

Minutes

Planning Committee

7th November 2017



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Mrs I Parker	Yes
Mrs L Bowers-Flint	Yes	R Ramage	Yes
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 (until 8.37pm)	Yes
Lady Newton	Yes		

72 DECLARATIONS OF INTEREST

INFORMATION: The following interest was declared:-

Councillor Mrs G Spray declared a disclosable pecuniary interest in Application No. 17/01534/FUL - 12 The Croft, Earls Colne as the application site was located to the rear of her property. In accordance with the Code of Conduct, Councillor Mrs Spray left the meeting when the application was considered and determined.

73 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 24th October 2017 be approved as a correct record and signed by the Chairman.

74 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. 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.

75 PLANNING APPLICATIONS WITHDRAWN

INFORMATION: The Committee was advised that the undermentioned planning applications had been withdrawn by the applicant's agent. 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>
*17/01385/FUL (WITHDRAWN)	Panfield	Great Priory Farm Partnership	Conversion of redundant Nissen hut to holiday let, Great Priory Farm, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01386/LBC (WITHDRAWN)	Panfield	Great Priory Farm Partnership	Conversion of redundant Nissen hut to holiday let, Great Priory Farm, Braintree Road.

76 **PLANNING APPLICATION APPROVED**

DECISION: That the undermentioned planning application 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 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>
*17/01349/FUL (APPROVED)	Witham	Mr Jason Langley	Change of use from commercial forecourt for van repairs and sales with ancillary buildings for office space and storage to private season ticket car park, Van Forecourt, land adjacent to 1 Easton Road.

Councillor Rob Williams, representing Witham Town Council, attended the meeting and spoke against this application.

77 **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>
*17/00018/FUL (REFUSED)	Braintree	Plutus Estates (Braintree) Limited	Demolition of all existing buildings on site and the

erection of 107 residential dwellings comprising 67 houses, four maisonettes and 36 flats with associated informal open space, landscaping, apartment amenity space, car parking and other infrastructure, Broomhills Industrial Estate.

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, subject to Policies RLP56 and RLP80 of Braintree District Local Plan Review 2005 being included, as set out below:-

1 The proposal fails to achieve sustainable development for the following reasons:

- The proposal by way of the density and layout fails to achieve a high quality design which creates an attractive and comfortable place to live and visit and instead results in a poor quality environment for future occupiers
- The number of units, their arrangement/position, the lack of variation to housing design, the lack of space for landscaping, the under provision of private amenity space, lack of informal public open space, the approach to car parking and the under provision of car parking spaces makes for an ill-conceived and poorly designed scheme which has little relief from the built development and an overwhelming sense of enclosure, failing to secure a high standard of design and layout
- The layout gives no consideration to the relationship with existing neighbouring dwellings, relating poorly to them and giving rise to an unacceptable degree of harm to residential amenity
- The proposal results in the loss of 8 no. preserved trees which cannot be mitigated by new planting. In addition the future retention and group value of preserved trees is threatened and eroded by way of including them within separate rear garden areas
- The layout has not been informed by the ecological survey such that no consideration has been given to the protection or enhancement of biodiversity
- The applicant has failed to demonstrate that the site is unviable for residential development in a form that would deliver an element of affordable housing.

Cumulatively the impacts of the development as detailed above are considered to significantly and demonstrably outweigh the benefits and the proposal fails to deliver sustainable development, in conflict with the National Planning Policy Framework, Policies CS2, CS8, CS9, CS10 and CS11 of the Core Strategy, Policies RLP3, RLP9, RLP10, RLP56, RLP80, RLP81, RLP90 and RLP138 of the Local Plan Review, the Essex Design Guide, Supplementary Planning Document Open Spaces (2009) and Supplementary Planning Document Parking

- 2 Adopted policies and Supplementary Planning Documents applicable to the proposed development would trigger the requirement for:

- A financial contribution towards primary school places
- A financial contribution towards healthcare
- A financial contribution towards outdoor sport, allotments and an equipped area of play
- A review mechanism for affordable housing
- The provision, maintenance and delivery of public open space.

These requirements would be secured through a Section 106 Agreement. At the time of issuing this decision a Section 106 Agreement had not been prepared or completed. In the absence of such a planning obligation, the proposal is contrary to Policies CS2, CS10 and CS11 of the adopted Braintree District Core Strategy (2011) and Policy RLP138 of the adopted Braintree Local Plan Review (2005) and the Open Space Supplementary Planning Document (2009).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01191/FUL (REFUSED)	Feering	Mr Asa Howard	Erection of first floor rear extension, 19 Watermill Road.

The Committee refused this application against the Development Manager's recommendation for approval for the following reason:-

Reason for Refusal

- 1 A core principle of the National Planning Policy Framework is that development should always seek a good standard of amenity for all existing and future occupants of land and buildings. Policies RLP17 and RLP90 of the Braintree District Local Plan Review and Policy LPP38 of the Draft Publication Local Plan state that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.

In this case, it is considered that the first floor rear extension by virtue of its size, scale and siting would give rise to an unacceptable overbearing and overshadowing impact on the neighbouring dwelling at no. 21 Watermill Road to the detriment of the amenity of the existing occupiers. This adverse impact is exacerbated by the orientation of the properties and the small size of the rear garden of no. 21 Watermill Road. As such it is considered that the proposal would be contrary to the core principles of the National Planning Policy Framework, Policy CS9 of the Braintree District Core Strategy, Policies RLP3, RLP17 and RLP90 of the Braintree District Local Plan Review and Policy LPP38 of the Braintree District Publication Draft Local Plan.

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

Councillor Mrs Katherine Evans, representing Feering 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>
*17/01534/FUL (REFUSED)	Earls Colne	Mr and Mrs Arnold	Erection of single storey garden and fitness room extension, 12 The Croft.

At the close of the meeting Members were reminded that a training session for Members focussing on current planning issues would take place on Tuesday, 21st November 2017. The training session would be held instead of the scheduled Planning Committee meeting and it would start at 7.15pm.

It was reported also that an additional meeting of the Planning Committee had been arranged for Tuesday, 28th November 2017 starting at 7.15pm.

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 8.47pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX

PLANNING COMMITTEE

7TH NOVEMBER 2017

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 17/00018/FUL - Broomhills Industrial Estate, Braintree
 - (i) Statement by Mrs Gemma Gomez, 3 Graynes Close, Braintree (Objector)
 - (ii) Statement by Mrs Marianne Gardner, 6 Graynes Close, Braintree (Objector)
 - (iii) Statement by Mr Keith Rolfe, 2 Fresian Close, Braintree (Objector)
 - (iv) Statement by Mr Rob Miller, 44 Nayling Road, Braintree (Supporter)
- 2 Statements Relating to Application No. 17/01191/FUL - 19 Watermill Road, Feering
 - (i) Statement by Mr Andrew Bain, 21 Watermill Road, Feering (Objector)
 - (ii) Statement by Councillor Mrs Katherine Evans, for Feering Parish Council, c/o Mr K Money, Clerk to Feering Parish Council, Feering Community Centre, Coggeshall Road, Feering (Objector)
 - (iii) Statement by Mr Tim Matthews, TMA Chartered Surveyors, 4th Floor, Victoria House, Victoria Road, Chelmsford (for Applicant)
- 3 Statement Relating to Application No. 17/01349/FUL - Van Forecourt, Land Adjacent to 1 Easton Road, Witham

Statement by Councillor Rob Williams, for Witham Town Council, c/o Mr J Sheehy, Deputy Town Clerk, Witham Town Council, Town Council Offices, 61 Newland Street, Witham (Objector)
- 4 Statement Relating to Application No. 17/01534/FUL - 12 The Croft, Earls Colne

Statement by Mr Nigel Chapman, Nigel Chapman Associates, Kings House, Colchester Road, Halstead (Agent)