

# Minutes

## Planning Committee

7th August 2012



### Present

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

### 45 DECLARATIONS OF INTEREST

The following interests were declared:

Councillor R J Bolton declared a pecuniary interest in Application No. 12/00459/FUL - Greenstead Hall, Halstead Road, Greenstead Green as the owners of Greenstead Hall were known to him. Councillor Bolton left the meeting whilst the application was discussed and determined.

Councillor S C Kirby declared a non-pecuniary interest in Application No. 12/00459/FUL - Greenstead Hall, Halstead Road, Greenstead Green as he lived in Greenstead Green, but not near to the application site. In addition, Councillor Kirby declared a pecuniary interest in Application No. 12/00610/OUT - land off Tenter Close and rear of 51 - 57 Church Lane, Braintree as he was a Member of a Masonic Lodge. Councillor Kirby left the meeting whilst this application was discussed and determined.

Councillor D Mann declared a non-pecuniary interest in Application No. 12/00610/OUT - land off Tenter Close and rear of 51 - 57 Church Lane, Braintree as seven objectors were known to him.

Councillor W D Scattergood declared a non-pecuniary interest in Application No. 12/00610/OUT - land off Tenter Close and rear of 51 - 57 Church Lane, Braintree as one of the objectors speaking on the application during Question Time was known to her.

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.

46 MINUTES

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 24th July 2012 be approved as a correct record and signed by the Chairman.

47 QUESTION TIME

**INFORMATION:** There were four 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.

48 PLANNING APPLICATIONS APPROVED

Planning Application No. 12/00710/FUL – 43 Manors Way, Silver End was 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 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>
*12/00459/FUL (APPROVED)  (11/01483/FUL Condition No. 5)	Greenstead Green	Karen Powell	Application to vary planning conditions relating to approved application 11/01483/FUL - Proposed changes of use of existing barn and outbuildings to wedding venue and creation of new access road to serve new vehicular access onto Halstead Road, Greenstead Hall, Halstead Road.

Councillor Foster, Parish Councillor for Greenstead Green and Halstead Rural Parish Council, attended the meeting and spoke on this application.

The Committee approved this application, subject to the amendment of Condition No. 5 as follows:-

Amended Condition

5. The existing access shall be solely used for residential traffic only and the gates shall be kept shut during the duration of all functions.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*12/00459/FUL (APPROVED)  (11/01483/FUL Condition No. 11)	Greenstead Green	Karen Powell	Application to vary planning conditions relating to approved application 11/01483/FUL - Proposed changes of use of existing barn and outbuildings to wedding venue and creation of new access road to serve new vehicular access onto Halstead Road, Greenstead Hall, Halstead Road.

Councillor Foster, Parish Councillor for Greenstead Green and Halstead Rural Parish Council, attended the meeting and spoke on this application.

The Committee approved this application, subject to the amendment of Condition Nos. 13 and 16 as follows:-

#### **Amended Conditions**

- 13      There shall be no more than 28 functions in any one calendar year and the maximum number of people (contractors/staff excluded) attending each event shall not exceed 120. A record of the days on which a function takes place and the number of people (contractors/staff excluded) attending must be recorded and made available for inspection by the local planning authority if requested. There shall be no firework displays, on land within the blue line site shown on the plans submitted, on any of the 28 days when wedding events / functions are being held at the site.
  
- 16      Prior to first use of the development hereby permitted, the car parking areas indicated on the approved plans, including any parking spaces for mobility impaired people, shall be laid out, with appropriate signs denoting the location of parking spaces in the area around the barn complex. The car parking area shall be retained in this form at all times. The car park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development without prior written approval of the local planning authority.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*12/00833/FUL (APPROVED)	Coggeshall	Mrs L Randall	Erection of first floor rear extension, 83 Tilkey Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*12/00610/OUT (APPROVED)	Braintree	Royal Masonic Benevolent Institution	Demolition of 4 no. dwellings (nos. 51, 53, 55 and 57 Church Lane) and erection of 14 no. private market and 5 no. affordable dwellings with associated access road, garages, car parking areas, amenity open space and landscaping, land off Tenter Close and rear of 51 - 57 Church Lane.

**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 towards the provision and enhancement of public open space; a financial contribution towards primary and secondary education; and the provision of five dwellings as affordable housing, 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 31st August 2012, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies, the Open Spaces Supplementary Planning Document and the Affordable Housing Supplementary Planning Document. Details of this planning application are contained in the Register of Planning Applications.

It was reported that the description of the development had been amended from the erection of '15' private market dwellings to '14'.

The Committee approved this application, subject to the amendment of Condition Nos. 2 and 4 as follows:-

#### Amended Conditions

2. All new dwellings shall achieve a minimum Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 or a higher level has been achieved and a copy of the Certificate has been submitted to the local planning authority.
4. (TREE51) The landscaping scheme required by Condition 1 of this permission shall incorporate a detailed specification of hard and soft landscaping works. This shall include plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying, refuse storage, signs and lighting.

All areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the local planning authority.

All planting, seeding, or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise previously agreed in writing by the local planning authority.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings, or upon the completion of the development whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*12/00102/FUL (APPROVED)	Great Bardfield	The Estate Of Anthony Brian Parkin	Erection of 1 no. 4 bedroom detached dwelling and attached garage, land adjacent to 2 Alienor Avenue.

**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 £2,506.80 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. Alternatively, in the event that a suitable planning obligation is not agreed by 23<sup>rd</sup> August 2012, the Development Manager be authorised to refuse planning permission on the basis of failure to make provision in accordance with relevant policies and the Open Spaces Supplementary Planning Document. Details of this planning application are contained in the Register of Planning Applications.

(It was reported at the meeting that the legal agreement had been signed).

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*12/00710/FUL (APPROVED)	Silver End	Mr R Cox	Erection of two storey side extension, 43 Manors Way.

**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 ensure that the building is used as ancillary accommodation to the main dwelling and not sold, transferred, leased, or otherwise disposed of as an independent

residential unit without first obtaining planning permission from the local planning authority, 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 six weeks of the 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.

## 50 PLANNING APPLICATION REFUSED

**DECISION:** That the undermentioned planning application be refused (in part) 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>
*12/00459/FUL (REFUSED)  (11/01483/FUL Condition No. 13)	Greenstead Green	Karen Powell	Application to vary planning conditions relating to approved application 11/01483/FUL - Proposed changes of use of existing barn and outbuildings to wedding venue and creation of new access road to serve new vehicular access onto Halstead Road, Greenstead Hall, Halstead Road.

Councillor Foster, Parish Councillor for Greenstead Green and Halstead Rural Parish Council, attended the meeting and spoke on 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 8.35pm.

W D SCATTERGOOD  
(Chairman)

APPENDIX  
PLANNING COMMITTEE  
7<sup>th</sup> AUGUST 2012  
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1. Statements Relating to Application No. 12/00610/OUT – Land off Tenter Close and rear of 51-57 Church Lane, Braintree
  - (i) Statement by Mrs Baugh, 67 Church Lane, Bocking, Braintree (Objector)
  - (ii) Statement by Mrs Gill Joslin, 73 Church Lane, Bocking, Braintree (Objector)
  - (iii) Statement by Mr David Andrews, 17 Church Lane, Braintree (Objector)
2. Statement Relating to Application No. 12/00833/FUL – 83 Tilkey Road, Coggeshall

Statement by Ms Lynn Lewis, 81 Tilkey Road, Coggeshall (Objector)