

Minutes

Planning Committee

18th September 2019



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	Apologies
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

Councillor R van Dulken was also in attendance.

The Chairman expressed her apologies for the cancellation of the Planning Committee meeting scheduled for 27th August 2019. The meeting had been postponed due to the large number of apologies received from Members, which meant that a quorum could not be guaranteed.

21 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood declared a joint Non-Pecuniary Interest in Agenda Item 5h, "Application No. 19/01005/HH – 1 Waterfall Cottages, Park Road, Rivenhall," as the applicant, Councillor J Abbott, was known to them all.

Councillor J Abbott declared a Disclosable Pecuniary Interest in Agenda Item 5h, "Application No. 19/01005/HH – 1 Waterfall Cottages, Park Road, Rivenhall," as both he and his wife were applicants. Councillor Abbott left the meeting during the consideration of this Item.

Councillor D Mann declared a Non-Pecuniary Interest in Agenda Item 5b, "Application No. 19/00141/OUT – Land North of 17 Gosfield Road, Braintree," as he was known to a number of the residents who had made representations in respect of the application and he had given advice to some residents as to the procedure for the submission of representations to the Council.

Councillor F Ricci declared a Non-Pecuniary Interest in Agenda Item 5j, "Application No. 19/01190/FUL – Gosfield Men's Social Club, The Street, Gosfield," as a previous member of the Social Club.

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.

22 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 10th September 2019 were not available and it was therefore agreed that they should be deferred to the next meeting for approval.

23 **QUESTION TIME**

INFORMATION: There were six 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. 19/00141/OUT - land North of 17 Gosfield Road, Braintree
Application No. 19/00565/OUT - land off Chapel End Way, Stambourne

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

24 **PLANNING APPLICATIONS APPROVED**

INFORMATION: Planning Application No. 18/01611/FUL, 19/01115/ADV and 19/01190/FUL were all determined en bloc. Planning Application No. 19/01005/HH could not be determined en bloc as the applicant was an Elected Member and member of the Planning Committee.

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>
*18/00740/FUL (APPROVED)	White Colne	Browning Bros	Erection of single cabin for use as a Holiday Let, Chalkney Lakes Log Cabin, Colchester Road.

The Committee approved this application, subject to the amendment of Condition No. 5 and the addition of Condition No. 9, as follows:-

Amended Condition

5. Prior to the installation of any external lighting, a biodiversity lighting design scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

No additional external lighting whatsoever shall be installed without prior consent from the Local Planning Authority.

Additional Condition

9. Notwithstanding the details submitted with the planning application, all external glazing shall be of a type which is designed to avoid excessive extraneous light spillage beyond the cabin building. Details of the external glazing shall be submitted to and approved by the Local Planning Authority prior to installation and prior to any occupation of the cabin.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01611/FUL (APPROVED)	Silver End	Mrs F Brown	Replacement front windows, 80 Francis Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00184/VAR (APPROVED)	Greenstead Green	Mr J Burrell	Application for variation of Condition 3 of approved application 13/00923/FUL – to allow use as a permanent dwelling, The Coach House, Russells Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00185/FUL (APPROVED)	Halstead	Mr B Edwards	Erection of 1no. two bedroom dwelling with associated garaging and landscaping, 9 Gardeners Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00302/FUL (APPROVED)	Wethersfield	Mr D Thompson	Detached two storey 2 bedroom dwelling, land at 22 West Drive.

The Committee approved this application, subject to the addition of Condition No. 10, as follows:-

Additional Condition

10. All areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the Local Planning Authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01005/HH (APPROVED)	Rivenhall	Mr and Ms James and Cheryl Abbott and Gerrard	Single storey conservatory to the rear of the property wrapping partly around the side, 1 Waterfall Cottages, Park Road.

In accordance with the Code of Conduct, Councillor J Abbott left the Chamber during the consideration of this Item.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01115/ADV (APPROVED)	Braintree	Ms Danielle Putt	New signage for entire site to include the Springwood Ind Est new brand and wayfinding for vehicles and

pedestrians, 1 Springwood Drive.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01190/FUL (APPROVED)	Gosfield	Mr Barry Broyd	Single storey rear extension and repositioning of entrance door to porch, Gosfield Mens Social Club, The Street.

25 **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>
*19/00141/OUT (REFUSED)	Braintree	Mr N Porter	Erection of 3 no. dwellings, land North of 17 Gosfield Road.

The Committee refused this application subject to the submitted Plans being amended to the following:-

Amended Submitted Plans

Location Plan	Plan Ref. 01
Block Plan	Plan Ref. 02
Existing Site Plan	Plan Ref. 03
Proposed Site Plan	Plan Ref. 04A
Elevations	Plan Ref. 05A
Transport Details	Plan Ref. 07

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00565/OUT (REFUSED)	Stambourne	Clayden	Outline application with all matters reserved for up to 9 no. dwellings, land off Chapel End Way.

The Committee refused this application, subject to the deletion of Reason No. 2 and its replacement and the addition of Reason No. 3 as follows:-

Replacement Reason

2. The proposed development would result in the loss of a significant part of the existing established hedgerow which is, by virtue of its size and location, protected by the Hedgerow Regulations extending across the frontage of the site to Chapel End Way which makes a positive contribution to the immediate character of the rural surroundings and the hamlet of Stambourne. The application would thereby be contrary to Policy RLP80 of the Adopted Local Plan, Policy CS8 of the Adopted Core Strategy, and Policy LPP71 of the Draft Local Plan.

Additional Reason

3. Policy CS2 of the Braintree District Core Strategy states that affordable housing will be directly provided by the developer within housing schemes. Policies CS10 and CS11 of the Core Strategy and Policy RLP138 of the Local Plan Review require proposals for new residential development to provide or contribute towards the cost of improvements to community facilities and infrastructure appropriate to the type and scale of development proposed. Braintree District Council has adopted an Open Space Supplementary Planning Document (SPD) which sets out the process and mechanisms for the delivery and improvement of open space in the Braintree District. These requirements would need to be secured through a Section 106 Agreement. In the absence of an obligation the proposal would conflict with the Development Plan as regards:-

- The provision of affordable housing

As such, the proposal is contrary to the above policies and adopted SPD.

Councillor Richard van Dulken, Braintree District Ward Councillor for Yeldham, 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 8.38pm.

Councillor Mrs W Scattergood
(Chairman)