

Minutes

Planning Committee

19th February 2019



Present

Councillors	Present	Councillors	Present
K Bowers	Yes (from 7.25pm)	Lady Newton	Yes
Mrs L Bowers-Flint	Yes (from 7.25pm)	Mrs I Parker	Apologies
T Cunningham	Apologies	F Ricci	Yes
P Horner	Yes	Mrs W Scattergood (Chairman)	Yes
H Johnson	Yes	Mrs G Spray	Yes
S Kirby	Yes	Vacancy	
D Mann	Yes		

110 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs W Scattergood, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 18/02221/FUL - 33 Clockhouse Way, Braintree as the agent Mr John Baugh was an Elected Member of Braintree District Council and he was known to them.

Councillor S Kirby declared a non-pecuniary interest in Application No. 18/02118/FUL – Land West of The Old Coach House, Silver Street, Wethersfield as he had visited the site and he had met an objector. Councillor Kirby stated that he had not made any comment, or judgement about the application.

Councillor F Ricci declared a non-pecuniary interest in Application No. 18 00279 OUT - Shardlowes Farm, Hedingham Road, Gosfield as he had been employed on a casual basis in the past by Tuttons Timber and he knew some of the applicants. Councillor Ricci stated that he had not discussed the application with the applicants.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 18/02118/FUL – Land West of The Old Coach House, Silver Street, Wethersfield as she had met the occupier of The Old Coach House and she had viewed the development site from inside that property.

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.

111 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 12th February 2019 be approved as a correct record and signed by the Chairman.

112 **QUESTION TIME**

INFORMATION: There were seven 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. 18 00279 OUT - Shardlowes Farm, Hedingham Road, Gosfield
Application No. 18/01853/OUT - Land South of Nounsley Road, Hatfield Peverel
Application No. 18/02118/FUL – Land West of The Old Coach House, Silver Street, Wethersfield

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

Housing Land Supply - Update

Prior to the consideration of the planning applications on the Agenda, the Planning Development Manager advised Members of the Planning Committee about a material change in the Council's housing land supply position.

The Planning Development Manager reminded Members that the Government had carried out a consultation exercise prior to Christmas 2018 regarding revisions to the standard methodology for calculating housing land supply. The Planning Development Manager stated that the Government's response to the consultation had been published earlier in the day and that it had a material impact on the determination of the four applications for residential development included on the Planning Committee's Agenda.

The main implication of the Government's response was that the Council's housing land supply had decreased below 5 years to 4.74 years, whilst the Agenda reports stated that the Council could demonstrate a housing land supply of 6 years based on the recently published Annual Monitoring Report. This had a material impact on the recommendations contained in the Agenda reports, the main one being in respect of the tilted balance and paragraph 11 of the National Planning Policy Framework being engaged. The Officers would address the implications as part of their presentation of each application. However, the Planning Development Manager reported that there was no change to his recommendations in respect of the applications being

considered by the Committee at this meeting, specifically the residential application nos. 18/00279/OUT, 18/01853/OUT, 18/02118/FUL and 18/02221/FUL.

In noting this update, Members of the Committee expressed concern about the Government's advice changing on a regular basis. This made it difficult for the Council to make consistent decisions and it was confusing for members of the public. It was agreed that the Council should forward these comments to the Secretary of State for Communities and Local Government.

113 **PLANNING APPLICATION APPROVED**

DECISION: That the undermentioned planning application 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. 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>
*18/02221/FUL (APPROVED)	Braintree	Mr Manu Patel RSK Properties	Conversion of semi-detached dwellinghouse to form 1 x 2 bedroom flat and 1 x 1 bedroom flat, together with the erection of a single-storey rear extension, 33 Clockhouse Way.

114 **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>
*18/00279/OUT (REFUSED)	Gosfield	Stockplace Investments Limited Mr Paul Denney, The Tutton Family, Susan Stevens and L & D Minton	Outline planning application with all matters reserved except access, for the demolition of commercial buildings, erection of up to 135 dwellings including 54 affordable dwellings, Shardlowes Farm, Hedingham Road.

The Committee refused this application, subject to the following additional Reason for

Refusal:-

Reason for Refusal

5. 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
 - a financial contribution towards the provision of early years and childcare facilities; primary school places; and transport to secondary school
 - a financial contribution towards the provision of primary health care
 - the provision, delivery and maintenance of Public Open Space within the application site
 - a financial contribution towards the provision / improvement of outdoor sports facilities and allotments

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

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01853/OUT (REFUSED)	Hatfield Peverel	Mr Arran Gordon Gordon (Homes) Ltd	Application for outline planning permission with all matters reserved - 10 dwellings with associated parking, garaging and community footpath, land South of Nounsley Road.

The Committee refused this application, subject to the following additional Reasons for Refusal:-

Reasons for Refusal

5. Insufficient information has been submitted to adequately demonstrate that the proposal would be acceptable in terms of highway safety and efficiency. The

proposal is thereby contrary to Paragraph 109 of the National Planning Policy Framework (2012), Policy CS7 of the Braintree District Local Development Strategy Core Strategy (2011) and Policy RLP90 of the Braintree District Local Plan Review (2005).

6. 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
- A financial contribution towards the provision / improvement of public open space

The proposed development triggers the need for these obligations.

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

Councillor Mark Weale, representing Hatfield Peverel 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>
*18/02118/FUL (REFUSED)	Wethersfield	Wethersfield Developments Ltd	Erection of 5 two-bedroom, one and a half storey dwellings with associated infrastructure, land West of The Old Coach House, Silver Street.

The Committee refused this application, subject to the amendment of Reason for Refusal No. 2 as follows:-

Amended Reason for Refusal

2. 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
- a financial contribution towards the provision / improvement of Public Open Space

The proposed development triggers the need for these obligations when considered cumulatively with the adjacent development (planning application reference 17/02253/FUL).

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

Councillor John Barker, representing Wethersfield Parish Council, 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 8.48pm.

Councillor Mrs W Scattergood
(Chairman)