

Minutes

Planning Committee

12th March 2019



Present

Councillors	Present	Councillors	Present
K Bowers	Yes	Lady Newton	Yes
Mrs L Bowers-Flint	Yes	Mrs I Parker	Yes
T Cunningham	Yes	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		

Councillor P Barlow was also in attendance (until 9.03pm).

120 **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 Nos. 18/00312/FUL - Land adjacent to Nuns Walk, Church Road, Great Yeldham and 18/01475/REM - Land at Hunnable Industrial Estate, Toppesfield Road, Great Yeldham as Councillor Philip Rawlinson, who was speaking on behalf of Great Yeldham Parish Council during Question Time, was an Executive Member of Braintree Conservative Association and he was known to some of them.

Councillor Mrs Scattergood declared a joint non-pecuniary interest also in Application No. 18/00312/FUL - Land adjacent to Nuns Walk, Church Road, Great Yeldham as Mr Andy Butcher, who was speaking during Question Time, was a former employee of Braintree District Council and he was known to some of them.

Councillor K Bowers declared a non-pecuniary interest in Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree in his role as Deputy Cabinet Member for Economic Development. Councillor Bowers left the meeting during the consideration of and vote on this application.

Councillor T Cunningham declared a non-pecuniary interest in Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear

of The Town Hall, Braintree in his role as Cabinet Member for Economic Development. Councillor Cunningham left the meeting during the consideration of and vote on this application.

Councillor H Johnson declared a non-pecuniary interest in Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree as Ms Demetra Lindsay, who was speaking on behalf of Braintree Museum Trust during Question Time, was known to him.

Councillor Mrs I Parker declared a non-pecuniary interest in Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree as Ms Demetra Lindsay, who was speaking on behalf of Braintree Museum Trust during Question Time, was known to her.

Councillor Mrs W Scattergood declared a non-pecuniary interest in Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree as Ms Demetra Lindsay, who was speaking on behalf of Braintree Museum Trust during Question Time, was known to her.

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.

121 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 26th February 2019 be approved as a correct record and signed by the Chairman.

122 **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. 18/00312/FUL - Land adjacent to Nuns Walk, Church Road, Great Yeldham

Application No. 18/01337/FUL - Existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree

Application No. 18/01475/REM - Land at Hunnable Industrial Estate, Toppesfield Road, Great Yeldham

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

123 **PLANNING APPLICATIONS APPROVED**

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>
*18/01337/FUL (APPROVED)	Braintree	Braintree District Council	Demolition of existing toilet block and adjacent vacant building to provide for the development of 31 no. residential units (C3 Use), comprising 2 blocks (located to the east and west) up to 4 storeys in height containing a mix of one, two and three bedroom apartments; and the conversion and extension of the existing drill hall building (4 no. units), containing a mix of one and two bedroom apartments (C3 Use). Provision of a Live Well Hub (D1 Use) at first floor level, Hotel (C1 Use) within the southern block to a height of 5 storeys and 3 no. ground floor level units including retail (A1 / A2 / A3 Uses) and commercial uses (B1 and D1 Uses). Replacement bus station facility, car parking, amenity space, public open space, landscaping and associated works, existing car park sites between Manor Street and Victoria Street/rear of The Town Hall.

The Committee approved this application, subject to the amendment of Condition Nos. 9, 13, 21 and 27 and as follows:-

Amended Conditions

9. Prior to the first occupation of any residential units hereby approved, a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework, or any future guidance that replaces it. The scheme shall include:-
- i) 12 affordable units consisting of 6 no. x 1 bed units and 6 no. x 2 bed units located within the Drill Hall building and new rear extension;
 - ii) the tenure mix;
 - iii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing, with no more than 80% of the open market dwellings being occupied before the affordable housing is completed and available for occupation (this timing will apply to each phase if the scheme is undertaken in phases);
 - iv) the arrangements for the transfer of the affordable housing to a Registered Provider, or for the management of any affordable housing if no Registered Provider is involved;
 - v) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing including arrangements (where appropriate) for the subsidy to be recycled for alternative affordable housing provision;
 - vi) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- The affordable units must always be maintained as affordable in accordance with the approved details.
13. Prior to the commencement of development, including any groundworks, a Construction Traffic Management Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority for that phase. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
- a. Construction vehicle numbers, type, routing;
 - b. Traffic management requirements;
 - c. Construction and storage compounds (including areas designated for car parking);
 - d. Siting and details of wheel washing facilities;
 - e. Cleaning of site entrances and the adjacent public highway;
 - f. Provision of sufficient on-site parking prior to commencement of construction activities;
 - g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

21. All existing trees shall be retained, unless shown within the Arboricultural Impact Assessment (Skilled Ecology Consultancy Ltd; Ref.371; dated 18.06.2018) as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.
27. a) The bus station access and egress arrangements as shown in principle on submitted plan 106476-107 Rev D, with the egress from the bus station being provided with a visibility splay with dimensions of 2.4 metres by 43 metres in both directions as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 600mm at all times.
- b) The car park accesses from Manor Street and Victoria Street as shown in principle on submitted plan 106467-101 Rev D. Each access shall be provided with a visibility splay with dimensions of 2.4 metres by 43 metres in both directions as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 600mm at all times
- c) Prior to the occupation of the first residential unit, details of a Residential Travel Information Pack for sustainable transport (to include six one day travel vouchers for use with the relevant local public transport operator), shall be submitted to and approved in writing by the Local Planning Authority. The approved Residential Travel Information Pack shall be provided to the first occupiers of each new residential unit prior to their first occupation.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/01475/REM (APPROVED)	Great Yeldham	Miss Hannah Short Linden Ltd.	Application for approval of Reserved Matters (access, appearance, landscaping, layout and scale) following grant of outline approval 14/01254/OUT - for the erection of up to 60 no.

dwellings and community
 use area, land at Hunnable
 Industrial Estate,
 Toppesfield Road.

The Committee approved this application, subject to the amendment of Condition No. 1 and to three additional Conditions as follows:-

Amended Condition

1. The development hereby permitted shall be carried out in accordance with the approved plans except in respect of the landscaping of the Central Green, attenuation basin and play area on plans LIN21911-11A – Sheet 2 & 3. Revised details of the landscaping shall be submitted and approved in writing prior to construction above ground level. The development shall be carried out in accordance with the approved plans.

Additional Conditions

16. Prior to occupation of any of the dwellings hereby approved, additional drawings that show details of the design of the proposed new play area/equipment at appropriate scales shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details and completed prior to occupation of the 36th dwelling.
17. Prior to construction above ground level, details of the location and design of refuse bins, recycling materials storage areas and collection points shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of each respective unit of the development and thereafter so maintained.
18. Construction of any building above ground level shall not be commenced until additional drawings that show details of the proposed pedestrian link to connect the site to the former railway line to the west of the site, at appropriate scales, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details. The approved details shall be constructed and available for use prior to occupation of either Plot nos. 20 or 21 and shall be permanently maintained as such.

Councillor Philip Rawlinson, representing Great Yeldham Parish Council, attended the meeting and spoke against this application.

124 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00312/FUL (APPROVED)	Great Yeldham	Countryside Properties	Erection of 33 no. dwellings and associated infrastructure, new access from Church Road, public open spaces and landscaping, land adjacent to Nuns Walk, Church Road.

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:

Affordable Housing – provision on-site of 13 dwellings as affordable housing, with nine dwellings provided as affordable housing for rent and four dwellings as intermediate affordable housing, with the wheelchair user bungalows complying with Building Regulations 2015 Part M4 Category 3 and ground floor accessed dwellings complying with Building Regulations 2015 Part M4 Category 2.

Bowtells Meadow – to offer the transfer of Bowtells Meadow to the Parish Council and if accepted to transfer the land and pay a financial contribution of £30,000 towards its future management, or in the event that Bowtells Meadow is not transferred to the Parish Council then the developer will pay a financial contribution of £30,489 towards **Off-Site Outdoor Sport** facilities / improvements at the Great Yeldham Recreation Ground.

Education - financial contribution towards secondary school pupil transport for a period of 5 years in accordance with standard Essex County Council formula.

Highways - creation of site access, pedestrian footway and uncontrolled pedestrian crossing across Church Road and associated highway works to Church Road; improvements to bus stops on Bridge Street; a package of road markings and signs as shown in principle on the submitted plans; and the provision of a new surface to the Public Right of Way.

Public Open Space - provision of Open Space and amenity areas in accordance with the submitted plans, including the provision of an equipped play area and provision for the spaces to be transferred to and managed by a Management Company.

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, 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 Head of Term of the legal agreement relating to highways being amended to require that a new surface is provided to the Public Right of Way, as follows:-

Amended Head of Term

Highways - creation of site access, pedestrian footway and uncontrolled pedestrian crossing across Church Road and associated highway works to Church Road; improvements to bus stops on Bridge Street; a package of road markings and signs as shown in principle on the submitted plans; and the provision of a new surface to the Public Right of Way.

Councillor Philip Rawlinson, representing Great Yeldham Parish Council, attended the meeting and spoke about 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 9.35pm.

Councillor Mrs W Scattergood
(Chairman)