



PLANNING COMMITTEE

Minutes of the Meeting held on 5th October 2009 at 8pm in the Parish Office

Present: Cllrs A Allen (Chairman) (to 8.45pm), M Telling (Vice-Chairman), D Bolwell, H Clacy, S Freeman, J Thomson, M Wood

Additional Members: Mr J Alexander

In attendance: Mr J Stubbs, CBC Planning Enforcement Team Leader
Mrs E Blyth, Assistant Clerk

85 Speaker: James Stubbs, CBC Planning Enforcement

The Chairman welcomed Mr Stubbs to the meeting to talk about the regulations relating to outdoor advertisements. Questions from members had been provided in advance, and Mr Stubbs began by responding to these:

- *What action will Planning Enforcement take if the Parish Council reports signs which appear to contravene the rules?*

CBC would open a case and assign an officer who would visit the site within 21 days and take photographs. If the advertisement required authorisation a deadline would be given to remove it. If this was not complied with CBC would remove the sign and charge the offender £25 (per advertisement).

- *What is the attitude of Highways Dept to signs erected on their land (eg grass verges) without permission?*

Queries about signs erected on verges etc should be sent direct to John Dobinson at ECC Highways.

- *Do the siting and size of the Danbury Cycles advertisement at Well Lane now comply with the regulations?*

An enforcement case had been opened and Wayne Jewell was in dialogue with Danbury Outdoors regarding the sign, which CBC believed was not compliant with the regulations.

- *There is currently a very large advertising banner outside Excel Hairdressers on Main Road. Does this break the regulations?*

Yes, and an enforcement case had been opened, led by Wayne Jewell.

- *What constitutes an A frame notice, and can action be taken against businesses which regularly have these signs outside their premises on the public footway?*

An A frame was a two-sided notice and the regulations set limits to the overall size and the size of any one side. Signs placed on footpaths were a matter for ECC Highways.

- *Advertising signs have been displayed beside the road at weekends for a farm shop and removed during the week. The Parish Council has been told that no action can be taken because officers are not on duty when the signs are displayed, even though we have submitted photographs of the signs.*

Mr Stubbs was not aware of this case and was unsure what action had been taken. CBC had tried to take enforcement action in similar cases but needed the support of complainants, which was not always forthcoming.

- *What is the difference in approach by Planning Enforcement where the Conservation Area is concerned?*

The rules governing advertisements in Conservation Areas were stricter. Planning approval might also be required for development in cases where Permitted Development Rights would otherwise apply. Examples of this included extensions, alterations involving external appearance, eg cladding (though not windows), and the demolition of buildings over 115 cubic metres. Work to trees in the Conservation Area required permission if the tree was more than 75mm in diameter and at least 1.5m above ground level.

- *What action might Planning Enforcement be able to take in relation to the flower seller using the bus layby on the A414 at Sandon?*

CBC had no jurisdiction in this matter. Mobile traders were a matter for ECC Highways who could not take action without the support of the police. In this case the police did not believe there was a risk to highway safety.

- *What control is there of the display of adverts on vehicles 'over the hedge' on private land?*

Enforcement cases had been brought where a vehicle was left permanently on a site, such as a field, and the site was used purely for advertising. This was regarded as a change of use requiring planning permission. Mobile signs were more difficult to deal with as they were often moved before action could be taken.

- *Informal notices about lost pets etc tend to be left up indefinitely. What are the Parish Council's rights as regards removing these notices?*

The Parish Council did not have the same right to remove or obliterate signs as CBC. However in cases of trivial signs PC members could probably remove them. The PC did have the authority to remove any signs erected without permission on its own land.

- *What about obsolete planning notices?*

The applicant was supposed to remove these when time-expired, but there was no objection to the Parish Council doing this.

- *The sign at the Cook Shop near the Griffin Pub was refused planning permission some months ago but has not yet been replaced. What action is being taken?*

Wayne Jewell was pursuing this case. The owner was awaiting delivery of the new, approved sign and an extension of time had been granted.

With regard to the maximum 21 day period for an officer to investigate a complaint about an outdoor sign, Mr Stubbs explained that enforcement cases were prioritised in categories from A to D. Category A cases must be investigated within 3 days. Most cases fell into category B. Advertisements and minor breaches were in category C to which the 21 day rule applied. Mr Jewell referred members to the CBC website for further information.

The Chairman stressed that the Parish Council's aim in relation to signs was to protect the appearance of the village. In addition to the cases already mentioned he drew attention to several signs erected by Heathcote School in relation to its

forthcoming open day and advertising for the Sports & Social Centre Fitness Suite at Eves Corner. Mr Stubbs confirmed that his department would approach the businesses identified at the meeting as having non-compliant banners and signs. The issue of A-frame and other notices on footpaths and verges, including Eves Corner, should be taken up with ECC Highways, who would have detailed plans showing the boundaries of their land.

Asked for one piece of advice to leave with the Committee, Mr Stubbs replied that negotiation was the best way to resolve issues where possible. Those erecting non-compliant signs should be told what was allowed by the regulations and encouraged to put up an alternative. Involvement of CBC should be seen as a last resort.

Mr Stubbs was thanked for attending and for the information he had provided, and members agreed to discuss these matters further at the next meeting.

RESOLVED: that Outdoor Advertisements be placed on the agenda of the next meeting.

Mr Stubbs then left the meeting. The Chairman also left at this point (8.45pm) and the Chair was taken for the remainder of the meeting by the Vice-Chairman, Cllr Telling.

86 Apologies for absence

Apologies were received and accepted from Cllr S Berlyn and Mr P Watts.

87 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 M Wood declared an interest in the tree application at Nutwood, Hopping Jacks Lane, by virtue of living nearby.

88 Public Question Time

No members of the public were present.

89 Minutes

RESOLVED: that the minutes of the meeting held on 7th September 2009 be approved and signed as a correct record.

90 Planning applications and decisions

Five applications were considered and responses agreed. At the appropriate time a letter from a resident regarding application 09/01235/FUL 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 the these applications need be referred to the local Ward Members;

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

91 Trees

Four applications for work to trees protected by TPOs were considered. A new TPO, 2009/047, on woodland in Graces Lane, Little Baddow, was noted; this order replaced an earlier ECC order dating from 1949.

RESOLVED: that no comments be made on the applications for work to trees and that the new TPO be noted.

92 CBC Planning Committee

The agenda for the meeting held on 29th September 2009 contained no items relating to Danbury.

RESOLVED: that the information be noted.

93 Planning Appeal

09/00272/ENF Land adj Orchard End, Sporhams Lane: Retention of agricultural building and associated hard standing.

CBC had informed the Parish Council that the Enforcement Notice, and therefore the appeal, had been withdrawn as the appellant had provided evidence to CBC that the barn and hard standing 'were substantially completed more than 4 years before the enforcement notice was served'.

RESOLVED: that the information be noted.

94 CBC: Gypsy & Traveller Sites, Sandon/Great Baddow

CBC Development Policy Committee on 15th September 2009 had considered two possible sites for public consultation. These were land between the A1114 and Molrams Lane, Great Baddow, and land west of the Park & Ride at Sandon. According to Cllr Ian Wright, both sites had been withdrawn following strong representations. Cllr Wright had agreed to keep Danbury PC informed of future developments.

RESOLVED: that the information be noted.

95 ECC Minerals Development Document – Site Allocations Issues and Options Paper August 2009

ECC had issued a further Minerals consultation document seeking views on 9 additional possible extraction sites and revisions to the boundaries of 7 sites already being considered. None of these new sites was in the Danbury area.

RESOLVED: that no comments be made on the consultation.

96 CBC Local Development Framework: Site Allocations Document

It was reported that this consultation document had not yet been published.

RESOLVED: that the information be noted.

97 CBC Training on Permitted Development Rights

Cllrs Bolwell, Keeler and Telling and the Assistant Clerk had attended the training session given by Keith Holmes at the Civic Centre on 24th September. Cllr Telling reported that the session had not been as informative as hoped, and that the lack of a microphone meant there were problems hearing. Mr Holmes had demonstrated the 'interactive house' on the new CBC Planning Portal which could be used to obtain information on particular aspects of PDR. He had reported that the new PDR

legislation was not well written and would require case law to resolve ambiguities. Slides used in his presentation would be made available on the CBC website.

RESOLVED: that the information be noted.

98 Draft Danbury Planning Framework

The Chairman, Chairman of Parish Council, the Clerk and Assistant Clerk would be meeting with Jenny Robinson of CBC Planning on 12th October to discuss the way forward.

RESOLVED: that the information be noted.

99 EALC Planning Committee

The inaugural meeting of this new committee was to take place on the morning of Friday 9th October at Great Saling. As previously agreed, Cllr Telling would attend on behalf of the Parish Council and would report back. The agenda included a statement of the aims and objectives of the new committee.

RESOLVED: that Cllr Telling be thanked for offering to attend the meeting.

100 Correspondence

Danbury Palace: The CBC Conservation Officer had informed the Parish Council that the owners had appointed a management company to look after the site. The building was being made secure and watertight and on-site security was being arranged. The owners were seeking a partner developer to implement the conversion scheme.

RESOLVED: that the information be noted.

101 Enforcement

101.1 Timer on Tennis court floodlights: Correspondence with the Tennis Club indicated that the timer on the lights on the lower courts already had a battery backup. The replacement lights currently being fitted on the upper courts would also have a timer and backup.

RESOLVED: that the operation of the timers be monitored over the coming months.

101.2 No 1 South View Road: CBC Enforcement had now confirmed that the extension of the roof of this property was within permitted development and did not require planning consent.

RESOLVED: that the information be noted.

101.3 New pvc window in Colemans Lane: This had been raised with CBC Planning Enforcement. The information given by Mr Stubbs earlier in the meeting implied that the new window would not require planning permission.

RESOLVED: that the information be noted.

102 Planning matters for report (for information only)

Cllr Wood reported that a resident had raised concerns with him about The Hoppitt in Butts Lane where a new development had been approved. The concerns related to the boundary fence between her property and the development site. Cllr Wood had recommended that she contact CBC to look at the plans and the developer regarding a timescale for the works.

Cllr Keeler reminded members of an imminent meeting of the Little Baddow Conservation Society at which the guest speaker's subject would be development in Conservation Areas.

103 Forthcoming meetings

Meetings were scheduled for 26th October, 16th November and 14th December 2009.

Business having been concluded, the Chairman closed the meeting at 9.47pm.

Signed: Chairman

Date:

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Appendix A
Planning Applications

Ref no	Property	Street name	Proposal	Committee date	Comments
09/01102/FUL	12	Little Baddow Road	Detached double garage with two front dormer windows to front of property. Single storey front extension and re-positioning of drive and dropped kerb	05/10/09	1. The erection of the garage will produce a cramped site; 2. The garage appears to be out of keeping with the street scene in terms of its height, size, and proximity to the highway; 3. The dormers do not appear to be within CBC Guidelines in that they are at the same height as the roof ridge; 4. If minded to approve, please attach a condition that the garage and room above must not be used for habitation.
09/01219/FUL	3	Highfield Close	Retrospective application for part of property to be used as a part-time Osteopathy surgery	05/10/09	No comments
09/01235/FUL	33	Parkdale	Conversion of existing garage to habitable accommodation with single storey front extension	05/10/09	If minded to approve, permission should not take effect until the new garage (07/02478/FUL) has been built.
09/01289/FUL	Balconies	Colemans Lane	Single storey front/side extension	05/10/09	No comments
09/01292/FUL	Meadowlands	South View Road	Dormer window to front elevation	05/10/09	No comments

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Appendix B
Planning Decisions

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
09/00859/FUL	32	Pedlars Path	Two storey side extension with 2 no. dormer windows	10/08/09 (Delegated action - Vice Chairman)	1. The size of this extension seems large in proportion to the house itself and is out of keeping with adjacent properties; 2. The side window will overlook the adjacent property at no 34. If minded to approve the application, please impose a condition that opaque glass be used for this window; 3. Overall these proposals will not be in keeping with the street scene.	Approved 03/09/09
09/00935/FUL	28	Maldon Road	Demolition of existing glass house. New conservatory and alterations to main house. 1 no pitched-roof dormer to detached garage	27/07/09	No comments	Approved 27/08/09
09/00936/LBC	28	Maldon Road	Demolition of existing glass house. New conservatory and alterations to main house. 1 no pitched-roof dormer to detached garage	27/07/09	No comments	Approved 27/08/09
09/00982/FUL	1	Runsell View	Two storey extension and cat slide roof over existing front dormer	27/07/09	No comments	Approved 27/08/09

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
09/01008/FUL	The Bell	Main Road	Relocate side entrance door, new side window and internal alterations	07/09/09	No comments	Approved 09/09/09
09/01009/LBC	The Bell	Main Road	Relocate side entrance door, new side window and internal alterations (listed building consent)	07/09/09	No comments	Approved 09/09/09

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**Appendix C
Work to Trees**

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
09/05173/TPO	2001/124	Nutwood, 40	Hopping Jacks Lane	Oak T2 in rear garden: crown thin 10-15%; remove small lateral overhanging Wild Service Tree	05/10/09	No comments
09/05178/TPO	2007/057	7	Hopping Jacks Lane	Birch T4 in rear garden, boundary with no 5: fell to ground	05/10/09	No comments
09/05181/TPO	1988/017	Cransley Cottage	Riffhams Lane	Yew T1: reduce lateral spread over cottage by 2m	05/10/09	No comments
09/05185/TPO	2004/015	8	Hopkirk Close	Oak T1: reduce extended laterals by 30% (2.5m); Oak x 3 T1 - T3: crown clean, lift canopy over road to 4m.	05/10/09	No comments
New TPO in Little Baddow:						
Order dated 09/09/09	2009/047 (replaces ECC order 1949/11)	Woodland south of The Brew House	Graces Lane, Little Baddow	Woodland containing Sweet Chestnut, Hornbeam, Oak, Alder, Silver Birch, Willow	05/10/09	No comments