

Minutes

Planning Committee

24th May 2016



Present

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

15 DECLARATIONS OF INTEREST

INFORMATION: There were no interests declared.

16 MINUTES

DECISION: That the Minutes of the meetings of the Planning Committee held on 26th April 2016 and 10th May 2016 be approved as a correct record and signed by the Chairman.

17 QUESTION TIME

INFORMATION: There were two 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.

18 PLANNING APPLICATIONS APPROVED

Planning Application Nos. 16/00428/FUL - 7 Gosfield Road, Braintree; 16/00056/FUL - 35 Coggeshall Road, Earls Colne; and 16/00485/FUL - Vespers, Bardfield Road, Finchingfield 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>
*16/00428/FUL (APPROVED)	Braintree	Ms Claire Hawkins	Erection of single storey rear extension to replace existing conservatory, 7 Gosfield Road.

The Committee approved this application, subject to the addition of an Information to Applicant as follows:-

Information to Applicant

- 1 Your attention is drawn to the provisions of the Party Wall etc Act 1996, which relates to work on existing walls shared with another property, or excavation near another building. An explanatory booklet is available on the Planning Portal website at <http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact> or can be inspected at the Council Offices during normal office hours.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/00056/FUL (APPROVED)	Earls Colne	Mrs Maureen Stanford	Erection of extension to existing dwelling to form annexe accommodation for family use, 35 Coggeshall Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/00485/FUL (APPROVED)	Finchingfield	Mr and Mrs D Lawton	Erection of single storey rear extension, alterations to roof including new dormer windows, double garage and alterations, Vespers, Bardfield Road.

19 PLANNING APPLICATION SUBJECT TO APPEAL

Members were advised that an appeal had been lodged with the Planning Inspectorate against the Council's non-determination of the following application. The Committee was therefore unable to determine the application and, instead, it was asked to resolve what its decision would have been had an appeal not been lodged.

DECISION: That the undermentioned planning application be refused for the reasons contained in the Development Manager's report as set out below. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*15/01354/OUT (REFUSED)	Great Bardfield	Mr and Mrs Reed	Outline application for the erection of up to 37 dwellings, land off Braintree Road.

- 1 The site lies outside the development boundary for the village of Great Bardfield, in a location where there is a presumption against the introduction of new development unrelated to rural uses appropriate in the countryside. Great Bardfield itself sits at the bottom of the settlement hierarchy identified in the Braintree District Local Development Framework Core Strategy (2011) and being classified as an 'other village' is not, unlike the 'key service villages' and 'main towns', identified as a location where new development should be concentrated if it is to be sustainable.

The National Planning Policy Framework (NPPF) presumes in favour of the grant of planning permission for sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The Council does not accept that the proposal would be sustainable development within the meaning of the NPPF, having regard to the following factors:

- The lack of local facilities and services to meet the needs of future occupiers of the proposed development resulting in a heavy reliance on the private car;
- The failure of the proposed development in terms of social sustainability to create a development with accessible local services that reflect the future community's needs and support its health, social and cultural well-being;
- The loss of a greenfield site which consists of Grade 2 best and most versatile agricultural land.

The proposal would, therefore, be contrary to the provisions of the National Planning Policy Framework which makes it clear that, when development is shown to not be sustainable, refusal of planning permission may be justified because the adverse impacts would significantly and demonstrably outweigh the benefits of allowing development and would also be contrary to Policy RLP2 of the Braintree District Local Plan Review (2005) and Policy CS5 of the Braintree District Local Development Framework Core Strategy (2011).

- 2 Policies CS10 and CS11 of the Braintree District Local Development Framework Core Strategy (2011) and Policy RLP138 of the Braintree District

Local Plan Review (2005) require developers to provide, or contribute towards the cost of providing, open-space (and its maintenance), essential community facilities and other infrastructure appropriate to the type and scale of development proposed. In addition, Braintree District Council has adopted an Open-Space Supplementary Planning Document (SPD), which sets out its requirements in this regard, including the process and mechanisms for the delivery and improvement of open-space.

In this case, a Section 106 Agreement would be required to secure the following matters:

- 40% affordable housing (70/30 tenure mix rent over shared ownership); submission of a site wide housing strategy prior to the submission of Reserved Matters to include details of market and affordable housing and a phasing plan;
- A financial contribution towards Primary School provision to be calculated using Essex County Council's standard formula Section 106 clause;
- A financial contribution towards the provision of free transport to secondary schools to be calculated using Essex County Council's standard formula Section 106 clause;
- The provision of a footway from the application site into Great Bardfield as shown on the submitted access plan;
- The provision of residential Travel Information Packs for future occupiers of the development;
- A financial contribution towards the off-site provision of allotments, outdoor sports provision and equipped playgrounds with appropriate funds to be allocated to a new playground and pavilion building at the Playing Field, Bendlowes Road, Great Bardfield.

A Section 106 Agreement has not been reached and, as such, the proposal is contrary to the above policies and the adopted Supplementary Planning Document.

Councillor Mrs Carolyn Ruffle, representing Great Bardfield Parish Council, 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 7.43pm.

Councillor J O'Reilly-Cicconi
(Vice-Chairman in the Chair)

APPENDIX

PLANNING COMMITTEE

24TH MAY 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statements Relating to Application No. 15/01354/OUT - Land off Braintree Road, Great Bardfield

- (i) Statement by Mr Paul Kennedy, Bank House, High Street, Great Bardfield (Objector)
- (ii) Statement by Mr Roland Thomas, Hill Place, Great Bardfield (Objector)