

Minutes

Planning Committee

4th December 2012



Present

Councillors	Present	Councillors	Present
J E Abbott	Apologies	D Mann	Yes
P R Barlow	Yes	Lady Newton	Yes
E Bishop	Yes	J O'Reilly-Cicconi	Yes
R J Bolton	Yes	R Ramage	Apologies
C A Cadman	Yes	W D Scattergood (Chairman)	Apologies
T J W Foster (Vice Chairman in the Chair)	Yes	L Shepherd	Yes
P Horner	Yes	G A Spray	Yes
S C Kirby	Yes		

Positive and Proactive Statements

Mrs T Lambert, Development Manager, advised Members of the Planning Committee that the National Planning Policy Framework required the Council to deal with all planning applications in a positive and proactive way. With effect from 1st December 2012, the Council would be required by law to include a statement within all planning application decision notices to indicate how this had been complied with. Details of such statements would be included in future reports to the Planning Committee. Those relating to the applications on the Agenda for 4th December 2012 were circulated at the meeting.

93 DECLARATIONS OF INTEREST

The following interest was declared:-

Councillor Lady Newton declared a non-pecuniary interest in Application No. 12/01352/FUL – South Street Service Station, South Street, Braintree as she was Braintree District Council's Cabinet Member with responsibility for housing.

In accordance with the Code of Conduct, Councillor Lady Newton remained in the meeting and took part in the discussion when the application was considered.

94 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 20th November 2012 be approved as a correct record and signed by the Chairman.

95 QUESTION TIME

INFORMATION: There were two statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

96 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 12/01335/FUL - The Smallholding, Ferriers Lane, Bures Hamlet and 12/01377/FUL - Dove House, Upper Howe Street, Finchingfield were determined en bloc.

DECISION: That the undermentioned planning applications be approved under the Town and Country Planning Act 1990, including Listed Building Consent where appropriate, subject to the conditions contained in the Development Manager's report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01335/FUL	Bures Hamlet	Mr D Rooney	Siting of static caravan on site approved for brick and tile building, The Smallholding, Ferriers Lane.

The Committee approved this application, subject to the amendment of condition no. 3 as follows:-

Amended Condition

3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 to DCLG Planning Policy for Traveller Sites March 2012.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01377/FUL	Finchingfield	Mr and Mrs Bonser	Proposed alterations to out-building to form ancillary habitable accommodation for the purposes of the enjoyment of the inhabitants of the main residence, Dove House, Upper Howe Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01207/FUL	Great Maplestead.	Mrs V Latham	Retention of an I-shaped earth bund between menage and playing field, Chifneys, Lucking Street.

Councillor Peter Schwier, representing Great Maplestead Parish Council, spoke in support of this application.

The Committee approved this application, subject to the following conditions:-

Conditions

1. (PLAN33) The development hereby permitted shall be carried out in accordance with the approved plans listed above.
2. Any trees or plants between the bund and the playing field which die, are removed, or become seriously damaged or diseased within a period of 5 years from this permission, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

97 **SECTION 106 AGREEMENTS**

DECISION: That the undermentioned planning applications be approved under the Town and Country Planning Act 1990, including Listed Building Consent where appropriate, subject to the conditions contained in the Development Manager's report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01120/FUL	Braintree	Mr David O'Connor	Erection of 1 no. two storey detached dwellinghouse, land adjacent to 71 Broad Road.

DECISION: That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a financial contribution of £2,506.80 towards the provision and enhancement of public open space, the Development Manager be authorised to grant planning permission for the above development in accordance with the approved plans and the conditions and reasons set out in the report. Alternatively, in the event that a suitable planning obligation is not agreed by 31st December 2012, the Development Manager be authorised to refuse planning permission.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01352/FUL	Braintree	Gipping Construction Limited	Demolition of existing concrete slab and foundations and erection of 24 no. new affordable residential units, South Street Service Station, South Street.

DECISION: That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to require that the dwellings shall be 100% social rented and remain so in perpetuity; to secure a contribution of £24, 925.08 towards the provision and enhancement of public open space; and to secure a financial contribution of £20,000 towards junction improvements, the Development Manager be authorised to grant planning permission for the above development in accordance with the approved plans and the conditions and reasons set out in the report, as amended below. Alternatively, in the event that a suitable planning obligation is not agreed by 3rd January 2013, the Development Manager be authorised to refuse planning permission.

The Committee approved this application, subject to the word 'affordable' being deleted from the description of the development and to the following additional condition:-

Additional Condition

20. (CONS42) Development shall not be commenced until a dust and mud control management scheme has been submitted to and approved in writing by the local planning authority and shall be adhered to throughout the site clearance and construction process.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Development Manager, Council Offices, Causeway House, Bocking End, Braintree, Essex CM7 9HB.

(Where applications are marked with an * this denotes that representations were received and considered by the Committee).

The meeting closed at 8.15pm.

T J W Foster

(Vice Chairman in the Chair)

APPENDIX
PLANNING COMMITTEE
4th DECEMBER 2012
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1. Statement Relating to Application No. 12/01120/FUL – Land adjacent to 71 Broad Road, Braintree

Statement by Mr Tony Gardner, 71 Broad Road, Braintree (Objector)

2. Statement Relating to Application No. 12/01207/FUL - Chifneys, Lucking Street, Great Maplestead

Statement by Mr Henry Latham, Chifneys, Lucking Street, Great Maplestead (Supporter)