

Minutes

Planning Committee 9th June 2020



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 Microsoft Teams and YouTube.

Present

Councillors	Present	Councillors	Present
J Abbott	Yes (until 10.25pm)	Mrs I Parker	Yes
K Bowers	Yes	F Ricci	Yes
T Cunningham	Yes (until 10.17pm)	Mrs W Scattergood (Chairman)	Yes
P Horner	Yes	Mrs G Spray	Yes
H Johnson	Yes (from 7.24pm)	N Unsworth	Yes
D Mann	Yes (until 9.28pm)	J Wrench	Yes
A Munday	Yes		

16 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a non-pecuniary interest in Application No. 18/02251/FUL - land South of Hatfield Road, Witham as an Ordinary Member of Witham and Countryside Society, which had submitted representations about the application.

Councillor Abbott declared a non-pecuniary interest also in Application No. 19/01472/FUL - Rainbows End, Sheepcotes Lane, Bradwell, as in his capacity as an elected Member of Essex County Council, he attended meetings of Bradwell Parish Council at which planning applications were discussed. Councillor Abbott stated that he had not expressed a view on the application.

Councillor K Bowers declared a non-pecuniary interest in Application No. 19/02325/FUL - 31 Skitts Hill, Braintree as he had spoken to a resident of the Ward which he represented, who had registered to submit a statement about the application during Question Time. Councillor Bowers stated that he had not expressed a view on the application.

Councillor T Cunningham declared an enhanced non-pecuniary interest in Application No. 19/02308/LBC - 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 and Infrastructure and Chairman of Braintree District Council's Manor Street Project Reference Group. Councillor T Cunningham stated that he supported the proposal. Councillor Cunningham did not take part in the meeting when the application was considered and determined.

Councillor D Mann declared an enhanced non-pecuniary interest in Application No. 19/00874/OUT - Land at High Garrett, Braintree as he lived close to the site. Councillor Mann left the meeting and he did not take part when the application was considered and determined. Councillor Mann was also not present at the meeting when the applications in Part B of the Agenda were considered, namely Application Nos. 19/01387/FUL - Rayne Hall Farm, Shalford Road, Rayne and 19/02308/LBC - existing car park sites between Manor Street and Victoria Street/rear of The Town Hall, Braintree.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 20/00103/FUL - Colne Commercials, 136 Colchester Road, White Colne as at the request of the neighbour to the site, and a main objector, she had made a site visit prior to the application being submitted.

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.

17 **MINUTES**

DECISION: It was reported that the Minutes of the meeting of the Planning Committee held on 26th May 2020 were not available and it was therefore agreed that they should be deferred to the next meeting for approval.

18 **QUESTION TIME**

INFORMATION: There were eleven 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 by the Council's Governance and Member Services Officer immediately prior to the consideration of the applications.

Application No. 18/02251/FUL - Land South of Hatfield Road, Witham

Application No. 19/00874/OUT - Land at High Garrett, Braintree

Application No. 19/01472/FUL - Rainbows End, Sheepcotes Lane, Bradwell

Application No. 19/02325/FUL - 31 Skitts Hill, Braintree

Application No. 20/00103/FUL - Colne Commercials, 136 Colchester Road, White Colne

Application No. 19/01387/FUL - Rayne Hall Farm, Shalford Road, Rayne

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

Braintree District Publication Draft Local Plan 2017 – Amendment to Agenda Reports

Prior to the consideration of the planning applications on the Agenda, the Planning Development Manager advised Members of the Planning Committee about an amendment to the wording of the report for each application. Specifically, the fifth paragraph of the section headed 'Policy Considerations' had been amended to:-

'In his interim judgement the Inspector has considered that the Section 1 Local Plan cannot be found sound unless the Garden Communities at Colchester Braintree Borders and West of Braintree are removed from the Local Plan. The Inspector does agree with the housing target for Braintree, which equals a minimum of 716 dwellings per year.'

The Planning Development Manager stated that this amendment would be included in future reports.

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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01387/FUL (APPROVED)	Rayne	Mrs McGregor	Retention of existing stable block and continued use of land for private equine use, Rayne Hall Farm, Shalford Road.

The Committee approved this application, subject to the following additional Condition:-

Additional Condition

5. Details of any proposed external lighting to the site shall be submitted to, and approved in writing by, the local planning authority prior to installation. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, maintained and operated in accordance with the approved details. There shall be no other sources of external illumination.

Rayne Parish Council submitted a written statement against this application, which

was read to the Committee prior to the consideration of the application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02308/LBC (APPROVED)	Braintree	Kier Construction Ltd	Removal of part of an external wall to rear of the Town Hall and re-instatement, existing car park sites between Manor Street and Victoria Street/rear of The Town Hall.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02325/FUL (APPROVED)	Braintree	Mr D Bridge	Erection of a two storey, two bedroom end of terrace dwellinghouse and new vehicular access, 31 Skitts Hill.

20 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*18/02251/FUL (APPROVED)	Witham	Leon and James Beards and Scholter	Proposed commercial vehicle dealership with estate access road and associated infra-structure, land South of Hatfield Road.

DECISION: That, subject to the applicant entering into a suitable legal agreement, or Unilateral Undertaking pursuant to Section 106 of the Town and County Planning Act 1990 (as amended) to cover the following Head of Term:

Essex County Council Travel Plan - Monitoring Fee: A financial contribution of £5,000 (plus the relevant sustainable travel indexation) to a Travel Plan Monitoring Fee, to be paid before occupation and to cover a five year period.

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 a Head of Term and the deletion of an Approved Plan as follows:-

Unilateral Undertaking/Section 106 Agreement - Head of Term

5. Essex County Council Travel Plan - Monitoring Fee: A financial contribution of £5,000 (plus the relevant sustainable travel indexation) to a Travel Plan Monitoring Fee, to be paid before occupation and to cover a five year period.

Deleted Approved Plan

Superseded Section Plan P24 Rev. A

21 **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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00874/OUT (REFUSED)	Braintree	Mr Arran Gordon	Erection of 33 no. two-storey detached and semi-detached houses and flats and construct garages, lay out parking spaces and gardens, form estate roads and footpaths, lay out public open space with trim trail equipment, and estate landscaping, and alter carriageway alignment to A131 and construct pedestrian refuge within the highway (amended proposal), land at High Garrett.

In presenting this application to Members of the Planning Committee, the Case Officer indicated that the applicant proposed to carry out work to re-align the carriageway and to provide a pedestrian refuge along the A131 to enable residents to cross the road and access bus services. However, it was the Planning Development Manager's view that residents would still rely on use of private cars and his recommendation to refuse

the application remained unchanged.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01472/FUL (REFUSED)	Bradwell	Mr and Mrs Michael Turner	Conversion of former stable block to 1 No. dwelling including provision of curtilage, Rainbows End, Sheepcotes Lane.

In a correction to the report, Members of the Planning Committee were advised that Bradwell Parish Council supported this application.

A motion to approve 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>
*20/00103/FUL (REFUSED)	White Colne	Colne Commercials Ltd	Retention of 1.9m high coloured steel mesh security fencing and gate to site frontage, Colne Commercials, 136 Colchester 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).

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 10.30pm.

Councillor Mrs W Scattergood
(Chairman)