

Minutes

Planning Committee

4th August 2015



Present

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

Councillor R van Dulken was also in attendance (until 8.42pm).

22 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

All Councillors declared a non-pecuniary interest in Application No. 15/00238/FUL - Pentire, Shalford Road, Panfield as the applicant's Agent was known to them as an elected Member of Braintree District Council.

Councillor R Bolton declared a non-pecuniary interest in Application No. 14/01254/OUT - land at Hunnable Industrial Estate, Toppesfield Road, Great Yeldham as the applicant was known to him.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 15/00581/OUT - land adjacent to 12 Ashen Road, Ashen as she had a personal connection. Councillor Mrs Parker declared a non-pecuniary interest also in Application No. 14/01254/OUT - land at Hunnable Industrial Estate, Toppesfield Road, Great Yeldham as she had been involved with the application prior to her becoming a Member of the Planning Committee. Councillor Mrs Parker left the meeting whilst both applications were discussed and determined.

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 21st July 2015 be approved as a correct record and signed by the Chairman.

24 QUESTION TIME

INFORMATION: There were seven 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.

25 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 15/00238/FUL - Pentire, Shalford Road, Panfield; and 15/00504/FUL - 3 Yare Avenue, Witham 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, 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>
*15/00581/OUT (APPROVED)	Ashen	Mr C Osborn	Erection of a detached two-storey dwelling and garage, improvements to existing vehicular access to 12 Ashen Road to serve the existing and proposed dwellings. Erection of garage and parking to 12 Ashen Road, land adjacent to 12 Ashen Road.

The Committee approved this application, subject to an additional Condition and the amendment of paragraph 3 of the Information to Applicant as follows:-

Additional Condition

15 Notwithstanding the approved plans listed above, the following elements are specifically excluded:-

- The scale, appearance and position of the proposed dwelling
- The new garage for No.12 Ashen Road

Amended Information to Applicant

3 The means of enclosure as shown indicatively on the plans as fencing would not be acceptable in this locality. Means of enclosure should consist of hedging that would be in keeping with the locality.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00615/FUL (APPROVED)	Braintree	Braintree District Council	Construction of a cycleway and connecting paths to resurface the existing path network on the open space, Open Space, River Mead.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00238/FUL (APPROVED)	Panfield	Mr S Appleby	Partial re-building of existing dwelling following partial collapse and subsequent partial demolition of flank and front walls, with minor alterations to proposed application 14/00311/FUL that included: raising the roof pitch, erection of a 2 storey extension to the side and front, erection of a porch and addition of new cladding to the side elevation to include additional front bay window and rear dormer, Pentire, Shalford Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00696/FUL (APPROVED)	Shalford	Miss A Metson	Erection of a three bedroom detached dwelling, land adjacent, 1 The Street.

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

Additional Condition

- 17 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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00087/FUL (APPROVED)	Stisted	Ms D Fulgoni	Retention of mobile home for a period of three years as a dwelling for an agricultural worker, Gulls Meadow, Woodhouse Farm Road.

The Committee approved this application against the Development Manager's Recommendation, subject to the following Conditions and Information to Applicant:-

Conditions

- 1 This permission shall expire on 31st December 2018 and on, or by that date, the use of the site for the purposes hereby permitted shall be discontinued, the mobile home shall be removed and the site reinstated to its former condition in accordance with details to be submitted to and agreed in writing by the Local Planning Authority before removal.
- 2 The occupation of the mobile home hereby permitted shall be limited solely to a person or persons undertaking the agricultural operation on the plot edged red and blue on the site plan no. JTS/7173/C, or a widow or widower of such a person, or any resident dependants.
- 3 Details of any proposed external lighting to the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Any such approved external lighting shall be installed in accordance with the details and thereafter so maintained. There shall be no other sources of external illumination.

Information to Applicant

- 1 This permission relates solely to the provision of a mobile home for an agricultural worker for a temporary period of three years. No other development or works are approved by this permission.
- 2 After the expiry of the three year period hereby approved, the Local Planning Authority will only be able to support an application for a permanent dwelling at the site if it is proven that the application accords with the prevailing local and national planning policies. This will require the submission of evidence to prove that the functional need has been established and relates to a full-time worker. Furthermore, it will have to be proven that the farm unit has been financially profitable for at least one year within the three year period, is financially sound and likely to remain so. It will be imperative that full business accounts are kept and made available to the Local Planning Authority if a planning application for a permanent dwelling is to be submitted. The Local Planning Authority will also need to be satisfied that any proposed permanent dwelling is positioned and designed in such a manner that minimises its visual impact on the character and openness of the countryside.

(A Motion to refuse this application, subject to the re-wording of the final paragraph of the reason for refusal set out in the Development Manager's report, was moved and seconded, but on being put to the vote it was LOST).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00504/FUL (APPROVED)	Witham	Mr and Mrs M Twin	Erection of two storey side extension, 3 Yare Avenue.

26 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*14/01254/OUT (APPROVED)	Great Yeldham	The Granville Group	Erection of up to 60 no. dwellings and community use area, land at Hunnable Industrial Estate, Toppesfield 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:-

- 40% affordable housing on-site
- A financial contribution towards primary education and early years and childcare provision
- A financial contribution towards healthcare facilities
- Public Realm and Art
- Land to be managed in perpetuity for ecological mitigation
- A financial contribution towards Public Open Space and recreation facilities
- Provision of land for community use within the application site
- Construction and phasing plan
- Provision of residents' Travel Packs

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, 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 an additional Condition as follows:-

Additional Condition

- 20 As part of the submission of Reserved Matters, the layout shall show a pedestrian access route to connect the site to the disused railway line located

to the west of the application site. The development shall be constructed in accordance with the approved scheme prior to the occupation of the last dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Councillor Philip Rawlinson, representing Great Yeldham Parish Council, attended the meeting and spoke against this application.

Councillor Richard van Dulken, District Councillor for Yeldham Ward, attended the meeting and spoke against this application.

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 9.16pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX
PLANNING COMMITTEE
4TH AUGUST 2015
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 15/00581/OUT - Land adjacent to 12 Ashen Road, Ashen
 - (i) Statement by Mrs Katherine Evans (for the Ramblers Association), 64 Feering Hill, Feering (Objector)
 - (ii) Statement by Mrs Janice Steed, Rose Cottage, Ashen Road, Ashen (Objector)
- 2 Statements Relating to Application No. 14/01254/OUT - Land at Hunnable Industrial Estate, Toppesfield Road, Great Yeldham
 - (i) Statement by Mr David Osgood, Turners, North Road, Great Yeldham (Objector)
 - (ii) Statement by Mrs Katherine Evans (for the Ramblers Association), 64 Feering Hill, Feering (Objector)
 - (iii) Statement by Mr Edward Gittins, Edward Gittins & Associates, Unit 5 Patches Yard, Cavendish Lane, Glemsford, Sudbury, Suffolk (Agent)
- 3 Statement Relating to Application No. 15/00087/FUL - Gulls Meadow, Woodhouse Farm Road, Stisted

Statement by Mr Matthew Driscoll, The JTS Partnership, Number One, The Drive, Great Warley, Brentwood (Agent)
- 4 Statement Relating to Application No. 15/00615/FUL - Open Space, River Mead, Braintree

Statement by Mrs Katherine Evans (for the Ramblers Association), 64 Feering Hill, Feering (Objector)