

Minutes

Planning Committee 12th May 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	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	Yes	N Unsworth	Yes
D Mann	Yes	J Wrench	Yes
A Munday	Yes		

Councillor Mrs C Dervish and Councillor T Walsh were also in attendance.

1 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor J Abbott declared a non-pecuniary interest in Application No. 19/01533/FUL - 95 Newland Street, Witham as an Ordinary Member of Witham and Countryside Society, which had submitted representations about the application. Councillor Abbott stated that he had had no involvement with the submission of the representations.

Councillor T Cunningham declared an enhanced non-pecuniary interest in Application No. 20/00155/VAR - land North of Slamseys Farm, Blackley Lane, Great Notley in his role as Cabinet Member for Economic Development and Infrastructure and Chairman of Braintree District Council's Horizon 120 Project Reference Group, on the basis of pre-determination and bias. Councillor Cunningham stated that he had spoken in favour of Gridserve's (applicant) venture and he had attended a workshop with officers on behalf of Braintree District Council and with representatives of Essex County Council and Gridserve to discuss common objectives. Councillor Cunningham did not take part in the meeting when the application was considered and determined.

Councillor Mrs G Spray declared a non-pecuniary interest in Application No. 20/00155/VAR - land North of Slamseys Farm, Blackley Lane, Great Notley as the matter was partly within the remit of her role as Cabinet Member for Planning and, as such, she had had some involvement with it.

In accordance with the Code of Conduct, Councillors took part in the discussion and the determination of the applications when they were considered, unless stated otherwise.

2 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 3rd March 2020 be approved as a correct record.

3 **QUESTION TIME**

INFORMATION: There were two 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 respective applications.

Application No. 19/01533/FUL - 95 Newland Street, Witham

Application No. 19/01961/FUL- The Vine Public House, Vine Street, Great Bardfield

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

4 **PLANNING APPLICATIONS APPROVED**

Planning Application Nos. 19/01574/HH - 116 Cressing Road, Braintree and 19/02276/HH - Ethels Cottage, Gestingthorpe Road, Little Maplestead were determined en bloc.

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>
*18/02023/VAR (APPROVED)	Shalford	Mr Steve Wheelhouse Jenny Moody Properties Ltd	Application for variation of condition 2 following grant of planning permission 18/00278/REM - to reduce the Visibility Splays from

120m to 73m as per the recent approval (18/01124/FUL) and as agreed with Highways, White Court, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01048/FUL (APPROVED)	Black Notley	Mr Iain Hutchinson	Proposed conversion of existing barn to a single dwelling house and the construction of a detached open bay garage alongside new vehicle access, parking, landscaping and other associated works, Buck Farm, Buck Hill.

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

Additional Conditions

8. No development shall commence until a further survey for the presence of bats, is carried out and the results and appropriate mitigation measures in the form of a method statement has been submitted to and approved in writing by the Local Planning Authority. A presence /absence survey for reptiles must also be undertaken prior to any works, including groundwork clearance, commencing. The supplementary surveys shall be of an appropriate type for the species listed above and survey methods should follow national good practice guidelines. All surveys must be undertaken by suitably qualified ecologists at the appropriate time of year using standard methodologies. Effective and robust measures, in line with the mitigation hierarchy, must be also proposed which have a high degree of certainty for their deliverability in the long term. If there are residual impacts, these will need to be compensated for on site or offset and appropriate enhancements included to ensure Biodiversity Net Gain from development. The method statement shall set out the organisation or personnel responsible for implementing and supervising the method statement. The scheme shall be implemented as approved by the Local Planning Authority. Any modifications to the approved details, for example as a result of a protected species licence being required, must be submitted to the Local Planning Authority.
9. If it identified from the additional surveys pursuant to Condition 8 of this planning permission that an EPS Licence is required, then works to convert the existing

barn into a residential dwelling shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or

b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

10. No development shall commence until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

11. No above ground development shall commence until a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and

locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

12. No above ground development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

13. Prior to first occupation of the development hereby approved details of all gates / fences / walls or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include position, design, height and materials of the enclosures. The enclosures as approved shall be provided prior to the occupation of the development hereby approved and shall be permanently maintained as such.

Amended Condition

3. No above ground development shall commence until samples of the materials to be used on the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01049/LBC (APPROVED)	Black Notley	Mr Iain Hutchinson	Proposed conversion of existing barn to a single dwelling house and the construction of a detached open bay garage alongside

new vehicle access, parking, landscaping and other associated works, Buck Farm, Buck Hill.

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

Amended Condition

3. No above ground works shall commence until samples of the materials to be used on the external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01533/FUL (APPROVED)	Witham	Mr Brad Sharpheale	Ground floor alterations and proposed single storey rear extension, 95 Newland Street.

The Committee approved this application, subject to the amendment of Condition No. 4 as follows:-

Amended Condition

4. Prior to the erection of the brick wall to the rear of the property, details of the siting and external materials to be used, including brick type and bond, shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details and thereafter be retained as approved.

Witham Town Council submitted a written statement of objection, which was read to the Committee prior to the consideration of this application.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01574/HH (APPROVED)	Braintree	Mr Warden	Proposed replacement front porch, single storey rear extension with internal alterations, 116 Cressing Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/01961/FUL (APPROVED)	Great Bardfield	Mr Gerard Bourke	Retention of single-storey outbuilding for continued use as a garden bar, The Vine Public House, Vine Street.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02169/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at Freeport, Millennium Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02170/ADV (APPROVED)	Cressing	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Fowlers Farm Roundabout, junction of Millennium Way/B1018, (Galleys Corner, Braintree Road).

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02171/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout, London Road South/A120.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02172/ADV (APPROVED)	Great Notley	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship

Council

signs, Panners Roundabout,
Bridge End Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02173/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at A120 Slip Road, London Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02174/ADV (APPROVED)	Great Notley	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Tesco Roundabout and A131 Notley By Pass, London Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02175/ADV (APPROVED)	Great Notley	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout between Avenue West and Queenborough Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02177/ADV (APPROVED)	Witham	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at Tesco, The Grove.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02178/ADV (APPROVED)	Great Notley	Mr Jeremy Taylor Braintree District	3 No. non-illuminated roundabout sponsorship

Council

signs, Great Notley Bypass
A120/A131, Garden Village
Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02179/ADV (APPROVED)	Great Notley	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout at London Road, Great Leighs, Garden Village Way.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02180/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout at Pods Brook Road, Braintree Bypass.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02181/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at London Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02182/ADV (APPROVED)	Witham	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at Gershwin Boulevard, Maltings Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02183/ADV (APPROVED)	Witham	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Morrisons Roundabout, Braintree Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02184/ADV (APPROVED)	Witham	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at Hawkes Road, Hatfield Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02211/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout at Rayne Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02212/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	2 No. non-illuminated roundabout sponsorship signs, Roundabout at Bridport Way, Coggeshall Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02214/ADV (APPROVED)	Witham	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout North of Mayland House, The Grove.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02215/ADV (APPROVED)	Braintree	Mr Jeremy Taylor Braintree District Council	3 No. non-illuminated roundabout sponsorship signs, Roundabout at Mill Hill, Chapel Hill.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/02276/HH (APPROVED)	Little Maplestead	Mr and Mrs D Morris	Erection of two storey extension and porch, Ethels Cottage, Gestingthorpe Road.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00155/VAR (APPROVED)	Great Notley	Mr Raoul Tufnell	Variation of condition numbers 2 (Approved Plans), 3 (Materials), 6 (Detailed Landscaping), 7 (External Lighting) and 19 (GCN License) of approved application 19/01092/FUL granted 30/09/2019 for: Proposed development of an Electric Forecourt, comprising of 24 core electric vehicle charging points, energy storage, a mix of ancillary dwell facilities, car parking, hard and soft landscaping and access arrangements off the A131, Great Notley. Variation would allow: - Updated design drawings and materials to main building, - Updated landscaping scheme and lighting, - Updated ecological statement, land

North of Slamseys Farm,
Blackley Lane.

The Committee approved this application, subject to the deletion of an Approved Plans as follows:-

Deleted Approved Plan

Lighting Plan – Plan Ref: Gridserve Braintree REV XXXX Lighting

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 9.14pm.

Councillor Mrs W Scattergood
(Chairman)