

KELVEDON PARISH COUNCIL

**MINUTES OF THE
PLANNING COMMITTEE
Held 18 September 2018**

Present: Cllr Astley (Chair)
Cllr Anderson, Cllr Goode, Cllr Jayatillake, Cllr Ormond & Cllr Pilbeam

Mrs P Potter, Parish Clerk

P37/18-19 Apologies for Absence
In accordance with the LGA 1972 (S85), apologies were received and accepted from Cllr Martin, Cllr Minns and Cllr Tremain.

P38/18-19 Declarations of Interest
Cllr Jayatillake declared a non-pecuniary interest in item 43/18-19 under application number 18/01653/FUL at 19 London Road, as she knows the applicant and therefore did not take part in the discussion or vote.

P39/18-19 Confirmation of Minutes
It was Proposed Cllr Jayatillake, Seconded Cllr Anderson and unanimously Resolved that the minutes of the meeting held on 16 July 2018 are a true record and were signed accordingly.

P40/18-19 Public Discussion
No public present.

P41/18-19 Matters for Report
None.

P42/18-19 To note decisions taken under delegated powers
The following decisions were noted:

18/01353/FUL	42 St Mary's Road	Construction of side two storey extension
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No comment, no objection.

18/01306/FUL	Laburnum, Maldon Road	Demolition of existing ground floor flat roof rear projection. Erection of single storey rear extension with pitched roof. New ground floor window opening to side elevation
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No comment, no objection.

18/00169/TPOCON	The Vicarage, Church Street	Notice of intent to carry out works to trees in a Conservation Area
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No comment, no objection.

18/01410/VAR	Grangewood Centre, 10-12 High Street	Application for a variation of Condition 7 of Planning permission 15/01498/FUL
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The Parish Council's comments on this application are as follows:

The Council would not be in favour of relaxing any environmental protection conditions as it would not be possible to have an oversight of any alleged surveying of the trees for nesting activity and would call into question the effectiveness of any such surveying undertaken. The original planning drawings indicate that this proposal is likely to affect a significant number of trees rather than 'just' one or two.

Furthermore, it is considered that the proposal would set a dangerous precedent as Disturbance Laws, determined in the Wildlife & Countryside Act 1981, should not be seen to be 'mitigated' by surveying. Regardless of whether such a survey locates any pre-determined species, there is also likely to be host of other species in existence, primarily invertebrates, that will be utilising the habitat during this period.

The site has been under re-development for some time and it is considered that it would not be unreasonable for the developer to retain their original plans to fell in the specified period.

On this basis, the Parish Council strongly OBJECTS to this application.

18/00187/TPOCON 2 Millers Gardens, Church Street Notice of intent to carry out works to trees in a Conservation Area

The Parish Council's Tree Warden met with the householder during the morning of 03/08/18 and inspected the trees referred to in the application.

1. **Bramley apple tree:** The tree is of significant age and nearing the end of its natural fruit producing age. The tree sits on a boundary and has been subject to 180 degree pruning and is out of balance. The owner wishes to carry out work to reduce the tree to a manageable size with a view to making a future application for removal. The tree is not part of the street scene.

Recommend NO OBJECTION.

2. **Holly tree:** The tree is a healthy specimen that has grown to the extent that it is occupying a large sector of the garden. The trees requested reduction is appropriate and will give the tree a better shape. The tree is not part of the street scene. Recommend NO OBJECTION.

3. **Walnut tree:** This is a very healthy and vigorously growing tree carrying a lot of fruit. The canopy is covering the ground and is in need of having the crown raised and thinned to allow air and light into the tree structure. The work requested is appropriate and ensure the trees future health. The tree is not part of the street scene. Recommend NO OBJECTION.

4. **Wisteria:** This climber sits to the front of the house below the guttering and **probably does not constitute a tree by definition.** This vigorous climber has stopped flowering which is probably due to not being pruned correctly and at the correct time of year. The runners on this climber are invading the roof space and damaging tiles. The owner wishes to remove and replace with a less rampant specimen. Recommendation NO OBJECTION.

P43/18-19 Planning Applications

The following planning applications were considered:

18/00225/TPOCON 5 Canonium Notice of intent to carry out
& **Mews** works to Conservation Area

18/00226/TPOCON

It was Proposed Cllr Pilbeam, Seconded Cllr Anderson and unanimously Resolved to make no comment and no objection.

18/00240/TPOCON 96 High Street Notice of intent to carry out works to tree in Conservation Area

It was Proposed Cllr Pilbeam, Seconded Cllr Goode and unanimously Resolved to make no comment and no objection.

18/01554/FUL Co-op Shop, 83 High Street Installation of bollards to external facing ATM

It was Proposed Cllr Jayatillake, Seconded Cllr Pilbeam and unanimously Resolved to SUPPORT this application.

18/01591/FUL Kelvedon House, 86 High Street Erection of 4 flats and 4 dwelling houses (amendment to previous approval 17/00076/FUL)

It was Proposed Cllr Astley, Seconded Cllr Jayatillake and unanimously Resolved to make no comment and no objection.

18/01653/FUL 19 London Road Erection of two storey and single storey side extension

It was Proposed Cllr Ormond, Seconded Cllr Astley and unanimously Resolved to make no comment and no objection.

P44/18-19 To discuss any other planning applications received subsequent to the agenda being published and/or shown on the Braintree District Council website up until 4pm on the day of the meeting.
None.

P45/18-19 Enforcement Issues
45.1 Kelvedon House, 86 High Street
18/01474/DAC: Discharge of conditions – the Parish Council are very concerned that construction work had commenced before the discharge of conditions had been agreed by BDC. In particular, the Council are concerned that the condition relating to archaeology had not been signed off, as it is very likely that Roman finds will be made on this site, as they have done in adjacent areas, most notably the Small Hall at the Institute, next door. It was Proposed Cllr Astley, Seconded Cllr Jayatillake and unanimously Resolved that the Parish Council write to BDC to voice their concerns.

P46/18-19 Other Correspondence
None.

P47/18-19 Date of Next Meeting
16 October at 8.00 pm in the Council Chamber.

Signed

Date