

Minutes

Planning Committee

10th October 2017



Present

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

59 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs G Spray, the Vice-Chairman of the Planning Committee in the Chair, declared a joint non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as Mr Andrew Butcher, the applicant's agent, who was speaking at the meeting during Question Time was a former member of Braintree District Council staff and he was known to some of them.

Councillor Mrs Spray declared a joint non-pecuniary interest also in Application No. 17/01232/FUL - Foster Contracting Ltd, Maldon Road, Kelvedon as Mr Tom Foster, the applicant, who was in attendance at the meeting was a former Elected Member of Braintree District Council and he was known to some of them.

Councillor K Bowers declared a non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as a member of Marks Hall Arboretum.

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as Mr Malcolm Hobbs, who was speaking at the meeting during Question Time was known to her, and also as she was a member of Marks Hall Arboretum.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as Mr Malcolm Hobbs and Mr Richard Ramsey, who were speaking at the meeting during Question Time were known to her as she had previously been a Patron of Marks Hall Estate Trust.

Councillor F Ricci declared a non-pecuniary interest in Application Nos. 17/00787/FUL and 17/00788/LBC - Nether Hall Farm, Nether Hill, Gestingthorpe as he had been previously been employed at Nether Hall Farm.

Councillor P Schwier declared a non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as Mr Malcolm Hobbs, who was speaking at the meeting during Question Time was known to him and he was a member of the Earls Colne Airfield Liaison Group.

Councillor Schwier declared a disclosable pecuniary interest in Agenda Item 6 - Monthly Report of Planning and Enforcement Appeal Decisions Received and, in particular, the appeal against Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as he was one of the joint applicants. Councillor Schwier left the meeting when this Item was considered and determined.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 17/01157/OUT - land at The Airfield, Earls Colne as Mr Malcolm Hobbs and Mr Richard Ramsey, who were speaking at the meeting during Question Time were known to her through her membership of the Earls Colne Airfield Liaison Group which she had previously been Chairman of, and also as she was a member of Marks Hall Arboretum.

Councillor Mrs Spray stated that as she wished to speak about this application when it was considered and determined she would vacate the Chair at that time. The Planning Committee would be requested to appoint an interim Chairman.

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

60 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 26th September 2017 be approved as a correct record and signed by the Chairman.

61 **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.

62 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 17/00904/FUL - 11 Silver Street, Silver End; 17/00906/LBC - 11 Silver Street, Silver End; 17/01162/FUL - 7 Magnolia Close, Witham; 17/01232/FUL - Foster Contracting Ltd, Maldon Road, Kelvedon; and 17/01238/FUL - Stisted Mill, Kings Lane, Stisted were determined en bloc.

Councillor Mrs G Spray, the Vice-Chairman of the Planning Committee in the Chair, stated that she wished to speak about Application Nos. 17/01157/OUT - land at The Airfield, Earls Colne and 17/01397/OUT - land adjacent to Bramble Rise, Brook Street, Colne Engaine which were within the Ward which she represented and she would vacate the Chair when the applications were considered and determined.

DECISION: That Councillor Mrs L Bowers-Flint be appointed as Chairman of the Planning Committee for the consideration of Application Nos. 17/01157/OUT - land at The Airfield, Earls Colne and 17/01397/OUT - land adjacent to Bramble Rise, Brook Street, Colne Engaine.

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>
*17/00330/FUL (APPROVED)	Terling	Mr and Mrs N Cheshire	Proposed fencing and driveway, Rosemead, Fairstead Road.

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

Additional Condition

6. The beech hedge at the front (eastern) boundary, as shown on approved drawing 1989-01D, shall be retained.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00904/FUL (APPROVED)	Silver End	Mr Dagan Mansfield	Erection of single storey flat roof rear extension, 11 Silver Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00906/LBC (APPROVED)	Silver End	Mr Dagan Mansfield	Erection of single storey flat roof rear extension, 11 Silver Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01162/FUL (APPROVED)	Witham	Mr Trevor Crew	Change of use of land to domestic garden and erection of fence, 7 Magnolia Close.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01232/FUL (APPROVED)	Kelvedon	Foster Contracting Ltd	Disconnection and removal of 2 existing horizontal bitumen storage tanks, installation of 2 vertical bitumen storage tanks as part of ongoing use of site as civil engineering contractors' premises, Foster Contracting Ltd, Maldon Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01238/FUL (APPROVED)	Stisted	Mrs Gladys Miller	Construction of 2 bar timber post and rail fence along Kings Lane and the road side edge of the paddock, together with two field gates, Stisted Mill, Kings Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01397/OUT (APPROVED)	Colne Engaine	Mr B Martin	Application for outline planning permission with all matters reserved - Erection of detached dwelling and garage, land adjacent to Bramble Rise, Brook Street.

The Committee approved this application, subject to an amended location plan showing the retention of the hedge at the front of the site.

Councillor Mrs G Spray, Vice-Chairman of the Planning Committee in the Chair, vacated the Chair and took part in the debate when this application was considered

and determined and in her absence the Chair was taken by Councillor Mrs L Bowers-Flint.

63 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01157/OUT (APPROVED)	Earls Colne	Trustees Of Marks Hall Estate	Outline Planning Application with all matters reserved for the erection of up to 10,220m ² of B1, B2 and B8 employment floor space, land at The Airfield.

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:-

- **Open Space** - (formula based financial contribution towards casual/informal open space and outdoor sports provision to be calculated in accordance with Policy CS10 and the Council's Open Spaces Supplementary Planning Document).
- **Travel Plan and Monitoring Fee** - (provision and implementation of a Travel Plan including a monitoring fee payment of £3,000).
- **Aircraft Emergency Landing Safeguards** - (identified area at the northern end of the site to remain free from any form of development, storage use, or parking of vehicles. To remain in its current form as a flat grassed area for emergency aircraft landings with no benches, seating areas, or similar to be erected. Existing hedge along application site's northern boundary to be permanently retained and maintained to a maximum height of 6m. Existing hedge located along site's western boundary to be permanently retained and maintained to a maximum height of 15m where identified as necessary by the Local Planning Authority. Submission and approval of a management and maintenance plan to cover these matters and Section 106 Agreement to specify the above restrictions).

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.

Councillor Mrs G Spray, Vice-Chairman of the Planning Committee in the Chair, vacated the Chair and took part in the debate when this application was considered and determined and in her absence the Chair was taken by Councillor Mrs L Bowers-Flint.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/01325/OUT (APPROVED)	Ridgewell	Mr S Lewin	Outline planning application with all matters reserved for the residential development of up to 16 dwellings with associated landscaping and infrastructure, land adjacent to Ashen 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:-

- **Affordable Housing** – (40% of units on site to be affordable housing, with a final mix to be agreed at the reserved matters stage, but with 70/30% ratio of affordable rent over shared ownership).
- **Open Space Contribution** – (a financial contribution towards open space, based upon a formula set out in the Open Spaces Supplementary Planning Document).

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.

Councillor Dr Robert Steward, representing Ridgewell Parish Council, attended the meeting and spoke against this application.

64 **PLANNING APPLICATION DEFERRED**

DECISION: That the undermentioned planning application be deferred for clarification of land ownership. 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>
*17/01133/FUL (DEFERRED)	Black Notley	Mr Robert Hayward	Erection of front, rear and first storey extensions and changes to the exterior finishes, 91 The Street.

65 **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>
*17/00787/FUL (REFUSED)	Gestingthorpe	Framar Developments	Conversion of barn buildings to 5 no. residential dwellings with associated parking, private amenity space and landscaping, Nether Hall Farm, Nether Hill.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00788/LBC (REFUSED)	Gestingthorpe	Framar Developments	Conversion of barn buildings to 5 residential dwellings with associated parking, private amenity space and landscaping, Nether Hall Farm, Nether Hill.

66 **PLANNING AND ENFORCEMENT APPEAL DECISIONS – AUGUST 2017**

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during August 2017. The report included a summary of each case and a précis of the decision.

In a typographical amendment to the report relating to Application No. 17/00150/FUL - 53 Station Road, Sible Hedingham, it was noted that the word 'dismissed' in the final paragraph should state 'allowed'.

DECISION: That the report be noted.

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 9.05pm.

Councillor Mrs G Spray and Councillor Mrs L Bowers-Flint
(Vice-Chairman in the Chair) (Chairman in Part)

APPENDIX

PLANNING COMMITTEE

10TH OCTOBER 2017

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 17/01157/OUT – Land at The Airfield, Earls Colne
 - (i) Statement by Ms Ruth Rolfe, Chinook, Coggeshall Road, Earls Colne (Objector)
 - (ii) Statement by Mr Malcolm Hobbs, Managing Director, Earls Colne Business Park, Earls Colne (Supporter)
 - (iii) Statement by Mr Richard Ramsey, Estate Office, Marks Hall Estate, Earls Colne (Applicant) and Mr Andrew Butcher, Strutt and Parker LLP, Coval Hall, Rainsford Road, Chelmsford (Agent)
- 2 Statements Relating to Application No. 17/01325/OUT - Land adjacent to Ashen Road, Ridgewell
 - (i) Statement by Dr Greg Sharp, Apiary Hall, Tilbury Road, Ridgewell (Objector)
 - (ii) Statement by Councillor Dr Robert Steward, for Ridgewell Parish Council, c/o Mr G Walkingshaw, Clerk to Ridgewell Parish Council, 80 Chapel Road, West Bergholt, Colchester (Objector)
 - (iii) Statement by Mrs Hayley Morley, Strutt and Parker LLP, Coval Hall, Rainsford Road, Chelmsford (Agent)
- 3 Statement Relating to Application No. 17/00330/FUL - Rosemead, Fairstead Road, Terling

Statement by Mr Colin Cutler, Twitchers, Fairstead Road, Terling (Objector)
- 4 Statements Relating to Application No. 17/01133/FUL – 91 The Street, Black Notley
 - (i) Statement by Mr Derrick Hammond, 95 The Street, Black Notley (Objector)
 - (ii) Statement by Mrs Margaret Steers, 89 The Street, Black Notley (Objector)