

Minutes

Planning Committee

16th February 2021



This meeting was held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 via Zoom and YouTube.

Present

Councillors	Present	Councillors	Present
J Abbott	Yes	Mrs I Parker (Vice-Chairman in the Chair)	Yes
K Bowers	Yes	F Ricci	Yes
T Cunningham	Yes	Mrs W Scattergood (Chairman)	Apologies
P Horner	Yes	Mrs G Spray	Yes
H Johnson	Yes	N Unsworth	Yes (until 9.04pm)
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

Councillor Mrs Scattergood, the Chairman of the Planning Committee, was unable to maintain a connection to the meeting and in the circumstances Councillor Mrs I Parker, the Vice-Chairman, took the Chair.

113 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs I Parker, the Vice-Chairman of the Planning Committee (in the Chair), declared a joint non-pecuniary interest in Application No. 20/01391/FUL - Foley House, 115 High Garrett, Braintree as Mr Matthew Wood, who had registered to participate during Question Time and had submitted a written statement, was a former employee of Braintree District Council and he was known to some of them.

Councillor T Cunningham declared a non-pecuniary interest in Application No. 20/01305/FUL - Braintree College of Further Education, Church Lane, Braintree as Chairman of Braintree District Council's Education and Skills Board through which he worked with members of staff at the College. Councillor Cunningham stated that he had not discussed the application with anyone.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 20/01833/FUL - Cherry Tree Barn, Hall Road, Borley as Dr Doug New, Chairman of

Borley Parish Meeting, who had registered to participate during Question Time and had submitted a written statement, was known to her in his capacity as the Chairman. Councillor Mrs Parker stated that Dr New had telephoned her about the application, but that she had not given her views on it.

Councillor F Ricci declared a non-pecuniary interest in Application No. 20/01305/FUL - Braintree College of Further Education, Church Lane, Braintree as his son was a full-time student at the College.

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

114 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 2nd February 2021 were not available for approval.

115 **QUESTION TIME**

INFORMATION: There were five statements made about the following matters. Those people who had registered to participate during Question Time had submitted written statements in advance of the meeting and these were read to the Committee either by the registered speaker or by the Council's Governance and Member Services Officer immediately prior to the consideration of the applications.

Application No. 20/01305/FUL - Braintree College of Further Education, Church Lane, Braintree

Application No. 20/01391/FUL - Foley House, 115 High Garrett, Braintree

Application No. 20/01833/FUL - Cherry Tree Barn, Hall Road, Borley

Application No. 20/01318/FUL - 11, 12, 13 and 14 Hickford Hill, Belchamp St Paul

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

116 **PLANNING APPLICATIONS APPROVED**

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 Planning Development Manager's report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

Planning Application Nos. – 20/01404/HH - 42 Rickstones Road, Witham and 20/01490/HH - 70 Silver Street, Silver End were determined en bloc.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01305/FUL (APPROVED)	Braintree	Mobile Broadband Network Limited	The installation of a 25.10 – metre high telecommunications lattice tower accommodating 6no antenna apertures, 4no transmission dishes and 9no ground-based equipment cabinets within a secure fenced compound, and ancillary development thereto, Braintree College of Further Education, Church Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01343/REM (APPROVED)	Silver End	Croudace Homes Ltd	Reserved Matters application for the approval of appearance, landscaping, layout and scale of the outline approval comprising 45 new dwellings together with associated off-street car parking, garden amenity space, new access from Western Road, public open space incorporating equipped area of play, and associated development as approved by 19/02095/VAR, The Garden Field, land South of Western Road.

Habitat Regulations Assessment (HRA / RAMS)

In discussing this application, Members of the Planning Committee were advised that the application site was situated within the Zone of Influence for the Blackwater Estuary Special Protection Area (SPA)/Ramsar site and that the developer was required to pay a financial contribution towards off-site visitor management measures for the Blackwater Estuary SPA and Ramsar site (£125.58 per dwelling). In accordance with Section 111 of the Local Government Act 1972, and as a contribution had not previously been

secured for this development, the developer had agreed to pay the contribution, which equated to £5,651.10 prior to any decision on the application being issued. As such, it was considered that the development would not have an unacceptable impact on the Blackwater Estuary SPA/Ramsar site. It was reported that the requisite HRA payment had been made by the developer.

The Committee approved this application, subject to the addition of an Information to Applicant as follows:-

Information to Applicant

The developer is encouraged to obtain a Secured by Design 'Gold' award in relation to this development.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01404/HH (APPROVED)	Witham	Mr and Mrs Barritt	Single-storey rear extension, 42 Rickstones Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01452/FUL (APPROVED)	Little Maplestead	Mr Nick Milburn	Erection of 1 No. detached bungalow, Brambles, Collins Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01490/HH (APPROVED)	Silver End	Mr Stuart Way	Replacement of windows to front and side elevations, 70 Silver Street.

117 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01391/FUL (APPROVED)	Braintree	Fairfield Holdings Ltd	The conversion of the existing building to provide 18 no. residential units and associated development, Foley House, 115 High Garrett.

DECISION: That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 (as amended) to cover the following Heads of Term:

- Financial contribution towards Outdoor Sport - Four Releet Sports Ground (£11,371.88).
- Financial Contribution Equipped Play - Ashpole Road Play Space (£7,637.78).
- On-site open space management plan.
- NHS financial contribution of £6,900 towards the refurbishment of the 1st floor of the Church Lane Surgery, Bocking.
- Financial contribution towards off-site visitor management measures for Blackwater Estuary SPA/Ramsar site (£125.58 per dwelling).

the Planning 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 within three calendar months of the Planning Committee's decision, the Planning Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

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

Additional Condition

20. Prior to the occupation of the development hereby approved, further details of planting within parking areas, postal deliveries, access and visitor control systems, lighting, boundary treatments, and physical security measures, shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate that the development will promote a safe and secure environment, incorporate crime reduction and prevention measures, and encourage the related objective of enhancing personal safety for future residents in accordance with the principles of the guidance from Secured by Design Homes, Version 2 March 2019. The development shall only be implemented in accordance with the approved details and shall thereafter be retained.

118 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the reasons contained in the Planning 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>
*20/01318/FUL (REFUSED)	Belchamp St Paul	Mr and Mrs Pawsey	Alterations to existing vehicular access and erection of a detached cartlodge to serve 4 No. dwellings, 11, 12, 13 and 14 Hickford Hill.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01833/FUL (REFUSED)	Borley	Bryants Building Services Limited	Erection of 1 no. single-storey dwelling, ancillary cart-lodge utilising existing vehicular access and demolition of 3 no. existing barns, Cherry Tree Barn, Hall Road.

Borley Parish Meeting submitted a written statement in support of this application, which was read to the Committee by the Council's Governance and Member Services Officer prior to the consideration of the application.

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).

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 10.18pm.

Councillor Mrs I Parker
(Vice-Chairman in the Chair)