

Minutes

Planning Committee 4th February 2020



Present

Councillors	Present	Councillors	Present
J Abbott	Apologies	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	Apologies
D Mann	Yes	J Wrench	Apologies
A Munday	Apologies		

Councillor S Hicks (until 8.38pm), Councillor Mrs W Schmitt (until 9.17pm) and Councillor Mrs S Wilson (until 8.38pm) were also in attendance.

78 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor T Cunningham declared a non-pecuniary interest in Application No. 19/01525/FUL - Land West of A131, London Road, Great Notley as a Member of Great Notley Parish Council. Councillor Cunningham declared an enhanced non-pecuniary interest in this application also in his role as Cabinet Member for Economic Development and Chairman of Braintree District Council's Horizon 120 Project Reference Group on the basis of pre-determination and bias. Councillor Cunningham left the meeting when the application was considered and determined.

Councillor D Mann declared a non-pecuniary interest in Application No. 19/01525/FUL - Land West of A131, London Road, Great Notley as a Member of Braintree District Council's Horizon 120 Project Reference Group.

Councillor F Ricci declared a non-pecuniary interest in Application No. 19/01525/FUL - Land West of A131, London Road, Great Notley as a Member and Vice-Chairman of Great Notley Parish Council and as a Member of Braintree District Council's Horizon 120 Project Reference Group.

Councillor Ricci declared a non-pecuniary interest also in Application No. 19/01334/FUL - 3F Moss Road, Witham as a Trustee of Active Braintree Foundation and on the basis of pre-determination and bias. Councillor Ricci made a statement, in his role as Cabinet Member for Communities, Culture and Tourism prior to the

Committee's consideration of the application. Councillor Ricci left the meeting when the application was considered and determined.

Councillor Mrs W Scattergood declared a non-pecuniary interest in Application No. 19/01031/FUL - Land on the East side of Rectory Lane, Wickham St Paul as Councillor Derek Stokes, Chairman of Wickham St. Paul Parish Council, who was speaking at the meeting during Question Time, was known to her in her capacity as Braintree District Ward Councillor for Stour Valley South.

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.

79 **MINUTES**

INFORMATION: It was reported that the Minutes of the meeting of the Planning Committee held on 21st January 2020 were not available and it was agreed that they should be deferred to the next meeting for approval.

80 **QUESTION TIME**

INFORMATION: There were thirteen 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. 19/01031/FUL - Land on the East side of Rectory Lane, Wickham St Paul

Application No. 19/01334/FUL - 3F Moss Road, Witham

Application No. 19/01525/FUL - Land West of A131, London Road, Great Notley

Application No. 19/01899/FUL - 6 Hereford Drive, Braintree

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

81 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 19/01601/HH - 6 Portway Court, Halstead and 19/02081/HH - Bamboozle Bungalow, 7 Coggeshall Road, Earls Colne were 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 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>
*19/00294/FUL (APPROVED)	Halstead	Mr G Kent	Conversion of Brands Direct Head Office (B1) into an 8 unit Apart-hotel (C1) and associated works, 61 Kings Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01525/FUL (APPROVED)	Great Notley	c/o Agent - Miss Emma Gladwin	Construction of two access points into the site through a fourth arm from the A131/Cuckoo Way roundabout and a left in/left out junction from the A131. Construction of roads between the two access points within the site and associated drainage, landscape and other engineering works, land West of A131, London Road.

The Committee approved this application, subject to an additional Condition and the amendment of the Approved Plans as follows:-

Additional Condition

22. Notwithstanding what is shown on the approved plans and documents, the applicant shall not remove the existing section of boundary hedgerow located on the site's western boundary which is positioned adjacent to the termination of the spine road on this part of the site. This section of hedge shall instead be retained and shall be protected during the construction process. The tree/hedge protection measures shown in the approved Arboricultural Method Statement detailed in Condition 3 shall specifically be extended to cover this section of hedge.

Amended Approved Plans

Additional Drawing numbers:-

721-FH-XX-00-DT-L-104 P1

721-FH-XX-00-DT-L-105 P1
721-FH-XX-00-DT-L-101 P3
721-FH-XX-00-DT-L-110 P1

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01601/HH (APPROVED)	Halstead	Mr and Mrs Partridge	Side extension over existing garage, 6 Portway Court.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01899/FUL (APPROVED)	Braintree	DEWU	Change of use from residential dwelling (C3) to Residential Care Home (C2) for up to four children/young person's, 6 Hereford Drive.

In a correction to the Agenda report, Members of the Planning Committee were advised that the proposed level of supervision to be provided at the site would be one care worker to two children.

Councillor Mrs Wendy Schmitt, Braintree District Ward Councillor for Bocking Blackwater, attended the meeting and spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02081/HH (APPROVED)	Earls Colne	Mr and Mrs Stuart Sibley	Part single, part two-storey rear extension, Bamboozle Bungalow, 7 Coggeshall Road.

82 **PLANNING APPLICATIONS REFUSED**

DECISION: That the undermentioned planning applications be refused for the 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>
*17/01863/OUT (REFUSED)	Toppesfield	Mr and Mrs Page & Mr and Mrs Clark	Application for outline planning permission with all matters reserved - Erection of 7no. self-build dwellings, land at Park Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01031/FUL (REFUSED)	Wickham St Paul	Mrs Buckley	Demolition of holiday chalet and removal of static caravan. Replacement with holiday dwelling for private leisure use, land on the East side of Rectory Lane.

Councillor Derek Stokes, representing Wickham St. Paul 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>
*19/01334/FUL (REFUSED)	Witham	Dynamix Gymnastics Club	Change of use from B1(c)/B8 to gymnastics club (D2), 3F Moss Road.

In a correction to the Agenda report, Members of the Planning Committee were advised that the reference on page 68 of the report to the proposed use being 'a dance and fitness studio' was incorrect and that it should state 'a gymnastics club'.

The Committee refused this application, subject to the description of the proposed development being amended as follows:-

Original description - Change of use from B1/B8 to gymnastics club (D2).

Amended description - Change of use from B1(c)/B8 to gymnastics club (D2).

Councillor Steve Hicks, representing Witham Town Council, attended the meeting and spoke in support of this application.

Councillor Mrs Susan Wilson, Braintree District Ward Councillor for Witham Central, attended the meeting and spoke in support of this application.

83 STATEMENT OF COMMUNITY INVOLVEMENT - REVIEW

INFORMATION: Consideration was given to a report on an update to the Statement of Community Involvement.

The Statement of Community Involvement explained how the Council would engage with residents and stakeholders on planning matters, including public consultation on the Local Plan, Neighbourhood Plans and Supplementary Planning Documents; how the Council would assist Neighbourhood Planning areas or forums; how comments could be made about planning applications; and the Council's expectations of developers who engaged with the local community about proposed development. The Statement of Community Involvement had been adopted initially in July 2006 and it had been updated in October 2013. A review of the document was now required at least once every five years.

A revised draft of the Statement of Community Involvement had been reported to the Local Plan Sub-Committee on 10th January 2019. At that meeting, Members of the Sub-Committee had expressed concern about possible changes to the planning application consultation process, which could lead to site notices no longer being displayed and neighbour notification letters not being sent, both of which were considered to be important means of communication. The Development Management section of the Statement of Community Involvement had subsequently been redrafted. This set out the approach which the Council would take to enable the community to engage in the planning application process. The revised section of the Statement of Community Involvement relating to Development Management was appended to the report.

Reference was made to legal requirements for the publicity of some applications and it was proposed that the Council should continue to exceed these. However, it was suggested that the current procedure for publicising applications for Advertisement Consent and works to Protected Trees should be amended. As set out within Table 1.9 of the Statement, it was proposed to cease displaying site notices and sending notification letters to adjoining properties regarding applications for Advertisement Consent. There was no legal requirement to undertake publicity for such applications. However, Parish and Town Councils would continue to be consulted about these applications, they would be available to view on the Council's website, and people would be able to submit comments. As set out within Table 1.10 of the Statement, it was proposed to start displaying site notices and sending notification letters to adjoining properties for applications seeking consent for works to Protected Trees which were subject to a Tree Preservation Order. Whilst there was no legal requirement to undertake publicity for such applications, it was considered to be best practice.

The revised Statement of Community Involvement would be referred back to the Local Plan Sub-Committee for consideration on 11th February 2020.

DECISION: That the Local Plan Sub Committee be recommended to approve the revised section of the Statement of Community Involvement relating to Development Management.

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 9.35pm.

Councillor Mrs W Scattergood
(Chairman)