

MINUTES
of the
PLANNING COMMITTEE
held on 2 September 2025 at 7pm

Present:

Councillor R. Lee (Chair)
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, H. Clark, J. Frasca, S. Hall, R. Hyland, J. Lardge, V. Pappa, E. Sampson, A. Thorpe-Apps, C. Tron and P. Wilson

1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting.

2. Apologies for Absence

No apologies for absence were received.

3. Declarations of Interest

All Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 17 June 2025 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

No public questions had been submitted in advance of the meeting.

6. 25/00218/FUL – Old Chase Farm, Hyde Lane, Danbury, Chelmsford, Essex, CM3 4LP

The Committee considered a retrospective application for 10 compound security columns and lights, which had been referred to the Committee at the request of a local ward member, who had concerns regarding the impact on the rural area, impact on neighbouring residential

amenity, ecological impacts and impact on the nearby protected lane. The Committee was informed of the green sheet of amendments that had been circulated prior to the meeting. It was noted that the application before the Committee was now for ten of the lights, rather than the 21 included in the published report. It was noted that the reduction had been made by the applicant, as some of the columns were near trees and those 11 were now not to be considered by the Committee at this time. Therefore, the Committee were asked to consider the ten remaining lights that were mainly in the north / centre of the site. It was also noted that four other lights on the site were to be removed and that the 11 not being considered at this time would be kept turned off by the applicant in the meantime.

The Committee were also provided with some context to the site, which was near two residential properties and a petrol filling station and that the site had a current certificate of lawfulness that allowed the storage of containers on the site, which were generally placed three high and that the lights used on site were of a slim design with LED lights on top. The Committee heard that a cautionary approach had been adopted by the applicant, and that they had committed to further work to ensure the other 11 lights would not have an adverse impact when turned back on, especially on bat movements. The Committee were also informed that lux levels decreased as the light spill became further from the light source and that the view of officer's, was that the lux levels in nearby gardens was acceptable and less than moonlight. Officers informed the Committee that the application was recommended for approval, subject to the conditions in the report and the green sheet, namely reduced tilts to horizontal and the installation of shields. The impact was deemed as acceptable.

The Committee also heard from the local ward member who had called the application in. They raised concerns regarding heritage assets nearby, the protected lane and some columns that were still placed near trees. They also stated that the light analysis did not consider the use of the site as a storage container yard, and that reflection issues would happen with stacked containers that were certain colours. They also highlighted that the changes on the green sheet had widely altered the application and queried whether the supporting documents were still accurate as a result and that if it had been a new rather than retrospective application, ecological impacts would have been mitigated in better ways. The Committee also heard that the site was not within the neighbourhood plan as a development area, but that it was very positive that the applicant was now coming forward with applications for other retrospective and enforcement issues on the site.

In response to the points raised by the local ward member, officers confirmed that;

- The storage of containers on the site was not a change of use and complied with the original certificate of lawfulness and that as there was not planning permission for the use of the site, there was no restriction on the hours of usage.
- The siting of containers could not be controlled via this application and that it could be argued that the siting of some containers could in fact reduce light spill rather than increase it via reflections.
- They had visited the site at night time and the worst case scenario could be seen with the current 25 lights and that the changes via this retrospective application would reduce light spill and any impact further.
- Other enforcement cases on the site could not be commented on during the consideration of this application.
- The applicant had been cautious in reducing elements of the application and was taking positive steps to address concerns raised.
- The lighting columns were not seen as redevelopment and were instead seen as ancillary structures that went hand in hand with the lawful operations on the site.

- If members were seeking to refuse the application, they would need to demonstrate adverse harm, rather than the presence of lighting and officers did not view this as an application that would cause adverse harm.

In response to questions from members of the Committee, officers confirmed that;

- An informative could be added to inform the applicant to turn off the other 11 lights on the site that were not part of this application and the Committee agreed that this should be added if approved.
- A condition to turn off the lights during the night would be very difficult to enforce and because the site can lawfully operate during the night and therefore the lighting could be required at any time.
- Other nearby applications were referenced in the report, but these were not being considered at this meeting, just the lighting columns.
- The nearby petrol filling station and lorry storage site had lights on throughout the night that were clearly visible, there were no restrictions on that site and as a result when visiting at night, these were the lights you saw from the lane rather than the columns being considered which were behind these ones and in the background. Therefore, the area was not devoid of lighting and some nearby residential properties also had bright lights on throughout the night too.
- An ecology assessment had not been carried out on the ten lights being considered, but a judgement had been made as to the light spill onto trees, which was deemed acceptable.

RESOLVED that application 25/00218/FUL be approved, subject to the conditions detailed in the report and the amendments on the green sheet. Also, an informative to the applicant to switch off the other 11 lights on the site that were not part of this application

(7.02pm to 7.51pm)

7. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 4th June and 20th August 2025 be noted.

The Chair thanked Keith Holmes, the Council's Planning Development Services Manager who was attending their last Planning Committee meeting before retiring. The Chair thanked them for their support and valuable knowledge over the last few decades and for their much appreciated guidance to members of the Planning Committee and the Council.

The meeting closed at 7.51pm.

Chair