

Minutes

Planning Committee

8th June 2021



Present

Councillors	Present	Councillors	Present
J Abbott	Apologies	F Ricci	Apologies
K Bowers	Apologies	Mrs W Scattergood (Chairman)	Apologies
P Horner	Yes	P Schwier	Yes
H Johnson	Yes	Mrs G Spray	Yes
D Mann	Yes	N Unsworth	Apologies
A Munday	Yes	J Wrench	Yes
Mrs I Parker (Vice-Chairman in the Chair)	Yes		

Substitutes

Councillor A Hensman attended the meeting as a substitute for Councillor Mrs W Scattergood.

Councillor P Thorogood attended the meeting as a substitute for Councillor N Unsworth.

Councillor Mrs S Wilson attended the meeting as a substitute for Councillor K Bowers.

14 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:-

Councillor P Schwier declared a non-pecuniary interest in Application No. 21/00726/FUL - land South of The Limes, Gosfield as the site was within the Ward which he represented and he had attended meetings of Gosfield Parish Council at which the application had been discussed. Councillor Schwier stated that he had not taken part in the Parish Council's discussion on the application.

Councillor Schwier also declared a non-pecuniary interest in the same application in his capacity as an elected Member of Essex County Council.

In accordance with the Code of Conduct, Councillor Schwier remained in the meeting and took part in the discussion when the application was considered.

15 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 25th May 2021 be approved as a correct record and signed by the Chairman.

16 **QUESTION TIME**

INFORMATION: There were three statements made about the following matters. Those people who had registered to participate during Question Time had submitted

written statements in advance of the meeting and these were read to the Committee by the Council's Governance and Member Services Officer immediately prior to the consideration of the applications.

Application No. 21/00726/FUL - land South of The Limes, Gosfield
Application. No. 21/00924/VAR - Former Broomhills Industrial Estate, Pods Brook Road, Braintree

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

17 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/00726/FUL (APPROVED)	Gosfield	Chelsteen Homes	Erection of 19 dwellings with associated access, parking, garaging, landscaping and amenity space, land South of The Limes.

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:

Affordable Housing: 7 units comprising tenure of 4 x Affordable Rent and 3 x Shared Ownership.

Open Space: A financial contribution in accordance with the Open Spaces Action Plan for £35,933.98 towards the provision of a new skate ramp at the Recreation Ground, Church Road, Gosfield, Essex.

Amenity Areas: A Management Company to be appointed for the maintenance of the proposed public open space and ecology land.

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 Condition Nos.13 and 14, the deletion of Condition No. 22 (duplicate) and to an additional Condition as follows:-

Amended Conditions

13. Prior to the commencement of the development hereby approved, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to

and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

14. Prior to the commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Deleted Condition (Duplicate of Condition No. 6)

22. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and include, but not be limited to details of the vehicle/wheel cleaning facilities within the site and adjacent to the egress onto the highway.

Additional Condition (re-numbered as Condition No. 26)

26. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Once approved the arboricultural works shall be carried out in accordance with the method statement.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*21/00924/VAR (APPROVED)	Braintree	Croudace Homes Ltd	Variation of Condition 2 (Approved Plans), Condition 4 (Boundary Treatment), and Condition 27 (Access Arrangement) of permission 18/02015/FUL granted 06.11.2020 for: Redevelopment of the site for 81 residential dwellings, comprising 59 houses and 22 flats with associated informal open space, landscaping, apartment amenity space, car parking and other infrastructure. Variation would allow for: Revised house designs for Plots 5 to 42 and Plots 61 to 81, including associated garages and carports, and revised boundary treatment details, former Broomhills Industrial Estate, Pods Brook Road.

DECISION: That, subject to the applicant entering into a deed of variation to ensure that the Section 106 Agreement obligations and commitments secured under planning permission 18/02015/FUL are transferred to the varied consent and to the following additional Head of Term:

HRA/RAMS: Financial contribution of £10,171.98 (index linked) towards off-site visitor management measures at the Blackwater Estuary Special Protection Area (SPA) and Ramsar.

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 two additional Conditions as follows:-

Additional Conditions

31. No piling or ground compaction shall be undertaken on the site unless and until a management plan has been submitted to and approved in writing by the Local Planning Authority which outlines the noise and vibration mitigation measures to be implemented in association with those activities. The approved management plan shall be implemented in full accordance with the approved details and strictly adhered to throughout the entirety of the demolition and construction phases of the development.
32. Development shall not be commenced until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS will include a Detailed Tree Protection Plan (DTPP) indicating retained trees, trees to be removed, the precise location and design of protective barriers and ground protection, service routing and specifications, areas designated for structural landscaping to be protected and suitable space for access, site storage and other construction related facilities. The AMS and DTPP shall include details of the appointment of a suitably qualified Project Arboricultural Consultant who will be responsible for monitoring the implementation of the approved DTPP, along with details of how they propose to monitor the site (frequency of visits; key works which will need to be monitored, etc.) and how they will record their monitoring and supervision of the site.

The development shall be carried out in accordance with the approved details. Following each site inspection during the construction period the Project Arboricultural Consultant shall submit a short report to the Local Planning Authority.

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.

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

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 8.25pm.

Councillor Mrs I Parker
(Vice-Chairman in the Chair)