

# Minutes

## Planning Committee

15th January 2019



### Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Yes
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes
T Cunningham	Yes	F Ricci	Apologies
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	Mrs G Spray	Yes
S Kirby	Yes	Vacancy	
D Mann	Yes		

### 93 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 18/01792/FUL - land West of 100 Avenue East, Skyline 120, Great Notley as Mr Matthew Wood, who was speaking at the meeting during Question Time, was a former employee of Braintree District Council and he was known to them.

Councillor K Bowers declared a non-pecuniary interest in Application No. 18/01792/FUL - land West of 100 Avenue East, Skyline 120, Great Notley as, in his role as Deputy Cabinet Member for Economic Development, he had visited the site when the applicant had been present. Councillor Bowers stated that he had not discussed the application. Councillor Bowers left the meeting when the application was considered and determined.

Councillor T Cunningham declared a non-pecuniary interest in Application No. 18/01792/FUL - land West of 100 Avenue East, Skyline 120, Great Notley as a Member of Great Notley Parish Council which had submitted a representation about the application. In addition, reference was made in the Agenda report to the impact of the proposal on neighbouring residential properties in Queenborough Lane, Braintree one of which was owned by his parents who were also Elected Members of Braintree District Council. Councillor Cunningham left the meeting when the application was considered and determined.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 18/01755/FUL - West Street Vineyard, West Street, Coggeshall as the applicant was known to her. Councillor Mrs I Parker left the meeting when the application was considered and determined.

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.

94 **MINUTES**

**DECISION:** That the Minutes of the meetings of the Planning Committee held on 4th and 11th December 2018 be approved as a correct record and signed by the Chairman.

95 **QUESTION TIME**

**INFORMATION:** There were six statements made about the following matters. Those people who had registered to speak about a planning application spoke immediately prior to the consideration of the application:-

Application No. 18/00905/FUL - Shepherds Cottage, Church Road, Hatfield Peverel

Application No. 18/01697/FUL - land North of School Road, Pentlow

Application No. 18/01755/FUL - West Street Vineyard, West Street, Coggeshall

Application No. 18/01792/FUL - land West of 100 Avenue East, Skyline 120, Great Notley

Application No. 18/01764/FUL - Moors Farmhouse, Brickhouse Road, Colne Engine

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

Housing Land Supply - Update

Prior to the consideration of the planning applications on the Agenda, the Planning Development Manager advised Members of the Planning Committee about a material change in the Council's housing land supply position.

Namely, the Council had published the 2018 Annual Monitoring Report on 15th January 2019 which showed that the housing land supply had increased from 5.83 years to 6.00 years. The Planning Development Manager advised that the supply indicated within the 2018 Annual Monitoring Report represents a robust assessment of the Council's Housing Land Supply position, but that this latest figure of 6.00 years (as at 31st March 2018) must be considered in the context of the emerging Publication Draft Local Plan, which will result in a higher 5 year supply requirement once the Local Plan has been adopted. As such, the Planning Development Manager advised that the amount of weight given to the policies in the Plan (namely

Policy RLP2 and Policy CS5) which restrict the supply of housing, should increase from 'moderate' weight (as detailed within the published Agenda papers) to 'more than moderate but less than significant weight'. The Planning Development Manager reported that there was no change to his recommendations in respect of the applications being considered by the Committee at this meeting, specifically the residential application nos. 18/00905/FUL and 18/01697/FUL.

96 **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. 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>
*18/00905/FUL (APPROVED)	Hatfield Peveler	Ms Claire Lewis	Proposed extensions and alterations to existing outbuilding to form one residential unit, Shepherds Cottage, Church Road.

Councillor Mike Renow, representing Hatfield Peveler Parish Council, attended the meeting and spoke against this application.

97 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01755/FUL (APPROVED)	Coggeshall	Mrs Jane Mohan	Construction of dwelling with ancillary B&B wing. Construction of equipment store for vineyard, West Street Vineyard, West Street.

**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 Head of Term:

- A tie to link the dwelling-house and the bed and breakfast accommodation to the vineyard business.

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 date 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 the amendment of the Head of Term to include a reference to the bed and breakfast accommodation; the deletion of Condition Nos. 5 and 12; and the amendment of Condition No. 8 as follows:-

#### Amended Head of Term

- A tie to link the dwelling-house and the bed and breakfast accommodation to the vineyard business.

#### Deleted Conditions

5. No development shall commence unless and until the following information has been submitted to and approved in writing by the Local Planning Authority:
  - A full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;
  - Full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

The development shall only be implemented in accordance with the approved details.

12. Prior to occupation of the development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The provision of the Travel Plan shall be adhered to at all times.

#### Amended Condition

8. The means of protecting all of the existing trees, shrubs and hedges to be retained on the site from damage during the carrying out of the development shall be carried out in accordance with the arboriculture assessment provided. No materials, goods, or articles of any description shall be stacked, stored or placed at any time within the limits of the spread of any of the existing trees, shrubs, or hedges and no works involving alterations in ground levels, or the digging of trenches, or excavations of any kind (including the laying or installation of drains, pipes, cables or other services), shall be carried out within the extent of the spread of any existing trees, shrubs and hedges unless the express consent in writing of the Local Planning Authority has previously been obtained. No machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, or hedges.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01792/FUL (APPROVED)	Great Notley	Mr Jeremy Brett	New office development comprising purpose-built office building, access, car parking, soft landscaping and associated development, land West of 100 Avenue East, Skyline 120.

**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:

- Public Open Space (a financial contribution of £36,796.50 towards the off-site provision of casual or informal open space and outdoor sports provision. Trigger point for payment being prior to first use of the development).
- Travel Plan (a financial contribution of £5,000, plus the relevant sustainable travel indexation, payable on occupation of the development, to cover a minimum 5 year period from the date of occupation, in relation to assessing and monitoring the Travel Plan).

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 date 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 the amendment of Condition Nos. 6 and 9 as follows and to the Planning Development Manager being authorised to amend Condition Nos. 11 (surface water drainage scheme) and 12 (Maintenance Plan for surface water drainage) if necessary:-

Amended Conditions

6. Prior to the first use of the building hereby approved, full details of the external lighting scheme for the building shall be submitted to and approved in writing by the Local Planning Authority, and thereafter carried out in accordance with the approved details.

9. The development hereby approved shall be implemented in accordance with the approved construction environmental management plan (CEMP) which shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

## 98 **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.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*18/01697/FUL (REFUSED)	Pentlow	K New 2U Homes Ltd	Erection of 4 single-storey dwellings and formation of new village amenity area/play area, land North of School Road.

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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>
*18/01764/FUL (REFUSED)	Colne Engaine	Mr and Mrs Brooks	Proposed garden machinery/classic car collection storage building, Moors Farmhouse, Brickhouse Road.

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 9.03pm.

Councillor Mrs W Scattergood  
(Chairman)