

Minutes

Planning Committee

20th November 2018



Present

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

Councillor J Abbott (until 9.09pm), Councillor A Hensman (until 7.54pm) and Councillor R Ramage (until 8.13pm) were also in attendance.

74 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

On behalf of Members of the Committee, Councillor Mrs G Spray, the Vice-Chairman of the Planning Committee in the Chair, declared a joint non-pecuniary interest in Application No. 16/01646/OUT - Land adjacent to Blamsters Farm, Mount Hill, Halstead as Mr Mark Jackson, who was speaking at the meeting during Question Time, was a former employee of Braintree District Council and he was known to them.

Councillor Mrs Spray declared a joint non-pecuniary interest also in Application No. 18/00613/REM - Carier Business Park, East Street, Braintree as Mr Andrew Hensman who was speaking at the meeting during Question Time, was an Elected Member of Braintree District Council and he was known to them.

Councillor Mrs Spray declared a joint non-pecuniary interest also in Application Nos. 18/01342/FUL and 18/01693/FUL - Land off Western Road, Silver End as Councillor James Abbott who was speaking at the meeting during Question Time was an Elected Member of Braintree District Council and Councillor Philip Hughes who was speaking on behalf of Silver End Parish Council, were both known to them.

Councillor A Hensman declared a non-pecuniary interest in Application No. 18/00613/REM - Carier Business Park, East Street, Braintree as he lived adjacent to the site, he was a Trustee of a charity which was located adjacent to the site and he

was an Elected Member of Braintree District Council for Braintree Central and Beckers Green Ward in which the site was located. Councillor Hensman spoke on the application during Question Time in a private capacity, but he left the meeting before the application was considered and determined.

Councillor S Kirby declared a non-pecuniary interest in Application No. 16/01646/OUT - Land adjacent to Blamsters Farm, Mount Hill, Halstead as the applicant was known to him. Councillor Kirby stated that he had not discussed the application with the applicant.

Councillor Kirby declared a disclosable pecuniary interest in Application No. 18/01422/OUT - Broadfield Nursery, Broad Road, Braintree as he had had a former business interest with the applicant. Councillor Kirby left the meeting when the application was considered and determined.

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.

75 **MINUTES**

DECISION: That the Minutes of the meetings of the Planning Committee held on 30th October 2018 and 6th November 2018 be approved as a correct record and signed by the Chairman.

76 **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. 16/01646/OUT - Land adjacent to Blamsters Farm, Mount Hill, Halstead

Application No. 18/00613/REM - Carrier Business Park, East Street, Braintree

Application No. 18/01342/FUL - Land off Western Road, Silver End

Application No. 18/01693/FUL - Land off Western Road, Silver End

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

77 **PLANNING APPLICATION WITHDRAWN**

INFORMATION: The Committee was advised that the undermentioned planning application had been withdrawn from the Agenda and that it would be considered at a future meeting of the Committee. Details of this planning application are contained in the Register of Planning Applications.

Councillor Mrs L Bowers–Flint, Cabinet Member for Planning and Housing, stated that this application had been withdrawn from the Agenda as the application had not been advertised as a departure from the Local Plan in accordance with required procedures. Councillor Mrs Bowers–Flint apologised for any inconvenience that may have been caused and she indicated that the application could not be determined until 2019.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00214/OUT (WITHDRAWN)	Earls Colne	Mr and Mrs Robinson	Erect 23 No. detached and semi-detached, 1, 2, 3, 4 and 5 bedroom dwellings and associated garages, lay out parking, amenity areas, public open space, estate roads, private drives, drainage infrastructure and landscaping, land rear of Tey Road.

78 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 18/01141/FUL - Abbots Hall, Braintree Road, Shalford; and 18/01142/LBC - Abbots Hall, Braintree Road, Shalford 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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00613/REM (APPROVED)	Braintree	Myriad Housing Ltd	Application for approval of Reserved Matters for 'access', 'appearance', 'landscaping', 'layout', and 'scale' for erection of 74 dwellings pursuant to outline planning permission 18/01148/VAR (Development of up to 74 dwellings with all matters reserved) and confirmation of compliance with conditions 1, 2, 3, 5 and 30 as stated on the decision notice for 18/01148/VAR,

The Committee approved this application, subject to the Application Nos. in the description of the development being amended to reflect that Application No. 18/01148/VAR had been determined and to the following additional Condition:-

Additional Condition

4. Prior to the commencement of any development adjacent to the site's Northern boundary and North-Eastern boundary details of the means of protecting existing trees in adjacent residential gardens and on the adjacent public amenity area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00955/FUL (APPROVED)	Halstead	East Anglian Property Investments Ltd	Erection of 4 no. B1/B2/B8 units with associated parking, landscaping and extension to footpath, land at Sixth Avenue, Bluebridge Industrial Estate.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01141/FUL (APPROVED)	Shalford	Mr Mark Faulkner	Proposed new northern access to Abbots Hall and grounds, Abbots Hall, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01142/LBC (APPROVED)	Shalford	Mr Mark Faulkner	Proposed new northern access to Abbots Hall and grounds, Abbots Hall, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01342/FUL (APPROVED)	Silver End	Redrow Homes Ltd	Creation of a field access from Western Road into land North of Western Road, erection of gate posts, gate and fence, land off Western Road.

The Committee approved this application, subject to an additional Approved Plan reference and an additional Condition as follows:-

Additional Approved Plan

Landscaping Plan 18016-109 Rev A

Additional Condition

9. Prior to the removal of the hedge along Western Road, details of a Chestnut closed hurdle fence shall be submitted to and approved in writing by the Local Planning Authority. The fence as approved shall be provided prior to the removal of the hedge and shall be maintained as such for a minimum of five years thereafter.

Councillor Philip Hughes, representing Silver End Parish Council, attended the meeting and spoke against this application.

Councillor James Abbott, Braintree District Ward Councillor for Silver End and Cressing, attended the meeting and spoke against this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01693/FUL (APPROVED)	Silver End	Redrow Homes Ltd	Creation of a permanent vehicular access from Western Road into land North of Western Road, Silver End and creation of drainage features, land off Western Road.

The Committee approved this application, subject to an additional Approved Plan reference and an additional Condition as follows:-

Additional Approved Plan

Landscaping Plan 18016-102 Rev C

Additional Condition

8. Prior to the removal of the hedge along Western Road, details of a Chestnut closed hurdle fence shall be submitted to and approved in writing by the Local Planning Authority. The fence as approved shall be provided prior to the removal of the hedge and shall be maintained as such for a minimum of five years thereafter.

Councillor Philip Hughes, representing Silver End Parish Council, attended the meeting and spoke against this application.

Councillor James Abbott, Braintree District Ward Councillor for Silver End and Cressing, attended the meeting and spoke against this application.

79 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*16/01646/OUT (APPROVED)	Halstead	Mrs Pauline Hennessey	Outline application with some matters reserved except access - Residential development to include a total of 16 no. supported living homes and 9 no. market homes falling within Use Class C3 of the Town and Country Planning (Use Classes) Order, land adjacent to Blamsters Farm, Mount Hill.

DECISION: That subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to cover the following Heads of Terms:

- Financial contribution towards provision/improvement of Public Open Space within Halstead in accordance with the Open Spaces Supplementary Planning Document.

- Securing specialist housing and nomination rights to Essex County Council for the specialist housing.
- The provision, setting and maintenance of Public Open Space within the development site.

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 date 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 Heads of Term, additional Conditions and Information to Applicant as follows:-

Heads of Term

- Financial contribution towards provision/improvement of Public Open Space within Halstead in accordance with the Open Spaces Supplementary Planning Document.
- Securing specialist housing and nomination rights to Essex County Council for the specialist housing.
- The provision, setting and maintenance of Public Open Space within the development site.

Additional Conditions

15. 16 no. of the dwellings hereby approved shall be provided as 'supported living' dwellings ('supported living' meaning residential accommodation that shall be used to accommodate people with learning disabilities; early onset dementia; physical/sensory disability; and elderly persons and their families). The 16 no. units shall only be used for that purpose.
16. The 16 no. 'supported living' dwellings shall be constructed and available for occupation prior to the occupation of the fifth market dwelling (Use Class C3) on the site.

Information to Applicant

The applicant is advised that the Council's expectation would be that the Reserved Matters applications are in general accordance with the parameters shown on Drawing SK314 Rev C.

Councillor Mrs Eileen Penn, representing Halstead Town Council, attended the meeting and spoke against this application.

80 **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>
*18/01422/OUT (REFUSED)	Braintree	Mr Peter Stant	Outline application with some matters reserved except access and scale for 9 no. residential dwellings with associated works, Broadfield Nursery, Broad Road.

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 9.24pm.

Councillor Mrs G Spray
(Vice-Chairman in the Chair)