

Minutes

Planning Committee 2nd November 2021



Present

Councillors	Present	Councillors	Present
J Abbott	Yes	Mrs I Parker	Yes
Mrs J Beavis	Yes	F Ricci	Yes
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	Apologies		

70 **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. 21/01540/FUL - Land North of Helions Road, Steeple Bumpstead 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 D Mann declared a non-pecuniary interest in Application No. 21/01896/FUL - Land at Elizabeth Lockhart Way, Braintree as some of the objectors were known to him and he had given advice to them about submitting representations regarding the application. Councillor Mann stated that he had not discussed the application with the objectors.

Councillor Mann declared a non-pecuniary interest also in Application No. 20/01239/VAR - Polly's Field Village, Church Lane, Braintree as the applicant and some of the objectors were known to him. Councillor Mann stated that he had given advice to the objectors about submitting representations regarding the application, but that he had not discussed the application with anyone.

Councillor Mann declared a non-pecuniary interest also in Application No. 21/01882/OUT - Land rear of 27 to 33 Lyons Hall Road, Braintree as some of the objectors were known to him and he had given advice to them about submitting representations regarding the application. Councillor Mann stated that he had not discussed the application with the objectors.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 21/00365/HH - 5 Abbotts Croft, The Street, Sturmer as she had engaged with an objector regarding the application and she had discussed it with one of the Council's Planning Officers. Councillor Mrs Parker left the meeting when the application was considered and determined.

Councillor P Schwier declared a non-pecuniary interest in all applications on the Agenda as an Elected Member of Essex County Council.

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.

71 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 26th October 2021 were not available for approval.

72 **QUESTION TIME**

INFORMATION: There were eight statements made about the following applications. Those people who had registered to participate during Question Time made their statements immediately prior to the Committee's consideration of each application.

Application No. 20/01239/VAR - Polly's Field Village, Church Lane, Braintree

Application No. 20/01919/OUT - 31 Colchester Road, Coggeshall

Application No. 21/00365/HH - 5 Abbotts Croft, The Street, Sturmer

Application No. 21/01540/FUL - Land North of Helions Road, Steeple Bumpstead

Application No. 21/01896/FUL - Land at Elizabeth Lockhart Way, Braintree

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

73 **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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/00365/HH (APPROVED)	Sturmer	Mr Robert James	Retrospective planning application to retain Annex

in the rear garden. Removal of the entrance canopy and open side lean-to store. Landscaping/tree planting. Provision of an extra car parking space at the front, 5 Abbots Croft, The Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/01540/FUL (APPROVED)	Steeple Bumpstead	Mark Weatherhead and Troy Homes	Construction of 9 No. dwellings, new access from Helions Road and associated development, land North of Helions Road.

The Committee approved this application, subject to two additional Conditions as follows:-

Additional Conditions

28. No above ground development shall commence unless and until a lighting design scheme to protect biodiversity for the whole site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on, or immediately adjoining the site, that are sensitive for bats, including those areas where lighting could cause disturbance along important bat foraging routes; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that any areas of the development that are to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

29. Prior to first occupation of the development hereby permitted, an Electric Vehicle Charging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/01896/FUL (APPROVED)	Braintree	Mr Sean Marten Stonebond Properties (Chelmsford) Ltd	Erection of 9 dwellings with access from Elizabeth Lockhart Way and associated landscaping and parking, land at Elizabeth Lockhart Way.

The Committee approved this application, subject to the amendment of Condition No. 21, an Additional Condition and the amendment of the Approved Plans as follows:-

Amended Condition (amendment to Tree Protection Plan reference number only)

21. Development shall only be implemented in accordance with the approved Tree Protection Plan (Reference SHA 1166 TPP Rev. A). Works to trees and hedgerows shall only be carried out in strict accordance with the approved Arboricultural Impact Assessment Report, dated April 2021 Rev A 21.10.21 (Reference SHA 1166 A).

The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the Local Planning Authority.

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.

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, hedges.

The Local Planning Authority shall be notified in writing at least 5 working days prior to the commencement of development on site.

Additional Condition

23. Prior to first occupation of the development hereby permitted, an Electric Vehicle Charging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner

thereafter.

Amended Approved Plans

Landscape Master Plan amended from 'PR219-01 Version: J' to 'PR219-01 Rev. I'
Tree Protection Plan amended from 'SHA 1166 TPP' to 'SHA 1166 TPP Rev. A'

74 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01239/VAR (APPROVED)	Braintree	David Summersgill Abbeyfield Braintree and Bocking Society Ltd	Variation of Condition 2 (approved plans) following grant of planning permission 17/02026/VAR granted 19/01/2018 to vary planning permission 15/01584/FUL for Abbeyfield retirement living 'Extra Care' proposal for 100 no. apartments with associated communal facilities including hall, gym, bistro, craft, IT/Library, hair & beauty salon, cinema room, meeting spaces and garden conservatory lounge set within landscaped courtyards. Variation would allow revision of site boundary, layout and elevational changes, Polly's Field Village, Church Lane.

DECISION: That the application be granted, subject to the completion of a Deed of Variation modifying the Section 106 Agreement legal obligations pertinent to the development site and the development, and subject to the relevant conditions as amended below. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the amendment of typographical errors in Condition Nos. 13 and 15 and to the following additional Condition. The Council's Officers were also requested to ensure that ground levels were checked on site:-

Additional Condition

23. The applicant shall ensure during the remaining construction stage of the development that a buffer zone from construction activities is retained to

safeguard the existing stream which runs along the site's southern boundary and that this stream is kept clear of any building materials, spoil, or waste.

75 **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>
*20/01919/OUT (REFUSED)	Coggeshall	Mr and Mrs Day	Outline application (with appearance and landscaping reserved) for the erection of 9 no. dwellings, 31 Colchester Road.

Councillor J Astley, Chairman of Coggeshall Parish Council, attended the meeting and spoke against this application on behalf of the Parish Council prior to the Committee's consideration of the application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/01882/OUT (REFUSED)	Braintree	Mr and Mrs Christopher and Ashlea Webster Saxton 4x4 Limited	Outline planning permission with all matters reserved apart from access, for the demolition of existing buildings and the construction of 6 No. dwelling houses, land rear of 27 to 33 Lyons Hall Road.

It was reported that the description of the development as referred to in the Agenda should be amended from 'Land rear of 21 to 33 Lyons Hall Road, Braintree' to 'Land rear of 27 to 33 Lyons Hall Road, Braintree.'

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 9.30pm.

Councillor Mrs W Scattergood
(Chairman)