

Minutes

Planning Committee

27th August 2013

Present



Councillors	Present	Councillors	Present
J E Abbott	Yes	S C Kirby	Yes
P R Barlow	Yes (from 7.55pm)	D Mann	Apologies
E Bishop	Yes	Lady Newton	Yes
R J Bolton	Apologies	J O'Reilly-Cicconi	Yes
L B Bowers-Flint	Yes	R Ramage	Yes
C A Cadman	Yes	L Shepherd	Yes
T J W Foster (Chairman)	Yes	G A Spray	Yes (from 7.40pm)
P Horner	Yes		

Councillor J G J Elliott was also in attendance.

Mr Brian Keane, Interim Head of Governance, was also in attendance.

44 DECLARATIONS OF INTEREST

The following interests were declared:-

All Councillors declared a non-pecuniary interest in Application No. 12/01472/FUL - Land North-West of Highfields Farm, Highfields Lane, Kelvedon as a fellow District Councillor was speaking against the application in a private capacity during Question Time.

Councillor E Bishop declared a non-pecuniary interest in Application No. 13/00692/REM - William Julien Courtauld Hospital, London Road, Braintree as one of the objectors speaking during Question Time was known to him.

Councillor L B Bowers-Flint declared a non-pecuniary interest in Application No. 13/00692/REM - William Julien Courtauld Hospital, London Road, Braintree as Mr J Jemison, one of the objectors speaking during Question Time, was known to her; and a non-pecuniary interest in Application No. 13/00457/ELD - Moat Wood, Moat Road, Stisted as Mr J Mackay the objector speaking during Question Time was a resident of the Ward which she represented and she had corresponded with him about the application.

Councillor C A Cadman declared a non-pecuniary interest in Application No. 13/00763/FUL - Galah, Haverhill Road, Helions Bumpstead as he had met with and spoken to the applicant and the objector.

Councillor T J W Foster declared a disclosable non-pecuniary interest in Application No. 12/01472/FUL - Land North-West of Highfields Farm, Highfields Lane, Kelvedon as the owner of the application site was a friend. Councillor Foster left the meeting whilst this application was discussed and determined. The Chair was taken by Councillor Bowers-Flint, Vice-Chairman of the Committee.

Councillor S C Kirby declared non-pecuniary interests in Application Nos. 13/00004/FUL – Land at Stanstead Road, Halstead and 13/00813/FUL - Land adjacent to The Chase, Pretoria Road, Halstead as he was a Member of Halstead Town Council, but he had not taken part in any discussions on the applications.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 13/00692/REM - William Julien Courtauld Hospital, London Road, Braintree as two of the objectors were known to her.

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.

45 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 13th August 2013 be approved as a correct record and signed by the Chairman.

46 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.

47 PLANNING APPLICATIONS APPROVED

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 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>
*13/00692/REM (APPROVED)	Braintree	Mr P Brown Croudace Homes Ltd	Application for approval of reserved matters following outline approval (12/00585/OUT) - Demolition of William Julien Courtauld Hospital and nos. 42 & 44 London Road and erection of 29 no. residential dwellings including affordable housing and associated access and landscaping, William Julien Courtauld Hospital, London Road.

The Committee approved this application, subject to an additional Information to Applicant as follows:-

Additional Information to Applicant

2. Please note that prior to the occupation of any of the dwellings hereby approved, a deed of variation must be agreed to amend the requirement for the size of the affordable housing units to be reflective (pro-rata) of the size of dwellings within the development.

NOTE: Members of the Committee expressed concern regarding references made during Question Time about contamination of the site by medical waste. It was agreed that the contamination should be drawn to the attention of the Council's Environmental Services Officers so that they may require action to be taken by the developer/NHS.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00004/FUL (APPROVED)	Halstead	A R Clarke (Builders) Limited	Erection of 7 x 2 bed two and a half storey houses with integral garages and parking thereto and 1 x 3 bed two and a half storey house with attached garage and parking thereto, land at Stanstead Road.

The Committee approved this application, subject to the amendment of Condition No. 11 as follows:-

Amended Condition

11. Development shall not be commenced until a scheme(s) including an implementation timetable for the following has been submitted to and approved in writing by the local planning authority:-
- (a) water efficiency, resource efficiency, energy efficiency and recycling measures, during construction
 - (b) measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development
 - (c) measures for the long term energy efficiency of the building(s), and renewable energy resources
 - (d) details of the location and design of refuse bin and recycling materials storage areas and collection points.

The development shall be constructed in accordance with the approved details and thereafter so maintained.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00763/FUL (APPROVED)	Helions Bumpstead	Natalie Harrington	Erection of rear and side extension and porch, Galah, Haverhill Road.

Councillor T J W Foster declared a disclosable non-pecuniary interest in Application No. 12/01472/FUL - Land North-West of Highfields Farm, Highfields Lane, Kelvedon and he left the meeting whilst this application was discussed and determined. The Chair was taken by Councillor Bowers-Flint, Vice-Chairman of the Committee.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01472/FUL (APPROVED)	Kelvedon	Hive Energy Limited	Construction of a 36.54 hectare solar park, to include the installation of solar panels to generate electricity, with transformer housings, security fencing and cameras, landscaping and other associated works, land North-West of Highfields Farm, Highfields Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00457/ELD (APPROVED)	Stisted	Mr Graham Norfolk	Application for an Existing Lawful Development Certificate - Use of land for the stationing of a mobile home for residential purposes connected to the management of Moat Wood, Moat Wood, Moat Road.

48 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00794/OUT (APPROVED)	Black Notley	Mr D Galley	Demolition of existing detached dwelling and erection of two no. detached dwellings, land adjacent to 30 Bulford Lane.

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) within two calendar months of this decision to secure a financial contribution towards the provision and enhancement of public open space, 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 two calendar months, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the Open Spaces Supplementary Planning Document. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the amendment of Condition No. 8 as follows:-

Amended Condition

8. All trees on the site, other than the ornamental tree indicated for removal in the submitted plan, shall be retained. Any trees or 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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00784/FUL (APPROVED)	Braintree	Jackson Land Ltd	Erection of a detached dwelling and garage, land rear of 41 Clare 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 towards primary and secondary education in line with the standard Essex County Council formulae; and a contribution of £2,587.26 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, as amended below. Alternatively, in the event that a suitable planning obligation is not agreed within one calendar month, 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 Condition Nos. 5 and 14 as follows:-

Amended Conditions

5. Development shall not be commenced until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. Such scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate.

All areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the local planning authority.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise

previously agreed in writing by the local planning authority.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings or upon the completion of the development whichever is the earlier.

Any trees or 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.

14. No windows shall be installed in the North side elevations of the dwelling unless that window is obscure glazed.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*13/00813/FUL (APPROVED)	Halstead	Mrs S Ireland	Erection of a detached bungalow with garage, land adjacent to The Chase, Pretoria 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) within two calendar months of this decision to secure a financial contribution of £1774.11 towards the provision and enhancement of public open space, 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 within two calendar months, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the Open Spaces Supplementary Planning Document. 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 9.40pm.

T J W FOSTER

(Chairman)

APPENDIX
PLANNING COMMITTEE
27TH AUGUST 2013
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Questions Relating to Application No. 13/00692/REM - William Julien Courtauld Hospital, London Road, Braintree
 - (i) Question by Mr John Jemison, 9 Walnut Grove, Braintree (Objector)
 - (ii) Question by Mr Tony Mead, 12 Walnut Grove, Braintree (Objector)
 - (iii) Question by Mrs Frances Lindsay, 10 Walnut Grove, Braintree (Objector)
- 2 Statement Relating to Application No. 13/00784/FUL – Land Rear of 41 Clare Road, Braintree

Statement by Mr Mark Plummer, Jackson Land Ltd, 41 Clare Road, Braintree (Applicant)
- 3 Statement Relating to Application No. 13/00004/FUL – Land at Stanstead Road, Halstead

Statement by Mr Paul Newbould, Paul Newbould Planning & Building Design Services, 78 Kings Avenue, Holland-on-Sea, Essex (Agent)
- 4 Statements Relating to Application No. 12/01472/FUL - Land North-West of Highfields Farm, Highfields Lane, Kelvedon
 - (i) Statement by Councillor John Elliott (speaking in a private capacity), 2 Millers Gardens, Church Street, Kelvedon (Objector)
 - (ii) Statement by Ms Peta Donkin, Pegasus Planning Group, Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucs. (Agent)

- 5 Statements Relating to Application No. 13/00457/ELD - Moat Wood, Moat Road, Stisted
- (i) Statement by Mr John Mackay, Moat Farm, Moat Road, Stisted (Objector)
- (ii) Statement by Mr Graham Norfolk, Moat Wood, Moat Road, Stisted (Applicant)
- 6 Statement Relating to Application No. 13/00763/FUL - Galah, Haverhill Road, Helions Bumpstead
- Statement by Ms Natalie Harrington, Galah, Haverhill Road, Helions Bumpstead (Applicant)