

Minutes

Planning Committee

11th October 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	Yes
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Yes	Vacancy	
Lady Newton	Yes		

Councillors D Bebb and D Hufton-Rees were also in attendance.

75 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Application No. 15/01372/FUL - site at Tey Road, Coggeshall as Councillor John Lewis, who was speaking during Question Time was known to her as a Member of Coggeshall Parish Council, and as the Deputy Cabinet Member for Planning and Housing with responsibility for affordable housing. Councillor Mrs Bowers-Flint declared a non-pecuniary interest also in Application No. 16/00545/OUT - land South of Stonepath Drive, Hatfield Peverel 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. 15/01372/FUL - site at Tey Road, Coggeshall as the applicant was known to her and she had previously been a Patron of Marks Hall Estate Trust, and as the Cabinet Member for Planning and Housing with responsibility for affordable housing. Councillor Lady Newton declared a non-pecuniary interest also in Application No. 16/00545/OUT - land South of Stonepath Drive, Hatfield Peverel as the Cabinet Member for Planning and Housing with responsibility for affordable housing.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 15/01372/FUL - site at Tey Road, Coggeshall as the applicant was known to her through her membership of the Earls Colne Airfield Liaison Group of which Councillor Mrs Spray was the Chairman.

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.

76 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 27th September 2016 be approved as a correct record and signed by the Chairman.

77 **QUESTION TIME**

INFORMATION: There were eight 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 planning applications spoke immediately prior to the consideration of the respective applications.

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

78 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 16/01360/FUL - 66 Grooms Lane, Silver End; and 16/01406/FUL - 1 Duggers Lane, Braintree 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 and 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>
*16/00591/FUL (APPROVED)	Foxearth	Mr Mark Prina A Rocha UK	Proposed improvements to existing access and resurfacing of parking area in association with the use of the land as a nature reserve, land North-West of Constables Farm, Glemsford Road.

Members of the Planning Committee were advised that the description of the proposed development had been amended by the deletion of the words 'and siting of a storage container'.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01360/FUL (APPROVED)	Silver End	Mr Gopi Venkatesh	Proposed replacement of 4 steel Crittall windows to white aluminium to match existing design, 66 Grooms Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01406/FUL (APPROVED)	Braintree	Mr Hurst and Ms Wigley	Erection of single storey side lean-to extension, 1 Duggers Lane.

79 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01372/FUL (APPROVED)	Coggeshall	Mr R Ramsay The Trustees of the Marks Hall Estate	Erection of 11 no. dwellings, estate roads, footpaths, garages, car spaces, foul and surface water drainage and landscaping, site at Tey 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: Provision of 4 units.
- Public Open Space: (financial contribution of £19,923.55)
- Landscape/Noise Buffer: Management Plan required to secure the long-term maintenance of the area of the site positioned adjacent to the A120.
- Highways: Provision of a footway along the Northern side of Tey Road at its Western end where it meets Colne Road and provision of dropped kerbs and tactile paving at the Tey Road/Monkdowns Road junction. Provision of Travel Information Packs for future occupants.

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 deletion of Condition No. 8, the amendment of Condition No. 11 and the addition of an Information to Applicant as follows:-

Deleted Condition

8. There shall be no vehicular movements to, from, or within the premises outside the following times:-

Monday to Friday 0800 hours - 1800 hours

Saturday 0800 hours - 1300 hours

Sundays, Public and Bank Holidays - no vehicular movements

Amended Condition

11. Prior to first occupation of the development hereby approved a specification and details of the acoustic fencing and associated bund to be erected along the Eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include position, design, height and materials of the fence and the bund. The fence and bund as approved shall be provided prior to the occupation of the development hereby approved and shall be permanently retained in accordance with the approved details.

Information to Applicant

1. During the construction of the development, the applicant/developer is encouraged to ensure that each of the new dwellings is provided with a fibre broadband connection for the benefit of future occupiers.

80 **PLANNING APPLICATION REFUSED**

DECISION: That the undermentioned planning application be refused for the reason stated below.

A motion to approve this application subject to a Section 106 Agreement was moved and seconded, but on being put to the vote, the motion was **LOST**.

(This application was refused by the Committee contrary to the Development Manager's recommendation to grant the application subject to a Section 106 Agreement).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/00545/OUT (REFUSED)	Hatfield Peverel	Gladman Developments Limited	Outline planning permission for up to 80 dwellings (including up to 40% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, primary vehicular access off Stone Path Drive and associated ancillary works. All matters to be reserved with the exception of the site access, land South of Stonepath Drive.

Reason for Refusal

The site the subject of this application is located in an area designated as countryside in the adopted and emerging Local Plan. In such locations the adopted Braintree District Local Development Framework Core Strategy seeks to resist development other than that which relates to uses appropriate to the countryside. The proposed development, by virtue of its siting and extent, would give rise to an unacceptable impact upon the open and rural character of the landscape, to the detriment of its intrinsic role in providing a rural setting to the settlement edge, contrary to Policy RLP 80 of the adopted Braintree District Local Plan Review, Policies CS5 and CS8 of the adopted Core Strategy and at odds with a core planning principle of the National Planning Policy Framework (the Framework). The related loss of the existing aspect onto the countryside from Stonepath Drive would also conflict with the aspiration of the emerging Hatfield Peverel Neighbourhood Development Plan, as set out in Policy HPE6 of that Plan, to protect and enhance this and other important views identified by the community in their Landscape Character Assessment.

It is also considered that the proposed development would give rise to an unacceptable adverse impact on the ecological value of the site, contrary to Policies RLP 80 and RLP 84 of the adopted Braintree District Local Plan Review, Policy CS8 of the adopted Core Strategy and paragraph 109 of the Framework.

It is acknowledged that the District Council cannot currently demonstrate a 5 year supply of deliverable housing sites and in such circumstance the balancing exercise of Paragraph 14 of the Framework is engaged. In this particular case, it is concluded that the adverse impacts of the development, as outlined above, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

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 9.44pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

11TH OCTOBER 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Application No. 16/00591/FUL - Land North-West of Constables Farm, Glemsford Road, Foxearth

Statement by Mr Mark Prina, A Rocha UK, 1 St George Court, Impington, Cambridge, Cambridgeshire, CB24 9AB (Applicant)
- 2 Statements Relating to Application No. 15/01372/FUL - Site at Tey Road, Coggeshall
 - (i) Statement by Councillor John Lewis, for Coggeshall Parish Council, c/o Ms D Morgan, Clerk to Coggeshall Parish Council, Council Offices, Stoneham Street, Coggeshall (No objection to application in principle, but concerns regarding highway issues including access, visibility, pedestrian safety and speed of vehicles)
 - (ii) Statement by Mr Richard Ramsey, The Trustees of the Marks Hall Estate, Estate Office, Marks Hall Estate, Coggeshall (Applicant)
- 3 Statements Relating to Application No. 16/00545/OUT - Land South of Stonepath Drive, Hatfield Peverel
 - (i) Statement by Ms Elise Gwyn-Williams, Whitegates, 41 Sportsmans Lane, Nounsley, Hatfield Peverel (for Stonepath Drive Residents' Association) (Objector)
 - (ii) Statement by Councillor Les Priestley, for Hatfield Peverel Parish Council, Wadworth, Nounsley Road, Hatfield Peverel (Against application)
 - (iii) Statement by Councillor Derrick Louis, Essex County Councillor for Witham Southern Division, 10 Priory Farm Road, Hatfield Peverel (Against application)
 - (iv) Statement by Councillor David Bebb, Braintree District Councillor for Hatfield Peverel and Terling Ward, White Hart Cottage, Maldon Road, Hatfield Peverel (Against application)
 - (v) Statement by Mr Chris Lee, Gladman Developments, Gladman House, Alexandria Way, Congleton, Cheshire CW12 1LB (Applicant)