



PLANNING COMMITTEE

Minutes of the Meeting held on 20th February 2012 at 8pm in the Meeting Room, The Old School House, Main Road, Danbury

Present: Cllrs M Telling (Chairman), A Allen, S Berlyn, D Bolwell, Mrs A Chapman, A Keeler, J Scott, J Thomson, M Wood

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

In attendance: Mrs E Blyth, Assistant Clerk

198 Apologies for absence

All members were present.

199 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 to leave the room if the interest was a prejudicial one. Unforeseen interests must be declared similarly at the appropriate time.

Cllr Keeler declared a personal and prejudicial interest in the application for a wind turbine at Paternoster Farm, by virtue of living in close proximity to the site. He left the meeting while Committee discussed its response to this application;

Cllr Scott declared a personal interest in the application at Driftwood, Elm Green Lane, by virtue of living nearby;

Cllr Wood declared a personal interest in the application for work to trees at 9 Hyde Lane by virtue of being acquainted with the applicant.

200 Public Question Time

1 member of the public who was considering standing as a councillor attended the meeting as an observer.

10 members of the public attended to state their objections to the application for a wind turbine at Paternoster Farm. They urged the Parish Council to oppose the application. Their objections included that the mast would dominate the open, rural landscape of the surrounding valley. The houses in Fitzwalter Lane were close to the site but were not mentioned in the application. The noise and intrusive appearance would spoil the enjoyment of the countryside by residents and visitors. They believed the installation would not achieve the desired aim in energy production and would set a damaging precedent for the area. An application for a tree mast and antennas at Paternoster Farm had been refused in 2002. No ecological survey of the site had been carried out, and the members of the public believed that the consultation period should be extended for this to take place and to allow more residents to comment.

Cllr Keeler made a statement of his own objections to the proposal. The landscape of Sandon Brook Valley should be protected from such a development, as should the neighbouring Sporhams Lane, a Protected lane. The turbine would spoil the enjoyment of the open view by residents in Fitzwalter Lane, who would also be

affected by the noise. Due to the lie of the land the turbine would be visible from the Sandon side of the valley and from the south of Danbury. He believed that the turbine would not be effective for its purpose and that solar panels would be equally good.

At the end of Public Question Time the Committee agreed to discuss and decide its response to the Paternoster Farm application at this point in the meeting.

Cllr Keeler, who had declared a prejudicial interest, withdrew from the meeting.

201 12/00047/FUL: Paternoster Farm

Members of the Committee had been notified of the application earlier than usual to allow additional time to study the plans and visit the site. The objections of members of the public present had been heard, and written representations had been circulated to the Committee with the agenda (if available) and at the meeting.

The Chairman now invited each member in turn to give their views on the application, and the following points were made:

- Several members made clear that they were not opposed in principle to renewable energy, but expressed doubts that the wind turbine would achieve its stated objectives;
- The information in the application was incomplete – for example local authority and government policies were mentioned but with no explanation of how the proposal fitted with these;
- There was also no Ecological survey, and the Committee supported the view of members of the public a survey should be carried out before the application was determined;
- All members objected very strongly to the location of the turbine in a sensitive and open rural landscape, close to Sites of Special Scientific Interest (SSSIs), National Trust land, the Danbury Conservation Area and Sporhams Lane, a Protected Lane;
- The turbine would be close to Sporhams Lane and could be a distraction to traffic;
- The close proximity of houses in Fitzwalter Lane meant that residents there would be particularly subject to visual intrusion and noise;
- The valley location of the site meant that the turbine would be visible from a wide area of the south of Danbury, including the Conservation Area.
- Due to the location and the prevailing winds, the turbine noise was likely to be carried over a large part of Danbury;
- The proposal was contrary to policies DC15, DC17 and DC23 of the CBC Core Strategy and to DPF1 and DPF64 of the Danbury Planning Framework SPD;
- The suggestion of members of the public that additional time should be given for the consultation was supported in view of the wide area of the village which would be affected;
- Unless it was to be refused, the application should be determined by the CBC Planning Committee so that objections of the Council and the residents could be put in open meeting.

Mr Walton reported that the Danbury Society had objected to the application on grounds of the visual impact, noise nuisance and the proximity to houses. A copy of the Society's objections had been passed to the Parish Council.

After all views had been given the Chairman summed up the consensus view of the Committee, which was that it objected very strongly to the application for the reasons given. The Committee agreed that the Assistant Clerk and the Chairman should put together the Committee's objections and submit the response to Chelmsford Borough Council.

It was understood that Borough Cllrs Bob Shepherd and Ian Wright had already indicated that they would ask for the application to be determined by the CBC Planning Committee.

RESOLVED: that the Assistant Clerk, in consultation with the Chairman, draw up a response to the application based on the views of the Committee and submit this to Chelmsford Borough Council.

(The submitted response is attached to these minutes as Appendix D.)

At this point 10 members of the public left the meeting. Cllr Keeler returned to the meeting.

202 Minutes

RESOLVED: that the minutes of the meeting held on 30th January 2012 be approved and signed as a correct record.

203 Planning Applications – Appendix A

The application for a wind turbine at Paternoster Farm, Sporhams Lane, was discussed earlier (item 201 above). Seven further applications were considered.

RESOLVED: that the responses to planning applications shown in Appendix A be submitted to Chelmsford Borough Council, and that application 12/00047/FUL at Paternoster Farm 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.

204 Planning decisions – Appendix B

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

205 Trees – Appendix C

One application for work to trees was considered.

RESOLVED: that no comments be made on the application shown in Appendix C.

206 CBC Planning Committee

The agenda for the meeting to be held on Monday 5th March was not yet available.

RESOLVED: that the information be noted.

207 Items for Danbury Times

Cllr Chapman reported that the Spring Annual Report edition was about to go to press. The Chairman of Planning's report included a request for additional volunteer tree wardens. Planning items for future editions already agreed were the CBC website Interactive House and a further article on Outdoor Advertisements.

RESOLVED: that the information be noted.

208 Correspondence

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

RESOLVED: that the information be noted.

209 Planning Enforcement Cases

Rosedene, Riffhams Lane, Railway sleepers at kerb: CBC Planning Enforcement had confirmed that the sleepers at the boundary of the property came under Permitted Development Rights and planning permission was not required. The Parish Council would now raise the safety issue with ECC Highways.

RESOLVED: that the information be noted.

210 Planning matters for report (for information only)

No reports were made.

211 Forthcoming meetings

Meetings are scheduled for 12th March, 2nd April and 23rd April 2012.

Business having been concluded, the Chairman closed the meeting at 9.50pm.

Signed: Chairman

Date:

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**Appendix A
Planning Applications**

Ref no	Property	Street name	Proposal	Committee date	Comments
11/1700/FUL	32	Barley Mead	Two storey rear extension and conservatory to rear. First floor windows to side elevations.	20/02/12	No comments
12/00016/FUL	Old Chase Farm	Hyde Lane	Storage land: Retrospective application for infilling of former gravel pit (subsequently used for crayfish breeding)	20/02/12	We endorse the comments of Environmental Services that details of the materials used for the infill should be provided.
12/00018/FUL	4 Boarded Well Cottages	The Common	First floor front/side/rear extension	20/02/12	We support the comments of neighbours and request that conditions be imposed to provide protection for the yew tree and to ensure that the side window overlooking their property is made with obscured glass.
12/00047/FUL	Paternoster Farm	Sporhams Lane	Installation and operation of an 11kW wind turbine with a hub height of 18.3m	20/02/12	See Appendix D
12/00071/ETL	Kinvara Lodge	Tyndales Lane	Extension of time limit to permission 09/00042/FUL for replacement dwelling and part basement.	20/02/12	No comments
12/00073/FUL	Driftwood	Elm Green Lane	Single storey side extension. Alterations to roof with new first floor balcony and juliette balconies to rear. Alterations to fenestration and new roof lights to existing roof.	20/02/12	No comments

Ref no	Property	Street name	Proposal	Committee date	Comments
12/00112/FUL	7	Hyde Green	Front and rear extensions to existing detached garage	20/02/12	We support the view of the Tree Officer on the need for a tree protection plan.
12/00215/FUL	Public Conveniences	Main Road	Demolition of public convenience block	20/02/12	We recommend that the Borough Council considers installing a hard surface after demolition and utilising the space for disabled parking bays.

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**Appendix B
Planning Decisions**

Ref no	Property	Street name	Proposal	Committee date	Comments	Dec'n & Date
11/01731/FUL	9	Beaumont Park	Two storey rear extension	09/01/12	The changes to the roof lines, which will be visible from the road, conflict with DPF 51 (Danbury Planning Framework SPD) which states that development at Beaumont Park should respect the original planning concept and be sympathetic to the Neo-Georgian design ethos of the estate.	Approved 06/02/12
11/01867/FUL	Rosemead, 5	Southview Terrace	Part single, part two-storey side extension, one dormer window to front elevation and detached double garage	09/01/12	If Officers are minded to approve we request the following: 1. Protection be afforded to the front hedge during construction so that its viability is not compromised; 2. The side window on the gym/fitness room should be of obscured glass and non-openable to contain potential noise from the gym and fitness activities including music.	Approved 25/01/12
11/01912/FUL	49	Belvedere Road	Two storey side extension	09/01/12	No comments	Approved 27/01/12
11/01926/FUL	Wateroak	Ludgores Lane	Demolition of existing house and garage and construction of a 4 bedroom detached dwelling, double garage, private drive and parking area.	09/01/12	No comments	Approved 09/02/12

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Appendix C
Work to Trees

Ref no	TPO ref	Property	Street name	Proposal	Committee date	Comments
12/05018/TPO Mr N Hume	2007/048	9	Hyde Lane	G1 - Oaks x 2 on boundary with 8 Hyde Lane: reduce height by 4-5m max and reduce lateral spread to bring canopy into balance and shape. Lightly crown thin.	20/02/12	No comments

12/00047/FUL Paternoster Farm: Wind Turbine

Danbury Parish Council's comments to Chelmsford Borough Council

We very strongly object to this proposal on the following grounds:

1. The turbine site is close to and will be visible and audible from a number of residential properties (especially in Fitzwalter Lane). It is in a sensitive and beautiful rural valley close to several SSSIs. It is close to the Danbury Conservation Area. The proposal is therefore contrary to Core Strategy policy DC23 (i), (ii) and (iii) in that it will cause demonstrable harm to residential amenities, will have an unacceptable visual and audible impact on a wide area and a significant adverse impact on the Conservation Area and the character and appearance of this part of the countryside.
2. The proposal is in conflict with DPF1 of the Danbury Planning Framework SPD in that it does not respect the quality of the local natural environment, character and landscape.
3. The proximity of the turbine to Sporhams Lane is likely to make it a distraction hazard affecting traffic safety contrary to policy DC23 (iv).
4. The proposal will have an adverse environmental impact on Sporhams Lane (a Protected Lane) and its hedgerows, contrary to policies DC15 of the Core Strategy and DPF64 of the Danbury Planning Framework SPD.
5. Due to the open aspect and the lie of the land, the turbine will be highly intrusive on views from within the Danbury Conservation Area, contrary to policy DC17 (ii).
6. The location of the site and the prevailing south-westerly winds mean that noise from the turbine will affect large parts of the Conservation Area and the south of Danbury.
7. The installation of the turbine in this open landscape and sensitive rural area which includes National Trust land would set an unacceptable precedent.
8. No ecological and wildlife survey of the affected area has been carried out. We consider this to be a serious omission which should be rectified.
9. The application lists national, regional and local policies on renewable energy but does not demonstrate how the proposal complies with these.
10. The electricity generated by the turbine will be negligible and will not reduce CO2 emissions produced by power stations.
11. An application at the site in 2001 for a tree mast and antennas was refused by CBC and similar objections apply in this case.
12. We request that an extension of time be granted to allow wider consideration and comment by local residents, and to enable the necessary ecological surveys to be carried out and the results made available.

Danbury Parish Council
21st February 2012