

# Minutes

## Planning Committee 1st November 2022



### Present

Councillors	Present	Councillors	Present
J Abbott	Apologies	F Ricci	Yes
Mrs J Beavis	Apologies	Mrs W Scattergood (Chairman)	Yes
K Bowers	Yes	P Schwier	Yes
H Johnson	Yes	Mrs G Spray	Yes
D Mann	Apologies	Mrs S Wilson	Yes
A Munday	Yes	J Wrench	Yes
Mrs I Parker	Yes		

### 48 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 21/00461/FUL - Abbeyfield House, The Chase, Kelvedon as the applicant's agent Mr A Davies, who was in attendance at the meeting, was a former employee of Braintree District Council and he was known to some of them.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 21/00461/FUL - Abbeyfield House, The Chase, Kelvedon as the applicant had contacted her to query the timescale for presenting the application to the Planning Committee for determination. Councillor Mrs Spray stated that she had not expressed an opinion on the merits of the application.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the application was considered.

### 49 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 18th October 2022 be approved as a correct record and signed by the Chairman.

50 **QUESTION TIME**

**INFORMATION:** There was one statement made about the following application. The statement was made immediately prior to the Committee's consideration of the application.

Application No. 21/00461/FUL - Abbeyfield House, The Chase, Kelvedon

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

51 **PLANNING APPLICATION APPROVED**

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

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*21/00461/FUL (APPROVED)	Kelvedon	Glenavon Care Ltd	Remodelling of existing care home to provide a 22-bedroom nursing home (Use Class C2) together with associated access, car parking and landscaping, Abbeyfield House, The Chase.
<p>Members of the Planning Committee were advised that the NHS had re-assessed this application in terms of planning obligations and had indicated that the applicant should no longer be required to make a financial contribution of £4,400 towards health care. In the circumstances, as this was the only Head of Term, the applicant would not be required to enter into a legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 (as amended).</p> <p>The Committee approved this application, subject to the amendment of Condition Nos. 3, 4 and 6, to the addition of a Condition, and to the deletion of the proposed Section 106 Agreement Head of Term as follows:-</p> <p><b><u>Amended Conditions</u></b></p> <p>3. No above ground construction works to the building and refuse store shall commence until samples of the roofing material and a schedule of the wall materials to be used on the external finishes of the buildings hereby permitted</p>			

have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details and permanently retained as such.

4. Prior to the installation, erection, or works to any means of enclosure, full details of all gates / fences / walls or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include position, design, height and materials (including samples) of the enclosures. The enclosures as approved shall be provided prior to the first occupation of the development and shall thereafter be permanently retained as such.
6. (1) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include phases and timings for the works.
- (2) The programme of archaeological investigation identified in the WSI shall be undertaken in accordance with the approved programme.
- (3) The applicant will submit to the Local Planning Authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority), which has been approved in writing. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

#### Additional Condition

17. Prior to the setting out of the parking provision, an Electric Vehicle Charging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and thereafter retained.

#### Deleted Head of Term

A financial contribution of £4,400 towards health care.

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### **SECTION 106 AGREEMENT**

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*21/03475/FUL (APPROVED)	Fairstead	Mr Paul Humphreys C Humphreys and Sons Ltd	Proposed abattoir extension and associated works, Blixes Farm, Ranks Green Road.

**DECISION:** That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 (as amended) to cover the following Head of Term:

- **Open Space:** A financial contribution of £6,825 (index-linked) towards the provision of new, or improvements to, existing areas of amenity greenspace and / or outdoor sports identified in the Council's Open Spaces Action Plan in the Terling area, or other projects identified in the Open Spaces Action Plan.

the Planning Development Manager, or an authorised Officer, be authorised to grant planning permission for the above development in accordance with the approved plans and documents and the conditions and reasons set out in the Agenda report, as amended below. Alternatively, in the event that a suitable planning obligation is not agreed within three calendar months of the Planning Committee's decision, the Planning Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the amendment of Condition No. 6 and an additional Condition as follows:-

Amended Condition

6. Prior to the installation of any additional lighting, full details of the siting and design of lighting (including a lighting design scheme for biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Additional Condition

10. Prior to the first use of the development hereby approved, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate:
  - Full details of the proposed boundary treatments (the details shall include position, design, height and materials of the enclosures);
  - A detailed specification including plant/tree types and sizes, plant numbers and distances, written specifications including cultivation and other operations

associated with plant establishment, together with a strategy for the watering and maintenance of the new planting;

- Colour and type of material for all hard surface areas and method of laying where appropriate; and
- An implementation programme.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in accordance with the approved implementation programme.

All hard surface areas agreed as part of the scheme shall be carried out in accordance with the approved implementation programme.

Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season in accordance with the approved landscaping scheme.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Planning 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 7.42pm.

Councillor Mrs W Scattergood  
(Chairman)