

# Minutes

## Planning Committee

13th April 2021



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	Apologies	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	Apologies		

### His Royal Highness The Prince Philip, Duke of Edinburgh

At the commencement of the meeting, the Chairman made the following tribute:-

'On Friday 9th April 2021 we heard of the sad passing of His Royal Highness, the Duke of Edinburgh. Braintree District Council, through our Chairman, has written to Her Majesty the Queen to pass on the condolences of the people of our District and I would like to begin this meeting with a moment of reflection to commemorate a life of exceptional duty to our country. Members please will you join me in marking this moment of reflection.'

A moment of reflection was observed by people in attendance at the meeting.

### 140 **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. 20/01897/OUT - Rectory Meadow, Bradwell as Mr Mark Jackson, who had registered to participate during Question Time and had submitted a written statement, was a former employee of Braintree District Council and he was known to some of them.

Councillor D Mann declared a non-pecuniary interest in Application No. 19/02207/FUL - land adjacent to Fairacres, 76 Church Lane, Braintree as the site was, from time to time, within the Ward which he represented and a number of the objectors who had submitted representations regarding the application were known to him. Councillor Mann stated that he had not discussed the application with the objectors.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 19/02092/HH - Ovington Hall, Church Lane, Ovington and Application No. 19/02093/LBC - Ovington Hall, Church Lane, Ovington as the site was within the Ward which she represented and the applicant had contacted her about the applications and a previous application for the site. Councillor Mrs Parker stated that, in accordance with the transitional arrangements for the Council's new Scheme of Delegation, she had 'called-in' the applications for consideration by the Planning Committee, but that she had not expressed a view on the applications.

Councillor Mrs W Scattergood declared a non-pecuniary interest in Application No. 20/02203/REM - Canine Cottage, Nether Hill, Gestingthorpe as the site was within the Ward which she represented and Councillor David Smith, who had registered to participate during Question Time on behalf of Gestingthorpe Parish Council and had submitted a written statement, was known to her in his capacity as the Chairman of the Parish Council. Councillor Mrs Scattergood stated that she had had no contact with Councillor Smith about the application.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 19/02092/HH - Ovington Hall, Church Lane, Ovington and Application No. 19/02093/LBC - Ovington Hall, Church Lane, Ovington as the applicant was known to her. Councillor Mrs Spray stated that she had had no prior knowledge of the applications and that she had not discussed them.

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.

#### 141 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 30th March 2021 be approved as a correct record.

#### 142 **QUESTION TIME**

**INFORMATION:** There were five 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. 20/00161/VAR - Great Warley Hall, Ranks Green Road, Fairstead  
 Application No. 20/01486/FUL - 95 Newland Street, Witham  
 Application No. 20/01897/OUT - Rectory Meadow, Bradwell  
 Application No. 20/02203/REM - Canine Cottage, Nether Hill, Gestingthorpe

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

143 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 19/02092/HH - Ovington Hall, Church Lane, Ovington; 19/02093/LBC - Ovington Hall, Church Lane, Ovington; and 20/01737/HH - 52 Valentine Way, Silver End were 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.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/02092/HH (APPROVED)	Ovington	Nott	Proposed extension and alterations to farmhouse and ancillary outbuilding to provide additional / reconfigured accommodation and replacement of the existing cement render on the farmhouse with lime render on chestnut laths, Ovington Hall, Church Lane.
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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/02093/LBC (APPROVED)	Ovington	J R and E H Nott	Proposed extension and alterations to farmhouse and ancillary outbuilding to provide additional / reconfigured accommodation and replacement of the existing cement render on the farmhouse with lime render on chestnut laths, Ovington Hall, Church Lane.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/00161/VAR (APPROVED)	Fairstead	Mr Richard Lines	Amendment of Condition 2 'Annex Occupancy Condition' of 07/02375/FUL to allow the annex to be used by those other than dependent relatives, Great Warley Hall, Ranks Green Road.

Terling and Fairstead Parish Council submitted a written statement against this application, which was read to the Committee by the District Council's Governance and Member Services Officer prior to the consideration of the application.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/01737/HH (APPROVED)	Silver End	Mrs Carol Anne Bennett	Replacement front door, 52 Valentine Way.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/01897/OUT (APPROVED)	Bradwell	McDonnell Mohan Ltd	Outline application with all matters reserved, except access and scale, for demolition of existing commercial buildings and erection of 3 two-storey dwellinghouses, Rectory Meadow.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/02203/REM (APPROVED)	Gestingthorpe	Mr Keith Thorogood	Application for approval of reserved matters (access, layout, appearance, scale and landscaping) of outline planning consent 20/00483/OUT - Erection of one dwelling and garage, Canine Cottage, Nether Hill.

The Committee approved this application, subject to an additional Information to Applicant as follows:-

**Additional Information to Applicant**

2. In respect of Condition 5, the applicant is advised that a soft red mulit stock brick should be selected as the facing brick material in order to reflect the character of the existing properties within the vicinity of the application site.

Gestingthorpe Parish Council submitted a written statement against this application, which was read to the Committee by the Chairman of the Parish Council, Councillor D Smith prior to the consideration of the application.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/02231/FUL (APPROVED)	Great Bardfield	Mumbles 1 Ltd	Change of use of No.2 and the first floor of No.1 St Johns Terrace from residential (Use Class C3) to retail (Use Class E(a)), erection of single-storey side extension, alterations to the shop front, proposed plant yard area, associated work and demolition of existing outbuilding, Co-Op, 1-2 St Johns Terrace, Brook Street.

The Committee approved this application, subject to the amendment of the Approved Plans and Condition Nos. 5 and 8 as follows:-

**Amended Approved Plans**

Proposed 1st Floor Plan - Plan Ref: 6765 (P) 110-01 REV 6

Amended to:-

Proposed 1st Floor Plan - Plan Ref: 6765 (P) 110-01 REV G

Proposed Ground Floor Plan - Plan Ref: 6765(P)110-00 Version: H

Amended to:-

Proposed Ground Floor Plan - Plan Ref: 6765(P)110-00 Version: J

#### Amended Conditions

5. Any fixed mechanical plant operated within the curtilage of the premises shall be designed and installed so as to achieve a Rating Noise level during the night-time period (23.00 - 07.00 hours) of not more than 42dB LAeq (15Mins), and not to exceed that level thereafter.
8. The external parcel of land to the rear of the development annotated as 'garden' on plan 110-00 Rev J shall be used exclusively for the purposes of landscaping only. No other use of this land shall be permitted.

#### 144 **PLANNING APPLICATIONS REFUSED**

**DECISION:** That the undermentioned planning applications be refused for the reasons contained in the Planning Development Manager's report. Details of these planning applications are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/02207/FUL (REFUSED)	Braintree	3 Conkers Ltd	Erection of 14 No. residential dwelling houses, land adjacent to Fairacres, 76 Church Lane.
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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*20/01486/FUL (REFUSED)	Witham	QZ contractors ltd	Residential development for 10 town houses, 95 Newland Street.

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).

At the close of the meeting, the Chairman indicated that this was the last meeting of the Planning Committee in the current Civic Year and she thanked Members of the Committee and Officers for their work. In particular, the Chairman thanked everyone who had enabled the meetings of the Committee to continue in a virtual format in response to the constraints imposed by the Covid-19 pandemic.

The meeting closed at 9.18pm.

Councillor Mrs W Scattergood  
(Chairman)