

Minutes

Planning Committee

10th January 2017



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Yes
Mrs L Bowers-Flint	Yes	J O'Reilly-Cicconi (Vice-Chairman)	Yes
T Cunningham	Yes	Mrs I Parker	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	P Schwier	Yes
S Kirby	Yes	Mrs G Spray	Apologies
D Mann	Yes		

112 **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. 16/01719/OUT - land West of Church Road, Wickham St Paul as Mr Tim Lucas, who was speaking at the meeting during Question Time was a member of Braintree District Council staff and he was known to them. Councillor Mrs Scattergood declared a joint non-pecuniary interest also in Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as Mr P Schwier, one of the applicants was known to them as an Elected Member of Braintree District Council and a Member of the Planning Committee.

Councillor K Bowers declared a non-pecuniary interest in Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as Mrs Janine Schwier, who was speaking at the meeting during Question Time was known to him.

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as Mrs Janine Schwier, who was speaking at the meeting during Question Time was known to her.

Councillor T Cunningham declared a non-pecuniary interest in Application No. 16/01790/FUL - land rear of Enterprise Centre, Springwood Drive, Braintree as the Cabinet Member for Economic Development and as a non-financial Director of Ignite Business Enterprise. Councillor Cunningham left the meeting when the application was considered and determined.

Councillor S Kirby declared a non-pecuniary interest in Application Nos. 16/01525/OUT - 4 Helions Road, Steeple Bumpstead; 16/01719/OUT - land West of Church Road, Wickham St Paul; and 16/01932/FUL - Long Fen, Church Street, Great Maplestead as some members of the public sitting in the audience were known to him. Councillor Kirby indicated that he had not discussed the applications with any of these people.

Councillor Lady Newton declared a non-pecuniary interest in Application No. 16/01719/OUT - land West of Church Road, Wickham St Paul as Mr Christopher Gosling, who was in attendance at the meeting and was the brother of the landowner speaking during Question Time, was known to her.

Councillor J O'Reilly-Cicconi declared a non-pecuniary interest in Application No. 16/01719/OUT - land West of Church Road, Wickham St Paul as he was a close friend of one of the applicants. Councillor O'Reilly-Cicconi left the meeting when the application was considered and determined.

Councillor Mrs Scattergood, the Chairman of the Planning Committee, declared a non-pecuniary interest in Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as both of the applicants were known to her and they had attended her home for dinner. The Chairman left the meeting whilst this application was considered and determined and in her absence the chair was taken by the Vice-Chairman.

Councillor P Schwier declared a non-pecuniary interest in Application No. 16/01719/OUT - land West of Church Road, Wickham St Paul as the applicant and the landowner were known to him. Councillor Schwier declared a disclosable pecuniary interest in Application No. 16/01932/FUL - Long Fen, Church Street, Great Maplestead as he was one of the joint applicants. Councillor Schwier left the meeting whilst Application No. 16/01932/FUL 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.

113 **MINUTES**

DECISION: That the Minutes of the meetings of the Planning Committee held on 6th and 13th December 2016 be approved as a correct record and signed by the Chairman.

114 **QUESTION TIME**

INFORMATION: There were ten 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.

115 **PLANNING APPLICATIONS APPROVED**

Planning Application No. 16/01632/FUL - Mill House, Stambourne Road, Ridgewell was determined en bloc.

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>
*16/01525/OUT (APPROVED)	Steeple Bumpstead	Mark Weatherhead Ltd	Application for outline planning permission with all matters reserved - redevelopment of an agricultural machinery depot to residential development of 9 no. three bedroom dwellings with associated works, 4 Helions Road.

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

Additional Information to Applicant

4. The applicant/developer is encouraged to provide fibre broadband connections to the properties when carrying out groundworks.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01632/FUL (APPROVED)	Ridgewell	Mr Shane Fenner	Change of use from commercial to domestic garden, Mill House, Stambourne Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01715/ADV (APPROVED)	Cressing	McDonald's Restaurants Ltd	Reconfiguration of existing fascia signage with the installation of new signs; new suite to comprise; 4 no. White "McDonald's" text signs, 3 no. Yellow "golden arch" symbols and 1 no. "Good times" wall mounted sign, McDonalds, Galleys Corner, Braintree Road.

Councillor Anton Liebscher, representing Cressing 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>
*16/01716/ADV (APPROVED)	Cressing	McDonald's Restaurants Ltd	Relocation of existing signs with the installation of new. Suite to comprise; 6 no. freestanding signs and 1 no. side-by-side directional, McDonalds, Galleys Corner, Braintree Road.

Councillor Anton Liebscher, representing Cressing 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>
*16/01790/FUL (APPROVED)	Braintree	Braintree District Council	Erection of 4 no. Industrial Units (B1, B2, B8) and associated car parking, land rear of Enterprise Centre, Springwood Drive.

The Committee approved this application, subject to the amendment of Condition No. 3 and an Information to Applicant as follows:-

Amended Condition

3. No development shall be commenced until a further survey to identify and map the orchid species present on the site has been undertaken. The survey shall be undertaken by an experienced ecologist when the orchids are flowering.

Results of the survey and details of any mitigation or preventative measures for any protected species found shall be submitted to and approved in writing by the local planning authority. The mitigation/preventative measures shall be carried out prior to the commencement of development on the site.

Information to Applicant

1. The applicant/developer is encouraged to provide 'fibre to premises' broadband connections and electric charging points for vehicles when carrying out groundworks and the development.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01998/FUL (APPROVED)	Witham	Mr Neil Sage	Proposed new dropped kerb onto Blue Mills Hill, 12 Chantry View, Maldon Road.

Councillor John Goodman, representing Witham Town Council, attended the meeting and spoke against this application.

116 **PLANNING APPLICATION REFUSED**

DECISION: That the undermentioned planning application be refused for the 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>
*16/01932/FUL (REFUSED)	Great Maplestead	Mr and Mrs Peter and Janine Schwier	Erection of passivhaus type dwelling, Long Fen, Church Street.

Councillor David Turner, representing Great Maplestead Parish Council, attended the meeting and spoke against this application.

The Chairman left the meeting whilst this application was considered and determined and in her absence the chair was taken by the Vice-Chairman.

117 **APPLICATION NO. 16/01719/OUT – LAND WEST OF CHURCH ROAD, WICKHAM ST PAUL**

INFORMATION: Members of the Committee were advised that the District Council had not determined Application No. 16/01719/OUT - land West of Church Road, Wickham St Paul within the eight week timeframe and that the applicant had lodged an appeal against non-determination. Although the District Council could not now determine the application, the Agenda report set out the recommendation that Officers would have presented to the Planning Committee had the appeal not been lodged.

In a correction to the Agenda report, it was stated that the site measured 0.38ha in area, not 4.75ha. Members were also advised that since the publication of the Agenda a provisional Tree Preservation Order had been made in respect of two Oak trees on the frontage of the site and another Oak tree on the frontage of the adjacent site to the North.

DECISION: To advise the Planning Inspectorate that the Local Planning Authority would have refused Application No. 16/01719/OUT - land West of Church Road, Wickham St Paul for the following reasons had an appeal against non-determination not been submitted by the applicant.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01719/OUT (REFUSED)	Wickham St Paul	Granville Developments	Erection of up to 6 dwellings with associated access, landscaping and amenity space, land West of Church Road.

Reasons for Refusal

- 1 The site is located in the countryside to the north west of the village of Wickham St Paul and falls outside of the defined village envelope. The village of Wickham St Paul has limited facilities, amenities and employment opportunities. It has a poor range of day to day services and facilities which prevents residents being able to meet their needs within the village. Development at the proposed location would leave future occupants of the proposed dwellings with limited travel choices to access jobs, facilities and amenities which are located beyond the village.

The site is a greenfield site and would not facilitate the use of previously developed land. The proposed development is not of a scale which would generate long term economic benefits or new services/facilities which would benefit the community's needs within Wickham St Paul itself or support the long term future of services/facilities in other villages. The introduction of new residential development in this location, beyond the defined settlement limits, is therefore contrary to the objectives of local and national policies to secure sustainable patterns of development. When considering the NPPF as a whole, the development would not significantly contribute to the three roles of sustainable development and it is concluded that the poor location of the site in terms of access to services and facilities would result in a proposal which is not sustainable development for which the NPPF carries a presumption in favour. This issue would significantly and demonstrably outweigh any benefits of the development.

For these reasons the proposal would fail to accord with the principles and guidance set out in the NPPF, Policies CS5 and CS7 of the Council's Core Strategy and Policy RLP2 of the Braintree District Local Plan Review.

- 2 Having regard to the submitted Topographical Survey it appears that the only way that adequate visibility splays to provide safe access/egress could be achieved is if the Oak tree along the site frontage is removed. This tree contributes to the visual amenity of the area and its removal would not be supported due to the adverse impact on the character of the countryside. Furthermore, the proximity of the access to this tree would jeopardise its future health and retention. It has therefore not been demonstrated that a safe and satisfactory access can be achieved contrary to policy DM1 of the Highways Authority's Development Management Policies (2011) and Policies RLP9 and RLP90 of the Local Plan Review.

Councillor Stephen Handley, representing Wickham St Paul Parish Council, attended the meeting and spoke against this application.

118 **PLANNING AND ENFORCEMENT APPEAL DECISIONS – NOVEMBER 2016**

INFORMATION: Consideration was given to a report, for information, on planning and enforcement appeal decisions received during November 2016. The report included a summary of each case and a précis of the decision.

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).

Next Meeting - The Chairman reported that the next meeting of the Planning Committee scheduled for 17th January 2017 had been cancelled.

The meeting closed at 8.57pm.

Councillor Mrs W Scattergood
(Chairman)

APPENDIX
PLANNING COMMITTEE
10TH JANUARY 2017
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 16/01719/OUT - Land West of Church Road, Wickham St Paul
 - (i) Statement by Ms Barbara Sharp, 3 Fordwich Road, Brightlingsea (Objector)
 - (ii) Statement by Mr Tim Lucas, Winton Cottage, Church Road, Wickham St Paul (Objector)
 - (iii) Statement by Councillor Stephen Handley, for Wickham St Paul Parish Council, c/o Mrs L Exley, Clerk to Parish Council, 17 People Park Way, Sudbury, Suffolk (Objector)
 - (iv) Statement by Mr Martin Gosling, c/o Mr Boris White, Strutt and Parker, Coval Hall, Rainsford Road, Chelmsford (Landowner)
- 2 Statements Relating to Application No. 16/01932/FUL - Land at Long Fen, Church Street, Great Maplestead
 - (i) Statement by Mr Martin Elms, Hunterswood, Church Street, Great Maplestead (Objector)
 - (ii) Statement by Councillor David Turner, for Great Maplestead Parish Council, c/o Mrs A Crisp, Clerk to Parish Council, New House, St Giles Close, Great Maplestead (Objector)
 - (iii) Statement by Mrs Janine Schwier, Long Fen, Church Street, Great Maplestead (Applicant)
 - (iv) Statement by Ms Jenny Bishop, Green Architect, Hampers, Oak Road, Little Maplestead (Agent)

3 Statement Relating to Application Nos. 16/01715/ADV and 16/01716/ADV -
McDonalds, Galleys Corner, Braintree Road, Cressing

Statement by Councillor Anton Liebscher, for Cressing Parish Council, c/o Mrs Anna Tame, Clerk to Parish Council, St Barnabas, Claud Ince Avenue, Cressing (Objector)

4 Statement Relating to Application No. 16/01998/FUL - 12 Chantry View, Maldon
Road, Witham

Statement by Councillor John Goodman, for Witham Town Council, 2 Chipping Dell, Witham (Objector)