

Minutes

Planning Committee 22nd September 2020



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	Yes
K Bowers	Yes	F Ricci	Yes
T Cunningham	Yes	Mrs W Scattergood (Chairman)	Yes
P Horner	Yes	Mrs G Spray	Yes
H Johnson	Yes	N Unsworth	Yes
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

61 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a non-pecuniary interest in Application No. 19/00786/OUT - Towerlands, Panfield Lane, Braintree as an Ordinary Member of the Campaign for the Protection of Rural England (CPRE) Essex, which had submitted representations about the application.

Councillor N Unsworth declared a non-pecuniary interest in Application No. 19/00786/OUT - Towerlands, Panfield Lane, Braintree as an Ordinary Member of the Campaign for the Protection of Rural England (CPRE) Essex, which had submitted representations about the application.

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

62 MINUTES

DECISION: It was reported that the Minutes of the meetings of the Planning Committee held on 18th August 2020, 1st September 2020 and 15th September 2020 were not available for approval.

63 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made.

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

64 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00786/OUT (APPROVED)	Braintree	Mr Stephen Walsh	Outline planning application for up to 575 homes together with a 0.13ha site for early years and childcare nursery (D1), Up to 250sqm of local retail (A1) and up to 250sqm of community facilities (D1), green infrastructure including formal/informal open space and amenity space, provision of ecological mitigation area to north-west of developable area, landscaping including woodland and hedgerow planting, new vehicular accesses from the B1053 and Panfield Lane, closure of existing access from Deanery Hill (south), footway and cycleway network, supporting infrastructure (utilities including gas, electricity, water, sewerage, telecommunications (and diversions as necessary), diversion of public right of way, sustainable drainage systems, any necessary demolition and ground remodelling, Towerlands, Panfield Lane.

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:

- **Affordable Housing** (30% provision; 70/30 tenure split (affordable rent over shared ownership); compatible with Nationally Described Space Standards; proportionate modest sized clustering of affordable units; delivered without reliance on public subsidy; delivered proportionately; accessibility requirement for bungalow type homes to meet Building Regulations Part M (3b); accessibility requirement for all affordable homes accessed at ground level to meet Building Regulations Part M (2); Design and Construction Certificates to be provided to the Local Planning Authority to demonstrate that the affordable housing is designed and constructed to the required standards).
- **Public Open Space** (financial contribution as identified in the Agenda report towards outdoor sports provision to be calculated in accordance with Policy CS10 and the Council's Open Spaces Supplementary Planning Document. Financial contributions to be calculated based on the final dwelling mix using the Council's standard Open Spaces Contributions formula. Specific projects to be identified by Officers. Open space specification, plan and management plan required for approval by the Council in relation to on-site public open space).
- **Education** (financial contribution as identified in the Agenda report towards Early Years and Childcare, Primary Education and Secondary Education. Provision of land for Early Years and Childcare site on the application site).
- **Healthcare Provision** (financial contribution as identified in the Agenda report to create additional healthcare provision. Trigger point for payment being prior to commencement of development).
- **Highway/Transport** (financial contribution as identified in the Agenda report towards improvements at the Springwood Drive/Rayne Road/Pods Brook Road roundabout; financial contribution towards improved and/or new bus services at and/or in the vicinity of the proposal site and between the proposal site and Braintree town centre and/or railway station; upgrading of bus stops which would best serve the application site; provision of a footway/cycleway between the Panfield Lane proposal site access and Churchill Road to the north; no more than 50 dwellings shall be occupied until there is a link road between Panfield Lane and Springwood Drive (the same or similar to that which forms part of adjacent planning permission 15/01319/OUT)).
- **Habitat Regulations** (a mitigation package to mitigate the development's impact upon the Natura 2000 sites. This will include a financial contribution towards off site mitigation at the Natura 2000 sites and on site mitigation measures).

- **Sport England** (financial contributions as identified in the Agenda report towards indoor sport provision calculated in accordance with Sport England's development calculator. Specific projects to be identified by Officers).
- **Community Project** (the securing of a community facility on the site in the form of either a community room for hire or a village hall type building provided that an appropriate body wish to take this facility on. Fall-back position to be a financial contribution toward off site facilities).
- **Requirements for Proposed Neighbourhood Centre** (to safeguard the provision of the proposed Neighbourhood Centre including size, location and uses).
- **Housing Phasing, Infrastructure Phasing and Open Space Strategy** (requiring provision of a site wide phasing strategy to identify the order of construction of the development including indicative housing mix for each phase; details of delivery of spine road; details of open space in each phase; location of items such as allotments; equipped play areas; public art).

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 the amendment of the Section 106 Agreement Heads of Term, the amendment of the Approved Plans, the amendment of Condition Nos. 5 and 44 and to three additional Conditions as follows:-

Amended Heads of Term

The amendment of the Heads of Term to safeguard the use of the proposed neighbourhood centre to appropriate uses such as retail and community use and to guard against permitted development changes to unsuitable uses.

Amended Approved Plans

Inclusion of the updated Design Code in the list of Approved Plans.

Amended Conditions

5. Landscaping – Add 'The landscaping schemes submitted shall include details of irrigation and on-going maintenance for plants/trees. Details to be submitted regarding measures to protect against the spread of roots from trees planted along road sides'.

44. Vehicle Movements – Insert the word ‘construction’ before the word ‘vehicular’ in two places.

Additional Conditions

48. The proposed boundary fence and boundary treatment to Oak Cottage to be agreed by the Local Planning Authority and erected prior to the commencement of the development.
49. Affordable Housing – Design certificates to be issued prior to the construction of the dwellings.
50. Affordable Housing - Post construction certificates to be issued.

Mr M Mason, Strategic Development Engineer, Essex County Council attended the meeting and he answered questions put to him by Members of the Planning Committee regarding the highway aspects of this 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).

The meeting closed at 9.15pm.

Councillor Mrs W Scattergood
(Chairman)