



PLANNING COMMITTEE

Minutes of the Meeting held on 16th May 2011 at 8.00pm at the Parish Office

Present: Cllrs M Telling (Chairman), A Allen, S Berlyn, D Bolwell, Mrs A Chapman, A Keeler.

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

In attendance: Cllr W Scaife
Mrs E Blyth, Assistant Clerk

1 Chairman for the meeting

As the election of Chairman and Vice-Chairman for the municipal year 2011/12 had been omitted from the agenda it was necessary to elect a Chairman for the current meeting only. Cllr Berlyn proposed that Cllr Telling be elected Chairman for the meeting. This was seconded by Cllr Bolwell and agreed unanimously.

RESOLVED: that Cllr Telling be elected Chairman for the meeting.

2 Apologies for absence

Apologies were received and accepted from Cllrs Thomson and Wood.

3 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. They were reminded that they would need to repeat their declaration at the appropriate point in the meeting and leave the room if the interest was a prejudicial one. Unforeseen interests must be declared similarly at the appropriate time.

Cllr Berlyn declared an interest in the application at Lee House by virtue of being a patient of the surgery, being acquainted with one of the doctors and living near to the site;

Cllrs Allen, Bolwell, Chapman, Keeler, Scaife and Wood declared an interest in the application at Lee House by virtue of being patients of the surgery.

4 Public Question Time

11 members of the public were present to give their views on the application at Lee House Surgery (11/00650/FUL) for partial change of use to a retail pharmacy. All had strong concerns about the adverse effects of the proposal on nearby homes. One of the residents read an agreed statement and further comments were made by others present. The residents' objections included the following:

- The surgery was in the Conservation Area of the village which the Borough and Parish Councils had a duty to protect;
- They already experienced problems from traffic and parking at Eves Corner and surrounding streets during weekdays and this would be made worse by the additional business;

- The proposed long opening hours of the pharmacy meant that they would be subject to noise and disturbance late into the evenings and on Sundays;
- The surgery had previously received planning permission for two portakabins due to lack of space but had now found room for a chemist's shop;
- They believed the application was intended to set a precedent for 7 days per week retail use of the surgery site in the future;
- There were inconsistencies and inaccuracies in the application form;
- They wished the Parish Council to request that the application be referred to the CBC Planning Committee for determination.

When all the members of the public had had the chance to speak the Chairman thanked them for attending and for giving their views to assist the Committee's deliberations.

5 Minutes

RESOLVED: that the minutes of the meeting held on 18th April 2011 be approved and signed as a correct record.

6 Planning Applications – Appendix A

Planning applications were considered and responses agreed.

Lengthy consideration was given to the application for change of use of part of Lee House Surgery to Class A1 for the operation of a retail pharmacy. The concerns raised by residents, both at the meeting and by letter, were noted.

It was understood that the hearing into the application by Lee House for a 100 hours per week pharmacy licence had not yet been held. It was also reported that the practice hoped to be able to move to a new building on the approved site in Maldon Road in about 18 months, although revisions to the internal layout meant that a new planning application would be required.

After a period of discussion each member of the Committee gave his or her views on the issues raised. Mr Walton reported that the Danbury Society had sent objections to Chelmsford Borough Council. All members of the Committee had strong objections to the application and the Committee agreed a number of comments to be submitted to Chelmsford Borough Council. Members also agreed to request that the application be determined by the CBC Planning Committee rather than by officers under delegated powers.

RESOLVED: that the responses to planning applications shown in Appendix A be submitted to Chelmsford Borough Council and that the application at Lee House surgery (11/00650/FUL) be referred to the local Ward Members with the request that it be determined by the CBC Planning Committee (unless officers were minded to refuse it).

The members of the public left the meeting at this point.

7 Planning decisions – Appendix B

Several planning decision notices were received. The notice of refusal of planning permission at Oak Bungalow, Hyde Lane, had been circulated for information.

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

8 Trees – Appendix C

The Committee considered its responses to applications for work to trees, noting that the Danbury Tree Warden had not been able to visit the sites on this occasion. The application at 32A Parkdale (previously considered at the meeting on 18th April) had been amended to include the felling of Oak T4 as further investigation had revealed the extent of disease in the tree.

Details of a new Tree Preservation Order (ref: 2011/018) on an Oak tree at 16 West Belvedere were noted.

RESOLVED: that the responses to tree applications shown in Appendix C be submitted to Chelmsford Borough Council.

9 CBC Planning Committee

The meeting scheduled for Tuesday 31st May 2011 would start at 6pm instead of 7pm. The business would include the application for conversion of Danbury Palace into apartments and construction of new terraced houses on the site. Members had already received details of a presentation by the developer to CBC and local councillors to be held on Thursday 26th May at 6pm in the Council Chamber, Civic Centre.

RESOLVED: that the information be noted.

10 Planning Appeal – decision

10/01930/FUL: Elm Orchard, Elm Green Lane: Single storey car port and garage (refused 31st January 2011) The appeal had been dismissed by the Planning Inspector. The Inspector's report had been circulated to members.

RESOLVED: that the information be noted.

11 Parish Council Strategic Plan: Planning area of work

In view of the amount of business remaining on the agenda, the Chairman proposed that further discussion of the Strategic Plan be deferred until the next meeting.

RESOLVED: that this item be deferred to the next meeting

12 The Danbury Planning Framework SPD

The Planning Framework Group had met with CBC Senior Planning Officer Jenny Robinson at the Parish Office on Tuesday 10th May 2011 to discuss publication of the Framework, including the addition of photographs and alternative methods of printing. Jenny had provided examples of documents published by other parishes. Quotations for the artwork and printing would be obtained.

The Group agreed to ask the Parish Council to determine whether to distribute the Framework to all households in the village, as originally planned, or to restrict the number of copies in the current economic climate. The document would also be made available on the village and Borough Council websites and on CD.

At its meeting on 11th May Parish Council agreed not to circulate the document to the whole village. The number of copies (200-300) would be determined by the Group on the basis of the quotations received and funds earmarked. The Journal and Danbury Times would be used to publicise the Framework and inform residents how they could view the document or obtain a printed copy.

RESOLVED: that the information be noted.

13 Government Localism initiative

An article on localism for rural communities from the Spring 2011 newsletter of the Campaign to Protect Rural England (CPRE) had been circulated for information. Also circulated was a news item from the CBC website Planning News section about localism and planning.

RESOLVED: that the information be noted.

14 CBC Parish Council Forum, Tuesday 24th May 2011 (7pm at Civic Centre)

Cllrs Berlyn, Bolwell and Keeler were planning to attend. Other names should be notified to the Parish Office by noon on 18th May.

RESOLVED: that the information be noted.

15 Items for Danbury Times

The Tree Warden Scheme and CBC website Interactive House had already been noted. No further planning items were suggested.

RESOLVED: that the information be noted.

16 Correspondence

There were no items not dealt with elsewhere on the agenda.

RESOLVED: that the information be noted.

17 Planning Enforcement Cases

17.1 Bill-boards on field near St Clere’s Hall: Following a complaint, CBC Planning Enforcement had requested the landowner to remove the boards or apply for planning permission;

17.2 08/01070/ENFB – Old Chase Farm: CBC Planning Enforcement were still awaiting a planning application for a mobile home on the site;

17.3 Stables on land behind Gay Bowers Lane: CBC Planning Enforcement were still awaiting a planning application for the relocation of the stables from the site of the proposed Medical Centre to the current location;

RESOLVED: that the information in items 17.1 to 17.3 above be noted.

18 Planning matters for report (for information only)

Concerns about a dead tree in Riffhams Lane causing a danger to the highway were raised. It was reported that the Parish Office had already referred the matter to the appropriate authorities, and members agreed that the business came under the remit of Environment Committee.

19 Forthcoming meetings:

6th June, 27th June, 25th July 2011

Business having been concluded, the Chairman closed the meeting at 10.42pm.

Signed: Chairman

Date:

Ref no	Property	Street name	Proposal	Committee date	Comments
11/00557/FUL	Margaret's Cottage	Slough Road	Part single, part two storey side extension	16/05/11	We note that this property is outside the defined settlement in the rural area and that the proposal represents a substantial expansion of the building contrary to policies DC2 and DC47(B).
11/00644/FUL	Rascals	Horne Row	Flat roof infill extension between existing two front dormer windows	16/05/11	We object to this flat roof infill which conflicts with CBC's Guidelines on residential roof extensions and is unsympathetic to the design of the house.
11/00674/FUL	1	Millfields	Amendment to permission 10/01190/FUL (single storey front and side extensions) to construct a single storey front extension with a single pitch roof.	16/05/11	No comments
11/00650/FUL	Danbury Medical Centre	Eves Corner	Part change of use from D1 (doctors' surgery) to A1 (retail pharmacy)	16/05/11	We strongly object to this proposal for the following reasons: 1. The extended hours of operation are unnecessary in this location as there are 100-hour pharmacies at Chelmer Village, Maldon and Burnham; 2. The additional business and extended hours would cause loss of amenity to neighbouring residents, contrary to policy DC4, in terms of late-night noise, light pollution and litter, and would exacerbate an already difficult day-time parking situation in surrounding streets; 3. The new business would threaten the well-established Chemist immediately adjacent which already serves the needs of the local community; <i>Continued overleaf.../</i>

Ref no	Property	Street name	Proposal	Committee date	Comments
					<p><i>...Continued/</i></p> <p>4. Lee House surgery has two portakabins for which temporary planning approval was given on the grounds of lack of space in the main building. It is not appropriate to reduce space in the surgery to create a retail pharmacy which could be provided elsewhere;</p> <p>5. The application does not specify the part of the building to which the change of use applies. It is also contradictory in that section 18 indicates that there will be no change of use. Section 3 does not state that the change of use is for part of the building only, and there are other inaccuracies in the application;</p> <p>6. We understand that the new surgery in Maldon Road is likely to be available within 18 months. This will be a much more suitable location for the development proposed;</p> <p>7. The change of use to A1 would set an unacceptable precedent for the future use of the building.</p>

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Appendix B
Planning Decisions

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
10/01491/FUL	Cliftonville	Southwood Chase	Re-positioning of garage and amendment of condition 5 of planning approval 06/00280/FUL to allow retention, refurbishment and alteration of the buildings 7, 9 and 10. Demolish building 8 and construct 2 no. stables and tack room.	21/03/11	No comments	Approved 21/04/11
11/00134/FUL	Oak Bungalow	Hyde Lane	Retrospective application for a front wall and fencing	21/03/11	We agree with the comments of the neighbour that the infill between the wall piers should be railings, as proposed.	Refused 11/04/11
11/00260/FUL	11	Hay Green	Extensions and alterations including first floor extension and replacement roof to existing bedrooms. Two storey rear extension and single storey front porch and garage extensions. Timber cladding to existing gable ends (first floors).	21/03/11	No comments	Approved 15/04/11
11/00261/FUL	75	Mill Lane	New, larger rear dormer window and insertion of 2 no. new windows to the first floor side elevation	21/03/11	No comments	Approved 13/04/11
11/00274/FUL	51	Parkdale	First floor rear extension and single storey side extension. Insertion of new window to first floor side elevation.	21/03/11	No comments	Approved 05/04/11
11/00296/FUL	26	Beaumont Park	Single storey rear extension	21/03/11	No comments	Approved 04/04/11

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
11/00356/FUL	Homefield	Gay Bowers Road	Demolish existing side conservatory and construct new single storey side extension.	21/03/11	No comments	Approved 11/04/11
11/00393/FUL	Flat 1, 121	Main Road	Retrospective application for alterations to garage and change of use from garage ancillary to residence (C3) to B1 office use.	N/A	No comments	Approved 11/04/11

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Appendix C
Work to Trees

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
11/05082/TPO	2002/025	40	Hyde Lane	T17, Oak on boundary with Mill Lane: crown reduce by 3m; T18, Oak on boundary with Mill Lane: reduce lateral spread over Mill Lane by 3m.	16/05/11	No comments
11/05085/TPO	2007/52	40	Mill Lane	T1, Oak: crown lift to 4m; reduce lateral spread by 2m; remove dead wood.	16/05/11	No comments
11/05057/TPO Amended (previously considered on 18/04/11)	2003/080	32A	Parkdale	T3, Oak in rear garden: crown lift to 2m removing epicormic growth only as necessary for 5 years; crown clean; T4, Oak surrounding pond: fell to ground and remove stump. (<i>Due to poor condition it has been decided this tree should be felled.</i>)	16/05/11	Please ensure that a new tree is planted to replace the oak which is to be felled.