

# Minutes

## Planning Committee

22<sup>nd</sup> June 2010



### Present

Councillors	Present	Councillors	Present
J E Abbott	Yes	D Mann	Yes
E Bishop	Yes	Mrs J M Money	Yes
J C Collar	Yes	Lady Newton	Yes
Mrs E Edey	Yes	J O'Reilly-Cicconi	Yes
Ms L B Flint	Yes	Mrs W D Scattergood (Chairman)	Yes
T J W Foster	Yes	Mrs L Shepherd	Yes
Mrs B A Gage	Yes	Mrs G A Spray	Yes
Mrs M E Galione	Yes		

### 14 DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Lady Newton declared a personal interest in Application No. 10/00187/FUL, Former Riverside Pool St. Johns Avenue as Cabinet Member for Housing & Well-being.

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

### 15 MINUTES

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 8<sup>th</sup> June 2010 be approved as a correct record and signed by the Chairman.

### 16 QUESTION TIME

**INFORMATION:** There were six statements made, a summary of which is contained in the Appendix to these Minutes.

Any amendments to the Officers' recommendations having taken into account the issues raised by members of the public would be dealt with by conditions, a summary of which is contained within the appropriate minute. Full details of the Decision Notices are contained in the Register of Planning Applications.

17 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 contained in the Head of District Development's report, as amended below, details of which are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00598/FUL	Birdbrook	Mrs W Norris	Increase in depth of balcony by 50cm.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00599/FUL	Birdbrook	Mrs W Norris	Increase in depth of deck by 1.9m.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00473/FUL	Halstead	Mr F Ladkin	Change of use to create 2 no. dwellings with extension to "stable block" for garage use. 28-30 Queen Street.

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

Additional Condition

Prior to the commencement of the development hereby approved, details of the boundary treatment to the Queen Street frontage of the site shall have been submitted to and approved in writing by the Local Planning Authority and these approved details shall have been implemented on site prior to the first occupation of either residential unit.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00422/OUT	Witham	Mr Mark Plummer	Demolition of no. 39 Clare Road and erection of 11 no. houses and garages, with associated parking spaces, amenity areas and landscaping and formation of new vehicular access onto Clare Road, layout new road and vehicle turning area. Land rear of 37-43 Clare Road.

The Committee approved this application; subject to the following additional Condition and revised Informative to Applicant:-

The access route to the Bowls Club indicated on the submitted plan shall not serve as either the sole or as an alternative vehicular access to the Bowls Club. It shall only be used by the Bowls Club in the event of an emergency.

Informative 4 to be deleted and replaced with:-

4. In terms of the water supply network, the development can be supplied from the network system that at present has adequate capacity. The developer may submit a formal requisition for a water supply main under Section 41 of the Water Industry Act 1991 or enter into an agreement to lay the water main ready for adoption by us under Section 51A of the Act.

## 18 SECTION 106 AGREEMENTS

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00187/FUL	Braintree	Mr Jon Nash	Erection of 121 no. dwellings, comprising 27 x 1 bed flats, 57 x 2 bed flats, 19 x 2 bed houses, 13 x 3 bed houses, 5 x 4 bed houses and a 62 bed residential care home.

In considering this application Members requested that the Section 106 funds provided to Essex County Council; £223,244 and £225,543 for the provision of primary and secondary school education respectively, be contributed specifically towards education in Braintree. Planning officers agreed to forward this request to Essex County Council.

### **D**

**ECISION:** That, subject to the applicant entering into a suitable planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to cover the following matters:-

- Affordable Housing;
- a contribution towards primary and secondary education in line with the standard Essex County Council formulae;
- a contribution of £356 per residential unit towards the provision/enhancement of sports facilities in the town of Braintree;
- a contribution of £2000 towards the provision/enhancement of allotments within the town of Braintree;
- a contribution of £273 per 1 and 2 bed dwelling and £546 per all other dwellings towards play equipment;
- agreement of a scheme for the maintenance of on-site open space that is not attributable to individual units;
- the arrangement of the required Road Orders and a contribution towards traffic marking of £2,000;
- a contribution towards the upgrade of public transport facilities of £30,600

- the provision of Travel Information and Marketing Packs to all future occupants,

the Head of District Development be authorised to grant planning permission for the following development, in accordance with the conditions and reasons set out in his report, as amended below. Alternatively, in the event that a suitable planning obligation is not provided by the target date for determining this application, the Head of District Development be authorised to refuse the grant of planning permission.

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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*10/00632/FUL	Braintree	Mr Akin Hunter	Erection of dwelling at rear of building.

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

Additional Condition

Development shall not be commenced until a scheme(s) including an implementation timetable for the following has been submitted to and approved in writing by the Local Planning Authority:-

(a) water efficiency, resource efficiency, energy efficiency and recycling measures during construction,

(b) measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development,

(c) measures for the long term energy efficiency of the building(s), and renewable energy resources,

(d) details of the location and design of refuse bin and recycling materials storage areas (for internal and external separation) and collection points,

(e) details of any proposed external lighting to the site.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Head of District Development, 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 9.18pm.

MRS W D SCATTERGOOD

(Chairman)

## APPENDIX

### PLANNING COMMITTEE 22ND JUNE 2010

#### PUBLIC QUESTION TIME

##### Summary of Questions Asked / Statements Made During Public Question Time

1. Statement by Mr John Camp relating to Application No. 10/00187/FUL – Former Riverside Pool, St. Johns Avenue, Braintree

Mr Camp outlined his opposition to the planning application, voicing concerns about the housing density and the detrimental impact this would cause upon the wildlife habitat along the Flitch Way, adding there was a need to have a wildlife corridor between the Flitch Way and the riverbank and called upon the Committee to reject the application or attach conditions that would preserve the wildlife already in place.

2. Statement by Mr Jon Nash relating to Application No. 10/00187/FUL – Former Riverside Pool, St. Johns Avenue, Braintree

Mr Nash introduced himself as a Director of Parkland Developments Limited. He gave brief details about the previous outlying planning consent for the residential development of up to 114 dwellings, which had been approved for this site. Referring to the affordable homes requirement of 30% he stated that this application provided 46% of unit numbers, in excess to requirement. He mentioned that funding towards the affordable housing deal was being provided by the Homes and Communities Agency Government Funding, which had been ring-fenced to this site but was at risk of being lost if development did not commence by the end of August. Mr Nash went on to speak about the benefits and opportunities provided by this development and stressed that development should be permitted in light of the current economic climate. Finally, he also underlined the employment prospects for up to 100 predominantly local people in the first five years of construction and subsequently up to 60 full and part time staffing positions once the development was completed.

3. Statement by Ms Jane Herd relating to Application No. 10/00422/OUT – Land rear of 37-43 Clare Road, Braintree

Ms Herd stated that she had chosen to speak at Question Time due to the change of planning guidance since the application and the resulting objections were made. She quoted Decentralisation Minister Greg Clark's announcement of "new powers to prevent unwanted garden grabbing." Ms Herd expressed concerns about damage to ecosystem, parking difficulties and increased traffic. She said there were a significant number of objections from the local community who had not been consulted about this proposed development.

4. Statement by Mr Alex Anderson relating to Application No. 10/00632/FUL – 272 Coggleshall Road, Bird in Hand Pub

Mr Anderson reiterated the details of the planning application to the Committee and raised a number of points in respect of an objection that has been received to this application relating to the siting of the dwelling in relation to the objectors property, due South of the application site. The first point related to the aspect of overlooking and Mr Anderson conceded that whilst there was a window looking South, it was situated in the landing area and does not directly overlook the objectors' property since it is at an obscure angle. The second point related to loss of sunlight, but Mr Anderson contested this as the South receives the most sunlight of any directions.

5. Statement by Ms Paula Cohen relating to Application No. 10/00473/FUL – 28-30 Queen Street, Castle Hedingham

Regarding the stable block Mrs Cohen stated that she had no objections for its extension of two metres and one storey; however she sought assurances that there would not be further development.

6. Statement by Mrs Norris relating to Application No. 10/00599 – Green Cottage

Mrs Norris stated that she had planning permission for a balcony and decking and outlined the issue of wheelchair access for the balcony and decking. She said that two members of her family required wheelchair access and the height of the decking had to be raised at least 30cm so as to provide said access. She added that the balcony does not overlook any residential property and thanked the planning department for supporting this application.