

Minutes

Planning Committee 23rd June 2020



This meeting was held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 via Microsoft Teams and YouTube.

Present

Councillors	Present	Councillors	Present
J Abbott	Yes	Mrs I Parker	Yes
K Bowers	Yes	F Ricci	Yes
T Cunningham	Yes	Mrs W Scattergood (Chairman)	Yes
P Horner	Yes	Mrs G Spray	Yes
H Johnson	Yes	N Unsworth	Yes (until 9.55pm)
D Mann	Yes	J Wrench	Yes
A Munday	Yes (until 9.55pm)		

22 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor T Cunningham declared a general non-pecuniary interest as a member of the 'Facebook' group 'Better Braintree - Together' which had a strong onus on planning related matters. Specifically, Councillor Cunningham declared a non-pecuniary interest in Application No. 17/02100/FUL - Soaring High Primary School, Colne Road, Coggeshall as other members of the 'Facebook' group had sought to engage with Members of the Planning Committee about this application. Councillor Cunningham stated that he had not expressed a view on the application.

Councillor A Munday declared a substantive non-pecuniary interest in Application No. 20/00388/FUL - land adjacent (South of) Broton Drive, Halstead as an elected Member of Halstead Town Council. Councillor Munday stated that the applicant was known to him and that he supported the proposed development of a community centre at the site.

Councillor Munday did not take part in the meeting when this application was considered and determined. Councillor Munday was also not present at the meeting when applications in Part B of the Agenda were considered, namely Application No. 19/02297/ADV - Land off Western Road, Silver End; Application No. 19/02298/ADV - Land off Western Road, Silver End; and Application No. 20/00061/HH - 37 Coggeshall Road, Earls Colne.

Councillor F Ricci declared a general non-pecuniary interest as a member of the 'Facebook' group 'Better Braintree - Together' which had a strong onus on planning related matters. Specifically, Councillor Ricci declared a non-pecuniary interest in Application No. 17/02100/FUL - Soaring High Primary School, Colne Road, Coggeshall as other members of the 'Facebook' group had sought to engage with Members of the Planning Committee about this application. Councillor Ricci stated that he had not expressed a view on the application.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 20/00440/VAR - Land rear of Tey Road, Earls Colne as Members of the 'Tey Road Residents Group', who were the main objectors to the application were known to her.

Councillor N Unsworth declared a non-pecuniary interest in Application Nos. 17/02100/FUL and 17/02101/VAR - Soaring High Primary School, Colne Road, Coggeshall as he had visited the site in order to understand the issues better and to discuss the proposal. Councillor Unsworth stated that he had not expressed a view on the applications.

Councillor J Wrench declared a general non-pecuniary interest as a member of the 'Facebook' group 'Better Braintree - Together' which had a strong onus on planning related matters. Specifically, Councillor Wrench declared a non-pecuniary interest in Application Nos. 17/02100/FUL and 17/02101/VAR - Soaring High Primary School, Colne Road, Coggeshall. Councillor Wrench stated that members of the 'Facebook' group had sought to engage with Members of the Planning Committee and that he had been named publically on a post by the Facebook group. However, Councillor Wrench stated that he had not engaged in any discussions, or expressed a view on the applications.

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

23 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 26th May 2020 be approved as a correct record.

24 **QUESTION TIME**

INFORMATION: There were eight statements made about the following matters. Those people who had registered to participate during Question Time had submitted written statements in advance of the meeting and these were read to the Committee by the Council's Governance and Member Services Officer either during general Question Time, or immediately prior to the consideration of the applications.

General statement/questions - Straits Mill Action Group
 Application Nos. 17/02100/FUL and 17/02101/VAR - Soaring High Primary School, Colne Road, Coggeshall
 Application No. 19/02200/FUL – Warwick House, 48 Collingwood Road, Witham
 Application No. 20/00440/VAR - Land rear of Tey Road, Earls Colne
 Application No. 19/02297/ADV - Land off Western Road, Silver End
 Application No. 19/02298/ADV - Land off Western Road, Silver End
 Application No. 20/00061/HH - 37 Coggeshall Road, Earls Colne

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

25 **PLANNING APPLICATIONS APPROVED**

Planning Application No. 20/00276/HH - 17 Chelmer Road, Witham 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 and reasons contained in the Planning 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>
*19/02200/FUL (APPROVED)	Witham	Mr Daniel Pearson	Alterations to roof to form 1 x 1 bed flat together with the creation of additional parking space, Warwick House, 48 Collingwood Road.

Witham Town Council submitted a written statement against this application, which was read to the Committee prior to the consideration of the application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02297/ADV (APPROVED)	Silver End	c/o Agent Miss Michael Ward	Erection of a non-illuminated advert comprising the word 'REDROW' and the Redrow Homes logo, land off Western Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02298/ADV (APPROVED)	Silver End	c/o Agent Miss Michael Ward	Retention of eight banner advertisements, land off Western Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00061/HH (APPROVED)	Earls Colne	Mr Gary Neill	Demolition of an existing car port, garage and link building and the erection of a new two storey extension to provide additional habitable accommodation, enlarged annexe and detached car port, 37 Coggeshall Road.

The Committee approved this application, subject to the description of the proposed development being amended as follows:-

Amended Description of Proposed Development

Demolition of an existing car port, garage and link building and the erection of a new two storey extension to provide additional habitable accommodation, enlarged annexe and detached car port.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00276/HH (APPROVED)	Witham	Mr Q Pyman	Single-storey rear extension, 17 Chelmer Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00388/FUL (APPROVED)	Halstead	Ms Secretary	Erection of a temporary site hoarding for a period of up to 2 years, land adjacent (South of) Broton Drive.

The Committee approved this application, subject to an Information to Applicant as

follows:-

Information to Applicant

The applicant should make suitable arrangements to maintain the appearance of the hoarding, in order that it retains a neat and tidy appearance. This should include ensuring that flyposters and graffiti are removed promptly should they occur.

26 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00440/VAR (APPROVED)	Earls Colne	Mr P Copsey	Variation of Condition 7 'Hours of Site Operation' of permission 18/00214/OUT granted 20/05/2019 for: Erect 23 No. detached and semi-detached, 1,2,3,4 and 5 bedroom dwellings and associated garages, lay out parking, amenity areas, public open space, estate roads, private drives, drainage infrastructure and landscaping. Variation would allow: - Site operation to commence at 0800 Monday to Friday as oppose to 0900 Monday to Friday, land rear of Tey Road.

DECISION: That, subject to the applicant entering into a deed of variation pursuant to Section 106 of the Town and County Planning Act 1990 (as amended) to tie the commitments of the legal agreement secured under consent reference 18/00214/OUT to this varied consent (20/00440/VAR), the Planning 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 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 applicant entering into a deed of variation of a legal agreement made pursuant to Section 106 of the Town and County Planning Act 1990 (as amended), and the amendment of Condition No. 10 as follows:-

Deed of Variation of Section 106 Agreement

To tie the commitments of the legal agreement secured under consent reference 18/00214/OUT to this varied consent (20/00440/VAR).

Amended Condition

10. No development shall commence unless and until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:
- Safe access to/from the site including details of any temporary haul routes and the means by which these will be closed off following the completion of the construction of the development;
 - The parking of vehicles of site operatives and visitors;
 - The loading and unloading of plant and materials;
 - The storage of plant and materials used in constructing the development;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities;
 - Measures to control the emission of dust and dirt during construction;
 - A scheme for recycling/disposing of waste resulting from demolition and construction works;
 - Delivery and demolition;
 - A method statement for badger/small mammal protection during construction;
 - No HGV vehicles shall access the site if Tey Road is closed or partially closed to facilitate connection to the main sewer network or other infrastructure connections;
 - Construction Traffic is prohibited from accessing Tey Road, Earls Colne from the South and must use the junction of Tey Road and the A1124;
 - No vehicle weighing over 7.5 tonnes shall be allowed to enter the site, or be unloaded, before 9am.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

A motion to refuse this application was moved and seconded, but on being put to the vote the motion was declared **LOST**.

27 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the reasons contained in the Planning Development Manager's report. 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>
*17/02100/FUL (REFUSED)	Coggeshall	Ms S Rowledge	Continued use of existing hardstanding to provide a car park to serve Soaring High Montessori Primary School, Soaring High Primary School, Colne Road.

Coggeshall Parish Council submitted a written statement in support of this application, which was read to the Committee prior to the consideration of the application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02101/VAR (REFUSED)	Coggeshall	Soaring High Montessori Primary School	Application for variation of Condition 3 of approved application of 09/01083/FUL - to include amending the car parking arrangements plan appended to the Green Travel Plan, to allow for the parking of vehicles off site, Soaring High Primary School, Colne Road.

Coggeshall Parish Council submitted a written statement in support of this application, which was read to the Committee prior to the consideration of the application.

A motion to approve this application was moved and seconded, but on being put to the vote the motion was declared **LOST**.

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).

During the course of their discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended beyond 10.15pm to enable all business on the Agenda to be transacted.

The meeting was adjourned at 9.55pm for a short break and it reconvened at 10.05pm.

The meeting closed at 10.51pm.

Councillor Mrs W Scattergood
(Chairman)