



## **PLANNING COMMITTEE**

### **Minutes of the Meeting held on 6 September 2010 at 7.30pm at the Parish Office**

**Present:** Cllrs Telling (Chairman), S Berlyn, Mrs Y Burton, D Bolwell, Mrs A Chapman, H Clacy, S Freeman (from 7.45pm), A Keeler, J Thomson, M Wood

Additional Members: Mr J Alexander

In attendance: Mrs E Blyth, Assistant Clerk

#### **69 Philip Watts**

The Chairman drew attention to the death, on 26<sup>th</sup> July 2010, of Philip Watts who had represented the Danbury Society on the Planning Committee for a number of years. He had attended the last meeting of the Committee on 19<sup>th</sup> July, a week before his death. A minute's silence had been observed in his memory at the Parish Council meeting on 28<sup>th</sup> July 2010.

#### **70 Apologies for absence**

All members were present.

#### **71 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 application at 80 Hopping Jacks Lane by virtue of living nearby;

Cllr Chapman declared an interest in the application at 7 South View Road by virtue of living nearby;

Cllr Bolwell declared an interest in the application at 1 Mildmays by virtue of living nearby;

Cllr Burton declared an interest in the planning application (withdrawal) at land in Horne Row, by virtue of living nearby

Cllr Clacy declared an interest in the application for work to trees at 1 Hyde Green by virtue of living nearby.

#### **72 Public Question Time**

One member of the public was present but did not wish to speak.

#### **73 Minutes**

RESOLVED: that the minutes of the meeting held on 19<sup>th</sup> July 2010 be approved and signed as a correct record.

## **74 Proposal for redevelopment at Danbury Palace**

The Chairman welcomed Emma Burrow and Lawrie Winter to the meeting to speak about proposals for the Danbury Palace site. Ms Burrow and Mr Lawrie were Architects acting for Wilson Properties, the new owners of the site, and brought along a plan showing the proposed layout. Mr Lawrie explained that Wilson Properties specialised in the restoration of listed buildings and that the plans had been discussed with the CBC Conservation Officer.

The new proposals involved the restoration and conversion of the listed building to form 12 two-bedroomed apartments and 1 one-bedroomed apartment. The coach-house would be converted into 4 mews cottages. Two new houses would be constructed near the entrance to the site, one on each side of the driveway (these would not be in the listed garden). The newer existing buildings on the site would be demolished and three- and four-bedroomed houses built around a central courtyard in what was currently the car park at the rear of the site. The overall height of the houses would be lower than the buildings to be demolished. A total of 52 units was proposed for the whole site, with two parking spaces per unit. The new houses were necessary to enable the owner to recoup the high cost of the restoration of the Palace and the listed garden.

Members asked questions of Mr Lawrie and Ms Burrows and the following information was received:

A formal planning application should be submitted by the end of September and the work would take about one year to complete once permission was granted;

Reports were being commissioned to assess the ecological and highways implications of the proposed development and the previous impact statement would be updated;

Two communal areas for refuse and recycling would be provided on-site;

A mezzanine floor would be incorporated into the former chapel;

The new properties would be designed to be sympathetic to the site and the Palace;

The Architects agreed to send the Parish Council brochures showing previous developments carried out by Wilson Properties.

The Council Chairman mentioned that the Parish Council was likely to request an agreement similar to the Section 106 arrangement for the previous proposed development whereby a sum of money per unit would be paid to CBC by the developer to be used to support the work of the Parish Council in providing facilities for the village.

At the conclusion of discussion the Chairman thanked Ms Burrows and Mr Lawrie for attending and for the information they had provided. Ms Burrows offered to respond to any further queries by email. The Architects then left the meeting.

## **75 Planning applications**

75.1 10/01112/FUL Kinvara Lodge, Tyndales Lane: As an extension of time could not be arranged for this application, consultation with members had taken place by email/post during August. All but one member was able to respond in the timescale and the agreed comment (Appendix A) was submitted to CBC on 17<sup>th</sup> August 2010.

RESOLVED: that the information be noted.

75.2 Several planning applications were considered and responses agreed.

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

## **76 Planning decisions**

RESOLVED: that the planning decisions shown in Appendix B be noted.

## **77 Trees**

Three applications for work to trees in the Conservation Area or protected by a TPO were considered.

RESOLVED: that no comments be made on the applications (Appendix C).

## **78 CBC Planning Committee**

It was reported that the meeting on 17<sup>th</sup> August 2010 did not consider any matters relating to Danbury. The agenda for the meeting on 14<sup>th</sup> September 2010 also had no Danbury items.

RESOLVED: that the information be noted.

## **79 Planning appeal decision**

*10/00345/FUL The Hyde, Hyde Lane: New entrance gates and brick side screen walls to replace existing wooden gates and fence; adjustment to kerb race to south side of entrance.*

The appeal had been dismissed by the Planning Inspector on the grounds that the proposal would represent 'a prominent, strident feature' on the 'predominantly rural frontage' on the east side of Hyde Lane.

RESOLVED: that the information be noted.

## **80 Planning Applications: Records Retention Policy**

Following on from discussion at the previous meeting (minute 61 refers) the Committee confirmed its agreement to recommend that the records retention policy be amended so that Planning Applications were retained in digital format for at least 5 years (depending on available computer storage) and on hard copy (where received in that form) for 3 years.

RESOLVED: that Parish Council be asked to amend its Records Retention Policy in relation to Planning Applications as agreed above.

## **81 Draft Danbury Planning Framework**

CBC had now provided a provisional timetable for the next stages of the process to have the Planning Framework adopted as an SPD. The draft document would go to the CBC Development Policy Committee on 7<sup>th</sup> September 2010. If approved to go to the next stage, the 6 week period of public consultation would run from late October to the end of November.

The consultation would involve public exhibitions in Danbury and at CBC as well as the use of the CBC and Danbury websites etc. When the consultation closed CBC

will produce a report on any feedback and decide whether changes were needed before seeking final approval by CBC Cabinet for adoption and publication.

RESOLVED: that the information be noted.

### **82 Parish Council Charter Part 2 – Planning**

Parish Council (meeting of 28<sup>th</sup> July 2010, minute 56.2) had asked the Committee to comment on the report from CBC on services in the area of Planning which might be devolved to the Parish Council. In discussion members noted that the Government was currently reviewing the planning regulations and, in the light of its 'big society' proposals, might move to delegate some powers to local level. Some items mentioned by CBC, such as removal of yellow notices, could already be carried out locally. The Committee felt that further discussion should await developments at national level.

RESOLVED: that Parish Council be informed that the Planning Committee had agreed to postpone consideration of the possible delegation of powers from CBC until the Government's proposals for the planning system were published.

### **83 Danbury Times**

The Publicity Group had met on Tuesday 31<sup>st</sup> August 2010 and agreed an outline of content for the Autumn edition. Cllr Telling, as Editor, had contacted those responsible for articles, for which the deadline was Monday 27<sup>th</sup> September. It was suggested that an item on proposals for Danbury Palace might be included.

RESOLVED: that the information be noted.

### **84 Danbury Outdoors – Exhibition held on 5<sup>th</sup> August 2010**

Cllr Chapman had attended the exhibition showing Essex County Council's plans to improve and extend facilities at the site. Her comments had been circulated.

RESOLVED: that the information be noted and that Cllr Chapman be thanked for attending and for her report.

### **85 CBC: Site Allocations Development Plan Document – Potential Options**

CBC Development Policy Committee on 7<sup>th</sup> September would consider a feedback report on the main issues raised in the previous consultation and a Proposed Submission version of the DPD. If approved, the Proposed Submission DPD would be published for consultation in 'late Autumn 2010'. The map for Danbury did not appear to show any changes in the status quo.

RESOLVED: that the information be noted.

### **86 CBC consultations: Draft Licensing Policy review and Draft Sex Establishments Licensing Policy review (for next meeting)**

Copies of these draft policies were circulated. Members were asked to consider the documents and to bring their comments to the next meeting. The Assistant Clerk undertook to research the answers to any queries notified in advance of the meeting. The closing date for the consultation was 29<sup>th</sup> October 2010.

RESOLVED: that any questions about the documents be raised with the Assistant Clerk as soon as possible and that members bring their comments on the draft policies to the meeting on 4<sup>th</sup> October 2010.

## **87 Correspondence**

87.1 Nuclear Power – House of Commons Early Day Motion No 557: The group ‘No Need for Nuclear’ was seeking support for its campaign for an inquiry into whether new nuclear power stations were necessary. Details of the campaign had been circulated. After a brief discussion the Committee agreed that it was more appropriate for the Environment Committee to consider this matter.

RESOLVED: that the matter be referred to Environment Committee for consideration and to make a recommendation to Parish Council.

87.2 CPRE article: The future of planning under the coalition: A copy of this article from the organisation’s newsletter *Fieldwork* (August 2010) had been circulated.

RESOLVED: that the article be noted.

87.3 Community Right to Build: NALC’s email of 13<sup>th</sup> August about its consultation on this Government initiative had been circulated with the agenda and a supporting paper was circulated at the meeting. NALC had apologised for the short time-scale of their consultation, which closed on 31<sup>st</sup> August 2010. It had not been possible for the Parish Council to comment by the deadline as no meetings were held in August. Members appreciated that NALC’s timescale had to fit in with the Government consultation period.

RESOLVED: that the information be noted, and that a letter be sent to the NALC asking them to lobby the Government to avoid holding consultations in August when local councils were in recess.

## **88 Planning Enforcement**

88.1 08/01070/ENFB - Old Chase Farm: (min 66.1 of 19<sup>th</sup> July refers) It was reported that the owner of the site was in discussion with CBC Planning regarding the enforcement notice to remove the caravans and decking within three months.

RESOLVED: that the information be noted.

88.2 06/00149/CLEUD The Sanctuary, Southwood Chase: (minute 49 of 28<sup>th</sup> June 2010 refers) A Planning Enforcement Officer had visited the site and confirmed that there was no breach of planning control in respect of work carried out on the site. The Certificate of Lawfulness for residential occupation granted in 2006 meant that the owner had normal permitted development rights in respect of extensions, outbuildings and use of the land as garden.

RESOLVED: that the information be noted.

88.3 Decking at 53 Hoynors: (Minute 34.3 of 7<sup>th</sup> June 2010 refers) CBC had received a planning application for the decking but it was not yet validated as further information was required.

RESOLVED: that the information be noted.

88.4 Land south of Woodside Cottage, Moores Bridge Lane: Planning Enforcement was investigating this site following reports of work being carried out there.

RESOLVED: that the information be noted.

88.5 The Lodge, Danbury Palace: It was reported that the fence recently installed at the Main Road edge of the garden at the Lodge appeared at one point to incorporate Highways land into the garden.

RESOLVED: that the matter be raised with CBC Planning Enforcement.

**89 Planning matters for report (for information only)**

St John’s School was in the process of erecting a fence around the school field to prevent unauthorised access to the site.

The owner of a field at the bottom of Coleman’s Lane was understood to be planning to sell individual parcels of land as allotments while retaining ownership of a strip around the edge of the field.

**90 Forthcoming meetings**

Meetings were scheduled for 4<sup>th</sup> October, 25<sup>th</sup> October, 15<sup>th</sup> November and 13<sup>th</sup> December 2010.

Business having been concluded, the Chairman closed the meeting at 10.10pm.

Signed: ..... Chairman

Date: .....

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**Appendix A**  
**Planning Applications**

Ref no	Property	Street name	Proposal	Committee date	Comments
For report only: 10/01112/FUL	Kinvara Lodge	Tyndales Lane	Two storey front and rear extensions and first floor rear extension	N/A (email consultation)	We note that the site is outside the defined settlement area.
10/01036/FUL	Meadowside	Maldon Road B1418	Retrospective application for fencing and gates along boundary adjacent to Maldon Road	06/09/10	The proposed gates are out of keeping with the rural character of the location, contrary to policy DC45. The height of the gates is also at odds with the 1.1m fence shown on the plan.
10/01038/FUL	Woodside Cottage	Moores Bridge Lane	Two storey front extension and construction of steps and wall to front extension	06/09/10	We support the comments of the Tree Officer.
10/01110/FUL	5	The Avenue	Two storey rear/side extension	06/09/10	No comments
10/01134/FUL	18B	Main Road	Single storey rear extension	06/09/10	Subject to the required arboricultural report being satisfactory to CBC Tree Officers we have no comments to make.
10/01190/FUL	1	Millfields	Single storey front and side extensions	06/09/10	No comments
10/01191/FUL	80	Hopping Jacks Lane	First floor rear extension and two dormer windows to front elevation	06/09/10	No comments

Ref no	Property	Street name	Proposal	Committee date	Comments
10/01220/LBC	Garlands Farmhouse	Runsell Green	Construction of railings on boundary wall and alterations to the fenestration detail on side and rear	06/09/10	The proposal to add railings and increase the overall height to 1.8m would be detrimental to the special character of the listed building and its setting, contrary to policy DC18. The nineteenth century wall is appropriate to the rural location and character of the area.
10/01362/FUL	Garlands Farmhouse	Runsell Green	Construction of railings on boundary wall and walled enclosure next to property. Alterations to fenestration.	06/09/10	Comments as for Listed Building application 10/01220/LBC
10/01234/FUL	Land at lay-by	Main Road	Construction of farm access track	06/09/10	We have no objection in principle to the construction of the access track. However we note that this access will have the effect of increasing the risks to road safety from traffic turning into the track near an already dangerous junction (A414/Hulls Lane). This will be exacerbated by increased traffic and worsening weather conditions.
10/01241/FUL	Hillrise	Copt Hill	Raising of roof to create two storey dwelling, relocatin of front porch and addition of two chimneys. (Amendment to permission 08/01140/FUL)	06/09/10	No comments
10/01270/FUL	28	Barley Mead	Rear conservatory	06/09/10	No comments
10/01316/FUL	7	South View Road	Garage conversion into habitable accommodation and single storey side and rear extensions	06/09/10	We support the comments of the Highways Department regarding the provision of parking.



Ref no	Property	Street name	Proposal	Committee date	Comments
10/01325/FUL	14	Landisdale	Amendment to permission reference 10/00230/FUL to omit front and side extensions. (Infill roof extension to front elevation, single storey side and rear extensions and new front porch. Alterations to fenestration and new window to first floor side elevation and extension of 2 metre fence to side of property.)	06/09/10	No comments
10/01347/FUL	Old Mission	The Common	Amendment to permission 09/01359/FUL to move dwelling 1m further back from road and relocate garage to enable better access and turning. (Demolition of existing building and outbuildings and construction of chalet bungalow and garage)	06/09/10	Please ensure that all existing trees, and especially those with TPOs, are protected during construction in accordance with the tree protection plan.

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

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
10/00548/FUL	Poplars	Penny Royal Road	Repositioning of existing shed and retaining wall. Installation of 1.3m high 3-bar wooden fencing and 5-bar wooden gates.	28/06/10	No comments	Approved 21/07/10
10/00550/LBC	Poplars	Penny Royal Road	Replacement windows, repainting of exterior, internal alterations, demolition of garage and installation of 1.3m high 3-bar wooden fencing and 5-bar wooden gates	28/06/10	No comments	Approved 14/07/10
10/00828/FUL	Land south of Shaftmoor	Horne Row	New 5 bed detached dwelling with detached cartlodge	19/07/10	Strong objections - see file	Withdrawn 17/08/10
10/00834/FUL	Gorseland	The Common	Raising of roof to provide additional first floor accommodation with dormer windows to front and rear	07/06/10	This property is outside the defined settlement. We object to the proposal, which conflicts with policy DC47B in that it is disproportionate to the existing building and out of keeping with neighbouring properties and the rural area.	Refused 14/07/10
10/00898/FUL	13	Maldon Road	Single storey side extension. Loft conversion with front and rear dormer windows.	28/06/10	We support the comments of the Conservation Officer.	Approved 04/08/10

<b>Ref no</b>	<b>Property</b>	<b>Street name</b>	<b>Proposal</b>	<b>Committee date</b>	<b>Comments</b>	<b>Dec'n &amp; Date</b>
10/00900/FUL	Car park rear of 1-4	Eves Corner	Installation of 2 lamp posts to provide lighting to car park between dusk and 9pm	19/07/10	No comment	Approved 17/08/10
10/01054/FUL	Little Gibcracks	Moor Hall Lane	Use of domestic outbuilding as residential accommodation ancillary to main dwelling house	19/07/10	If minded to approve, please impose a condition that the use of the outbuilding remains ancillary to the main property.	Refused 17/08/10

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**Appendix C**  
**Work to Trees**

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
10/05153/TPO	2007/061	21	Hopping Jacks Lane	T2 Ash in rear garden: pollard to reduce end loading	06/09/10	No comments
10/05170/TPO	2007/39	1	Hyde Green	Oak x 3 (G1) on rear boundary: reduce lateral spread by 1.5m; Sycamore (W1) on boundary with Hyde Lane: fell (dead/diseased); Robinia adj to garage: fell; Ash (W1) in front garden: pollard at 4m; Norway Maple (W1) in front garden: reduce lateral spread by 1.5m; Lime (W1) on roadside boundary: crown lift to 5m; Oak and Sycamore (W1) on Hyde Lane boundary: reduce laterals by 2m max	06/09/10	No comments
10/05560/CAT	N/A	8	Main Road	Sycamore overhanging 4/6 Main Road: reduce overhang by 2m and crown lift	06/09/10	No comments