

Minutes

Planning Committee

16th January 2018



Present

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

101 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:-

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 17/01209/FUL - Westwoods, Halstead Road, Colne Engaine as she had been in E-Mail communication with the applicant. Councillor Mrs Spray stated that she had only given practical advice to the applicant.

In accordance with the Code of Conduct, Councillor Mrs Spray remained in the meeting and took part in the discussion when the application was considered.

102 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 2nd January 2018 be approved as a correct record and signed by the Chairman.

103 **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. 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.

104 **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 and 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>
*17/01209/FUL (APPROVED)	Colne Engaine	Mr and Mrs Wendt	Proposed conversion of existing barn into two bedroom dwelling, Westwoods, Halstead Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01958/FUL (APPROVED)	Great Yeldham	Mr Dixie Walker Nemp Ltd	Change of use from Police Station to residential (8 no. self-contained units) incorporating extensions and conversion, Police Station, High Street.

105 **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>
*17/00789/FUL (REFUSED)	Braintree	Stallan Braintree Ltd	Works, extensions and change of use of existing building to form a single A1/A2/A3 unit at ground floor, creation of 3 no. 1 bedroom flats at first and second floor, a demolition of existing rear extension and erection of replacement two storey rear extension to create additional 5 no. 1 bedroom flats, with associated parking and landscaping, 76-78 High Street.

Members of the Planning Committee were advised that as an appeal had been lodged with The Planning Inspectorate against the non-determination of this application the Local Planning Authority could not determine it.

The Planning Committee agreed, that if it had been able to determine the application, it would have been refused for the reasons contained in the Development Manager's report, as set out below:-

- 1 In this case, the proposed works would completely change the form and character of the rear range of the Listed Building, creating a mews character, as opposed to allowing an understanding of the range that forms part of the large listed structure and its historic form and function. This harm to the historic significance of the Listed Building, coupled with the overdevelopment of the plot and loss of a single storey building also of historic significance, would outweigh the public benefits of bringing the building back into use and the removal of modern additions. The proposal would therefore be contrary to the provisions of Paragraphs 131-134 of the National Planning Policy Framework and contrary to Policies RLP3, RLP90, RLP95 and RLP100 of the Braintree District Local Plan Review (2005), Policy CS9 of the Braintree District Core Strategy (2011) and Policies SP1, LPP50, LPP55, LPP56 and LPP60 of the Braintree District Publication Draft Local Plan (2017).
- 2 In this case, the proposal would constitute an overdevelopment of the plot in relation to the high level of deficiency regarding car parking, cycle parking, single aspect units and amenity space for future residents that would have a detrimental impact upon the quality of accommodation for future residents, impact upon neighbouring properties and the surrounding highway network. Furthermore, no details have been provided of how refuse bins for future residents or the commercial unit would be managed taking into account the distance of the proposed bin store to the adopted highway. The proposal would therefore be contrary to the provisions of the National Planning Policy Framework and contrary to Policies RLP3, RLP56 and RLP90 of the Braintree District Local Plan Review (2005), Policy CS9 of the Braintree District Core Strategy (2011) and Policies SP1, SP3, LPP50 and LPP55 of the Braintree District Publication Draft Local Plan (2017).
- 3 In this case, no evidence has been submitted to demonstrate that future residents of the proposed flats would not be detrimentally affected by commercial noise in the High Street location. In addition, no details of passive extraction provision have been provided to the possible future detriment of the character and significance of the Listed Building with the need for a retrofitted unit. The proposal would therefore be contrary to the provisions of the National Planning Policy Framework and contrary to Policies RLP3, RLP90, RLP95 and RLP100 of the Braintree District Local Plan Review (2005), Policy CS9 of the Braintree District Core Strategy (2011) and Policies SP1, SP3, LPP50, LPP55, LPP56 and LPP60 of the Braintree District Publication Draft Local Plan (2017).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00790/LBC (REFUSED)	Braintree	Stallan Braintree Ltd	Works, extensions and change of use of existing building to form a single A1/A2/A3 unit at ground floor, creation of 3 no. 1 bedroom flats at first and second floor, a demolition of existing rear extension and erection of replacement two storey rear extension to create additional 5 no. 1 bedroom flats, with associated parking and landscaping, 76-78 High Street.

Members of the Planning Committee were advised that as an appeal had been lodged with The Planning Inspectorate against the non-determination of this application the Local Planning Authority could not determine it.

The Planning Committee agreed, that if it had been able to determine the application, it would have been refused for the reasons contained in the Development Manager's report, as set out below:-

- 1 In this case, the proposed works would completely change the form and character of the rear range of the Listed Building, creating a mews character, as opposed to allowing an understanding of the range that forms part of the large listed structure and its historic form and function. The resulting harm to the historic significance of the Listed Building renders the proposals contrary to the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 132-134 of the National Planning Policy Framework and contrary to Policies RLP3, RLP90, RLP95 and RLP100 of the Braintree District Local Plan Review (2005), Policy CS9 of the Braintree District Core Strategy (2011) and Policies SP1, LPP50, LPP55, LPP56 and LPP60 of the Braintree District Publication Draft Local Plan (2017).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01862/FUL (REFUSED)	Wickham St Paul	Mr J Campbell	Erection of four bedroom house and single detached garage and associated ground works, land between 1 and 3, Long Gardens.

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 8.32pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

16TH JANUARY 2018

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Application Nos. 17/00789/FUL and 17/00790/LBC - 76-78 High Street, Braintree

Statement by Mr Marc Shaw, 1 Nicholls House, Braintree (Objector)

- 2 Statement Relating to Application No. 17/01958/FUL - Police Station, High Street, Great Yeldham

Statement by Mr Dixie Walker, Nemp Ltd, Providence House, Little Sampford, Essex (Applicant)