

# Minutes

## Planning Committee

10th September 2019



### Present

Councillors	Present	Councillors	Present
J Abbott	Yes	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	Apologies	N Unsworth	Yes
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

Councillor Mrs M Cunningham and Councillor J McKee were also in attendance (until 9.40pm).

### 16 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

Councillor J Abbott declared a non-pecuniary interest in Application No. 18/00920/FUL - Appletree Farm, Polecat Road, Cressing as Councillor John Lawton, Chairman of Cressing Parish Council, who was speaking at the meeting during Question Time, and a number of people who supported or objected to the application were known to him. Councillor Abbott stated that he had sought advice from Braintree District Council Officers about pre-determination and he had been advised that he could participate in the discussion and vote on the application.

Councillor K Bowers declared a non-pecuniary interest in Application No. 18/00920/FUL - Appletree Farm, Polecat Road, Cressing as Councillor John Lawton, Chairman of Cressing Parish Council, who was speaking at the meeting during Question Time, and some people who objected to the application were known to him. Councillor Bowers stated also that some of the people who had objected to the application and some owners of land at the application site were known to his wife.

Councillor D Mann declared a non-pecuniary interest in Application No. 18/00920/FUL - Appletree Farm, Polecat Road, Cressing as some of the people who supported or objected to the application were known to him. Councillor Mann stated that he had not discussed the application in detail with these people.

Councillor F Ricci declared a non-pecuniary interest in Application No. 18/00920/FUL - Appletree Farm, Polecat Road, Cressing as Mr Ian Dix, who was speaking at the meeting during Question Time, was the Director of a company called Vectos. Councillor Ricci stated that he dealt with Vectos within the private sector, but that this was not linked to the application.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the application was considered.

## 17 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 30th July 2019 be approved as a correct record and signed by the Chairman.

## 18 **QUESTION TIME**

**INFORMATION:** There were fifteen 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. 19/00523/FUL - Land at Bury Lane, Hatfield Peverel  
Application No. 18/00920/FUL - Appletree Farm, Polecat Road, Cressing  
Application No. 18/02015/FUL - Former Broomhills Industrial Estate, Pods Brook Road, Braintree  
Application No. 19/00494/REM - Arla Dairy, Station Road, Hatfield Peverel  
Application No. 19/00972/FUL - 3 Castle Close, Castle Hedingham  
Application No. 19/00548/FUL - Collingwood House, 8 - 10 Collingwood Road, Witham

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

## 19 **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.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/00494/REM (APPROVED)	Hatfield Peverel	c/o Agent Ms Jennifer Carroll	Application for reserved matters comprising the layout, scale, appearance

and landscaping following the grant of outline planning permission for residential development for up to 145 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure ref 18/01650/VAR, Arla Dairy, Station Road.

The Committee approved this application, subject to the following being completed prior to the issue of the Reserved Matters decision:-

a) The applicant making a Section 73 (Variation of Condition) application to the original outline planning permission for Arla Dairy to obtain permission to remove a single Category C tree to allow the proposed pedestrian and cycle link to the adjacent Sorrels Field development site.

b) The developer for the adjacent site (Countryside Properties PLC) varying their Section 106 Agreement to allow the cycleway link to move position slightly to meet up with the link position proposed on the Arla Dairy site.

and in accordance with the approved plans and the conditions and reasons set out in the report, subject to an additional Information to Applicant and the amendment of the Approved Plans as follows:-

#### Additional Information to Applicant

2. Re-use of existing materials available on site.

#### Amended Approved Plans

Boundary Treatments REV J  
Materials Plan REV N  
Parking Plan  
Amenity Plan  
Affordable Plan  
Refuse Plan  
Open Space Plan REV H  
Tenure Plan REV C  
Layout Plan REV S  
Landscape Plan REV O

Councillor Mike Renow, representing Hatfield Peverel Parish Council, attended the meeting and spoke on this application.

---

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/00523/FUL (APPROVED)	Hatfield Peverel	Countryside Properties (UK) Ltd	Installation of underground Calor gas tanks and associated engineering works, landscaping and infrastructure to supply the dwellings approved under 17/00973/FUL, land at Bury Lane.

Councillor Mike Renow, representing Hatfield Peverel Parish Council, attended the meeting and spoke against this application.

---

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*19/00548/FUL (APPROVED)	Witham	Mr N Kerridge	Erection of bin store, bike store, substation enclosure and boundary railings/wall, Collingwood House, 8 - 10 Collingwood Road.

The Committee approved this application, subject to the amendment of Condition No. 3 and the amendment of the Approved Plans as follows:-

#### **Amended Condition**

3. The development shall be carried out in accordance with the following agreed materials:
  - Brick: Ibstock "Reigate Purple"
  - Steel railings and gate painted black
  - Timber larch unpainted on bin and cycle store
 The development shall thereafter be implemented in accordance with the approved samples.

#### **Amended Approved Plans**

Elevations	Plan Ref: COLLWD-IW-XX-XX-DR-A-3904	Version: C2
Section	Plan Ref: COLLWD-IW-XX-XX-DR-A-3905	Version: C1
Site Plan	Plan Ref. COLLWD-IW-XX-XX-DR-A-3900	C15
Elevations	Plan Ref: COLLWD-IW-XX-XX-DR-A-3908	Version: C7

Councillor Rob Williams, representing Witham Town Council, attended the meeting

and spoke against this application.

---

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00972/FUL (APPROVED)	Castle Hedingham	Mr Kevin Mortier	Proposed 3-bedroom dwelling, 3 Castle Close.

Councillor Tony Tassell, representing Castle Hedingham Parish Council, attended the meeting and spoke against this application.

## 20 **SECTION 106 AGREEMENTS**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/00920/FUL (APPROVED)	Cressing	Inland Limited Ben Johnson	Demolition of existing buildings on site and erection of 78 residential dwellings with associated open space, landscaping, amenity space, car and cycle parking and other associated works, Appletree Farm, Polecat 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:** 31 units comprising tenure of 22 x Affordable Rent & 9 Shared Ownership.
- **Public Open Space:** On-site provision of public open space. Management Company be appointed for the maintenance of the proposed open space. On-site provision of play equipment to a minimum value of £49,351.67. Financial contribution in accordance with the Parish Council and Open Spaces Action Plan for:
  - Sports - £73,204.90 to the provision of Outdoor Sports facilities within Cressing Parish.
- **Highways:** Works to widen / install additional footway as appropriate on opposite side of Polecat Road in accordance with a plan to be agreed, to join with a proposed splitter island of the proposed roundabout (to be provided by Countryside Properties PLC on Witham Road B1018 to the north of the site). In addition, the upgrading of two bus stops closest to the site. Provision of residential travel information packs.

- **Waste:** Provision of area of hardstanding measuring 7m by 2.5m as shown on drawing No. 02-002 P4 to be gifted to the Council for the provision of a minimum of three bottle bins.
- **Community Facility:** Financial contribution of £36,060.96 to the provision of a new community building at the Jeffreys Road Recreation Ground Cressing or the extension, reconfiguration, or improvement to existing community facilities within the Parish of Cressing.
- **Education:** Financial contributions for Early years and child care - £110,543, Primary education - £323,193, Secondary education transport cost - £71,529.30.
- **NHS:** £29,486 - means the use of the Healthcare Contribution towards improvements to capacity by way of refurbishment, reconfiguration, extension, or possible relocation of the Silver End Surgery, Silver End, Essex
- **Habitats/RAMS:** £9539.40 towards the funding of additional visitor management measures broadly in accordance with the draft RAMS relating to the Essex Coast Natura 2000 Designations.

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 Heads of Term of the legal agreement relating to the NHS and Highways being amended; and to an additional Head of Term relating to **Habitats/RAMS** as follows:-

#### Amended Heads of Term

**NHS:** £29,486 - means the use of the Healthcare Contribution towards improvements to capacity by way of refurbishment, reconfiguration, extension, or possible relocation of the Silver End Surgery, Silver End, Essex

**Highways:** Works to widen / install additional footway as appropriate on opposite side of Polecat Road in accordance with a plan to be agreed, to join with a proposed splitter island of the proposed roundabout (to be provided by Countryside Properties PLC on Witham Road B1018 to the north of the site). In addition, the upgrading of two bus stops closest to the site. Provision of residential travel information packs.

### Additional Head of Term

**Habitats/RAMS:** £9539.40 towards the funding of additional visitor management measures broadly in accordance with the draft RAMS relating to the Essex Coast Natura 2000 Designations.

Councillor John Lawton, representing Cressing Parish Council, attended the meeting and spoke against this application.

A motion to defer this application was moved and seconded, but on being put to the vote the motion was declared **LOST**.

---

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/02015/FUL (APPROVED)	Braintree	c/o Agent Mrs Katie Inglis	Redevelopment of the site for 81 residential dwellings, comprising 59 houses and 22 flats with associated informal open space, landscaping, apartment amenity space, car parking and other infrastructure, Former Broomhills Industrial Estate, Pods Brook 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:

- **Public Open Space:** On-site provision of public open space. Management Company be appointed for the maintenance of the proposed open space. Financial contribution of £75,000 (£50,000 for upgrades to the Clare Road play space and £25,000 for maintenance of the Clare Road play space).
- **Highways:** The dedication as highway of land immediately adjacent Rayne Road to help facilitate any future improvement of the Rayne Road/Springwood Drive/Pods Brook Road roundabout; the upgrade of those bus stops which would best serve the proposal site; conversion of the pedestrian island to a traffic island at the Guernsey Way/Pods Brook Road junction and removal of sections of footway to the north and south of the junction; tactile paving at the dropped kerb crossing point between the northern and southern footway in Guernsey Way to the east of the main proposal site access road; tactile paving at all cycle/pedestrian crossing points at the Rayne Road/Springwood Drive/Pods Brook Road roundabout; and Residential Travel Information Packs.

- **Education:** Financial contribution of £101,135 for Early Years and Childcare.
- **NHS:** Financial contribution of £30,754 towards the costs of a new Primary Care Hub.
- **Wayleave Agreement:** To allow Braintree District Council waste crews to access residents waste with the assurance that Braintree District Council will not be held accountable to repairing the road surface of the private access roads, following waste collections.
- **Habitats/RAMS:** Contribution of £9906.30

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 inclusion of an additional Head of Term relating to Habitats/RAMS in the legal agreement; the amendment of Condition No. 27; the addition of two Informatives to Applicant; and the amendment of the Approved Plans as follows:-

#### Additional Head of Term

**Habitats/RAMS:** Contribution of £9906.30.

#### Amended Condition

27. Prior to the first occupation of the development, improvement to the Eastern site access from Guernsey Way and closure of the Western site access from Guernsey Way as shown in principle on the planning application drawing 23726A/11B shall be undertaken.

#### Information to Applicant

1. The applicant is requested to liaise with local residents, particularly those residents which share a boundary with the application site, in respect of works on site in terms of demolition, ground works and construction.
2. In relation to Condition 23 (landscaping), the applicant is requested to consider whether the existing Hawthorn hedge on the boundary of the site can be incorporated in full, or in part, within the proposed landscaping scheme for the development, rather than removing the hedge.



Amended Approved Plans

Delete Approved Plan Reference:-

House Types            23726A/44

Councillor John McKee, Braintree District Ward Councillor for Braintree West, attended the meeting and spoke in support of 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).

During the course of their discussions, Members moved, seconded and agreed, as required by the Constitution, that the meeting be extended beyond 10.15pm to enable all business on the Agenda to be transacted.

The meeting closed at 10.53pm.

Councillor Mrs W Scattergood  
(Chairman)