated that at the moment he had to climb stairs to his bedroom and to the shower which put strain on his body and, because of a great risk of him falling, his mother had to help him shower. Mr Reynolds stated that there was currently no wheelchair access to the rear garden and he had to crawl out there, but the new extension would overcome this problem. Mr Reynolds indicated that he often had limited privacy and approval of the application would give him greater freedom and dignity.