

Minutes

Planning Committee

1st September 2020



This meeting was held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 via Zoom and YouTube.

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	Yes
A Munday	Yes		

51 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor T Cunningham declared a non-pecuniary interest in Application No. 18/01065/OUT - Land South of Gilda Terrace and North of Flitch Way, Braintree as a Member of Great Notley Parish Council which was referred to in the Agenda report. Councillor Cunningham stated that he had not participated in the Parish Council's consideration of the application.

Councillor Cunningham declared a non-pecuniary interest also in Application No. 19/01743/FUL - Braintree College of Further Education, Church Lane, Braintree as Chairman of Braintree District Council's Education and Skills Board through which members of College staff were known to him.

Councillor D Mann declared a non-pecuniary interest in Application No. 19/01743/FUL - Braintree College of Further Education, Church Lane, Braintree as he had been employed by the College in the past as a Director, and he was a Trustee of the Friends of Glebe Wood which was referred to in the Agenda report. Councillor Mann stated that he would consider the application with an open mind.

Councillor F Ricci declared a non-pecuniary interest in Application No. 18/01065/OUT - Land South of Gilda Terrace and North of Flitch Way, Braintree as Vice-Chairman of Great Notley Parish Council which was referred to in the Agenda

report. Councillor Ricci stated that he had not participated in the Parish Council's consideration of the application.

Councillor Ricci declared a non-pecuniary interest also in Application No. 19/01743/FUL - Braintree College of Further Education, Church Lane, Braintree as his son was a full-time student at the College.

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.

52 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 18th August 2020 were not available for approval.

53 **QUESTION TIME**

INFORMATION: There were six 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 either by the registered speaker or by the Council's Governance and Member Services Officer immediately prior to the consideration of the applications.

Application No. 18/01065/OUT - Land South of Gilda Terrace and North of Fitch Way, Braintree

Application No. 19/02330/FUL - Land South West of Oak Road, Halstead

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

54 **PLANNING APPLICATIONS APPROVED**

Planning Application No. 20/00854/HH - The Chase, Pretoria Road, Halstead was 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>
*20/00562/FUL (APPROVED)	White Notley	Mr B Jezard	Demolition of the existing buildings to the north east of the site and erection of 2

No. detached residential dwellings (1 x 3 bedroom & 1 x 6 bedroom), Newlands Farm, Station Road.

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

Amended Approved Plans

Section	Plan Ref: 19-062-AS-9	
Proposed Site Layout	Plan Ref: 19-062-AS-1	Rev D
Proposed Floor Plan	Plan Ref: 19-062-AS-6	Version: Stables
Proposed Elevations	Plan Ref: 19-062-AS-5	Version: Rev. A
Proposed Floor Plan	Plan Ref: 19-062-AS-4	Version: Rev. A
Location Plan	Plan Ref: 19-062-AS-8	Rev A
Proposed Elevations	Plan Ref: 19-062-AS-7	Version: Stables

Additional Condition

19. The parking arrangement indicated for the 'Barn' dwelling on drawing 19-062-AS-1 Revision D is not approved. No above ground development shall commence unless details of the proposed parking layout for the 'Barn' dwelling have been submitted to and approved in writing by the local planning authority. The approved parking arrangement shall thereafter be provided prior to the occupation of the 'Barn' dwelling and thereafter permanently retained as such.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00854/HH (APPROVED)	Halstead	Mr Barry Edwards	Alterations and conversion of roof space to habitable accommodation, single storey side extension, and alterations to fenestration, The Chase, Pretoria Road.

55 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01743/FUL (APPROVED)	Braintree	C/o Agent Mr Richard Clews	Demolition of existing college buildings, structures and facilities and the erection of a 75 bedroom care home and 19 No. age-

restricted LifeLong Homes for those 55 years of age and over (and/or those living with, or supporting someone with a disability); alteration to access; supporting site infrastructure including sub-station, visitor parking, hard and soft landscaping, fences, boundary screening and SuDS; new public access to an established open space; widening of public footpath along Church Lane to improve pedestrian access, Braintree College of Further Education, Church Lane.

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:

- Health Care Financial Contribution - £17,480 towards the refurbishment of the 1st floor of the Church Lane Surgery
- Public Open Space -
 - On site provision of public open space. Management Company to be appointed for the maintenance of the proposed open space and amenity land
 - Financial contribution in accordance with the Open Spaces Action Plan for: £17,401 towards the repair of the existing boardwalk in Glebe Woods
- Age Restriction - A schedule is proposed within the legal agreement to restrict the occupation of the 19no.dwellings to those 55 and over and/or those living with, or supporting someone with a disability.
- RAMS Contribution - In terms of HRA, the proposal would secure £11,804.52 towards off-site mitigation (scheme to be confirmed)

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 the Approved Plans and Condition Nos. 7, 14 and 15 and to two additional Conditions and an additional approved document as follows:-

Amended Approved Plans

Proposed 2nd Floor Plan - Ref: 00-4 rev H
Proposed Elevations - Ref: 21-1 rev L
Proposed Elevations - Ref: 21-2 rev K

Amended Conditions

7. No demolition of the existing buildings shall commence until a programme of historic building recording has been undertaken in accordance with the approved written scheme of investigation (Ref: CAT project code: 2020/08d; Oasis project ID: colchest3-401407; dated 13-08-2020).
14. No occupation of the development shall take place until the following have been provided or completed:
 - a) Residential Travel Information Packs in accordance with Essex County Council guidance
 - b) A min 2 metre-wide footway between the northern and southern site accesses as shown in principle on submitted drawing 904-10D
 - c) Improvements to the southern site access as shown in principle on submitted documents W721/206
 - d) Improvements to the bus stop opposite the southern site access on Church Lane, to include a new pole, flag and timetable case.
15. Development shall not be commenced (with the exception of works relating to demolition and clearing of the site) until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Additional Conditions

22. Prior to the occupation of the development hereby approved a scheme of landscaping shall be submitted to and approved in writing by the local planning

authority. The scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate.

All areas of hardstanding shall be constructed using porous materials laid on a permeable base.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings, or upon the completion of the development, whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species.

23. The development hereby approved shall be carried out in accordance with the Arboricultural Implications Assessment (AIA) 3980, AR/AIA/RF, KL/17-08-20/V6 dated 17.8.2020.

Additional Approved Document

Arboricultural Implications Assessment (AIA) 3980, AR/AIA/RF, KL/17-08-20/V6 dated 17.8.2020.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02330/FUL (APPROVED)	Halstead	Mr Lee	Erection of 5 dwellings, with associated parking, landscaping details and access arrangements, land South West of Oak Road.

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 Head of Term:

- Affordable Housing - One 4-bedroom 7-person dwelling to be designed to comply with Part M(4) Category 2 (accessible and adaptable) of the Building Regulations and to be provided under the Affordable Rent tenure

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. 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.

56 **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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01065/OUT (REFUSED)	Braintree	Acorn Braintree Ltd	Outline planning permission for residential development (C3) for up to 120 dwellings with all matters reserved except access and the demolition of nos. 27 and 29 Gilda Terrace, land South of Gilda Terrace, and North of Fritch Way.

Rayne Parish Council submitted a written statement against this application, which was read to the Committee by Parish Councillor Mrs A Hooks prior to the consideration of the application.

Councillor P Euesden, Braintree District Councillor for Rayne Ward, submitted a written statement against this application, which he read to the Committee prior to the consideration of the application.

Councillor J McKee, Braintree District Councillor for Braintree West Ward, submitted a written statement against this application on behalf of himself and Councillor Mrs M Cunningham, which he read to the Committee prior to the consideration of the 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 9.56pm.

Councillor Mrs W Scattergood
(Chairman)