



**MINUTES of  
DISTRICT PLANNING COMMITTEE  
24 APRIL 2024**

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**PRESENT**

Chairperson	Councillor K M H Lagan
Vice-Chairperson	Councillor R G Pratt
Councillors	M G Bassenger, V J Bell, J Driver, A Fittock, A S Fluker, L J Haywood, J C Hughes, A M Lay, C P Morley, M G Neall, N D Spenceley, P L Spenceley, W Stamp, CC, J C Stilts, N J Swindle, M E Thompson and S White

**712. CHAIRPERSON'S NOTICES**

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

**713. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D O Bown, S J Burwood, M F L Durham CC, K Jennings, W J Laybourn, C P Morley, N G F Shaughnessy, R H Siddall, U G C Siddall-Norman, E L Stephens and L L Wiffen.

**714. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the District Planning Committee held on 12 March 2024 be approved and confirmed.

**715. DISCLOSURE OF INTEREST**

Councillor M G Neal disclosed a non-registerable interest in Agenda Item 5 - 23/00857/FULM - Land at Great Hayes Business Park, Lower Burnham Road, Stow Maries as he knew the applicant.

**716. 23/00857/FULM - LAND AT GREAT HAYES BUSINESS PARK, LOWER BURNHAM ROAD, STOW MARIES**

<b>Application Number</b>	<b>23/00857/FULM</b>
<b>Location</b>	Land at Great Hayes Business Park, Lower Burnham Road, Stow Maries
<b>Proposal</b>	Demolition of 2 dwellinghouses (Use Class C3) and erection of 5no. commercial units (Class B8 (storage and distribution) and Class E (offices and veterinary clinic)), new internal road layout and car parking provision.
<b>Applicant</b>	S Hollington
<b>Agent</b>	Miss Kate Jennings, Whirlledge & Nott
<b>Target Decision Date</b>	30 April 2024 (EOT agreed)
<b>Case Officer</b>	Tim Marsh
<b>Parish</b>	Stow Maries
<b>Reason for Referral to the Committee / Council</b>	Major application - Part of strategic allocated site within the Local Development Plan

During his presentation of the application, the Principal Planning Officer advised Members of the need for a legal agreement to secure the Travel Plan contributions. He reported that there had been a delay in the signing of this legal agreement between Essex County Council and the applicant. It was noted, should Members be mindful to approve this application there might be a delay in issuing the decision notice whilst the legal agreement was finalised.

The Applicant, Mr Hollington, then addressed the Committee.

The Chairperson put the Officers recommendation of approval to the Committee, and this was duly seconded by Councillor S White.

During the brief discussion that ensued Councillors A S Fluker and S White advised that they knew the applicant.

The Chairperson then moved his earlier proposal of approval which was duly agreed by assent.

**RESOLVED** that this application be **APPROVED** subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and subject to conditions as detailed below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 1920/11/Rev C; 1920/12 Rev F; 1920/13 Rev N; 1920/14 Rev B; 1920/15 Rev E; 1920/16 Rev B; 1920/17 Rev D; 1920/18 Rev C; 1920/21 Rev A; 1920/22 Rev A; 233-Sk001; 1920/20; Tree Protection Plan Whole Site (Andrew Day, 30 August 2023); Tree Protection Plan Red Line Area (Andrew Day, 30 August 2023), and 2106120-D005 Rev D.
3. All ground works shall be in accordance with the Construction Management Plan (CMP) dated 06.12.2023 and forming part of the application hereby approved. The CMP shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.
4. No works above ground level shall take place until written details of the proposed materials to be used in the development hereby permitted have been

- submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
5. All mitigation measures and / or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (T4 Ecology, October 2022) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
  6. Prior to the commencement of development, any works which will impact the resting place of Great Crested Newts 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 (as amended) authorizing the specified activity/development to go ahead; or
    - b) a method statement relating to a registered site supplied by an individual registered to use a Great Crested Newt Low Impact Class Licence; or
    - c) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
    - d) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.
  7. Prior to any works above slab level 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 or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights 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 prior to occupation and shall be retained in that manner thereafter.

8. If external lighting is proposed, prior to beneficial use, a lighting design scheme for biodiversity in accordance with GN:08/23 Bats and Artificial External Lighting (ILP) 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 plans, 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 location 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.

9. Prior to the first occupation of the development the developer shall implement the visibility splays as show on drawing no.2101290-001 Rev A in Ardent's

- Transport Assessment forming part of the application hereby approved. These shall be retained clear to ground level for the life of the development.
10. Prior to the first occupation of the development the internal access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided and retained as such for the life of the development.
  11. Prior to the first occupation of the development the cycle parking, as indicated on the approved plans, shall be provided and retained as such for the life of the development.
  12. Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years.
  13. The premises shall be used for Class B8 (storage and distribution) and Class E parts g)i (offices) and e) (medical or health services) purposes and for no other purpose including purpose as defined within Class B2 of the Schedule to the Town & Country Planning Use Classes Amendment) Order 2005 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
  14. The development hereby approved shall be carried out in accordance with 'Tree Protection Plan Whole Site' (Andrew Day Arboricultural Consultancy, 30<sup>th</sup> August 2023), 'Tree Protection Plan Red Line Area' (Andrew Day Arboricultural Consultancy Ltd, 30<sup>th</sup> August 2023), and 'Arboricultural Report' (Andrew Day Arboricultural Consultancy Ltd, 30<sup>th</sup> August 2023) of this permission.
  15. Prior to any works above slab level, a full details of the provision and subsequent retention of both hard and soft landscape works on the site shall be submitted to and approved in writing by the Local Planning Authority prior to any works occurring above ground level at the application site.

These details shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- 3) Details of the aftercare and maintenance programme. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

#### Hard landscape works

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of surfacing, with materials finishing and edgings
- 6) Details of any street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the first use / occupation of any part of the development hereby approved and retained and maintained as such thereafter.

16. Prior to the commencement of the development, details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.

There being no other items of business the Chairperson closed the meeting at 7.47 pm.

K M H LAGAN  
CHAIRPERSON