

Minutes

Planning Committee

19th November 2013

Present



Councillors	Present	Councillors	Present
J E Abbott	Yes	S C Kirby	Yes
P R Barlow	Yes (until 8.55pm)	D Mann	Yes
E Bishop	Yes	Lady Newton	Yes
R J Bolton	Apologies	J O'Reilly-Cicconi	Yes
L B Bowers-Flint	Yes	R Ramage	Yes
C A Cadman	Yes	L Shepherd	Yes
T J W Foster (Chairman)	Yes	G A Spray	Yes
P Horner	Yes		

73 DECLARATIONS OF INTEREST

The following interests were declared:-

Councillor L B Bowers-Flint declared a non-pecuniary interest in Application No. 12/01000/FUL - Broomhills Industrial Estate, Pods Brook Road, Braintree as Mr S Gason, who spoke during Question Time, was known to her through employment with Essex Police.

Councillor S C Kirby declared a non-pecuniary interest in Application No. 13/00354/FUL - Land South of Nether Priors, Colchester Road, Halstead as he was a Member of Halstead Town Council, but he had not taken part in any discussions on the application.

Councillor R Ramage declared a non-pecuniary interest in Application No. 12/01000/FUL - Broomhills Industrial Estate, Pods Brook Road, Braintree as, in his capacity as a Ward Member, he had met with representatives of Sainsbury's Supermarkets Ltd to be advised about the proposed development and he had received correspondence regarding it. Councillor Ramage stated that he had maintained an open mind about the application.

Councillor L Shepherd declared a non-pecuniary interest in Application No. 12/01000/FUL - Broomhills Industrial Estate, Pods Brook Road, Braintree as, in her capacity as a Ward Member, she had met with representatives of Sainsbury's Supermarkets Ltd to be advised about the proposed development and she had received correspondence regarding it. Councillor Shepherd stated that she had maintained an open mind about 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 respective applications were considered.

74 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 22nd October 2013 be approved as a correct record and signed by the Chairman.

75 QUESTION TIME

INFORMATION: There were five 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.

76 PLANNING APPLICATIONS APPROVED

Planning Application No. 13/01068/FUL - 64A Sarcel, Stisted was 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>
*13/01090/FUL (APPROVED)	Braintree	Mr M Plummer	Erection of detached double garage, 43 Clare Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00566/FUL (APPROVED)	Great Henny	EEC Power Systems Ltd	Construction of 300kw solar farm and ancillary development including solar panels, mounting frames, substation, inverter plant room, security fencing and gates, cameras and poles, security lighting, landscaping and cable route, Lake and Woodland Office, Clay Hill.

Councillor David Holland, representing The Hennys, Middleton & Twinstead Parish Council, attended the meeting and spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/01068/FUL (APPROVED)	Stisted	Nevill Developments Ltd	Variation of Conditions 2 and 7 of planning approval 12/00697/FUL - To enable parking to be provided in accordance with plan 1092.I.05(A), 64A Sarcel.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/01096/ADV (APPROVED)	Witham	Heineken Ltd	Proposed installation of new externally illuminated signage, The Railway formerly The Albert Public House, 2 Chipping Hill.

The Committee approved this application, subject to Condition and Reason No. 2 and Condition No. 4 being amended as follows:-

Amended Conditions and Reason

Condition No. 2

2. The development hereby permitted shall be carried out in accordance with the approved plans listed above except as follows:

The nine up down spot lights reference Sign F on 1:20 and 1:10 A3 Drawing

are not approved and shall be omitted.

Reason No. 2

In the interests of proper planning and visual amenity and to avoid the proliferation of unnecessary external illumination.

Condition No. 4

4. The floodlighting shall be maintained to ensure that it is set at or below a five degree tilt to the horizontal.

77 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00354/FUL (APPROVED)	Halstead	Witnesham Ventures Ltd	Erection of two bungalows with associated driveway, land South of Nether Priors, Colchester 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 £3,548.22 towards the provision and/or enhancement of open space within the vicinity of the site, 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 within two months of the date of the meeting, the Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00978/FUL (APPROVED)	Sible Hedingham	Bloor Homes Eastern	Variation of Conditions 3, 4, 5, 6, 7, 8, 9, 10, 18, 20, 23, 26, 39, 40 and 41 of planning approval 13/00416/FUL - To amend wording of conditions from "prior to commencement" to "prior to the construction of any dwelling", Premdor Crosby Ltd, Station Road.

DECISION: The Committee approved this application, subject to it being linked to the Section 106 Agreement relating to Application No. 13/00416/FUL approved by the Planning Committee on 4th June 2013, and to the amendment of Condition No. 1 as follows. Details of this planning application are contained in the Register of Planning Applications.

Amended Condition

1. The development hereby permitted shall be begun on or before 18th July 2016.

78 PLANNING APPLICATION REFUSED

The Chairman stated that, prior to the commencement of the meeting, he had received two petitions supporting the following planning application. One petition had been submitted by residents living at Guernsey Way, Jersey Way and the surrounding area, Braintree. The other petition, which contained approximately 500 signatures, had been submitted by Sainsbury's Supermarkets Ltd. This petition was a continuation of a petition signed by 1638 people which had been submitted to Braintree District Council on 15th September 2013.

DECISION: That the undermentioned planning application be refused for the reasons contained in the Development Manager's report. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01000/FUL (REFUSED)	Braintree	Sainsbury's Supermarkets Ltd	Demolition of existing industrial terrace buildings and redevelopment of site for a new Sainsbury's Superstore (Use Class A1), with ancillary customer restaurant and automatic teller machines, goods online service, surface level car parking area, refurbishment/redevelopment of retained industrial building (Use Class B1, B2 & B8) with ancillary trade counters and associated works and change of use from highway land to private, Broomhills Industrial Estate, Pods Brook Road.

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during October 2013. The report included a summary of each case and a précis of the decision.

DECISION: That the report be noted.

Next Meeting

At the close of the meeting, the Chairman announced that the next meeting of the Planning Committee scheduled for 3rd December 2013 had been cancelled.

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 9.20pm.

T J W FOSTER

(Chairman)

APPENDIX
PLANNING COMMITTEE
19TH NOVEMBER 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 12/01000/FUL - Broomhills Industrial Estate, Pods Brook Road, Braintree
 - (i) Statement by Mr Neil Jesse, 56 Nayling Road, Braintree (Objector)
 - (ii) Statement by Mr Stewart Gason, 74 Nayling Road, Braintree (Objector)
 - (iii) Statement by Mrs Christine Wright, 51 Kent Gardens, Braintree (Supporter)
 - (iv) Statement by Mr David Williams, 17 Brandon Road, Braintree (Supporter)
 - (v) Statement by Mr Robert Oxley, Development Executive, Sainsbury's Supermarkets Ltd, c/o Indigo Planning Limited, Swan Court, Worple Road, London, SW19 4JS (Applicant)