

# Minutes

## Planning Committee

8th May 2018



### Present

Councillors	Present	Councillors	Present
K Bowers	Yes (from 8.02pm)	Lady Newton	Apologies
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes
T Cunningham	Yes	F Ricci	Apologies
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Yes
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Yes		

### 6 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

Councillor H Johnson declared a non-pecuniary interest in Application No. 18/00161/FUL - 121C Swan Street, Sible Hedingham as the application related to a property located in the Ward which he represented as a Braintree District Councillor.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 18/00185/FUL - land adjacent to 67 Little Yeldham Road, Little Yeldham as the applicant's agent and some of the objectors were known to her.

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

### 7 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 24th April 2018 be approved as a correct record and signed by the Chairman.

### 8 **QUESTION TIME**

**INFORMATION:** There were six 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 a planning application spoke immediately prior to the consideration of the application.

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

## **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 18/00161/FUL - 121C Swan Street, Sible Hedingham; 18/00370/FUL - The Old Stables, Sheepcot Road, Castle Hedingham; and 18/00437/LBC - Town Hall Centre, Fairfield Road, 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, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*17/01681/FUL (APPROVED)	Hatfield Peverel	Zero Three Care Homes LLP	Demolition of existing barn complex and erection of new barn-like building containing 6 no. supported living residential units, Massenet, Wickham Bishops Road.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*18/00161/FUL (APPROVED)	Sible Hedingham	Clapton Construction and Investment Co. Ltd	Erection of two storey side extension to provide additional space for Cafe use with a Studio Apartment over, 121C Swan Street.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*18/00185/FUL (APPROVED)	Little Yeldham	Mr David Brown	Change of use of building from B8 Storage to C3 dwelling house to create 2-bedroom house, associated works to the building and alterations to vehicular access, land adjacent to 67 Little Yeldham Road.

The Committee approved this application, subject to the following additional Condition:-

### Additional Condition

- 7 Prior to their installation details of all gates / fences / walls or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include position, design, height and materials of the screen walls / fences. The gates / fences / walls as approved shall be provided prior to the occupation of the building(s) hereby approved and shall be permanently retained as such.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00370/FUL (APPROVED)	Castle Hedingham	Mr Tim Peal	Conversion of garage to annexe, The Old Stables, Sheepcot Road.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00437/LBC (APPROVED)	Braintree	Braintree District Council	Internal alterations, Town Hall Centre, Fairfield Road.

10 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00359/OUT (APPROVED)	Coggeshall	Mr Bullock Trine Developments Ltd	Outline planning application for the demolition of all existing buildings, new access arrangements off West Street and (1) with only landscaping reserved for the erection of 6 no. residential units (Use Class C3) adjacent to West Street, (2) with all matters reserved for up to a maximum of an additional 42 no. residential units (Use Class C3) and new public space off West Street, Coggeshall, The Dutch Nursery, West Street.

**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:-

1. Affordable Housing Provision (on site, indicative mix).
2. Public Open Space Provision (on site, off-site outdoor sport and allotments financial contribution of £46,558.84).
3. NHS England (financial contribution of £18,137).

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 amendment of the Heads of Terms, the amendment of Condition No. A4 and the addition of two duplicate Conditions as follows:-

#### Amended Heads of Terms

1. Affordable Housing Provision (on site, indicative mix).
2. Public Open Space Provision (on site, off-site outdoor sport and allotments financial contribution of £46,558.84).
3. NHS England (financial contribution of £18,137).

#### Amended Condition

- A.4 Construction of Plots 1-6 shall not be commenced until samples of the materials to be used on the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved samples.

#### Additional Duplicate Conditions

##### A.14 and B.11

During the construction phase of the development, the applicant shall provide fibre to the premises (FTTP) connections to all residential properties within the development hereby approved. No dwelling shall be occupied unless and until a FTTP connection for the respective dwelling has been installed.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00973/FUL (APPROVED)	Hatfield Peverel	Countryside Properties (UK) Ltd	Erection of 50 no. dwellings with associated access, landscaping and public open space, land at Bury Lane.

## **DECISION:**

- (1) That, subject to the Habitat Regulations (HRA) Screening Report concluding that no likely significant effect will be caused and;
- (2) 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** (40% provision which equates to 20 units. Unit mix and tenure mix to be in accordance with approved Tenure Plan 8424/47 REV B and approved Accommodation Schedule 8424 Revision 1). House types and ground floor flats should be compliant with either lifetime homes standards or Part M 2 of Building Regulations; delivered without reliance on public subsidy; all affordable units must be compliant with standards acceptable to the Homes and Communities Agency at the point of construction.
  - **Education** (financial contribution of £65,336 index linked to April 2017 toward Early Years and Childcare and financial contribution of £237,390 index linked to April 2017 towards Primary School provision required based on the County Council's standard formula).
  - **Footpath/Cycle Link** (to be provided to the site's northern boundary to allow a through route to the adjacent former Arla Dairy site and the railway station beyond).
  - **Public Open Space** (financial contribution of £46,416.05 towards outdoor sports provision; £31,174.80 towards equipped children's play space and £1,473.03 towards allotments calculated in accordance with Policy CS10 and the Council's Open Spaces Supplementary Planning Document using the Council's standard Open Spaces Contributions formula. Open space specification, plan and management plan required for approval by the Council in relation to on-site public open space).
  - **Residential Travel Information Pack** (to be approved by Essex County Council. Trigger point being prior to occupation of the first unit. To include six one day travel vouchers for use with the relevant local public transport operator. Travel Packs to be provided to the first occupiers of each new residential unit).

- **Upgrading of Bus Stops** (the upgrading of the two bus stops which would best serve the application site with details to be agreed with the Local Planning Authority).
- **Ecology** (mitigation package to mitigate the development's impact upon natura 2000 sites. This may include a financial contribution towards off site visitor management measures or monitoring surveys at the natura 2000 sites and to the improvement of the public rights of way network within the vicinity of Hatfield Peverel and the promotion of circular walking routes near the application site. Details of the mitigation package and the requirement for financial contributions to be identified/confirmed during the HRA screening process).
- **National Health Service** (financial contribution of £23,657.00 towards the recruitment of additional clinical personnel at Sidney House Surgery).

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 following additional Head of Term and additional Condition:-

#### Additional Head of Term

**National Health Service** (financial contribution of £23,657.00 towards the recruitment of additional clinical personnel at Sidney House Surgery).

#### Additional Condition

- 25 During the construction phase of the development, the applicant shall provide fibre to the premises (FTTP) connections to all residential properties within the development hereby approved. No dwelling shall be occupied unless and until a FTTP connection for the respective dwelling has been installed.

Councillor Mike Renow, representing Hatfield Peverel Parish Council, attended the meeting and spoke against this application.

## 11 **DEVELOPMENT MANAGEMENT ENFORCEMENT PLAN**

**INFORMATION:** It was proposed that consideration of this Item should be deferred to enable the Planning Enforcement Team Leader to attend the meeting to present the report.

**DECISION:** That consideration of the Development Management Enforcement Plan be deferred to the next meeting of the Planning Committee.

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 9.06pm.

Councillor Mrs W Scattergood  
(Chairman)

APPENDIX

PLANNING COMMITTEE

8TH MAY 2018

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 17/00359/OUT - The Dutch Nursery, West Street, Coggeshall
  - (i) Statement by Ms Lotte Nickel, 123 West Street, Coggeshall (Objector)
  - (ii) Statement by Mr Rory Butler, The Finings, West Street, Coggeshall (Objector)
  - (iii) Statement by Ms Marie Nagy, Teal Planning Ltd, Brentano Suite, Solar House, 915 High Road, North Finchley, London, N12 8QJ (Agent)
- 2 Statements Relating to Application No. 17/00973/FUL - Land at Bury Lane, Hatfield Peverel
  - (i) Statement by Councillor Mike Renow, for Hatfield Peverel Parish Council, c/o Mrs Sarah Gaeta, Clerk to Hatfield Peverel Parish Council, Council Office, Community Association Village Hall, Maldon Road, Hatfield Peverel, Chelmsford, Essex CM3 2HP (Objector)
  - (ii) Statement by Mr Sam Hollingworth, Strutt & Parker LLP, Coval Hall, Rainsford Road, Chelmsford, CM1 2QF (Agent)
- 3 Statement Relating to Application No. 17/01681/FUL - Massenet, Wickham Bishops Road, Hatfield Peverel

Statement by Mr Robert Pomery, Pomery Planning Consultants Ltd, Pappus House, Tollgate West, Stanway, Colchester, Essex, CO3 8AQ (Agent)