

Minutes

Planning Committee 15th August 2023



Present

Councillors	Present	Councillors	Present
J Abbott	Yes	A Hooks	Yes
J Beavis	Yes	A Munday	Yes
L Bowers-Flint	Yes	I Parker (Chairman)	Yes
T Diamond	Yes	F Ricci	Yes (until 8.03pm)
M Fincken	Yes	P Schwier	Yes
J Hayes	Yes	G Spray	Yes
D Holland	Yes		

13 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:-

Councillor F Ricci declared a non-pecuniary interest in Application No. 23/01248/FUL – Braintree Village, Charter Way, Braintree in his role as the Council's Cabinet Member for Economic Growth and Inward Investment, as he had been the Chairman of a recent meeting at which the proposal had been discussed and he had expressed an opinion about it.

Councillor Ricci left the meeting when the application was considered and determined and he did not return.

14 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 25th July 2023 be approved as a correct record and signed by the Chairman.

15 **QUESTION TIME**

INFORMATION: There were two statements made about the following applications. The statements were made immediately prior to the Committee's consideration of each application.

Application No. 21/02719/FUL - The Castle Public House, 77 High Street, Earls Colne

Application No. 21/02720/LBC - The Castle Public House, 77 High Street, Earls Colne

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

16 **PLANNING APPLICATION WITHDRAWN**

DECISION: The Committee was advised that the under-mentioned planning application had been withdrawn by the applicants' agent and that it would not be determined by the Planning Committee, or the Council. 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>
*21/01966/FUL (WITHDRAWN)	Bures Hamlet	Mr and Mrs Welch	Conversion of 3 No. agricultural barns to 3 No. residential dwellings, with associated works, Ferriers Farm, Ferriers Lane.

17 **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 Planning Development Manager's report, as amended below. 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>
*23/01248/FUL (APPROVED)	Braintree	Mr Pat Fermin, Landsec	Temporary change of use of vacant land (at Braintree Village) to provide an Ice Rink and associated facilities situated within a Marquee including a box office, skate collection/return point, first aid room, internal viewing platform, staff room, catering facility and plant equipment for a period of 12 weeks per year (from 2023) until 2028, Braintree Village, Charter Way.

In an update to the Agenda report, it was stated that it had been intended that the

proposed marquee structure should be erected on a hardstanding sub-base, which was to remain on site for a period of five years. However, this element had subsequently been removed from the proposal and the marquee structure would instead be placed directly on the ground using supports incorporated into the design of the temporary ice rink.

As there would not be an increase in non-permeable surfacing, the Local Lead Flood Authority had confirmed that there was no need for any Conditions to be imposed relating to flood risk and it was therefore proposed that Condition 9 (surface water drainage scheme) should not be imposed. Additionally, Condition 10 (details of construction and permeability of hardstanding) would no longer be required. As a consequence of the amended proposal, changes would be required to the list of 'Approved Plans'.

The Committee approved this application, subject to the deletion of Condition Nos. 9 and 10, the amendment of Condition No. 8, the addition of a Condition, the addition of an Informative to Applicant, and to the Approved Plans being updated as follows:-

Deleted Conditions

9. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in full, prior to the first use of the development.
10. Prior to the construction of the associated hardstanding, full details of the type and materials of construction, together with details of permeability shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.

Amended Condition

8. Prior to installation, details of the proposed external lighting as shown on plan 2616-IDL-NA-GF-DR-A-10002 (3-02), shall be submitted to and approved in writing by the Local Planning Authority. The details shall include beam orientation and a schedule of equipment in the design (Luminaire type, mounting height, and aiming angles). All lighting shall be installed, retained and operated in accordance with the approved details. The lighting shall only be operational during the opening hours of the ice-rink. There shall be no other sources of external illumination.

New Condition (new Condition No. 9)

9. Prior to the first use of the development hereby approved, a Directional

Wayfinding Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Directional Wayfinding Strategy shall set out an approach to ensure that visitors to the site are directed to park in the Braintree Village North Car Park, accessed via Century Drive. The development shall be operated in accordance with the approved Directional Wayfinding Strategy.

Informative to Applicant

1. In addition to the requirements set out within Condition 9, the Applicant is encouraged to consider developing a Directional Wayfinding Strategy for Braintree Village which directs customers to use the North Car Park accessed off Century Drive, in order to ease traffic congestion in the area.

Amended Approved Plans

To include plan references: 2616-IDL-NA-ZZ-DR-A-16000-[3-03] and 2616-IDL-NA-ZZ-DR-A-16001-[3-02] instead of plan references 2616-IDL-NA-ZZ-DR-A-16000-[3-02] and 2616-IDL-NA-ZZ-DR-A-16001-[3-01]).

Councillor F Ricci declared a non-pecuniary interest in this application and he left the meeting when it was considered and determined.

18 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the reasons contained in the Planning 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>
*21/02719/FUL (REFUSED)	Earls Colne	NAMMOS	Change of use of Public House (Use class Sui Generis) to 1 x 1 bed, 1 x 3 bed and 1 x 4 bed residential units, and erection of 1 x 3 bed and 1 x 4 bed dwellinghouses in rear car park (total 5 Use Class C3 residential units) with the provision of parking, including undercroft parking, amenity spaces and hard landscaping, The Castle Public House, 77 High Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/02720/LBC (REFUSED)	Earls Colne	NAMMOS	Change of use of Public House (Use class Sui Generis) to 1 x 1 bed, 1 x 3 bed and 1 x 4 bed residential units, and erection of 1 x 3 bed and 1 x 4 bed dwellinghouses in rear car park (total 5 Use Class C3 residential units) with the provision of parking, including undercroft parking, amenity spaces and hard landscaping, The Castle Public House, 77 High Street.
<p>The Committee refused this application, subject to typographical amendments to Reason No. 2:-</p> <p>2. Furthermore, there is a lack of survey information describing the significance of the heritage asset and the impact of the works upon it, and as a consequence the Local Planning Authority is unable to determine if the full impact of works proposed, including the openings in the flanks of the listed building, works to the outbuildings and works to the eastern wing of the listed building particularly in the vicinity of the chimney stack are acceptable. Other areas, including how the attic spaces and basements will be divided, how the attic stair will be dealt with and how the implications of building regulations (means of escape, fire breaks and noise insulation) will affect the proposed works, whether the timber frame can support the new bathrooms and how their services will be resolved, also remain unclear. This lack of evidence describing the significance of the heritage asset and the impact of the works upon it is contrary to Policy LPP57 of Braintree District Local Plan 2013-2033 and paragraphs 194 and 195 of the NPPF.</p>			

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Planning 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 8.29pm.

Councillor I Parker (Chairman)