



BRANTHAM PARISH COUNCIL PLANNING COMMITTEE

Minutes

25 October 2019, 7.30pm at Brantham Village Hall

PRESENT: Verity Abrahams (VA)
Mark Aherne (MA)
Clare Phillips (CP)
Paul Seward (PS) (Chair)

IN ATTENDANCE:

Sarah Keys (SK) (Clerk), 2 members of the public, District Councillor Alastair McCraw and Parish Councillor C Elliott

PLC 10.19.01	APOLOGIES FOR ABSENCE None
PLC 10.19.02	MINUTES The minutes of the meeting on 25 September 2019 were approved and signed as a true record of the meeting.
PLC 10.19.03	DECLARATION OF INTEREST None
PLC 10.19.04	PLANNING APPLICATIONS DC/19/04222 Chalkwell House, Factory Lane, Brantham, CO11 1NH Notification for prior approval for a proposed change of use of offices (Class B1 (a)) to 21. No. dwellings (class C3). Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class O SEE COMMENTS ATTACHED AT APPENDIX A DC/19/04105 Land West Of Brantham Hill, Brantham, Manningtree, Suffolk CO11 1ST Outline Planning Application (some matters reserved - access to be considered)- Erection of up to 150 dwellings, use of land for community facilities, public open space, landscaping, a sustainable drainage system (SuDS), and vehicular access point from Brantham Hill (following demolition of existing bungalow and outbuildings). Reason(s) for re-consultation: Highways technical note received 18.10.19 COMMENTS REMAIN THE SAME AS PREVIOUSLY SUBMITTED. COMMENTS RE: TRAFFIC FLOW SHOULD BE CONSIDERED FOR ALL OTHER EXISTING APPLICATIONS
PLC 10.19.05	PLANNING RESULTS DC/19/01973 Land South Of, Slough Road, Brantham, Suffolk Outline Planning Application (some matters reserved) Erection of residential development of up to 65 new dwellings (including minimum of 35% affordable homes, with areas of landscaping and public open space, including vehicular access, and associated infrastructure works. PLANNING PERMISSION REFUSED



	DC/18/04378 Rosemary, Church Lane, Brantham, Manningtree Suffolk CO11 1QD Discharge of Conditions Application for - Condition 5 (Habitats Sites Mitigation) APP/D3505/W/18/3219272 Land North Of Windyridge, Brantham Hill, Brantham, Suffolk Discharge of Conditions application for DC/18/01383 allowed at Appeal - Condition 3 (Landscaping) and Condition 5 (Open Space)
PLC 10.19.06	CORRESPONDENCE AND LATE PLANNING APPLICATIONS None
PLC 10.19.07	DATE OF NEXT MEETING Wednesday 27 November 2019, 7.30pm at Brantham Village Hall

MEETING FINISHED AT 7.39pm

SIGNED.....DATED.....



APPENDIX A

Brantham Parish Council

DC/19/04222

Notification for Prior Approval for a Proposed Change of Use of Offices (Class B1(a)) to 21no. Dwellings (Class C3).
Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class O
Chalkwell House Factory Lane Brantham Manningtree Suffolk CO11 1NH

Brantham Parish Council Comments

Understanding

The subject of this current application was formerly consented as B/16/01493/OFDW, as the BDC approval letter of February 15th 2017.

That approval specifically stated that *"The development hereby permitted shall be completed within a period of three years starting with the prior approval date"*.

The applicants supporting letter for the current application advises that the applicant has not been able to fulfil that Condition. Therefore, prior approval is again being sought for the proposed change of use from offices (B1 (a) use) to residential (C3 use) at Britannia House, also known as Chalkwell House.

The agents letter argues that the earlier submission, particularly Application Ref: B/16/01493 confirms that the principle for the change of use of offices into residential at Britannia House has already been established and therefore acceptable in relation to the Town and Country Planning (General Permitted Development) (England) Order 2015 and 2016.

The applicant, subsequent to the approved application B/16/01493/OFDW, submitted a further application B/17/00896/OFDW.

This application was based on the same criteria (for prior approval for change of use) as the earlier approved scheme, but now proposing 28 residential units, as opposed to the approved 21 units.

Babergh District Council subsequently refused that application, arguing that the criteria given for the change of use were incorrect, the building never having had an established use as offices. The Applicant subsequently appealed that decision.

The eventual Appeal Decision, as stated in the letter from the Planning Inspectorate, dated May 21st 2018. supported the Refusal.

The Planning Inspectorates Decision is repeated here-

20. I have found that the office use of the appeal building has been abandoned. The change of use right under Class O paragraph O.1(b) provides that development is not permitted if the building was not lawfully used for a use within Class B1(a) on 29 May 2013 or when was last in use.

Therefore, the appeal proposal does not fall within the terms of Class O. Since the proposal does not amount to permitted development, it is not necessary for me to consider the matters set out in paragraph O.2 of the Order

21. For the reasons set out above, the appeal should be dismissed.

BPC Comments

For the reasons given above, with particular reference to the opinion of the Planning Inspectorate, Brantham Parish Council would request that this Application be refused.