

Minutes

Planning Committee 16th March 2021



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 Zoom 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	Apologies
A Munday	Yes		

128 **DECLARATIONS OF INTEREST**

INFORMATION: The following interest was declared:-

Councillor F Ricci declared a non-pecuniary interest in Application No. 20/01568/FUL - Whitehouse Business Park, White Ash Green, Halstead as his sister was a former employee at Whitehouse Business Park.

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

129 **MINUTES**

DECISION: That the Minutes of the meeting of the Planning Committee held on 9th March 2021 be approved as a correct record.

It was reported that the Minutes of the meeting of the Planning Committee held on 16th February 2021 were not available for approval.

130 **QUESTION TIME**

INFORMATION: One statement was made about the following matter. The person who had registered to participate during Question Time had submitted a written

statement in advance of the meeting and this was read to the Committee by the registered speaker immediately prior to the consideration of the application.

Application No. 20/01568/FUL - Whitehouse Business Park, White Ash Green, Halstead

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

131 **PLANNING APPLICATION WITHDRAWN FROM THE AGENDA**

INFORMATION: The Committee was advised that the under-mentioned planning application had been withdrawn from the Agenda following consultation with the applicant regarding the provision of affordable housing. It was anticipated that the application would be reported to a future meeting of the Planning Committee. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01515/FUL (WITHDRAWN)	Black Notley	Regent Square Ltd	Erection of 2 x 2, 3 x 3, and 5 x 4 bedroom (10 units) two-storey dwelling houses, together with new vehicular and pedestrian access, associated car parking and landscaping, land rear of 197 London Road.

132 **PLANNING APPLICATION APPROVED**

DECISION: That the undermentioned planning application 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 this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01568/FUL (APPROVED)	Halstead	Whitehouse Holdings Halstead Ltd	Demolition and removal of existing buildings, erection of warehouse extension with associated ground works, Whitehouse Business Park, White Ash Green.

The Committee approved this application, subject to the amendment of Condition No. 8 and an additional Condition as follows:-

Amended Condition

8. Prior to the installation of any external lighting at the site, a lighting design scheme to protect biodiversity and residential amenity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the impact of lighting on nearby residential properties and identify 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; 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 of the development that are 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 approved scheme and retained thereafter in accordance with the scheme.

Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Additional Condition

11. No site clearance, demolition, or construction work shall take place on the site, including starting of machinery and delivery of materials, outside the following times:- Monday to Friday 0800 hours - 1800 hours, Saturday 0800 hours - 1300 hours, Sundays, Public and Bank Holidays - no work.

Greenstead Green and Halstead Rural Parish Council submitted a written statement supporting this application but requesting Conditions, which was read to the Committee by Parish Councillor P Foster prior to the consideration of the application.

133 **PLANNING APPLICATION REFUSED**

DECISION: That the undermentioned planning application be refused for the reasons contained in the Planning Development Manager's report, as amended below. Details of this planning application are contained in the Register of Planning Applications.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*19/00958/FUL (REFUSED)	Kelvedon	Mrs Susan Chung Seven Seas Marble and Granite	Residential development of 3 detached dwellings, garages, access road, turning head and landscaping, Seven Seas Marble and Granite, Coggeshall Road.

In discussing this application, Members of the Planning Committee considered an update report.

It was reported that the applicant had now paid the requisite Habitat Regulations Assessment (HRA) contribution amounting to £476.74 and, as such, Reason for Refusal No. 2 should be removed.

The update report included a copy of a letter dated 11th March 2021, which had been received from the Environment Agency indicating that they had no objection to the application.

The update report also included a copy of a letter dated 16th December 2020 submitted by Kelvedon Parish Council, which stated that the Parish Council objected to the revised plans for the erection of three dwellings at the site. Due to a technical issue, this letter had not been uploaded to the District Council's website.

The Committee refused this application, subject to the removal of Reason for Refusal No. 2 as follows:-

Reason for Refusal Removed

2. Policy RLP84 of the Adopted Local Plan states that the Council will, where necessary, impose planning obligations to ensure that new development will not have an adverse effect on protected species by requiring that disturbance of habitats is managed and reduced to a minimum. Braintree District Council has adopted the Essex Recreation Avoidance Mitigation Strategy Supplementary Planning Document (SPD) which sets out the process and mechanisms for securing the delivery of management and mitigation at the Protected Sites. This requirement would need to be secured through a S106 Agreement. In the absence of an obligation the proposal would conflict with the Development Plan as regards:
 - Financial contribution of £125.58 per dwelling to fund off-site Visitor Management at the Blackwater Special Protection Area and Ramsar site and Essex Estuaries Special Protection Area.

As such the proposal is contrary to the above policy and adopted SPD and the Council would not be able to confirm that the development would not have an adverse impact upon the protected sites in accordance with the Habitats Regulations.

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 8.17pm.

Councillor Mrs W Scattergood
(Chairman)