

# Minutes

## Planning Committee 19th December 2023



### Present

Councillors	Present	Councillors	Present
J Abbott	Yes	A Hooks	Yes
J Beavis	Yes (from 7.16pm)	A Munday	Yes
L Bowers-Flint	Yes	I Parker (Chairman)	Yes
T Diamond	Yes	F Ricci	Yes
M Fincken	Yes	P Schwier	Yes
J Hayes	Apologies	G Spray	Yes
D Holland	Yes		

### Substitute

Councillor K Bowers attended the meeting as a substitute for Councillor J Hayes.

#### 48 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interest was declared:-

On behalf of Members of the Committee, Councillor I Parker, the Chairman of the Planning Committee, declared a joint Non-Pecuniary Interest in Application No. 23/00333/REM – Land South of Brook Street, Colne Engaine as the applicant's agent, Mr G Courtauld, was related to an Elected Member of Braintree District Council, who was known to them.

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

#### 49 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 28th November 2023 be approved as a correct record and signed by the Chairman.

50 **QUESTION TIME**

**INFORMATION:** There was one statement made about the following application. The statement was made immediately prior to the Committee’s consideration of the application.

Application No. 23/02202/FUL – Jenkins Farm, Kings Lane, Stisted

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

51 **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>
*23/00333/REM (APPROVED)	Colne Engine	Mr Shane Evans	Application for approval of reserved matters (in respect of access, appearance, landscaping, layout and scale) pursuant to outline planning permission 21/01309/OUT granted 27.04.2022 for the erection of 3 No. dwellings, land South of Brook Street.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*23/01277/FUL (APPROVED)	Silver End	Mr Richard Gudgeon, Gent Fairhead and Co. Limited	Creation of private access road to Sheepcotes Hangar across Bradwell Quarry to reinstate a means of access previously provided by the former airfield runway(s) and perimeter track(s) and the proposed change of use of Sheepcotes Hangar for Class B8 uses, Hangar 1 Rivenhall

The Committee approved this application, subject to the amendment of Condition No. 4, the addition of a Condition, and the addition of an Informative as follows:-

Amended Condition

4. Prior to the first use of the building for Use Class B8 purposes pursuant to this planning permission, a vehicle parking layout, including the number and location of parking spaces for HGVs, and any alternative arrangements for the parking of HGVs outside the normal operational hours of the permitted business use of the site (as set out in Condition No. 5), shall be submitted to and approved in writing by the Local Planning Authority. The approved parking layout shall be implemented prior to the first use of the building for B8 purposes and shall thereafter be retained.

Additional Condition

18. Prior to the first use of the building for Use Class B8 purposes a Lighting Scheme designed to promote personal safety, protect amenity and the night-time landscape and biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Scheme shall include the following details:
- Details of phasing, location and design of all lighting to be installed within the site during periods of construction and occupation;
  - Details of ownership of lighting once the development is occupied and, where relevant, details of its associated maintenance to ensure the lighting is provided in perpetuity thereof in the interests of personal safety;
  - Assessment of the impacts of the lighting scheme upon biodiversity which identifies those features on or immediately adjoining the site that are particularly sensitive for bats including those areas where lighting could cause disturbance along important routes used for foraging;
  - Provision of appropriate lighting contour plans, isolux drawings and technical specifications to demonstrate which areas of the development are lit and to limit any relative impacts upon the territories of bats.

The approved lighting scheme shall be implemented prior to first use of the building for Use Class B8 purposes and shall thereafter be retained as such in accordance with the approved details. Under no circumstances shall any other external lighting be installed on the site.

Additional Informative

1. With regard to Condition No. 4, the Applicant is advised that the number of HGVs

permitted on the site each day should not exceed 10, in order to comply with Condition No. 6 (daily HGV movements to and from the site).

52 **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.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*23/02202/FUL (REFUSED)	Stisted	Mr Colin Roberts, Moondrop Limited	Proposed demolition of 2 No. agricultural buildings and erection of 5 No. dwellings with associated landscaping and parking, Jenkins Farm, Kings Lane.

Prior to the consideration of this application, the Planning Development Manager advised Members of the Planning Committee that revisions had been made to the National Planning Policy Framework (NPPF), and that these had been published earlier in the day (19th December 2023).

It was reported that the revised Framework included a specific amendment regarding the supply and delivery of land for housing. The amendment was set out at Paragraph 76 of the document. The amendment stated, that as part of its decision making process, a Local Planning Authority would no longer be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing. However, this was subject to the Local Planning Authority’s adopted Local Plan being less than five years old and to the adopted Plan identifying at least a five year supply of specific deliverable sites at the time that the examination of the Plan had concluded.

Transitional provisions relating to the amendment had been put in place which stipulated that compliant Local Planning Authorities, including Braintree District Council, could only implement the revised policy as a material consideration when determining applications submitted on or after the publication of the amended Framework. Existing applications would be determined in accordance with previous arrangements.

In view of the amendment to the NPPF, Members of the Committee were asked to consider if they wished to determine App. No. 23/02202/FUL, which had been submitted before the amendment took effect. Alternatively, the Committee could defer their consideration of the application to a future meeting when an updated report summarising the implications of the amended NPPF would be submitted. It was not proposed to amend the Planning Development Manager’s recommendation to refuse the application in response to the amendment to the NPPF. The Committee agreed

to determine the application as planned and not to defer its consideration.

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).

At the close of the meeting the Chairman wished everyone a Happy Christmas.

The meeting closed at 8.40pm.

Councillor I Parker  
(Chairman)