

# Minutes

## Planning Committee 8th February 2022



### Present

Councillors	Present	Councillors	Present
J Abbott	Yes	Mrs I Parker	Yes
Mrs J Beavis	Yes	F Ricci	Apologies
K Bowers	Yes	Mrs W Scattergood (Chairman)	Yes
P Horner	Yes	P Schwier	Yes
H Johnson	Yes	Mrs G Spray	Yes
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

### Substitutes

Councillor A Hensman attended the meeting as a substitute for Councillor F Ricci.

### 109 **DECLARATIONS OF INTEREST**

**INFORMATION:** There were no interests declared.

### 110 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 25th January 2022 be approved as a correct record and signed by the Chairman.

It was reported that the Minutes of the meeting of the Planning Committee held on 14th December 2021 were not available for approval.

### 111 **QUESTION TIME**

**INFORMATION:** One statement was made about the following application:-

Application No. 19/00014/FUL - land at junction of Laburnum Way and Dorothy Sayers Drive, Witham

Due to on-going issues relating to the Covid-19 pandemic, the person who had registered to participate during Question Time joined the meeting via Zoom and he

read a written statement, which he had submitted in advance of the meeting, immediately prior to the Committee's consideration of the application.

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

## 112 **SECTION 106 AGREEMENT**

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/00014/FUL (APPROVED)	Witham	Mr S and Mrs K Patel	Detailed planning application for the redevelopment of Rickstones Neighbourhood Centre to provide commercial floorspace (Units 1-3 Use - Class E and Units 4&5 - Hot Food Takeaway) and 21 flats, together with private soft landscaped area and gardens, car parking and associated infrastructure, land at junction of Laburnum Way and Dorothy Sayers Drive.

**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 (as amended below):

- **Community Building:** Financial contribution of £6,994.68 (index-linked) paid prior to the occupation of the fifth residential dwelling;
- **Essex Recreational Avoidance and Mitigation Scheme:** £1,782.20 (index-linked from April 2022);
- **Primary Healthcare:** Financial contribution £5,351.08 (index-linked) paid prior to first residential occupation of the development;
- **Public Open Space:** Financial contribution of £25,159.64 (index-linked) paid prior to the occupation of the fifth residential dwelling towards the provision of new / improved Public Open Space specified within the District Council's Open Space Action Plan within the Witham North Ward;
- **Formation of Management Company:** To secure suitable management arrangements for areas of public realm and amenity space on-site including

the car park, but excluding the communal residents' gardens at the rear of the flats;

- **Tree Removal / Replacement Provision:** Financial contribution of £4,750.00 (index-linked) prior to the commencement of development;
- **Parking Scheme:** Financial contribution of £20,000.00 (index-linked) paid prior to the occupation of the development towards possible future implementation of a highway parking scheme, which may include making a Traffic Regulation Order;
- **Travel Plan Monitoring Fee:** Financial contribution of £1,533.00pa. for five years (index-linked) paid prior to occupation of the development;
- **Car Park Management Plan;**
- **Braintree District Council and Essex County Council Monitoring Fees**

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 a Head of Term of the Section 106 Agreement being updated and to two additional Conditions and an Information to Applicant as follows:-

#### Updated Head of Term

**Primary Healthcare:** Financial contribution of £5,351.08 (index-linked) paid prior to first residential occupation of the development;

#### Additional Conditions

27. Prior to occupation of each residential flat / first use of each commercial unit hereby approved, a fibre broadband connection shall be provided to a broadband infrastructure provider's network.
28. No above ground development shall commence until additional drawings that show the location, design and security specification of post boxes for each residential flat have been submitted to and approved in writing by the Local Planning Authority. Development shall only be implemented in accordance with the approved details and shall be permanently retained as such.

### Information to Applicant

1. The applicant is encouraged to install electric vehicle charging infrastructure within the car parking areas at the development and to also, if appropriate, consider the opportunity to future proof the development by installing infrastructure to facilitate the future installation of electric vehicle charging points.

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 8.22pm.

Councillor Mrs W Scattergood  
(Chairman)