

Minutes

Planning Committee

16th February 2016



Present

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

Councillor P Schwier was also in attendance.

72 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a non-pecuniary interest in Application Nos. 15/01590/FUL and 15/01591/LBC - Bradwell Hall Farm Barns, Church Road, Bradwell as the residents were known to him. Councillor Abbott declared a non-pecuniary interest also in Application No. 15/00799/OUT - land at North East, Witham (in the Parish of Rivenhall), Forest Road, Witham, as an elected member of Rivenhall Parish Council, which had made representations.

Councillor S Kirby declared a non-pecuniary interest in Application No. 15/01390/OUT - land at Greenways, Balls Chase, Halstead as the objectors were known to him.

Councillor D Mann declared a non-pecuniary interest in Application No. 15/01390/OUT - land at Greenways, Balls Chase, Halstead as the objectors were known to him.

In accordance with the Code of Conduct, Councillors remained in the meeting and took part in the discussion when the applications were considered.

73 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 19th January 2016 be approved as a correct record and signed by the Chairman.

74 **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.

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

75 **PLANNING APPLICATIONS WITHDRAWN FROM THE AGENDA**

INFORMATION: The Chairman reported that the undermentioned planning applications had been withdrawn from the Agenda by the applicants. 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>
* 15/01296/FUL (WITHDRAWN)	Braintree	Mr T Kelly	Erection of 2 No. semi detached houses within the existing rear car park of The Rose and Crown PH, Land rear of 94 Church Street.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
* 15/01605/FUL (WITHDRAWN)	Great Maplestead	Mr & Mrs Peter Schwier	Erection of a dwelling in the garden on south side of Long Fen (a new exemplar, off grid Passivhaus) and increase in the height of existing mounding, Long Fen, Church Street.

76 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 15/01157/FUL - Orchard House, The Street, Stisted; 15/01480/FUL - 35 Maldon Road, Witham; and 15/00799/OUT - Land at North East Witham (in the Parish of Rivenhall), Forest Road, 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>
* 15/01591/LBC (APPROVED)	Bradwell	Trustees Of The Bradwell Estate	Works associated with the conversion of former agricultural buildings to 2 no. residential dwellings, Bradwell Hall Farm Barns, Church Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01174/FUL (APPROVED)	Silver End	Mr Phil Coker	Replacement of Crittall windows to front and side elevations, 50 Temple Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01284/FUL (APPROVED)	Silver End	Mr D Webber	Replacement of existing Crittall windows to front and side elevations, 52 Temple Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01157/FUL (APPROVED)	Stisted	Zoe Bloom	Insertion of two dormer windows and two conservation rooflights to the existing loft and pitched roof on the north-east elevation, Orchard House, The Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01218/FUL (APPROVED)	Witham	Mr David Arnot	Erection of two storey front and infill front extension, 25 Chippingdell.

The Committee approved this application against the Officers' recommendation, subject to the following Conditions:-

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The works hereby permitted shall be carried out in accordance with the

approved plans listed above.

3. The external materials and finishes shall be as indicated on the approved plans and/or schedule.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01480/FUL (APPROVED)	Witham	K Rice	Proposed internal alterations, new window to side, French door to the rear, change windows to the front and dropped kerb and access for vehicle parking, 35 Maldon Road.

77 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
* 15/01590/FUL (APPROVED)	Bradwell	Trustees Of The Bradwell Estate	Change of use of former agricultural buildings to 2 no. residential properties, associated amenity space and erection of cartlodge including a new access to Mill Cottage, Bradwell Hall Farm Barns, Church 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 of £3,984.89 toward the provision of open space within the District, 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 month of the date of this meeting, 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 following additional Conditions:-

Additional Conditions

11. The development shall not be commenced until samples of all replacement external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with

the approved details and permanently maintained as such.

12. 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. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, maintained and operated in accordance with the approved details. There shall be no other sources of external illumination.
13. Prior to the occupation of the development, details of the surface treatment for the new track access to Mill Cottage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The approved details shall be implemented and completed prior to the occupation of the development.

78 **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>
* 15/01390/OUT (REFUSED)	Halstead	Mr & Mrs R & J Wright	Outline application for the erection of up to 25 dwellings including access with all other matters reserved, land at Greenways, Balls Chase.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
* 15/01446/FUL (REFUSED)	Kelvedon	Mrs R Poels	Erection of two storey side and single storey rear extension following demolition of garage, 22 Easterford Road.

79 **APPLICATION NO. 15/00799/OUT - LAND AT NORTH EAST WITHAM (IN THE PARISH OF RIVENHALL), FOREST ROAD, WITHAM - PROPOSED CONDITION**

INFORMATION: On 10th November 2015 the Planning Committee agreed to grant planning permission for development at the North East Witham Growth Location (in the Parish of Rivenhall) – application reference 15/00799/OUT, subject to the

completion of a Section 106 Agreement covering agreed Heads of Terms and subject to the completion of an archaeological evaluation.

Work to complete the Section 106 Agreement had led Officers to identify the need for an additional planning condition to ensure that the required visitor car parking will be provided and retained in accordance with the approved plans. Members were recommended to approve the addition of one extra planning condition which would cover this issue.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/00799/OUT (APPROVED)	Witham	Mrs Sarah Cornwell, Bellway Homes Limited and Swan Hill Homes Limited	Hybrid planning application comprising: (i) full application for 222 dwellings including affordable homes, 279 sq m gross floorspace for retail (Class A1) (or 3 additional dwellings in the event that no operator commits contractually to the retail element), public open space including local equipped area for play, sustainable drainage systems, landscaping and associated development: and, (ii) outline application with all matters reserved for up to 148 dwellings including affordable homes, public open space including allotments, sustainable drainage systems, landscaping and associated development, land at North East Witham (in the Parish of Rivenhall), Forest Road.

DECISION: That the resolution to grant planning permission granted by the Planning Committee on 10th November 2015 remains unchanged, with the exception of the agreed planning conditions.

That the Committee agrees to amend the list of conditions agreed on 10th November 2015 by adding Condition C20 - The visitor car parking spaces identified on Approved Plan ref. BW149 - PL-03 Revision D dated June 2015, shall be provided in accordance with the approved plans and thereafter be kept available at all times for visitor parking.

80 **APPLICATION NO. 15/01036/FUL - WEDGEWOOD GRANGE, BRIDGE STREET, GREAT BARDFIELD - PROPOSED DECISION**

INFORMATION: members were advised that the District Council had not determined Application No. 15/01036/FUL - Wedgewood Grange, Bridge Street, Great Bardfield within the eight week timeframe and the applicant had lodged an appeal against non-determination. Although the District Council could not now determine the application, the Agenda report set out the recommendation that Officers would have presented to the Planning Committee had the appeal not been lodged.

DECISION: To advise the Planning Inspectorate that the Local Planning Authority would have granted Application No. 15/01036/FUL - Wedgewood Grange, Bridge Street, Great Bardfield subject to the conditions set out in the report, had an appeal against non-determination not been submitted by the applicant.

81 **PLANNING AND ENFORCEMENT APPEAL DECISIONS – JANUARY 2016**

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during January 2016. The report included a summary of each case and a précis of the decision.

DECISION: That the report be noted.

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 9.11pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX
PLANNING COMMITTEE
16TH FEBRUARY 2016
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Application Nos. 15/01590/FUL and 15/01591/LBC - Bradwell Hall Farm Barns, Church Road, Bradwell

Statement by Mrs Nicola Bickerstaff, Strutt and Parker LLP, Coval Hall, Rainsford Road, Chelmsford (Agent)
- 2 Statements Relating to Application No. 15/01390/OUT - Land at Greenways, Balls Chase, Halstead
 - (i) Statement by Mr Dave Gronland, Magpies, 17 Balls Chase, Halstead (Objector)
 - (ii) Statement by Mr Phil Moakes, 19 Balls Chase, Halstead (Objector)
 - (iii) Statement by Mr Southgate, Greenside, Balls Chase, Halstead (Objector)
- 3 Statement Relating to Application No. 15/01446/FUL - 22 Easterford Road, Kelvedon

Statement by Mr Gary Poels, 22 Easterford Road, Kelvedon (Applicant)
- 4 Statement Relating to Application No. 15/01218/FUL - 25 Chippingdell, Witham

Statement read by the Chairman under special circumstances on behalf of Mr Dave Arnott, 25 Chippingdell, Witham (Applicant)
- 5 Statements Relating to Agenda Item 7 - Application No 15/01036/FUL - Wedgewood Grange, Bridge Street, Great Bardfield
 - (i) Statement by Mr Robert Wood, Robert Wood Studio, The Pightle, Finchingfield (Agent)
 - (ii) Statement by Mrs Henry, Kilon, Bridge Street, Great Bardfield (Objector)
 - (iii) Statement by Mr Ian Coward on behalf of Lynn Cowley, Collins and Coward Ltd, The Courtyard, 9A East Street, Coggeshall. (Objector)