

# Minutes

## Planning Committee

18th July 2017



### Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Mrs I Parker	Yes
Mrs L Bowers-Flint	Yes	R Ramage	Yes
T Cunningham	Yes (from 7.27pm)	F Ricci	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Apologies	P Schwier	Yes
D Mann	Apologies	Mrs G Spray (Vice-Chairman)	Yes
Lady Newton	Yes		

Councillor J Abbott (until 8.40pm) and Councillor G Butland (until 8.40pm) were also in attendance.

### 28 **DECLARATIONS OF INTEREST**

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

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Application No. 17/00418/OUT - land West of Kelvedon Station, Station Road, Kelvedon as the Cabinet Member for Planning and Housing with responsibility for affordable housing.

Councillor Mrs W Scattergood declared a non-pecuniary interest in Application No. 17/00289/FUL - Waltham, Henny Street, Great Henny as her husband was a Member of Great Henny Parish Council. Councillor Mrs Scattergood stated that she had not attended the meeting of the Parish Council when the application had been discussed.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 17/00418/OUT - land West of Kelvedon Station, Station Road, Kelvedon as the Deputy Cabinet Member for Planning and Housing with responsibility for affordable housing.

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.

29 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 4th July 2017 be approved as a correct record and signed by the Chairman.

30 **QUESTION TIME**

**INFORMATION:** There were nine statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes. Those people who had registered to speak about a planning application spoke immediately prior to the consideration of the application.

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

31 **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>
*13/01476/FUL (APPROVED)	Cressing	Braintree Properties LLP	Erection of DIY retail warehouse with associated access, car parking and landscaping and improvement works to the A120/B1018, land to the South of Millennium Way.

**DECISION:** That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to cover the following Heads of Terms:-

- **Public Footpath 22 (Cressing)** - The DIY Store shall not be opened for trade unless and until the applicant has made a financial contribution of £10,000 index linked towards the improvement of Public Footpath 22 (Cressing) to provide pedestrian facilities to access the store.
- **Travel Plan and Travel Plan Monitoring** - The DIY Store shall not be opened for trade unless and until the applicant has provided and implemented a Travel Plan, details of which shall be submitted to and approved in writing by the Local Planning Authority, and shall make a financial contribution of £3,000 index linked towards Travel Plan Monitoring.

The Travel Plan shall be in accordance with prevailing policy and best practice and shall include as a minimum:

- The identification of targets for trip reduction and modal shift;
- The methods to be employed to meet these targets;
- The mechanisms for monitoring and review;

- The mechanisms for reporting;
  - The penalties to be applied in the event that targets are not met;
  - The mechanisms for mitigation;
  - Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter;
  - Mechanisms to secure variations to the Travel Plan following monitoring and reviews
- **B1018 Braintree Road Cressing Improvement Scheme** - The DIY Store shall not be opened for trade unless and until the land in the ownership of the applicant required to deliver the B1018 Braintree Road Cressing Improvement Scheme shown on Drawing No. DC3093-000-002 has been dedicated to the Highway Authority free of all charges.

the 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 date of the Planning Committee's decision, the 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 an additional Information to Applicant as follows:-

#### Additional Information to Applicant

11. The applicant is advised that the Council consider this site and the proposed development to form an important gateway to the town. In seeking to discharge Condition Nos. 3 (Revised Façade/Cladding treatment); 4 (Sample of External Materials); 8 (Landscaping Scheme); and 16 (Boundary Treatments) the applicant is advised that the Council will require a very high standard of design and materials to ensure that the development forms an appropriate gateway to the town.

Councillor James Abbott, Braintree District Ward Councillor for Silver End and Cressing, attended the meeting and spoke against this application.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00418/OUT (APPROVED)	Kelvedon	Parker Strategic Land Ltd	Application for outline planning permission with some matters reserved - Proposal for up to 250 new dwellings with all matters reserved except the means of access from the public highway which is

proposed via an improved access off Coggeshall Road, including the demolition of two properties (Kings Villas) to facilitate the access, land West of Kelvedon Station, Station Road.

**DECISION:** That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to cover the following Heads of Terms as amended:-

- **Affordable Housing** – 40% of units on-site to be Affordable Housing, with a final mix to be agreed at the reserved matters stage, but with a 70%/30% ratio of affordable rent over shared ownership; to include the provision of 2 x 2 bed 4 person wheelchair bungalows (wheelchair user dwellings, compliant with Part M Cat 3 of Building Regulations); and House types plus ground floor flats should meet either Lifetime Homes Standard or Part M Cat 2 of Building Regulations;
- **Allotments** - Financial contribution calculated in accordance with updated figures from the Open Spaces Supplementary Planning Document and the number and size of dwellings approved at Reserved Matters stage to fund improvements at Stoney Flint allotment site, Church Hill;
- **Community Facility** - Financial contribution towards improvements to Pavilion building at Kelvedon Recreation Ground of £115,580;
- **Education** - Financial contribution for Early Years and Childcare provision in the locality. Contribution to be calculated in accordance with standard Essex County Council provisions based on the number of dwellings to be constructed, index linked to April 2017. Financial contribution towards the cost of secondary school transport for future residents. Contribution to be calculated in accordance with standard Essex County Council provisions and the number of dwellings that are developed;
- **Equipped Play Facility** – Provision for equipped play to be split between on-site equipment and payment of a financial contribution towards improvements to the existing MuGA at Kelvedon Recreation Ground
- **Health** – Financial contribution of £378.48 per dwelling towards the improvement of Primary Health care facilities, or the provision of new facilities for Kelvedon and Feering Health Centre;
- **Highways and Transport** – Financial contribution of £250,000 towards an improvement at the Station Road/Feering Hill/Swan Street/High Street junction; bus stop improvements; improvements to the footway along the South side of Coggeshall Road and Station Road between Observer Way and the High Street; widening and surfacing to a minimum 2 metres of the Public

Right of Way (PRoW) which runs through the Southern end of the application site to connect the PRoW to the East and West of the site; off-site works to the existing Public Right of Way (92\_12) connecting the application site to Kings Meadow Court in the East and the footbridge over the railway line to the West. In the event that the applicant is unable to carry out the agreed off-site works, then a financial contribution will be made to the Highway Authority to enable them to carry out works; Residential Travel Plan and payment of Essex County Council Travel Plan monitoring fee;

- **Outdoor Sports** - Financial contribution calculated in accordance with updated figures from the Open Spaces Supplementary Planning Document and the number and size of dwellings approved at Reserved Matters stage, to be spent at Kelvedon Recreation Ground;
- **Public Open Space (on-site)** - A minimum area of 2.203ha for informal Open Space and equipped play; a further 0.6995ha of land to be managed for Ecological purposes. Areas of public open space; equipped play and area managed for ecological purposes all to be managed by a Management Company;
- **Site Wide Housing and Phasing Strategy** - to be submitted for approval prior to submission of first Reserved Matters application and to include details of market and affordable housing provision and a phasing plan.

the Development Manager be authorised to grant planning permission for the above development in accordance with the approved plans (listed below) and the conditions and reasons set out in the report. Alternatively, in the event that a suitable planning obligation is not agreed within three calendar months of the date of the Planning Committee's decision, the 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 an amended and an additional Head of Term to the Section 106 Agreement, and the approved plans as follows:-

Amended Head of Term

- **Equipped Play Facility** – Provision for equipped play to be split between on-site equipment and payment of a financial contribution towards improvements to the existing MuGA at Kelvedon Recreation Ground

Additional Head of Term

- **Site Wide Housing and Phasing Strategy** - to be submitted for approval prior to submission of first Reserved Matters application and to include details of market and affordable housing provision and a phasing plan.

### Approved Plans

Location Plan – KEL001-008

Application Boundary - KEL001-005

Parameter Plan – 3-100

Proposed Access - JNY8842-10 D

Topographic Survey - S1415/01 A; S1415/04; S1415/05; and S1415/06

Councillor James Astley, representing Kelvedon Parish Council, attended the meeting and spoke against this application.

## 32 **PLANNING APPLICATIONS REFUSED**

**DECISION:** That the undermentioned planning applications be refused for the reasons contained in the 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>
*17/00289/FUL (REFUSED)	Great Henny	Mr and Mrs Philip Rowe	Erection of new dwelling house, Waltham, Henny Street.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*17/00392/FUL (REFUSED)	Wickham St Paul	Mr and Mrs Baldwin	Erection of 2 bay garage, Twingars, School Road.

Councillor Derek Stokes, representing Wickham St Paul Parish Council, attended the meeting and spoke in support of this application.

## 33 **PLANNING AND ENFORCEMENT APPEAL DECISIONS – MAY 2017**

**INFORMATION:** Consideration was given to a report, for information, on planning and enforcement appeal decisions received during May 2017. The report included a summary of each case and a précis of the decision.

**DECISION:** That the report be noted.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the 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 10.10pm.

Councillor Mrs W Scattergood  
(Chairman)

APPENDIX  
PLANNING COMMITTEE  
18TH JULY 2017  
PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Application No. 13/01476/FUL - Land to the South of Millennium Way, Cressing
  - (i) Statement by Councillor James Abbott, Braintree District Councillor for Silver End and Cressing Ward, 1 Waterfall Cottages, Park Road, Rivenhall (Objector)
  - (ii) Statement by Mr Rawdon Gascoigne, Emery Planning Partnership Ltd, 4 South Park Court, Hobson Street, Macclesfield, Cheshire, SK11 8BS (Agent)
- 2 Statement Relating to Application No. 17/00289/FUL - Waltham, Henny Street, Great Henny

Statement by Mrs Jane Rowe, Liston Hall Barn, Gosfield (Applicant)
- 3 Statements Relating to Application No. 17/00418/OUT - Land West of Kelvedon Station, Station Road, Kelvedon
  - (i) Statement by Mr Alan Stones, for Kelvedon and Feering Heritage Society, c/o Windrush, Coggeshall Road, Feering (Objector)
  - (ii) Statement by Councillor James Astley, for Kelvedon Parish Council, c/o Mrs P Potter, Clerk to Parish Council, The Old Fire Station, 102 High Street, Kelvedon (Objector)
  - (iii) Statement by Mr Andrew Hiorns, Andrew Hiorns Limited, 10 Lissel Road, Simpson, Milton Keynes, Buckinghamshire, MK6 3AX (Agent)
  - (iv) Statement by Mr Andrew Bamber, Mather Jamie, 3 Bank Court, Weldon Road, Loughborough, LE11 5RF (for Applicant)
- 4 Statements Relating to Application No. 17/00392/FUL - Twingars, School Road, Wickham St Paul
  - (i) Statement by Councillor Derek Stokes, for Wickham St Paul Parish Council, c/o Mrs L Exley, Clerk to Parish Council, 17 People Park Way Sudbury, Suffolk (Supporter)
  - (ii) Statement by Mr Thomas Baldwin, Twingars, School Road, Wickham St Paul (Applicant)