

Minutes

Planning Committee 24th November 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 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	Yes
A Munday	Yes		

88 DECLARATIONS OF INTEREST

INFORMATION: The following interest was declared:-

Councillor D Mann declared a non-pecuniary interest in Application No. 20/00821/FUL - land South of Highfield Stile Road, Braintree as a number of residents who had submitted representations regarding the application were known to him and he had received E-Mail correspondence from one of them and a telephone call from another. Councillor Mann stated that he had not disclosed a view about the application.

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

89 MINUTES

DECISION: That the Minutes of the meeting of the Planning Committee held on 10th November 2020 be approved as a correct record.

90 QUESTION TIME

INFORMATION: There were two statements made about the following matters. The person 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 registered speaker immediately prior to the consideration of the applications.

Application No. 20/00437/FUL - Bower Hall, Bower Hall Lane, Pentlow
Application No. 20/00438/LBC - Bower Hall, Bower Hall Lane, Pentlow
Application No. 20/00480/FUL - Bower Hall, Bower Hall Lane, Pentlow
Application No. 20/00481/LBC - Bower Hall, Bower Hall Lane, Pentlow

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

91 **PLANNING APPLICATION WITHDRAWN FROM THE AGENDA**

INFORMATION: The Committee was advised that the under-mentioned planning application had been withdrawn from the Agenda to enable the Council to re-assess the number of trees to be removed from the application site. 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>
*20/01421/VAR (WITHDRAWN)	Great Notley	Gridserve	Variation of Condition 1 (Approved Plans) and Condition 3 (Arboricultural impact assessment) of approved application 20/00155/VAR granted 15/05/2020 for: 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. To

allow updated design drawings and materials to main building, Updated landscaping scheme and lighting, Updated ecological statement. Variation would allow: Condition 1: Extension to the clearance of the tree belt and revision to retail store, Condition 3: Updated arboricultural impact assessment, Gridserve Electric Forecourt, Edison Way.

92 **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>
*20/00437/FUL (APPROVED)	Pentlow	Mr and Mrs Andrew Hestletine	Conversion of main barn to a single dwelling and the byre to an ancillary store with related car parking, Bower Hall, Bower Hall Lane.

The Committee approved this application, subject to the amendment of the Approved Plans and Condition Nos. 5 and 13 as follows:-

Amended Approved Plans

Remove duplicated plan reference ‘Existing Elevations and Floor Plans - Plan Ref: 0081_C_EX07’ and replace with ‘Proposed Elevations and Floor Plan GA07’.

Amended Conditions

5. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Skilled Ecology, June 2019) and the Further Bat Survey Report (Skilled Ecology, January 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes all precautionary mitigation measures for nesting birds, reptiles,

amphibians, hedgehogs, protection of the nearby river habitat and habitat compensation as detailed. The lighting measures for protection of disturbance to light sensitive species during the construction and operation phases, and all further bat mitigation measures as specified. In addition all of the biodiversity enhancements as specified in the Preliminary Ecological Appraisal Report (Skilled Ecology, June 2019) and the Further Bat Survey Report (Skilled Ecology, January 2020) shall be implemented. This may include the appointment of an appropriately competent person eg. an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities and works shall be carried out in accordance with approved details.

13. No above ground development shall commence unless and until a lighting design scheme to protect biodiversity for the whole site has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on, or immediately adjoining the site that are sensitive for bats, including those areas where lighting could cause disturbance along important bat foraging routes; 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 any 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 approved scheme. Under no circumstances should any external lighting be installed without prior consent from the local planning authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00438/LBC (APPROVED)	Pentlow	Mr and Mrs Andrew Hestletine	Conversion of main barn to a single dwelling and the byre to an ancillary store with related car parking, Bower Hall, Bower Hall Lane.

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

Amended Approved Plans

Remove duplicated plan reference 'Existing Elevations and Floor Plans - Plan Ref: 0081_C_EX07' and replace with 'Proposed Elevations and Floor Plan GA07'.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00480/FUL (APPROVED)	Pentlow	Mr and Mrs Andrew Hestletine	Conversion of barn into single dwelling with associated car parking, Bower Hall, Bower Hall Lane.

The Committee approved this application, subject to the amendment of the Approved Plans and Condition Nos. 6 and 13 as follows:-

Amended Approved Plans

Remove plan 'Carport/Cartlodge Details Plan Ref: GA05'

Amended Conditions

6. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Skilled Ecology, June 2019) and the Further Bat Survey Report (Skilled Ecology, January 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes all precautionary mitigation measures for nesting birds, reptiles, amphibians, hedgehogs, protection of the nearby river habitat and habitat compensation as detailed. The lighting measures for protection of disturbance to light sensitive species during the construction and operation phases, and all further bat mitigation measures as specified. In addition all of the biodiversity enhancements as specified in the Preliminary Ecological Appraisal Report (Skilled Ecology, June 2019) and the Further Bat Survey Report (Skilled Ecology, January 2020) shall be implemented. This may include the appointment of an appropriately competent person eg. an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities and works shall be carried out in accordance with approved details.

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retained thereafter in accordance with the approved scheme. Under no circumstances should any external lighting be installed without prior consent from the local planning authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00481/LBC (APPROVED)	Pentlow	Mr and Mrs Andrew Hestletine	Conversion of barn into single dwelling with associated car parking, Bower Hall, Bower Hall Lane.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/01395/FUL (APPROVED)	Earls Colne	Mr B and Mrs S Lynham	Erection of a single-storey two bedroom replacement dwelling house, 9 Queens Road.

93 **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.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*20/00821/FUL (REFUSED)	Braintree	Dimora Homes Ltd	Erection of 9 detached dwellings, land South of Highfield Stile 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).

The meeting closed at 8.50pm.

Councillor Mrs W Scattergood
(Chairman)