

# Minutes

## Planning Committee

16th July 2019



### Present

Councillors	Present	Councillors	Present
J Abbott	Yes	Mrs I Parker	Yes
K Bowers	Apologies	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		

Councillors Mrs J Beavis, Mrs J Pell and I Pritchard were also in attendance.

### 6 **DECLARATIONS OF INTEREST**

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

Councillor J Abbott declared a non-pecuniary interest in Application No. 18/02084/OUT - land off of St Andrews Road, Halstead as an Ordinary Member of the Campaign to Protect Rural England, which had submitted representations on the application.

Councillor Abbott declared a non-pecuniary interest also in Application No. Application No. 18/02316/REM - land South of Rickstones Road, in the Parish of Rivenhall, Witham as an elected member of Rivenhall Parish Council, which had submitted representations on the application.

Councillor N Unsworth declared a pecuniary interest in Application No. 19/00359/FUL - Raynecroft Farm, 20 Colchester Road, Coggeshall as the applicant was the landlord of retail premises in Coggeshall from which Councillor Unsworth operated a business. Councillor Unsworth 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.

## 7 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 2nd July 2019 be approved as a correct record and signed by the Chairman.

## 8 **QUESTION TIME**

**INFORMATION:** There were seven 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. 18/02084/OUT - land off of St Andrews Road, Halstead

Application No. 18/02316/REM - land South of Rickstones Road, in the Parish of Rivenhall, Witham

Application No. 19/00359/FUL - Raynecroft Farm, 20 Colchester Road, Coggeshall

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

## 9 **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.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*18/02316/REM (APPROVED)	In the Parish of Rivenhall, Witham	Mrs Sarah Cornwell	Reserved matters application following outline approval 18/00947/OUT seeking detailed approval for access, appearance, landscaping, layout and scale for 58 dwellings, public open space, sustainable drainage systems, refuse collection, noise mitigation, broadband provision, electric car charging and landscaping including retention of the Rickstones Road hedgerow onsite, and associated development, land South of Rickstones Road.

The Committee approved this application, subject to the amendment of Condition No 7 and the amendment of the Approved Plans as follows:-

#### Amended Condition

7. The hard surfacing shall be provided in accordance with plan PR106-01 REV Q and shall be provided prior to the occupation of the dwelling or dwellings to which it relates.

#### Amended Approved Plans

Highway Plan	Plan Ref: F285-009	Version: A
Highway Plan	Plan Ref: F284-004	
Swept Path Details	Plan Ref: F287-003	Version: A
Technical Information	Plan Ref: F287-006	Version: A
Levels	Plan Ref: F287-007	Version: A
Levels	Plan Ref: F287-005	Version: A
Street elevation	Plan Ref: 860-PL-136	Version: Sheet 4
Street elevation	Plan Ref: 860-PL-135	Version: Sheet 3
Street elevation	Plan Ref: 860-PL-137	Version: Sheet 5
Street elevation	Plan Ref: 860-PL-134	Version: Sheet 2
Site Layout	Plan Ref: 860-PL-138	Version: A
Public Open Space Details	Plan Ref: 860-PL-106	Version: A
Location Plan	Plan Ref: 860-PL-102	Version: B
Development Framework Plan	Plan Ref: 860-PL-104	Version: A
Location Plan	Plan Ref: 860-PL-100	
Landscape Masterplan	Plan Ref: PR106-01	Version: Q
House Types	Plan Ref: 860-PL-130 C	Version: C
House Types	Plan Ref: 860-PL-127 B	Version: B
House Types	Plan Ref: 860-PL-128 B	Version: B
House Types	Plan Ref: 860-PL-129 A	Version: A
House Types	Plan Ref: 860-PL-131 D	Version: D
House Types	Plan Ref: 860-PL-132 A	Version: A
Site Layout	Plan Ref: 860-PL-101 Q	Version: Q
Site Layout	Plan Ref: 860-PL-103 P	Version: P
Site Layout	Plan Ref: 860-PL-107 Q	Version: Q
Site Plan	Plan Ref: 860-PL-108 Q	Version: Q
Site Layout	Plan Ref: 860-PL-109 Q	Version: Q
Parking Strategy	Plan Ref: 860-PL-111 Q	Version: Q
House Types	Plan Ref: 860-PL-120 D	Version: D
House Types	Plan Ref: 860-PL-121 B	Version: B
House Types	Plan Ref: 860-PL-122 A	Version: A
House Types	Plan Ref: 860-PL-123 C	Version: C
House Types	Plan Ref: 860-PL-124 C	Version: C
House Types	Plan Ref: 860-PL-125 D	Version: D
House Types	Plan Ref: 860-PL-126 B	Version: B

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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>
*19/00359/FUL (APPROVED)	Coggeshall	Mr Potter	Erection of replacement workshop for use by A T Autos for motor vehicle servicing, repairs and as a Class 7 MOT Testing Station, Raynecroft Farm, 20 Colchester Road.

The Committee approved this application, subject to the following additional Condition:-

**Additional Condition**

9. No external lighting shall be installed unless and until a detailed lighting plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, retained and operated in accordance with the approved details. There shall be no other sources of external illumination.

Councillor Ian Hagger, representing Coggeshall Parish Council, attended the meeting and spoke against this application.

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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>
*19/00709/HH (APPROVED)	Halstead	Ms Nicola Ridgewell	Removal of flat roof over garage and entrance and provision of front porch with a pitched roof canopy across entire front elevation of the dwelling and conversion of garage to provide additional living accommodation, 12 Ravens Avenue.

## 10 **PLANNING APPLICATION REFUSED**

**DECISION:** That the undermentioned planning application be refused for the reasons contained in the Planning Development Manager's report. Details of this planning application 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>
*18/02084/OUT (REFUSED)	Halstead	Mr Jon Nash	Development of land for residential and community use - Erection of up to 73 dwellings comprising of 32 houses and 41 apartments, with associated car parking, amenity spaces and external works, land off of St Andrews Road.

Members of the Planning Committee were advised that as an appeal had been lodged with The Planning Inspectorate against the non-determination of this application the Local Planning Authority could not determine it.

The Planning Committee agreed that if it had been able to determine the application it would have been refused for the reasons contained in the Planning Development Manager's report, as set out below:-

1. Based on the information submitted, the proposal would result in both direct and indirect harm to the Halstead Conservation Area and direct harm to the curtilage listed air raid shelters, non-listed air raid shelters and the listed buildings 1-16 Factory Terrace. Whilst the level of harm in this case would be less than substantial harm, taking into account the cumulative impact upon the designated heritage assets, the benefits of the proposal do not outweigh the harm to the identified assets. The proposal is therefore contrary to the National Planning Policy Framework (NPPF), Policies RLP95 and RLP100 of the Adopted Local Plan, Policy CS9 of the Adopted Core Strategy and Policies LLP50, LLP56, LLP60 and LLP61 of the Draft Local Plan.
2. The indicative layout submitted fails to demonstrate that the scale and quantum of development proposed could be satisfactorily accommodated on the site, in terms of design, layout and density, and as such would result in the inappropriate overdevelopment of the site and would fail to integrate successfully into the sensitive historic edge of Halstead town centre. This is further demonstrated by the indicative layout which fails to demonstrate that the dwellings would have sufficient private amenity space provision, sufficient car parking provision, and an acceptable relationship with neighbouring properties to the South of the site contrary to adopted standards.

The applicant has failed to demonstrate that the quantum of development can be successfully accommodated within this highly constrained site contrary to the NPPF, Policies RLP3, RLP7, RLP9, RLP10, RLP56 and RLP90 of the Adopted Local Plan, Policy CS9 of the Adopted Core Strategy, Policies LPP45, LPP50 and LPP55 of the Draft Local Plan and the Essex Design Guide.

3. The proposal fails to provide sufficient information regarding landscape and ecological features within the site, contrary to the NPPF, Policies RLP80, RLP81 and RLP84 of the Adopted Local Plan, Policy CS8 of the Adopted Core Strategy and Policies LPP68, LPP69, LPP70 and LPP71 of the Draft Local Plan.
4. The Council's Open Spaces Supplementary Planning Document (SPD) sets out details on how the open space standards will be applied. A development of this size would be expected to make provision on-site for informal and amenity open space and an outdoor equipped play area. The indicative layout plan fails to demonstrate that a sufficient area for an on-site equipped children's play area could be accommodated along with the quantum of development proposed, contrary to Policy CS10 of the Adopted Core Strategy and the Open Spaces SPD.
5. Insufficient information has been submitted to demonstrate that the proposed access points are acceptable in terms of highway safety and efficiency. Furthermore, three pedestrian accesses are shown on the indicative layout plan, which run over private land with no confirmation that these accesses can be secured for public use in perpetuity. The proposal is therefore unacceptable in highway terms and contrary to the NPPF, Policy CS7 of the Adopted Core Strategy and Policy LPP24 of the Draft Local Plan.
6. Insufficient information has been submitted with regards to a sustainable urban drainage system, resulting in a holding objection from the Local Lead Flood Authority (Essex County Council). The proposal is therefore considered contrary to the NPPF, Policies RLP78 and RLP80 of the Adopted Local Plan, Policy CS8 of the Adopted Core Strategy and Policies LPP78, LPP79 and LPP80 of the Draft Local Plan.
7. The proposed development would trigger the requirement for:
  - The delivery of 30% affordable housing on site;
  - A financial contribution towards early year and childcare places;
  - A financial contribution towards primary health services;
  - The provision, maintenance and delivery of public open space, outdoor sports and allotments;
  - Retention, refurbishment and management of air raid shelters;
  - Provision of shoppers car park;
  - Provision of permanent pedestrian links;
  - Securing community uses on the site;

- Environmental improvements in Halstead.

These requirements would need to be secured through a Section 106 Agreement. At the time of issuing this decision a Section 106 Agreement had not been prepared, or completed. As such, the proposal is contrary to Policies CS2, CS10 and CS11 of the Adopted Core Strategy, the Open Spaces SPD and Policy LPP82 of the Draft Local Plan.

Councillor Garry Warren, representing Halstead Town Council, attended the meeting and spoke against this application.

Councillor Mrs Joanne Beavis, Essex County Councillor for Halstead Division, attended the meeting and spoke against 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 8.28pm.

Councillor Mrs W Scattergood  
(Chairman)