

Minutes

Planning Committee

22nd November 2016



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	J O'Reilly-Cicconi (Vice-Chairman)	Yes
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Apologies
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Yes	Vacancy	
Lady Newton	Yes		

Councillor C Siddall was also in attendance.

92 **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. 16/01291/FUL - Little Bishops, Queenborough Lane, Braintree as the applicant and his wife were elected Members of Braintree District Council and were known to them.

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Application No. 16/01475/FUL - land East of Monks Road, Earls Colne as the Deputy Cabinet Member for Planning and Housing with responsibility for affordable housing.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 16/01475/FUL - land East of Monks Road, Earls Colne as the Cabinet Member for Planning and Housing with responsibility for affordable housing.

Councillor J O'Reilly-Cicconi declared a non-pecuniary interest in Application Nos. 16/01565/FUL and 16/01566/LBC - Folly Farm, Herkstead Lane, Steeple Bumpstead as he had appointed the applicant's architect/agent in the past to undertake work. Councillor O'Reilly-Cicconi left the meeting when the applications were considered and determined.

Councillor Mrs G Spray referred to Application No. 16/01475/FUL - land East of Monks Road, Earls Colne. Councillor Mrs Spray stated that at the Council meeting held on 20th June 2016 she had moved an amendment to remove the proposed

allocation of site EARC221 – land to the East of Monks Road and Hillie Bunnies, Earls Colne as a proposed residential site of 10 or more dwellings from the draft Braintree District Local Plan. The amendment had been carried by the Council. Councillor Mrs Spray stated that, having taken advice from Officers, she would be speaking and voting on Application No. 16/01475/FUL.

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.

93 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 8th November 2016 be approved as a correct record and signed by the Chairman.

94 **QUESTION TIME**

INFORMATION: There were nine statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes. Those people who had registered to speak about a planning application spoke immediately prior to the consideration of the application.

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

95 **PLANNING APPLICATIONS APPROVED**

Planning Application No. 16/01291/FUL - Little Bishops, Queenborough Lane, Braintree 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 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>
*16/01291/FUL (APPROVED)	Braintree	Mr J Cunningham	Change of use from garage to annexe accommodation, Little Bishops, Queenborough Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01413/FUL (APPROVED)	Braintree	Riga Property Services Limited	Erection of single dwelling, land adjacent, 52 Gilbert Way.

The Committee approved this application, subject to two additional Conditions as follows:-

Additional Conditions

8. The first floor window on the West elevation shall be glazed with obscure glass and shall be so maintained at all times.
9. Other than those shown on the elevation drawings on plan 1391/03 Rev. J, no additional windows shall be installed without obtaining planning permission from the Local Planning Authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01724/FUL (APPROVED)	Wethersfield	Mr P Mangham	Conversion of stables to a dwelling, including an extension and removal of Condition 7 of approval ref: BTE/994/91, revised application to 16/00705/FUL, Stables rear of 3 Brook Street Cottages, Braintree Road.

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

Amended Condition

6. Any new windows shall be in painted timber. The windows shall be permanently maintained as such.

96 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01475/FUL (APPROVED)	Earls Colne	Crest Nicholson Eastern	Residential development of 50 new homes with highways access from Monks Road, public open space, SUDs, associated hard and soft landscaping and infrastructure, land East of Monks 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 cover the following Heads of Terms:-

- *Affordable Housing* - 20 dwellings to be provided as affordable housing: 15 affordable rent dwellings and 5 intermediate dwellings.
- *All Affordable Housing to be:* constructed to Lifetime Homes standards; deliverable without reliance on public subsidy; built to conform to standards acceptable to the Homes and Communities Agency at the point of construction; accessible - requirement for ground floor flats and inclusion of walk in shower. In addition, all 3 bedroom houses to meet Lifetimes Homes, or equivalent Part M Cat 2 of Building Regulations.
- *Management of On-site Public Open Space* – A Management Company to manage and maintain all areas of on-site Public Open Space within the development.
- *Outdoor Sports* - A financial contribution towards off-site outdoor sports of £42,759.92 for improvements to the artificial training pitch at Halstead Leisure Centre.
- *Off-site Play Equipment* – A financial contribution of £28,719.38 towards the provision of off-site play equipment at Hillie Bunnies Playground, Earls Colne.
- *Allotment Capacity* - A financial contribution of £1,357.07 towards improving allotment capacity.
- *Health* - subject to confirmation from NHS England, a financial contribution may be sought towards capacity improvements in Primary Care provision.
- *On-Street Parking Controls* - A financial contribution of £5,000 towards a review of on-street parking controls.

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 within three calendar months of the date of the Planning Committee's decision, the 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 the Section 106 Agreement Heads of Terms, the amendment/deletion of Conditions and the amendment/deletion of the Information to Applicant as follows:-

Amended Heads of Terms

Outdoor Sports - A financial contribution towards off-site outdoor sports of £42,759.92 for improvements to the artificial training pitch at Halstead Leisure Centre.

Allotment Capacity - A financial contribution of £1,357.07 towards improving allotment capacity.

Additional Head of Terms

On-Street Parking Controls - A financial contribution of £5,000 towards a review of on-street parking controls.

Amended Conditions

- 10 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / alteration of the dwelling-house, as permitted by Class A, B, C and D of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the Local Planning Authority.
- 16 Prior to the first occupation of the development, the proposed carriageways and footways layout shall be provided in accordance with the details shown on Drawing Number W660-015 Revision B.
- 24 No above ground development shall commence until details of the provision for storage of bicycles for each dwelling, of a design which shall be approved in writing with the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction at all times for that sole purpose.
- 29 The applicant or any successor in title must maintain yearly logs of the maintenance which should be carried out in accordance with any approved Maintenance Plan. This must be available for inspection upon a request by the Local Planning Authority.

Deleted Condition

- 17 Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. The estate roads and features shall be completed prior to the occupation of the development.

Amended Information to Applicant

- 6 Your attention is drawn to Condition 10 of this planning permission which removes permitted development rights for certain alterations/extensions/development. You are requested to inform prospective purchasers of these restrictions and/or incorporate them in covenants relating to the properties.
- 7 Your attention is drawn to Condition 9 of this planning permission and that there may be archaeological remains on the site. Any financial implications resulting from the need for archaeological investigation and subsequent protection measures are the responsibility of the developer/applicant. In respect of these requirements, you are advised to contact the Essex County Council, Historic Environment Branch (Teresa O'Connor, 01245 437638).

Deleted Information to Applicant

- 5 Your attention is drawn to Condition of this planning permission which removes permitted development rights for certain alterations/extensions/development. You are requested to inform prospective purchasers of these restrictions and/or incorporate them in covenants relating to the properties.

Councillor Chris Siddall, District Councillor for Three Colnes Ward, attended the meeting as a Ward Member and spoke against this application.

Councillor John Bendall, representing Earls Colne Parish Council, attended the meeting and spoke against this application.

Mr Martin Mason, Essex Highways, attended the meeting and provided information/answered questions on highway related matters.

97 **PLANNING APPLICATION DEFERRED**

DECISION: That the undermentioned planning application be deferred pending the outcome of an application to designate The Kings Head, Ridgewell as an Asset of Community Value. 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>
*16/01605/FUL (DEFERRED)	Ridgewell	Mrs Dawn Brailsford	Change of use from public free house to residential, The Kings Head, Chapel Road.

Councillor Nick Rouse, representing Ridgewell Parish Council, attended the meeting and spoke against this application.

98 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the reasons contained in the 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>
*16/01565/FUL (REFUSED)	Steeple Bumpstead	Mr Chris Fletcher	Erection of two storey rear extension and associated works, Folly Farm, Herkstead Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01566/LBC (REFUSED)	Steeple Bumpstead	Mr Chris Fletcher	Erection of two storey rear extension and associated works, Folly Farm, Herkstead Lane.

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 9.13pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

22ND NOVEMBER 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 16/01475/FUL - Land East of Monks Road, Earls Colne
 - (i) Statement by Mr Matthew Moore, 11 Station Road, Earls Colne (Supporter)
 - (ii) Statement by Mr Ian Sparks, 9 Morleys Road, Earls Colne (for residents objecting)
 - (iii) Statement by Mr Arthur Moles, 8 Monks Road, Earls Colne (Objector)
 - (iv) Statement by Councillor John Bendall, Chairman, for Earls Colne Parish Council, c/o Mrs V Holmes, Clerk to Earls Colne Parish Council, Council Office, Village Hall, York Road, Earls Colne (Objector)
 - (v) Statement by Councillor Chris Siddall, Braintree District Ward Councillor for Three Colnes, 56 Park Lane, Earls Colne (Objector)
 - (vi) Statement by Mr Steven Butler, for Crest Nicholson Eastern, c/o Bidwells, Saxon House, 27 Duke Street, Chelmsford (Agent)
- 2 Statements Relating to Application No. 16/01605/FUL – The Kings Head, Chapel Road, Ridgewell
 - (i) Statement by Councillor Nick Rouse, Chairman, for Ridgewell Parish Council, c/o Mrs S Rouse, Clerk to Ridgewell Parish Council, Morvine House, Drury Lane, Ridgewell (Objector)
 - (ii) Statement by Mrs Dawn Brailsford, The Kings Head, Chapel Road, Ridgewell (Applicant)
- 3 Statement Relating to Application Nos. 16/01565/FUL and 16/01566/LBC - Folly Farm, Herkstead Lane, Steeple Bumpstead

Statement by Mr James Blackie, Tricker Blackie Associates Ltd, 51 Station Road, Sudbury, Suffolk (Agent)