

Minutes

Planning Committee 15th November 2022



Present

Councillors	Present	Councillors	Present
J Abbott	Yes	F Ricci	Yes
Mrs J Beavis	Yes	Mrs W Scattergood (Chairman)	Yes
K Bowers	Apologies	P Schwier	Yes
H Johnson	Yes	Mrs G Spray	Yes
D Mann	Yes	Mrs S Wilson	Yes
A Munday	Yes	J Wrench	Yes (from 7.16pm)
Mrs I Parker	Yes		

Substitute

Councillor A Hensman attended the meeting as a substitute for Councillor K Bowers.

53 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor F Ricci declared a non-pecuniary interest in Application No. 22/00822/FUL - Horizon 120 Business Park, off A131 London Road, Great Notley as a Member and Vice-Chairman of Great Notley Parish Council which had submitted a representation about the application. Councillor Ricci stated that when Great Notley Parish Council had considered the application he had not taken part in the discussion or vote.

Councillor Mrs S Wilson declared a non-pecuniary interest in Application No. Application No. 21/00671/FUL - Development land, East Street, Coggeshall as she had recently become a Member of Coggeshall Parish Council.

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.

54 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 1st November 2022 were not available for approval.

55 **QUESTION TIME**

INFORMATION: There were three statements made about the following application. The statements were made immediately prior to the Committee's consideration of the application.

Application No. 21/00671/FUL - Development land, East Street, Coggeshall
Application No. 22/00938/OUT - Perkins Garages Ltd, Dunmow Road, Rayne

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

56 **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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*22/00822/FUL (APPROVED)	Great Notley	Braintree District Council	Erection of acoustic fence and landscaping, Horizon 120 Business Park, off A131 London Road.
<p>The Committee approved this application, subject to the amendment of Condition Nos. 2 and 7 and the addition of an Information to Applicant as follows:-</p> <p><u>Amended Conditions</u></p> <p>2. The development hereby permitted shall be carried out in accordance with the approved plans listed above, with the exception of the Landscaping Scheme, shown on the Acoustic Fence Soft Landscape Plan (721-FH-XX-00-DP-L-430 Rev.05); Boundary Treatment (721-FH-SH-01 A131 Rev.03); Acoustic Fence Sections (721-FH-XX-00-DT-L-430 Rev.03), which is not approved.</p> <p>Within 2 months of the commencement of development, a set of revised plans, which shall include a revised Landscaping Scheme, shall be submitted to the Local Planning Authority for approval. The revised Landscaping Scheme shall include alternative species to replace the Scots Pine and Silver Lime. The Landscaping Scheme shall then be implemented in accordance with the approved details.</p> <p>7. Within 6 months of the commencement of development, details of the signage</p>			

located within the signage zone shown on approved Drawing No. 11399-200 shall be submitted to and approved in writing by the Local Planning Authority. Details shall include 1:20 scaled drawings, proposed materials, fixtures and maintenance. The signage shall be installed within 6 months of the date of this decision and shall remain in perpetuity for the lifetime of the development.

Additional Information to Applicant

3. When discharging Condition No. 2 and submitting a revised Landscaping Scheme, the Applicant is advised that Members of the Planning Committee expressed a preference for the Scots Pine to be replaced by Oak trees and that the Silver Lime be replaced by Small Leafed Limes.

57 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/00671/FUL (APPROVED)	Coggeshall	E J Taylor Coggeshall Limited	Construction of 20 dwellings, new vehicular and pedestrian access to East Street, internal access road, garages, parking spaces, private open space, amenity space and provision of foul and surface water drainage and landscaping, development land, East Street.

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 Heads of Term (as amended):

- Affordable Housing
- Healthcare
- Education - Financial contributions for early years childcare £31,082; primary education £103,608; and libraries £1,556
- Open Space (allotments, children and young people, outdoor sports contribution, amenity space - including a Management Company)
- Highways matters (including refuse vehicle access)

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 the Heads of Term, the amendment of Condition No. 3, and two additional Informatives as follows:-

Amended Head of Term

Education - Financial contributions for early years childcare £31,082; primary education £103,608; and libraries £1,556.

Amended Condition

3. (1) No development or preliminary groundworks shall commence until a mitigation strategy for archaeology has been submitted to and approved in writing by the Local Planning Authority.
- (2) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the Local Planning Authority through its historic environment advisors.
- (3) The applicant will submit to the Local Planning Authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). 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 Informatives

3. The Applicant's attention is drawn to the comments of Anglian Water in their letter dated 30th September 2022. Namely:

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the Applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Section 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

4. The Applicant is advised that except for the trees / hedges agreed to be removed as part of the application, the remaining frontage trees to the northern site boundary with East Street, shall be retained and protected.

Councillor G Heaton attended the meeting and spoke against this application on behalf of Coggeshall Parish Council prior to the Committee's consideration of the application.

58 **PLANNING APPLICATION REFUSED**

DECISION: That the undermentioned planning application be refused for the 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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*22/00938/OUT (REFUSED)	Rayne	Messrs Paine and Terry Crownfield Holdings Limited	Outline planning permission for the construction of 20 dwellings with permission sought for access and layout; with scale, appearance and landscaping reserved, Perkins Garages Ltd, Dunmow Road.

The Committee refused this application, subject to the amendment of Reason No. 4 as follows:-

Amended Reason

4. Insufficient information has been submitted in relation to proposals for a sustainable urban drainage system and to demonstrate the risk of pollution to controlled waters is acceptable, as such it has not been possible for the Local Planning Authority to make an assessment. The proposal is therefore considered to be contrary to the National Planning Policy Framework, and

Policies LPP70 and LLP74 of Braintree District Local Plan (2013-2033).
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Councillor Ms K Spencer attended the meeting and spoke against this application on behalf of Rayne Parish Council prior to the Committee's consideration of the application.
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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 8.51pm.

Councillor Mrs W Scattergood
(Chairman)