



## **PLANNING COMMITTEE**

### **Minutes of the Meeting held on 31<sup>st</sup> January 2011 at 8pm in the Parish Office**

**Present:** Cllrs M Telling (Chairman), D Bolwell, Mrs Y Burton, Mrs A Chapman, H Clacy, A Keeler, M Wood

Additional Members: Mr J Alexander; Mr P Walton (Danbury Society)

In attendance: Mrs E Blyth, Assistant Clerk

#### **184 Apologies for absence**

Apologies were received and accepted from Cllrs S Berlyn, S Freeman and J Thomson.

#### **185 Declarations of Interest**

Members were reminded that they were required to declare any personal or prejudicial interests they knew they might have in items of business on the meeting's agenda.

Cllr Burton declared a prejudicial interest in the item relating to development on Land south of Shaftmoor, Horne Row (minute 188.1 below) by virtue of living adjacent. The matter was for report only and there was no discussion.

Cllr Clacy declared a prejudicial interest in the ECC Minerals Consultation (minute 194 below) by virtue of living close to a potential extraction site and took no part in the discussion of that item.

#### **186 Public Question Time**

One member of the public was present and made a statement in connection with the planning application at Danbury Palace. He was concerned at the number of units in the proposed development and would like this reduced. He was also concerned about the traffic implications on the A414.

#### **187 Minutes**

RESOLVED: that the minutes of the meeting held on 10<sup>th</sup> January 2011 be approved and signed as a correct record.

#### **188 Planning Applications**

188.1 Application 10/01660/FUL Land South of Shaftmoor: Details were received of the Unilateral Undertaking which was a condition of planning permission.

RESOLVED: that the information be noted.

188.2 Applications 10/01922/FUL and 10/01923/LBC – Danbury Palace: The Assistant Clerk had spoken to the Planning Office concerned and understood that these applications would be determined by the CBC Planning Committee rather than by officers under delegated powers.

There was a lengthy discussion of the proposed scheme for development of the site. It was pointed out that the feeling of residents, confirmed by the recent review of the Parish Plan, was against further development in the village. However this was a

redevelopment, and the site had already been used for student accommodation and had generated traffic on the main road. Members were also conscious of the deteriorating condition of the Listed building. There was a general feeling that the current plans were an improvement on the scheme which had received planning permission in 2008 but had not been implemented.

The possibility of holding a public meeting was considered, or alternatively of delaying consideration of the application to the next meeting of the Committee to give time to receive the views of residents. After further discussion Cllr Bolwell proposed that the application be considered at the present meeting. This was seconded by Cllr Wood and agreed by 5 votes to 0 with 1 abstention. The Chairman did not vote. The Assistant Clerk offered to put the item on the village website encouraging residents to look at the plans and send their views to the Borough Council.

RESOLVED: that the application be considered at the present meeting.

188.3 Members studied the plans for the scheme and considered their response. They had concerns about the flat roofs on the new build houses, which were felt to be inappropriate. Other points considered concerned the restoration of the Listed gardens, public access to the gardens, the car parking arrangements, and a Section 106 agreement.

RESOLVED: that the response shown in Appendix A to the planning applications at Danbury Palace be submitted to Chelmsford Borough Council.

188.4 ECC application ESS/63/10/CHL: St Cleres Hall Pit: The application was considered and a response agreed. Members were concerned about the continuing problem of mud and debris deposited on the A414 by vehicles leaving the quarry site.

RESOLVED: that the response to this application shown in Appendix A be submitted to Essex County Council.

### **189 Planning decisions**

Several planning decisions were received.

RESOLVED: that the information be noted.

### **190 Trees**

Three applications for work to trees were considered. Members agreed to consider the application at 53 Main Road, which had arrived after publication of the agenda, in view of the short timescale allowed for Conservation Area tree applications.

RESOLVED: that no comments be made on the tree applications shown in Appendix C attached.

### **191 Planning Appeals**

Appeal decision: 10/00289/FUL Unit 2, Stratford House, 72 Maldon Road: Change of use from Class A1 to Class A5 (Take-away).

The Planning Inspector had allowed the appeal and had granted planning permission. He had concluded that the change of use would have no adverse effect on the surrounding area or living conditions of adjoining occupiers sufficient to justify the refusal of planning permission.

Conditions of planning permission included the restriction of opening hours to 11am–2.30pm and 5pm–10pm Monday to Saturday, with no opening on Sundays and Bank

Holidays. Another condition related to the design, operation and future maintenance of a fume extraction system.

RESOLVED: that the information be noted.

### **192 CBC Planning Committee**

The agenda for the meeting to be held on 8<sup>th</sup> February 2011 did not include any items relating to Danbury.

RESOLVED: that the information be noted.

### **193 Draft Danbury Planning Framework Supplementary Planning Document**

The Working Group met with Jenny Robinson of CBC Planning on 28<sup>th</sup> January at the Parish Office. The comments submitted in the public consultation were reviewed and small changes to the draft Framework agreed. The timescale for adoption of the document by Chelmsford Borough Council was expected to be as follows:

CBC Development Policy Committee – Thursday 10<sup>th</sup> February 2011

CBC Cabinet – Tuesday 22<sup>nd</sup> March 2011

Following adoption at Cabinet – Art work (photos and mapping) to be agreed between Parish Council and Borough Council and the document finalised for printing.

Cllr Berlyn hoped to attend the Development Policy Committee meeting on 10<sup>th</sup> February.

RESOLVED: that the information be noted.

### **194 ECC Consultation: Minerals Development Document – Preferred Approach**

Cllr Clacy repeated his declaration of a prejudicial interest in this item and took no part in discussion.

Members were reminded of the Drop-In Exhibition to be held at Danbury Village Hall on the following day, Tuesday 1<sup>st</sup> February.

The Committee considered a response to the consultation, noting that the proposed site at Tyndales Farm, Danbury, was not identified as a Preferred Site for mineral extraction, largely because of environmental and ecological factors and proximity to residential areas.

RESOLVED: that ECC be informed that the Parish Council agreed strongly with the assessment that Tyndales Farm was unsuitable to be a preferred site for mineral extraction and maintained its objections to this use of the site for the reasons stated by the Parish Council and many concerned residents in response to an earlier stage in the consultation.

### **195 Danbury Times – Planning items**

The Publicity Group had agreed that a brief advertisement for the Tree Warden Scheme would be included in the Spring issue. A more detailed article and an item on the CBC website Interactive House would be held over for a future edition.

RESOLVED: that the information be noted.

### **196 Correspondence**

An email had been received from the Chairman of the Landisdale Charity requesting that the Parish Council be represented at a forthcoming meeting of the Trustees. The

meeting was to discuss the possible use for affordable housing of land adjacent to Littlefields owned by the Charity. Members agreed that a member of Council should attend the meeting and that it was appropriate that it be a member of the Planning Committee. Cllr Clacy offered to attend if he was available.

RESOLVED: that Cllr Clacy attend the meeting with the Trustees, if he was available, with the brief of obtaining information to report back to the Council and informing the Trustees of the Parish and Borough Councils' policies regarding development in the village.

**197 Planning Enforcement – CBC reports**

Chelmsford Borough Council had begun producing monthly reports on planning enforcement cases by parish, and these were available on the secure Parish Council area of its website. Further information about the reports had been circulated.

RESOLVED: that the information be noted.

**198 Planning Enforcement – Cases**

198.1 Flat 1, 121 Main Road (The Spinney): (Min 165.3, 13<sup>th</sup> December 2010 refers) The Enforcement Officer was expecting to receive a planning application shortly for change of use of the detached garage to an office;

198.2 08/01070/ENFB – Old Chase Farm: (Min 66.1, 19<sup>th</sup> July 2010 refers) The caravans and decking had not been removed from the site and the Enforcement Officer was pursuing this;

198.3 Stables on land behind Gay Bowers Lane: (Min 125.7, 25<sup>th</sup> Oct 2010 refers) The Planning Officer had established the identity of the person leasing the land. This person also leased the land which was the site of the proposed Medical Centre, and the stables had been moved from that site to the current location. He had been advised that planning permission was required.

198.4 Business operating from 12 Mildmays: A business appeared to be operating from these premises and members agreed to ask Planning Enforcement to check whether planning permission should have been obtained.

RESOLVED: that the information under items 198.1 to 198.4 above be noted, and that the item under 198.4 be reported to CBC Planning Enforcement.

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

No matters were raised.

**200 Forthcoming meetings**

Meetings are scheduled for 28<sup>th</sup> February, 21<sup>st</sup> March and 18<sup>th</sup> April 2011.

Annual Parish Meeting – Monday 28<sup>th</sup> March 2011 at the Sports & Social Centre.

Business having been concluded, the Chairman closed the meeting at 10.05pm.

Signed: ..... Chairman

Date: .....

**DANBURY PARISH COUNCIL**  
**Planning Committee Minutes: 31 January 2011**

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

Ref no	Property	Street name	Proposal	Committee date	Comments
10/01922/FUL and 10/01923/LBC	Danbury Palace	Main Road	Conversion of Grade II Listed Building into 12 two-bedroom apartments and 1 one-bedroom apartment. Single storey side extension to Palace. Demolition of Coach House wing and Conference Centre. Conversion and extension of Coach House to form 4 three bedroom houses and 2 two bedroom houses. Erection of 27 four bedroom terraced houses. Associated car parking, cycle and bin storage and landscaping.	31/01/11	We have no objection in principle, but have the following concerns: 1. We have reservations about the use of flat roofs for the new build. These are contrary to the Borough Council's own design guidance and to the Draft Danbury Planning Framework SPD (DPF20, 21 and 26 refer). The current design does not properly reflect the character of the Palace; 2. The allocated number of car parking spaces is insufficient to meet the likely need; 3. If minded to approve, please include conditions to ensure that the Listed gardens and the garden walls are restored and maintained and that public access to the Listed garden is permitted; 4. If the application is approved, we request a S106 contribution of £1,000 per new dwelling for Danbury Parish Council towards its Drainage & Carparks project to improve facilities in the centre of the village.
ESS/63/10/CHL	St Clere's Hall Pit	Main Road	1. Retrospective planning permission for mineral extraction (now ceased); 2. Infilling existing void with inert waste (construction waste, soils and clays); 3. Recycling of inert materials to recover secondary aggregates and soils; 4. Restoration to species-rich grassland in line with the Essex Biodiversity Habitat Action Plan.	31/01/11	We continue to be concerned about the volume of vehicle movements and the depositing of mud and other debris on the A414. If minded to approve, please include a condition that steps be taken before vehicles leave the site to ensure that debris on the main road is kept to a minimum.

**DANBURY PARISH COUNCIL**  
**Planning Committee Minutes: 31 January 2011**

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

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
10/01750/FUL	10	Hopping Jacks Lane	Part two-storey, part single-storey side extension and conversion of existing house to form two dwellings	13/12/10	No comments	Approved 12/01/11
10/01765/FUL	86	Maldon Road	Front dormer window and new first floor side window	13/12/10	No comments	Approved 12/01/11
10/01770/FUL	Sovereign House	Woodhill Road	New window to gable on rear elevation	13/12/10	The window will overlook 3 properties in Southview Road and we share the concerns raised by a neighbour. Should the Borough be minded to approve the application we recommend the window be glazed with obscure glass to avoid visual intrusion.	Approved 20/12/10
10/01781/FUL	Beech Cottage	Cherry Garden Lane	Part single, part two-storey front/ side/ rear extension with dormer window to front	13/12/10	No comments	Approved 24/12/10
10/01799/FUL	Site of Old Mission	Danbury Common	Retrospective application for engineering operations for changes to levels in rear garden area and retaining wall	13/12/10	No comments	Approved 10/01/11
10/01827/FUL	Poplar Farm	Bicknacre Road	First floor rear extension and reconstruction of conservatory to solid construction with flat roof	13/12/10	No comments	Refused 24/01/11

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
10/01834/FUL	33	Maldon Road	Retrospective application for the amendment of permission 09/00407/FUL (single storey front, side and rear extensions) to alter ground floor fenestration and for addition of dormer windows to ground floor side and rear	10/01/11	No comments	Approved 24/01/11
<b>ECC Application</b>						
CC/CHL/101/10	Danbury Outdoors	Well Lane	Construction of 5 new residential cabins (4.4m high, 9.4m long, 6.8m wide), a catering unit (5.7m high, 23.7m long, 9.2m wide), new office extension (3.2m high, 9.2m long, 5.8m wide) and external canopy (4.8m high, 9.2m long, 5.3m wide), with associated works and drainage including replacement of existing high-ropes course.	25/10/10	No comments	Approved 15/12/10

**DANBURY PARISH COUNCIL**  
**Planning Committee Minutes: 31 January 2011**

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

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
11/05503/CAT	N/A	Land north of no 1	Eves Corner	Sycamores x 2 on verge between Little Baddow Road and shop/back of shops: fell, as in poor condition; Sycamore x 1, same location: remove unnecessary limb overhanging shop car park	31/01/11	No comments
11/5004/TPO	2005/009	94	Main Road	G1 Holly behind shed: crown lift over shed to give 1m clearance. Annually cut back sucker growth for a management period of 5 years	31/01/11	No comments
11/05507/CAT	N/A	Old Rectory, 53	Main Road	Woodland rear of properties in Main Road and St Cleres Road - 5 year woodland management plan to clear scrub, undergrowth, fallen trees and minimal coppicing as required to bring woodland area into management. Scots Pine adj north of house: fell to ground (work under earlier approval revealed extent of decay within the tree)	31/01/11	No comments