

**PLANNING COMMITTEE  
16 JANUARY 2014**

*Present :-* Councillor Helen Chuah\* (Chairman)  
Councillors Peter Chillingworth\*, Sonia Lewis\*,  
Cyril Liddy\*, Jon Manning, Philip Oxford and  
Laura Sykes\*

*Substitute Members :-* Councillor Michael Lilley for Councillor Stephen Ford  
Councillor Peter Higgins for Councillor Theresa Higgins  
Councillor Marcus Harrington  
for Councillor Jackie Maclean

(\* Committee members who attended the formal site visit.)

**106. 131484 - Grass Reasons Farm, Newbridge Road, Layer Marney and 131488  
- Layer Wood Farm, Maldon Road, Layer Marney**

**Councillor Chillingworth (in respect of his membership of the Campaign for the Protection of Rural England Essex Branch) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the upgrading of existing poultry units on Grass Reasons Farm, including the demolition of four poultry sheds and the erection of two poultry sheds. Another application was also considered for the redevelopment of poultry units on Layer Wood Farm, including the demolition of two existing poultry sheds and the erection of two replacement poultry sheds and a services building with associated equipment. The Committee had before it a report and amendment sheet in which all the information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

*RESOLVED* (UNANIMOUSLY) that the applications be approved, subject to the conditions set out in the report and amendment sheet.

**107. 131974 - Land rear of Laurel Cottage, Layer Breton**

**Councillor Chillingworth (in respect of his consultancy's firm previous work with the agent) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Lewis (in respect of her involvement in an ongoing business matter with the agent) declared a pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(10) and left the meeting during its consideration and determination.**

The Committee considered an application for a new dwelling house on the land to the rear of Laurel Cottage. The Committee had before it a report in which all the information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Mr Carl Allen, Planning Officer, presented the report and assisted the Committee in its deliberations. He advised the Committee that the Arboricultural Officer had recently made an area Tree Preservation Order (TPO) on the site, however the officer's concern related only the larger trees on the site, not the trees proposed for removal.

Mr Peter Le Grys addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He suggested that concern relating to the infringement of the countryside was unfounded, as the site was enclosed by walled gardens and neighbouring properties on all sides. He believed that the development boundary was a misnomer and bore no relevance to current development. He addressed the matter of the recent TPO and stated that the applicant had no intention of removing any of the larger trees, only the self-seeded trees. He believed that any disturbance created from the driveway would be no more than those of neighbouring properties. He believed that development on this site was not inappropriate and did not negatively impact neighbouring sites. He suggested that the dwelling could be re-designed further into the site, over the development boundary, if the Committee considered that to be more agreeable.

The Committee questioned the thought behind the development boundary and asked for clarification on the rules that applied to it.

The Planning Officer explained that although the development boundary may not superficially seem logical, it was placed there for policy reasons to ensure that in fill development was only carried out where appropriate. It would be for the Local Plan Committee to consider, not the Planning Committee. If the proposal was moved further outside the development boundary, it may improve the design of the proposal, but would be out of keeping with the character of the area, where most dwellings had a frontage on to the street.

He went on to explain that, although the presence of driveways near other dwellings was not uncommon in the area, the curved nature of the proposed driveway meant that amenity would be more significantly impacted. Amenity would also be impacted, in the Planning Officer's opinion, by the potential use of the Sun Room all year.

The Committee was sympathetic to the applicant but recognised that the development boundary needed to be adhered to. The policies the Council had in place for backland development were good. It was the Committee's opinion that the amenity of the neighbouring properties would be affected by the proposal.

A member of the Committee questioned whether the angle of the dwelling on the site could be altered to improve the design. The Planning Officer advised that, at any angle, overlooking would occur and that it would be hard to find an acceptable design

on the site, which did not affect amenity or cross the development boundary.

*RESOLVED* (NINE voted FOR) that the application be refused, for the reasons set out in the report.