

Minutes

Planning Committee

11th April 2017



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Apologies
Mrs L Bowers-Flint	Yes	J O'Reilly-Cicconi (Vice-Chairman)	Yes
T Cunningham	Yes	Mrs I Parker	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Yes
S Kirby	Yes	Mrs G Spray	Yes
D Mann	Yes		

147 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor K Bowers declared a non-pecuniary interest in Application No. 17/00196/FUL - land adjacent to Kingsmead, School Road, Wickham St Paul as the husband of a member his staff had objected to the application and was speaking at the meeting during Question Time. For transparency, Councillor Bowers left the meeting whilst this application was discussed and determined.

Councillor T Cunningham declared a non-pecuniary interest in Application No. 16/02095/FUL - land North of A131, Seybourne Park, Avenue East, Skyline 120, Great Notley as an Elected Member of Great Notley Parish Council which had submitted representations regarding the application.

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

148 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 28th March 2017 be approved as a correct record and signed by the Chairman.

149 **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.

150 **PLANNING APPLICATIONS WITHDRAWN**

INFORMATION: The Committee was advised that the undermentioned planning applications had been withdrawn by the applicant. 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>
*17/00102/VAR (WITHDRAWN)	Wethersfield	Mrs S Peters	Application to vary Condition 4 of approved application 14/00205/FUL - There shall be no more than three competitive events held at the venue in any single week up to a maximum of ten times per calendar year. At all other times there shall be no more than two competitive events held at the venue in any single week, The Oast House, Codham Little Park Drive.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00103/VAR (WITHDRAWN)	Wethersfield	Mrs S Peters	Application to vary Condition 5 of approved application 14/00205/FUL - The competitive events shall not start before 09:00 hours not continue beyond 18:00 hours, The Oast House, Codham Little Park Drive.

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>
*16/00655/FUL (APPROVED)	Great Maplestead	Mr S Boreham	Proposed detached dwelling with garage, land adjacent to 2 Toldish Hall Cottages, Toldish Hall Road.

The Committee approved this application, subject to the list of Approved Plans being amended to include the following drawing number:-

Elevation Drawing - Drawing No. WPS/2TC/1

Councillor Martin Elms, representing Great Maplestead Parish Council, attended the meeting and spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/02095/FUL (APPROVED)	Great Notley	Western Homes Plc	The erection of a single 7,010.5sqm GEA (B8 use) unit with a first floor office element, and ancillary B1a office and B1c workshop, together with associated parking, vehicle turning and landscaping, land North of A131, Seybourne Park, Avenue East, Skyline 120.

The Committee approved this application, subject to the applicant entering into a Unilateral Undertaking regarding the provision of open space; and the amendment of Condition No. 21, an additional Condition and an Information to Applicant as follows:-

Amended Condition

21. Between the hours of 2300 and 0700 no more than one HGV shall access the site, or operate upon it at any one time.

Additional Condition

25. Prior to the first occupation of the development hereby approved, details of a maintenance strategy for the external surfaces of the main building shall be submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be permanently maintained in accordance with the approved strategy.

Information to Applicant

1. During the hours of darkness, vehicles on the site should have head lights dipped to avoid the potential for light pollution.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00026/FUL (APPROVED)	Sible Hedingham	Mr and Mrs Kim and Tanya Harding	Application for a single dwelling with associated workshop and store building. The workshop and store building to be used for all uses within the B1 Business use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended), land at Cobbs Fenn.

The Committee approved this application, subject to the amendment of Condition Nos. 4, 9 and 17 and the deletion of Condition No. 18 as follows:-

Amended Conditions

4. The approved storage building on the North-Western side of the site abutting the highway shall be used only for storage purposes ancillary to the domestic and/or B1 business use of the main building.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no alteration / enlargement of the dwelling-house and / or store building / provision of any building within the curtilage of the dwelling-house, as permitted by Class A or E of Part 1 of Schedule 2 of that Order and no gate, fence, wall, or other means of enclosure shall be erected, constructed, or placed within the site as permitted by Class A of Part 2 of Schedule 2 of that Order without first obtaining planning permission from the Local Planning Authority.
17. The development shall be carried out in accordance with the approved Extended Phase 1 Habitat Survey dated 22nd June 2016 and the Habitat Protection Plan dated 29th March 2017 listed above. This includes maintaining the grassland within the site at a height of less than 150mm. The

bat and bird nesting boxes shall be installed prior to the first occupation of the development and shall be permanently retained as such.

Deleted Condition

18. Within four weeks of this decision an updated Habitat Protection Plan setting out details for the maintenance of the grassland or details for the regular inspection of the reptile exclusion fencing at the end of each period of hibernation (March-April) by a qualified ecologist (whichever is considered appropriate) 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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00196/FUL (APPROVED)	Wickham St Paul	Mr M Savage / Mrs S J Colbert Savage & Colbert	Erection of three bedroom detached one and half storey dwelling house with off street parking, land adjacent to Kingsmead, School Road.

152 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01653/OUT (APPROVED)	Silver End	Mr Rob Scott	Outline planning permission for the erection of up to 50 dwellings, public open space and supporting site infrastructure with all matters reserved apart from access, land East of Boars Tye 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 cover the following Heads of Terms as amended:-

- **Affordable Housing** (40% provision; 70/30 tenure split (affordable rent over shared ownership); delivered without reliance on public subsidy; to be compliant with either Lifetime Homes Standards or Part M Cat 2 of Building Regulations; all units to be compliant with standards acceptable to Homes and Communities Agency at point of construction).
- **Affordable Housing Strategy** (to be submitted for approval prior to submission of first Reserved Matters application and to include details of affordable housing provision).

- **Education** (financial contribution of around £183,270.00 toward Early Years and Childcare required, final figure based on the County Council's standard formula, index linked to April 2016. Trigger point for payment being prior to commencement of development).
- **Public Open Space** (financial contribution toward outdoor sports provision; provision of equipped children's play space and allotments to be calculated in accordance with Policy CS10 and the Council's Open Spaces Supplementary Planning Document. Trigger point for payment being prior to first occupation).
- **Provision of a Gateway Feature** (at the 30mph limit change on Boars Tye Road (South of the site). To be approved by the Local Planning Authority. Trigger point for provision being prior to commencement of development. This will not be required if development of land opposite the site is completed first).
- **Residential Travel Information Pack** (to be approved by the Local Planning Authority. 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** (two stops located on Boars Tye Road to the South of the site. Provision of raised kerbs; telematics and shelters. Details to be approved by the Local Planning Authority. Trigger point for provision being prior to commencement of development).
- **Provision of a Footway** (a 2m wide footway shall be provided from the site access continuing South to join with the existing footway along Boars Tye Road. Details to be approved by the Local Planning Authority. Trigger point for provision being prior to commencement of development).
- **Provision of a Footpath Link** (from the Eastern corner of the site to the public footpath (PROW 108_52) which runs along the boundary of the adjacent agricultural field. To include a footbridge to provide access across the intervening ditch).
- **Management Plan** (a Management Plan to secure the management of on-site open space required).

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. 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 amended Heads of Term and additional Head of Term to the Section 106 Agreement as follows:-

Amended Heads of Term

- **Education** (financial contribution of around £183,270.00 toward Early Years and Childcare required, final figure based on the County Council's standard formula, index linked to April 2016. Trigger point for payment being prior to commencement of development).
- **Provision of a Gateway Feature** (at the 30mph limit change on Boars Tye Road (South of the site). To be approved by the Local Planning Authority. Trigger point for provision being prior to commencement of development. This will not be required if development of land opposite the site is completed first).

Additional Head of Term

- **Management Plan** (a Management Plan to secure the management of on-site open space required).

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 8.52pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

11TH APRIL 2017

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statement Relating to Application No. 16/00655/FUL - Land adjacent to 2 Toldish Hall Cottages, Toldish Hall Road, Great Maplestead

Statement by Councillor Martin Elms, for Great Maplestead Parish Council, c/o Mrs A Crisp, Clerk to Parish Council, New House, St Giles Close, Great Maplestead (Objector)

2 Statements Relating to Application No. 16/01653/OUT - Land East of Boars Tye Road, Silver End

(i) Statement by Councillor James Abbott, Braintree District Councillor for Silver End and Cressing Ward / Essex County Councillor for Witham Northern Division, 1 Waterfall Cottages, Park Road, Rivenhall (Objector)

(ii) Statement by Mr Richard Clews, Strutt and Parker, Coval Hall, Chelmsford (Agent)

3 Statements Relating to Application No. 17/00026/FUL - Land at Cobbs Fenn, Sible Hedingham

(i) Statement by Mr John Hopkins, 1 Cherry Gardens, Cobbs Fenn, Sible Hedingham (Objector)

(ii) Statement by Mr Keith Miller, Captains, Cobbs Fenn, Sible Hedingham (Objector)

4 Statement Relating to Application No. 17/00196/FUL - Land adjacent to Kingsmead, School Road, Wickham St Paul

Statement by Mr Paul Read, Jasmine, School Road, Wickham St Paul (Objector)