

# Minutes

## Planning Committee

8<sup>th</sup> November 2011



### Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Lady Newton	Yes
R J Bolton	Yes	J O'Reilly-Cicconi	Yes
C A Cadman	Yes	R Ramage	Yes
L B Flint	Yes	W D Scattergood	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		

### Local Development Framework Core Strategy

At the commencement of the meeting, Mr D Roberts, Development Control Area Manager, reminded Members of the Committee that the Core Strategy had been adopted by the Council on 19<sup>th</sup> September 2011.

Mr Roberts advised Members that as there had not been a legal challenge to the Core Strategy, the Committee was now required to determine planning applications having regard to its policies.

Copies of the Core Strategy policies had been circulated to Members of the Committee in advance of the meeting.

### 64 DECLARATIONS OF INTEREST

The following interests were declared:

Councillor R J Bolton declared a personal interest in Application No. 11/00962/FUL - Steeple Bumpstead Flood Alleviation Scheme, Helions and Bumpstead Brook, Helions Road, Water Lane, Church Street, Claywall Bridge and Queen Edith Drive, Steeple Bumpstead as several supporters and objectors were known to him.

Councillor C A Cadman declared a personal and prejudicial interest in Application No. 11/00962/FUL - Steeple Bumpstead Flood Alleviation Scheme, Helions and Bumpstead Brook, Helions Road, Water Lane, Church Street, Claywall Bridge and Queen Edith Drive, Steeple Bumpstead as he was known to people who were supporting the scheme and he had attended meetings at which the scheme had been discussed. Councillor Cadman indicated that he wished to make a statement on the application during Question Time. Councillor Cadman left the meeting whilst the application was discussed and determined.

Councillor T J W Foster declared a personal interest in Application No. 11/01211/FUL – land rear of 19-21 Bocking End, Braintree as an objector was known to him.

Councillor J P L P O'Reilly-Cicconi declared a personal interest in Application No. 11/01300/FUL – 12A Brunwin Road, Rayne as the applicant was known to him as a fellow Member of Braintree District Council's Standards Committee.

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.

65 MINUTES

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 25<sup>th</sup> October 2011 be approved as a correct record and signed by the Chairman

66 QUESTION TIME

**INFORMATION:** There were ten 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. An audio recording of the meeting is available from Member Services.

67 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 11/01300/FUL - 12A Brunwin Road, Rayne and 11/01174/FUL - 40 The Avenue, Witham 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 the 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>
*11/01300/FUL (APPROVED)	Rayne	Mr & Mrs Phillips	Erection of a two storey side extension and new section of garden wall, 12A Brunwin Road.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/00962/FUL (APPROVED)	Steeple Bumpstead	The Environment Agency	The Steeple Bumpstead Flood Alleviation Scheme; to include widening, reprofiling and re-sectioning the channel along

the downstream end of Helions Brook and a section of Bumpstead Brook; the replacement of structures at Lilly Bridge, Queen Edith Drive, Access Bridge to 17 Water Lane, Tanyard Bridge and Crescent Bridge; removal of footbridge to Churchfields Drive; Removal of ford and replacement with Church Street Bridge; Installation of new outfalls, concrete headwalls and flap valves; creation of access ramps for maintenance of the brooks; creation of log weirs; temporary change of use of land to form a works compound to be used during the schemes construction on land to rear of 4 Helions Road / 22-34 Water Lane, Helions and Bumpstead Brook, Helions Road, Water Lane, Church Street, Claywall Bridge, Queen Edith Drive.

Councillor K Barnes, Chairman of Steeple Bumpstead Parish Council attended the meeting and spoke in support of this application.

The Committee approved this application, subject to the addition of six conditions and two paragraphs to the Information to Applicant as follows:-

#### Additional Conditions

22. No development shall take place until details for the provision of suitable access arrangements to the site compound have been submitted to and approved in writing by the local planning authority, to include:
  - A. The access shall be provided with visibility splays to accord with current highway standards.
  - B. Adequate access width and kerb radii to allow (as required in connection with the construction traffic management plan) for the simultaneous entry and exit of heavy goods vehicles regularly accessing the site.
  - C. Details showing the means to prevent the discharge of surface water from the development onto the highway.
  - D. The adjustment in levels in relation to the access works necessary to maintain the flow of surface water and incorporating the provision of any

additional drainage measures required as a result of these works.

- E. Any necessary carriageway reconstruction/resurfacing required as a result of the works.
- F. Works access warning signage.
- G. No unbound material shall be used in the surface finish of the access within 15 metres of the carriageway edge.
- H. Wheel washing facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway.
- I. Parking and turning facilities for delivery vehicles, construction vehicles and workers shall be provided within the limits of the site compound.

All works shall be carried out in accordance with the approved details to the satisfaction of the local planning authority.

- 23. Any gates/barriers provided at the access shall only open inwards and shall be set back a sufficient distance to allow a Large Goods Vehicle arriving and leaving the site to stand clear of the nearside edge of the carriageway.
- 24. No development shall take place until a comprehensive Traffic Management Plan relating to the management of traffic movements associated with the construction of the development to and from the Main Road Network, including measures to accommodate heavy goods vehicles carrying abnormal loads, has been submitted to and approved by the local planning authority. The Traffic Management Plan shall include details of the measures to be taken to manage and control construction traffic on the proposed construction routes and site accesses to include construction traffic routes, abnormal load traffic management, warning/advisory signage, diversion routes and signage proposals for temporary traffic regulation orders.
- 25. A before and after condition survey to be carried out in consultation with the Highway Authority of the agreed construction traffic route(s). Following completion of development and the after survey, the measures to reinstate the highway shall be agreed with the local planning authority together with a programme for such works.
- 26. Prior to the commencement of the development hereby permitted, arrangements shall have been agreed in writing with the local planning authority for safeguarding, diverting, or extinguishing any public rights of way across the site including the provision and maintenance of temporary fencing and signposting where appropriate.
- 27. The planting of trees and plants, as specified in the approved plans, shall be carried out in the first planting season after the commencement of the development unless otherwise previously agreed in writing by the local planning authority.

All work shall be carried out and maintained in accordance with the 'Steeple

Bumpstead Flood Risk Management Scheme: Landscape Management and Maintenance Plan'. Any 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 with others of a similar size and species, unless the local planning authority gives written consent to any variation.

#### Additional Information to Applicant

11. Prior to any works taking place within the public highway, or areas to become highway, the developer shall enter into the appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and road safety audit.
12. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and an application for the necessary works should be made to Essex County Council on 0845 603 7631.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01174/FUL (APPROVED)	Witham	Mr Peter Scott	Erection of single storey annexe, 40 The Avenue.

#### 68 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01211/FUL (APPROVED)	Braintree	Colne Housing Society	Proposed residential development consisting of 6 no. flats, 3 no. at ground floor level and 3 no. at first floor level with adjoining office attached at ground floor level, together with extension of service road into car park area with 7 no. car parking spaces, bicycle shelter and general amenity, land rear of 19-21 Bocking End.

**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 £4,972.02 towards the provision and/or enhancement of open space within the vicinity of the site in line with the Council's Adopted Open Space Supplementary Planning Document, 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 29<sup>th</sup> February 2012, the Development Manager be

authorised to refuse the grant of planning permission. Details of this planning application are contained in the Register of Planning Applications.

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

Additional Condition

20. The office accommodation hereby approved shall only be used in conjunction with the operation and/or enjoyment of the residential accommodation and shall not be used independently, unless otherwise agreed in writing by the local planning authority

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*11/01137/FUL (APPROVED)	White Colne	H C Percival (Farms) Limited	Erection of 5 no. holiday cabins, construction of a lake, woodland planting and change of use of pastureland to parkland - resubmission of 11/00202/FUL, land East of Boley Road and out of District Wakes Colne, 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 £5,524.51 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 by the target date for determining the application, the Development Manager be authorised to refuse the grant of planning permission. Details of this planning application are contained in the Register of Planning Applications.

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 9.08pm.

T J W FOSTER

(Vice-Chairman in the Chair)

## APPENDIX

### PLANNING COMMITTEE

8<sup>TH</sup> NOVEMBER 2011

### PUBLIC QUESTION TIME

#### Details of Questions Asked / Statements Made During Public Question Time

1. Statement Relating to Application No. 11/01211/FUL – Land rear of 19-21 Bocking End, Braintree

Statement by Mr K Spencer-Holloway, 58 Nottage Crescent, Braintree (Objector)

2. Statements Relating to Application No. 11/00962/FUL – Steeple Bumpstead Flood Alleviation Scheme, Helions and Bumpstead Brook, Helions Road, Water Lane, Church Street, Claywall Bridge and Queen Edith Drive, Steeple Bumpstead

- (i) Statement by Mrs Rosamund Rainey (Steeple Bumpstead Flood Action Group) c/o Mr Adrian Burr, 13 Helions Road, Steeple Bumpstead (Supporter)
- (ii) Statement by Mr Ted Bloxham, Ffytches, 1 Churchfield Cottages, Steeple Bumpstead (Objector)
- (iii) Statement by Mr Michael Suckling, Ancient House, Chapel Street, Steeple Bumpstead (Objector)
- (iv) Statement by Mrs Heather Lonsdale, Brooklands, Broad Green, Steeple Bumpstead (Supporter/Objector)
- (v) Statement by Mr Graham Searle, 31 Churchfields Drive, Steeple Bumpstead (Objector)
- (vi) Statement by Mr Nick Harris, Project Director, The Environment Agency, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, Cambs. (Applicant)
- (vii) Statement by Councillor C A Cadman, The Willows, Broad Green, Steeple Bumpstead (Ward Member and Supporter)

3. Statement Relating to Application No: 11/01300/FUL – 12A Brunwin Road, Rayne

Statement by Mr Martin Phillips 12A Brunwin Road, Rayne (Applicant)  
(Mr Phillips declared that he was the Chairman of Rayne Parish Council and a Member of Braintree District Council's Standards Committee, but that he was speaking as the Applicant).

4. Statement Relating to Application No. 11/01174/FUL – 40 The Avenue, Witham

Statement by Mr Tony Rymill, Black Gables, Maldon Road, Hatfield Peverel (Agent)