



## **PLANNING COMMITTEE**

### **Minutes of the Meeting held on 12<sup>th</sup> May 2008 at 8.00pm in the Parish Office**

**Present:** Cllrs A Allen (Chairman) (from 8.15pm), S Berlyn (from 8.20pm), D Bolwell, A Keeler, J Thomson, A Wells, M Wood

Additional members: Mr J Alexander, Mr P Watts

In attendance: Mrs E Blyth, Assistant Clerk; Cllr S Freeman

#### **1 Chairmanship of the meeting**

As Cllr Allen was not present at the start of the meeting, members unanimously appointed Cllr M Wood to chair the meeting until he arrived. The elections of Chairman and Vice-Chairman were deferred until Cllr Allen was present.

#### **2 Apologies for absence**

Apologies were received and accepted from Cllrs H Clacy and M Telling.

#### **3 Declarations of Interest**

Members were reminded that they were required to declare any personal or prejudicial personal interests they knew they might have in items of business on the meeting's agenda. They were reminded that they would need to repeat their declaration at the appropriate point in the meeting and to leave the room if the interest was a prejudicial one. Unforeseen interests must be declared similarly at the appropriate time.

Cllr J Thomson declared a general interest in the application at 34 Barley Mead (08/00721/FUL) by virtue of being acquainted with the applicant.

Cllr M Wood declared a general interest in the tree application at Wyche Elm, Mayes Lane (08/05520/CAT) by virtue of being acquainted with the applicant.

#### **4 Public Question Time**

No members of the public were present.

#### **5 Minutes**

RESOLVED: that the minutes of the meeting held on 23<sup>rd</sup> April 2008 be approved and signed as a correct record.

#### **6 'Stop Stansted Expansion' Campaign**

The Campaign Chairman, Peter Sanders, would be attending the Planning Committee meeting on 23<sup>rd</sup> June to speak about the implications for Danbury of BAA's planning application for a second runway (minute 261.1 of 10<sup>th</sup> March 2008 refers). A publicity flier submitted by the SSE Campaign had been circulated for information.

RESOLVED: that the information be noted.

Cllr Allen arrived at 8.15pm and took over as Chairman of the meeting.

## **7 Election of Officers for 2008/09**

7.1 Chairman of Planning Committee: Cllr M Wood nominated Cllr A Allen to serve as Chairman. This was seconded by Cllr A Wells and agreed unanimously.

RESOLVED: that Cllr A Allen be appointed as Chairman of the Committee for 2008/09.

7.2 Vice-Chairman of Planning Committee: Cllr Wood proposed that the appointment of a Vice-Chairman be deferred as the current post-holder was not present, and this was agreed.

RESOLVED: that the election of a Vice-Chairman of the Committee be deferred to the next meeting.

7.3 Additional Committee members: Parish Council, at its Annual Meeting on 7<sup>th</sup> May, had appointed Mr J Alexander and Mr P Watts (the latter representing the Danbury Society) as additional members of the Planning Committee for 2008/09. Mr Alexander and Mr Watts confirmed that they were willing to continue.

RESOLVED: that the information be noted, and that Mr Alexander and Mr Watts be thanked for their commitment to the work of the Committee.

## **8 CBC Planning applications and decisions**

Three planning applications were considered and responses agreed. At the appropriate time a letter received from a resident regarding application 08/00577/FUL (15 Beaumont Park) was taken into account. Several planning decisions were received.

RESOLVED:

a) that the responses to planning applications shown in Appendix A be submitted to Chelmsford Borough Council, and that none of these applications need be referred to the local Ward Members;

b) that the planning decisions shown in Appendix B be noted.

## **9 CBC Planning Committee**

9.1 Meeting of 29<sup>th</sup> April: Cllr Allen had attended the meeting in connection with the planning application at 23 Maldon Road (08/00275/FUL) which had been referred by the Parish Council. The application was approved. His report of the meeting was received.

RESOLVED: that the report be noted.

9.2 Deliberations at CBC Planning Committee: The Chairman was concerned that the CBC Committee did not give sufficient weight to the views of Parish Councils, which represented those most affected by a proposed development. He also pointed out that, having presented the Council's views, PC representatives could not respond to points made subsequently by officers.

In discussion, members agreed that there had been an improvement in understanding between the Town Planning Department and Danbury Parish Council as a result of meetings with officers and training sessions at the Borough Council. Danbury now referred fewer applications to the CBC Planning Committee (via Cllr Kingsley) and a Parish Councillor always represented the Council at the relevant CBC meeting. CBC Committee members, however, did not appear willing to

consider objections raised by the Parish Council. The local ward members (other than Cllr Wright, who, as Chairman, could not speak to a particular application) did not attend the CBC Committee meetings or support the Parish Council.

Members agreed that it would be helpful to discuss these matters with a Borough Councillor, and Cllr Wood proposed that Cllr Wright be invited to attend a Parish Council Planning meeting. This was agreed unanimously.

RESOLVED: that Cllr Ian Wright be invited to attend a Planning Committee meeting to discuss issues relating to applications referred to the CBC Planning Committee.

### **10 Planning Appeal – 07/01351/FUL: 12 Little Baddow Road**

*New house on land to rear of property.*

It was reported that the Planning Inspector had allowed the appeal. Copies of the decision notice had been circulated and were discussed.

Members raised concerns about the Inspector's comments in relation to existing and new planning policies. The status of existing policies was unclear now that the LDF Core Strategy had been formally adopted (February 2008). The question was asked as to whether the appeal should have been determined on the basis of the policies applicable at the time the application had been refused. It was also pointed out that as yet no replacement policies were in place for rural areas and villages. It was agreed that Derek Stebbing, of CBC Planning & Development Control, be asked for his comments on the Inspector's report.

RESOLVED: that Mr Stebbing be asked for his comments on the Inspector's report in the light of the Committee's concerns.

### **11 Work to Trees**

Several applications for works to trees protected by a TPO or in the Conservation Area were considered, and responses agreed. Two new TPOs were received:

- 2008/043 Little Heyrons, Cherry Garden Lane
- 2008/044 Heyrons, Cherry Garden Lane

RESOLVED: that the responses to applications for work to trees be submitted to Chelmsford Borough Council and that the new TPOs be noted.

### **12 CBC Planning training – Enforcement**

The names of councillors attending the two training sessions had been submitted to CBC. The information was noted.

### **13 CBC Street naming – Footpath 59** (minute 292 of 23<sup>rd</sup> April 2008 refers)

The Street Naming Officer at CBC had responded to the Committee's query about the status of the footpath to the effect that being given a name did not change the status of a public highway. The public had a right of access on foot only over a footpath, with the exception of people living along the footpath for whom there were easements. Should the Committee have any further queries these should be addressed to ECC as the Highways authority.

RESOLVED: that the information be noted.

#### **14 Danbury Planning Framework**

No further information had been received from the Borough Council regarding when statutory guidance on the need for sustainability appraisals would be available. The Chairman said he would contact Derek Stebbing.

RESOLVED: that the Chairman approach Derek Stebbing of CBC Town Planning to establish the current position.

#### **15 Enforcement**

No matters were raised.

#### **16 Correspondence**

No items had been received

#### **17 Matters for report** (for information only)

17.1 Public Question Time: The Assistant Clerk reported that advice received from EALC on Public Question Time at meetings had led to a change of practice in the ordering of agendas. The change resulted from the Parish Council's decision in May 2007 to amend its Standing Orders so that members could speak to matters in which they had a prejudicial interest provided that this opportunity was also available to members of the public. In future Public Question Time would be part of the formal meeting and would occur after the opening formalities and declarations of interest by members. This ensured that members with a prejudicial interest could speak during public question time after having declared their interest, and could then leave the meeting before the relevant item was discussed. The information was noted.

17.2 Former Unwin's shop, Maldon Road: Mr Alexander reported that the 'to let' signs had been removed from the former Unwins/Silk Racing shop and there were indications that a new tenant was preparing to move in.

#### **18 Forthcoming meetings**

Monday 19<sup>th</sup> May 2008: Extraordinary Parish Council meeting to determine a response to the application for a new medical centre (08/00601/FUL).

Planning Committee: 2<sup>nd</sup> and 23<sup>rd</sup> June, 7<sup>th</sup> and 28<sup>th</sup> July

No meetings in August.

Business having been concluded, the Chairman closed the meeting at 9.38pm.

Signed: ..... Chairman

Date: .....

<b>Ref no</b>	<b>Property</b>	<b>Street name</b>	<b>Proposal</b>	<b>Committee date</b>	<b>Comments</b>
08/00804/FUL	Inglemire	Runsell Green	Rear conservatory	12/05/08	No comments
08/00721/FUL	34	Barley Mead	Rear elevation conservatory	12/05/08	No comments
08/00577/FUL	15	Beaumont Park	Proposed two storey front extension, replacement of bay windows, adjustment to the porch roof.	12/05/08	We strongly object to the proposal: 1 It is out of keeping with the design concept of the area and the existing street scene; 2 The proposal would be overbearing and would overshadow neighbouring properties. The effect would be exacerbated by the elevated position of the property; 3 The size and scale of the extension are unacceptable in the context of the existing street scene; 4 The proposed change to a flat roof for the portico would be out of keeping with Beaumont Park which is characterised by porticos with pitched roofs; 5 We object to the possible removal of the Weeping Pear tree.

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**Appendix B**  
**Planning Decisions**

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
08/00387/FUL	8	Little Baddow Road	Single and two storey rear extension (revision to approval 04/01008/FUL)	31/03/08	No comments	Approved 15/04/08
08/00072/FUL	Willow Cottages	Gay Bowers Road	Replacement dwelling with detached garage	18/02/08	We would like a condition imposed that the detached garage must not be used as living accommodation.	Withdrawn 10/03/08
08/00001/FUL	Trio Lodge, 50	Hopping Jacks Lane	Detached garage	28/01/08	The proposed garage is visually intrusive and out of keeping with the prevailing street scene.	Refused 19/02/08
08/00073/FUL	Pensioners Box	The Common	First floor side extension and raising of roof	28/01/08	No comments	Refused 04/03/08
08/00091/FUL	Mayesfield	Mayes Lane	Swimming pool and enclosure	18/02/08	No comment	Approved 11/03/08
08/00126/FUL	37	Danbury Vale	First floor front and side extension together with single storey front extension	18/02/08	No comment	Approved 06/03/08
08/00135/FUL	Danefleet House	Elm Green Lane	First floor side extension, part single, part two storey rear extension	18/02/08	The discontinuity of the spatial perspective will be increased by this proposal.	Approved 17/03/08

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
08/00155/ADV	Co-op, 16	Main Road	Internally illuminated shop fascia sign and non-illuminated totem sign	18/02/08	1 We would like a condition imposed that the illuminated signs are switched off outside opening hours; 2 Please ensure that the totem sign does not encroach on the pedestrian walkway 3 The totem appears to be a more substantial sign than the the one proposed in the previous application (07/01758/ADV)	Approved 20/03/08
08/00165/FUL	Cherry Trees	Well Lane	First floor side extension, garage conversion with ground floor front extension and replacement garage in front	18/02/08	No comment	Approved 28/02/08
08/00180/FUL	Danefleet House	Elm Green Lane	Detached garage	18/02/08	No comment	Refused 25/03/08
08/00269/FUL	46	West Belvedere	Single storey rear extension	10/03/08	No comments	Approved 27/03/08

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**Appendix C  
Work to Trees**

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
08/05075/TPO	2000/50	17	Little Fields	T2 Oak on rear boundary: crown reduce by 30% and clean out dead wood	12/05/08	No comments
08/05076/TPO	2000/50	19	Little Fields	T3 Oak on rear boundary: crown reduce by 20% and clean out dead wood	12/05/08	No comments
08/05517/CAT	N/A	129	Main Road	1 Hawthorn and 2 Holly on rear boundary with 119 Main Rd, fell; Plum by entrance to conservatory: fell.	12/05/08	No comments
08/05518/CAT	N/A	18b	Main Road	Oak tree in garden and overhanging 18c Main Road; Oak in rear garden adjacent to previous Oak: prune and tidy	12/05/08	No comments
08/05520/CAT	N/A	Wych Elm	Mayes Lane	2 Leylandii and 1 Yew on front driveway island bed: fell; 29 x Leylandii on front driveway (boundary hedge): fell	12/05/08	No comments