

Minutes

Planning Committee

24th April 2018



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Yes
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes (from 7.47pm)
T Cunningham	Yes	F Ricci	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		

Councillor J Abbott was also in attendance (until 8.47pm).

1 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 18/00175/FUL - The White Hart, Poole Street, Great Yeldham as Councillor Philip Rawlinson who was speaking on behalf of Great Yeldham Parish Council during Question Time was an Executive Member of Braintree Conservative Association and he was known to some of them.

Councillor Mrs Scattergood declared a joint non-pecuniary interest also in Application No. 18/00241/FUL - land East of Bradford Street, Braintree as the applicant's agent, Mr Mark Jackson, who was in attendance at the meeting, was a former employee of Braintree District Council and he was known to some of them.

Councillor D Mann declared a non-pecuniary interest in Application No. 17/00076/FUL - Kelvedon House, 86 High Street, Kelvedon as one of the objectors was known to him. Councillor Mann indicated that he had not had contact with the objector for some time and he had not discussed the application with the objector.

Councillor D Mann declared a non-pecuniary interest also in Application No. 18/00241/FUL - land East of Bradford Street, Braintree as some of the objectors and the owners of one of the properties subject to the application were known to him. Councillor Mann stated that neither the objectors, nor the owners had raised the application with him and he had not discussed it with them.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 18/00241/FUL - land East of Bradford Street, Braintree as some members of the public in attendance at the meeting were known to her. Councillor Lady Newton stated that she had not discussed the application with them.

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

2 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 10th April 2018 be approved as a correct record and signed by the Chairman.

3 **QUESTION TIME**

INFORMATION: There were eighteen 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.

4 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 17/02082/FUL - 17 Silver Street, Silver End; 17/02137/LBC - 17 Silver Street, Silver End; and 18/00177/FUL - 29 Elm Rise, Witham 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>
*17/00076/FUL (APPROVED)	Kelvedon	EquaGen	Erection of 4 flats and 4 dwelling houses, Kelvedon House, 86 High Street.

The Committee approved this application, subject to the amendment of Condition No. 6 and an additional Condition as follows:-

Amended Condition

- 6 Prior to installation, additional drawings that show details of the proposed windows and doors, including those windows proposed/indicated on the submitted plans as obscure glazed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be

implemented in accordance with the approved details and shall be permanently retained as such.

Additional Condition

- 22 Development shall not be commenced until a survey of the application site has been carried out by a suitably qualified and experienced ecologist to investigate the potential presence on the application site of bats.

Details of the methodology, findings and conclusions of the survey shall be submitted to the Local Planning Authority for approval prior to the commencement of development.

Should the results of the survey indicate that protected species are present within the application site, then details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development:-

- (a) A scheme of mitigation / compensation works, including a method statement, to minimise the adverse effects of the development on protected species;
- (b) A scheme of translocation to be submitted if necessary;
- (c) A programme of timings for the works referred to in (a) above.

Mitigation/compensation works shall be carried out in accordance with the scheme and programme approved in accordance with the above.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02082/FUL (APPROVED)	Silver End	Mr Coelho	Erection of single storey rear extension, 17 Silver Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02137/LBC (APPROVED)	Silver End	Mr Coelho	Erection of single storey rear extension, 17 Silver Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02253/FUL (APPROVED)	Wethersfield	Julia MacKay Properties/Mr Thompson	Erection of 9 dwellings with associated access and landscaping, land South of

Councillor John Barker, representing Wethersfield 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>
*18/00177/FUL (APPROVED)	Witham	Mr Anthony Brown	Change of use of land to create vehicle hardstanding, pathway and associated works, 29 Elm Rise.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00241/FUL (APPROVED)	Braintree	Imperial Quality Homes Ltd	Demolition of the three residential dwelling houses Creedy House, Nightingale House and Parkfield and erection of seven residential dwelling houses, land East of Bradford Street.

The Committee approved this application, subject to an additional Condition as follows:-

Additional Condition

- 19 Prior to first occupation of the development hereby approved, 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 enclosures. The enclosures as approved shall be provided prior to the occupation of the development hereby approved and shall be permanently retained as such.

5 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the 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>
*17/01730/OUT (REFUSED)	In the Parish of Rivenhall, Witham	Mrs Sarah Cornwell, Bellway Homes	Outline planning application with all matters reserved for up to 58 dwellings including

The Committee refused this application against the Development Manager's recommendation for approval subject to a Section 106 Agreement, for the following Reasons:-

Reasons

- 1 The proposed development would result in the loss of the majority of the mature hedgerow located along the site's north-western boundary with Rickstones Road which would have a detrimental impact upon the character and appearance of this secondary gateway to Witham and would create an urban character in an area which currently is of a rural nature.

It is therefore considered that the proposal would result in clear and demonstrable harm which would not be outweighed by the public benefits of the proposal and that the development would be contrary to the National Planning Policy Framework; Policies CS5; CS8 and CS9 of the adopted Braintree District Core Strategy; Policies RLP80; RLP81 and RLP90 of the adopted Local Plan and Policies LPP50; LPP55; LPP67; LPP71 and LPP73 of the Braintree District Publication Draft Local Plan.

Councillor Bob Wright, representing Rivenhall Parish Council, attended the meeting and spoke against this application.

Councillor James Abbott, Braintree District Ward Councillor for Silver End and Cressing and Essex County Councillor for Witham Northern Division, attended the meeting and spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02310/FUL (REFUSED)	Belchamp St Paul	Mr D Middleditch	Conversion of existing barn to 3no. two storey dwellings, Barn at Hole Farm, Knowl Green.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/02311/LBC (REFUSED)	Belchamp St Paul	Mr D Middleditch	Conversion of existing barn to 3no. two storey dwellings,

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00175/FUL (REFUSED)	Great Yeldham	The White Hart	Retention of the refurbished car park area and demarcation of both allocated disabled and regular parking bays, The White Hart, Poole Street.

Councillor Philip Rawlinson, representing Great Yeldham Parish Council, attended the meeting and spoke in support of this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00233/FUL (REFUSED)	Stambourne	Mr and Mrs Monk	Lifting of condition 4 attached to permission 14/00574/FUL, enabling annexe to be used as a separate dwelling, incorporating various alterations to fenestration, gardens and car parking, and internal layout to 'Fieldside Lodge' and 'Picklehope Barn', Picklehope Barn, Dyers End.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00234/FUL (REFUSED)	Shalford	Mr Greg Brown	Demolish existing building and erection of garage with self contained annexe at first floor level, The Stables, Jaspers Green.

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).

During the course of their discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended beyond 10.15pm to enable all business on the Agenda to be transacted.

The meeting closed at 10.40pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

24TH APRIL 2018

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 17/00076/FUL - Kelvedon House, 86 High Street, Kelvedon
 - (i) Statement by Mr Jon Smale, Manning Gottlieb, Bankside 3, 90-100 Southwark Street, London, SE1 0SW (Objector)
 - (ii) Statement by Mr Andrew Shortridge, 4 Argyle Court, Kelvedon (Objector)
 - (iii) Statement by Mr David Kemp, DRK Planning Ltd, 215 Alfred Court, 53 Fortune Green Road, London NW6 1DF (Agent)
- 2 Statements Relating to Application No. 17/01730/OUT - Land South of Rickstones Road, in the Parish of Rivenhall, Witham
 - (i) Statement by Mrs Sally Anderson, Rickstones Farmhouse, 30 Rickstones Road, Rivenhall (Objector)
 - (ii) Statement by Councillor Bob Wright, for Rivenhall Parish Council, c/o Mr K Taylor, Clerk to Rivenhall Parish Council, 23 Mersey Road, Witham (Objector)
 - (iii) Statement by Councillor James Abbott, Braintree District Council Councillor for Silver End and Cressing Ward and Essex County Councillor for Witham Northern Division, 1 Waterfall Cottages, Park Road, Rivenhall (Objector)
 - (iv) Statement by Mr Olivier Spencer, Andrew Martin - Planning, Town Mill, Mill Lane, Stebbing, Dunmow, CM6 3SN (Agent)
- 3 Statements Relating to Application No. 17/02253/FUL - Land South of Silver Street, Wethersfield
 - (i) Statement by Councillor John Barker, for Wethersfield Parish Council, c/o Mrs A Lucas, Clerk to Wethersfield Parish Council, Russells Farmhouse, Braintree Road, Wethersfield (Objector)
 - (ii) Statement by Mr Rob MacKay, Julia MacKay Properties, PO Box 11161, Colchester (for Applicant)

4 Statement Relating to Application Nos. 17/02310/FUL and 17/02311/LBC - Barn at Hole Farm, Knowl Green, Belchamp St Paul

Statement by Mr Harry Middleditch, Hole Farm, Knowl Green, Belchamp St Paul (for Applicant)

5 Statements Relating to Application No. 18/00175/FUL - The White Hart, Poole Street, Great Yeldham

- (i) Statement by Councillor Philip Rawlinson, for Great Yeldham Parish Council, c/o Mrs Tracy Wigmore, Clerk to Great Yeldham Parish Council, Parish Office, Reading Room, High Street, Great Yeldham (Supporter)
- (ii) Statement by Mr Tony Baldwin, The White Hart, Poole Street, Great Yeldham (for Applicant)
- (iii) Statement by Mr Tim Slater, 3D Planning Ltd, 27 Svenskaby, Orton Wistow, Peterborough, PE2 6YZ (for Applicant)

6 Statement Relating to Application No. 18/00233/FUL - Picklehope Barn, Dyers End, Stambourne

Statement by Ms Lucy Carpenter, The Manse, 27 Bear Street, Nayland, Colchester, (Agent)

7 Statements Relating to Application No. 18/00241/FUL – Land East of Bradford Street, Braintree

- (i) Statement by Mr Paul Yates, Grove House, Bradford Street, Braintree (Objector)
- (ii) Statement by Mr Bernie Everitt, Ostlers Cottage, Bradford Street, Braintree (Objector)
- (iii) Statement by Mr Michael Harman, Holmes and Hills Solicitors, Bocking End, Braintree (for Applicant)

8 Statement Relating to Application No. 18/00234/FUL - The Stables, Jaspers Green, Shalford

Statement by Mrs Amanda Brown, The Stables, Jaspers Green, Shalford (Applicant)