

Minutes

Planning Committee

6th November 2012



Present

Councillors	Present	Councillors	Present
J E Abbott	Apologies	D Mann	Yes
P R Barlow	Yes (from 7.22pm)	Lady Newton	Yes
E Bishop	Yes	J O'Reilly-Cicconi	Yes
R J Bolton	Apologies	R Ramage	Yes
C A Cadman	Apologies	W D Scattergood (Chairman)	Yes
T J W Foster	Yes	L Shepherd	Yes
P Horner	Yes	G A Spray	Yes
S C Kirby	Yes		

80 DECLARATIONS OF INTEREST

The following interests were declared:-

All Councillors declared a non-pecuniary interest in Application No. 12/00346/FUL, Gosfield Eaves, Braintree Road, Gosfield, as the applicants' agent was known to them.

Councillor P R Barlow declared a non-pecuniary interest in Application No. 12/00739/OUT– Icen House, Newland Street, Witham, as he was a member of the Royal British Legion

Councillor S C Kirby declared a non-pecuniary interest in Application No. 12/00774/FUL – Land Rear Of 58, Colne Road, Halstead as he was a member of Halstead Town Council. Councillor Kirby indicated that he had taken no part in the Town Council's decision on this application.

Councillor D Mann declared a non-pecuniary interest in Application Nos. 12/00627/FUL and 12/00628/LBC – 100-102 High Street, Braintree as the applicant and Braintree Emergency Night Shelter were known to him through work with homeless people in Braintree.

Councillor Lady Newton declared a non-pecuniary interest in Application Nos. 12/00627/FUL and 12/00628/LBC – 100-102 High Street, Braintree as she was the District Council's Cabinet Member for Planning and Property with specific responsibility for housing.

Councillor R. Ramage declared a non-pecuniary interest in Application Nos. 12/00627/FUL and 12/00628/LBC – 100-102 High Street Braintree, as he was on the Committee which was overseeing this application. Councillor Ramage left the meeting while this application was 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 respective applications were considered.

81 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 23rd October 2012 be approved as a correct record and signed by the Chairman.

82 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. An audio recording of the meeting is available from Member Services.

83 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>
*12/00627/FUL (APPROVED)	Braintree	Mr Robert Sefton	Change of use of second floor and part of the first floor to Braintree Emergency Night Shelter (BENS) Hostel, use of ground floor and part of first floor as café and internal alterations, 100 - 102 High Street.
<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/00628/LBC (APPROVED)	Braintree	Mr Robert Sefton	Change of use of second floor and part of the first floor to Braintree Emergency Night Shelter (BENS) Hostel, use of ground floor and part of first floor as café and internal alterations, 100 - 102 High

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01034/FUL (APPROVED)	Bradwell	Mr Glenn Lockey	Erection of agricultural worker's dwelling, Bradwell Trout Farm, The Slades, Cuthedge Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01183/ADV (APPROVED)	Cressing	Kia Motors (UK) Ltd	Display of internally and externally illuminated and non-illuminated signage, Kia Westdrive Ltd, Galleys Corner, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01098/FUL (APPROVED)	Great Bardfield	Mr And Mrs C M Hitchcock	Erection of two storey rear extension and first floor front extension and changes to dormer windows, Our Home, Bridge Street.

84 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/00774/FUL (APPROVED)	Halstead	Mr & Mrs R Heard	Erection of two bed dwelling, Land Rear Of 58, Colne 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 £1,217.61 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 three months of the date of this Committee 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 addition of two conditions as follows:-

Additional Conditions

- 16 Development shall not be commenced until details of the location and design of refuse bins and recycling materials storage area (for internal and external separation) and collection points has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and thereafter so maintained.
- 17 Development shall not be commenced until a dust and mud control management scheme has been submitted to and approved in writing by the local planning authority and shall be adhered to throughout the site clearance and construction process

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01221/FUL (APPROVED)	Sible Hedingham	Mr H Turner	Erection of 1 no. detached dwelling, Land Adjacent, 5 Station 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 £1,718.94 towards the provision of open space and sports and recreation facilities in the local area 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 by 7th January 2012, the Development Manager be authorised to refuse planning permission. 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>
*12/00739/OUT (APPROVED)	Witham	Mapeley Steps Ltd	Partial demolition and remodelling of existing office building to provide 13 two bedroom flats and associated parking, Icen House, Newland 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 secure the payment of an Education Contribution towards the provision of primary

school places based on the calculations set out in County Council's Developers Guide to Infrastructure, and the payment of an Open Space Contribution based on the current contributions set out in the Open Space Supplementary Planning Document, 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 months of the date of this Committee meeting, the Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

85 PLANNING APPLICATIONS REFUSED

DECISION: That the undermentioned planning application be refused for the reasons contained in the Development Manager's report. 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>
*12/00346/FUL (REFUSED)	Gosfield	Mr & Mrs M Brand	Erection of replacement dwelling, Gosfield Eaves, Braintree Road.

A motion to approve this application was moved and seconded, but on being put to the vote it was declared LOST.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/01019/FUL (REFUSED)	Pebmarsh	Mr & Mrs J Burlo	Erection of one no. three bedroom detached dwelling with access via existing pub car park, Land Rear Of Kings Head, The Street.

Councillor A F Shelton, District Council Ward Councillor for Stour Valley South, attended the meeting and spoke in support of this application.

A motion to approve this application was moved and seconded, but on being put to the vote it was declared LOST.

86 PLANNING AND ENFORCEMENT APPEAL DECISIONS – SEPTEMBER 2012

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during September 2012. 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 9.55pm.

W D SCATTERGOOD

(Chairman)

APPENDIX

PLANNING COMMITTEE

6th NOVEMBER 2012

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1. Statement Relating to Application No. 12/01034/FUL– Bradwell Trout Farm, The Slades, Cuthedge Lane, Bradwell

Statement by Mr Glenn Lockey, Bradwell Trout Farm, The Slades, Cuthedge Lane Bradwell (Applicant)

2. Statements Relating to Application Nos. 12/00627/FUL and 12/00628/LBC – 100 to 102 High Street, Braintree

(i) Statement by Mr Brian Winder c/o Mr Rob Sefton (Applicant), 1A George Road, Braintree (Supporter).

(ii) Statement by Mr Tony Britten c/o Mr Rob Sefton (Applicant), 1A George Road, Braintree (Supporter).

3. Statement Relating to Application No. 12/00346/FUL – Gosfield Eaves Braintree Road, Gosfield

Statement by Mr David Whipps, Holmes and Hills Solicitors, Bocking End, Braintree (Agent)

4. Statement Relating to Application No.12/00774/FUL - Land rear of 58 Colne Road, Halstead

Statement by Mr Ronald Heard, 28 Churchill Avenue, Halstead (Applicant)

5. Statements Relating to Application No. 12/01019/FUL – Land rear of the Kings Head. The Street, Pebmarsh

(i) Statement by Mr Tom Newman, Tall Trees, The Street, Pebmarsh (Objector)

(ii) Statement by Mr Mike Garnham, Keepers Cottage, The Street, Pebmarsh (Objector)

(iii) Statement by Mrs Jenny Bishop, Hampers Oak Road, Little Maplestead. (Architect and Supporter)

(iv) Statement by Mr Jo Burlo, Honeypot Cottage, Cross End, Pebmarsh (Applicant)