



# Agenda

## Planning and Licensing Committee

Tuesday, 31 May 2016 at 7.00 pm  
Council Chamber - Town Hall

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### Membership (Quorum – 4)

Cllrs McCheyne (Chair), Ms Rowlands (Vice-Chair), Bridge, Barrell, Faragher, Middlehurst, Morrissey, Mrs Hubbard, Mynott, Newberry, Mrs Murphy and Keeble

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Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		7 - 18
3.	Minutes of the Licensing Appeals Sub Committee Minutes of the Licensing Sub Committee held on 8.3.2016.		19 - 22
4.	LAND REAR OF 139-141 COXTIE GREEN ROAD PILGRIMS HATCH SOUTH WEALD ESSEX  DEMOLITION OF THE EXISTING BUILDINGS AND THE CREATION OF 12 NO. TWO, THREE, FOUR AND FIVE BEDROOM HOUSES AND A NEW ACCESS ROAD.  APPLICATION NO: 16/00226/FUL	South Weald	23 - 48
5.	BRENTWOOD FOOTBALL CLUB BRENTWOOD CENTRE DODDINGHURST ROAD PILGRIMS HATCH ESSEX CM15 9NN	Pilgrims Hatch	49 - 54

**REPLACEMENT OF GRASS SURFACE FOOTBALL PITCH  
WITH 3G SYNTHETIC ALL WEATHER PITCH.**

**APPLICATION NO: 16/00267/FUL**

- 6. THE WHITE HOUSE MAGPIE LANE LITTLE WARLEY ESSEX Warley 55 - 64  
CM13 3EA**

**TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT  
EXTENSION WITH OPEN PORCH.**

**APPLICATION NO: 16/00250/FUL**

- 7. ATTE BOWER FIRSGROVE ROAD WARLEY ESSEX CM14 Brentwood 65 - 72  
5JJ d West**

**HIP TO GABLE ROOF WITH REAR DORMER, RAISING THE  
EXISTING ROOF BY 750MM, LIFTING EAVES HEIGHT TO  
DROP OVERALL HEIGHT OF ROOF, AND TWO ROOF  
LIGHTS.**

**APPLICATION NO: 16/00380/FUL**

- 8. Urgent Business**

Head of Paid Service

Town Hall  
Brentwood, Essex  
20.05.2016

## Information for Members

### Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

### Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

### Point of Order/ Personal explanation/ Point of Information

#### Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

#### Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

#### Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.



### Private Session

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.



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### Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.



## Minutes

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### Planning and Licensing Committee Tuesday, 12th April, 2016

#### Attendance

Cllr McCheyne (Chair)	Cllr Reed
Cllr Cloke	Cllr Tee
Cllr Mynott	Cllr Wiles
Cllr Newberry	
Cllr Pound	

#### Apologies

Cllr Barrell  
Cllr Carter  
Cllr Trump (Vice-Chair)

#### Substitute Present

Cllr Coe substituting for Cllr Barrell  
Cllr Murphy substituting for Cllr Trump

#### Also Present

Cllr Mrs Hones  
Cllr Sleep  
Cllr Day - Ingatestone and Fryerning Parish Council

#### Officers Present

Claire Mayhew	- Governance and Member Support Officer
Caroline McCaffrey	- Development Management Team Leader
Gary O'Shea	- Principal Licensing Officer
Christine Stephenson	- Planning Solicitor
Philip Drane	- Planning Policy Team Leader
Brendan Johnston	- Highways Representative
Jonathan Binks	- Planning Assistant
Paulette McAllister	- Design and Conservation Officer

#### **420. Apologies for Absence**

Apologies were received from Councillors Barrell, Cllr Mrs Coe was substituting, Cllr Trump, Cllr Mrs Murphy was substituting and Cllr Carter, no substitute was present.

#### **421. Appointment of the Vice-Chair**

Cllr McCheyne **MOVED** and it was **SECONDED** by Cllr Cloke that Cllr Mrs Pound be made Vice-Chair for the duration of the meeting only. A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.

#### **422. Minutes of the Previous Meeting**

The Planning and Licensing minutes of 1<sup>st</sup> March 2016 were agreed as a true record.

#### **423. Minutes of the Licensing Appeals Sub Committee**

The Licensing/Appeals Sub Committee 18<sup>th</sup> February 2016 were agreed as a true record.

#### **424. Street Trading and Market Policy Review**

The report sought members consideration of the responses received following consultation of the draft revision of the Street Trading and Market Policy and for agreement of adoption with immediate effect as the Street Trading and Market Policy for the Borough.

Cllr McCheyne **MOVED** and Cllr Cloke **SECONDED** that recommendation 2.1 (a) set out in the report be agreed.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

- 1. It be adopted as the Street Trading and Market Policy for this Borough in its current form save for the addition of the alteration requested by Essex County Fire and rescue as highlighted in paragraph 5.7.**

#### **REASONS FOR RECOMMENDATION**

Resulting from the consultation there were four responses.

The responses had resulted in two possible scenarios with regard to Adoption of the final policy. In both scenario's it was recommended that the observations of the Essex County Fire and Rescue Service (ECFRS) be included, as it is recognised that the subject matter of the condition to which their suggested alteration relates (Gas Cylinders) was best understood by them, being the experts in the field. The ECFRS comments were attached at

Appendix B. The Policy had already been amended in the draft to reflect the change.

The other three responses were conflicting, there were two options in the recommendations, the choice of which was dependent on Members views following consideration of the facts.

Following consultation, most of the alterations to the policy had not been challenged. The one area of concern from three out of four representations related almost exclusively to paragraph 5 of the policy and in particular paragraph 5.4

Of the two available options contained within the recommendations, the representation from Virgo on behalf of the shop traders would have effectively advocated removal or amendment of the phrase 'Designer or recognised brand label clothing, footwear or accessories' as this leaves the door open to the market being permitted to stock the same items as shops provided that those items are not recognised fully licensed brand/designer labels.

One of the main complaints which lead to bringing forward this review of the Street Trading and Market Policy, was in relation to duplication of the stock sold in local shops by one market trader. It was argued that this was against the policy and this was reflected in the representation from Virgo who advocates adoption of the policy under the terms of option B.

The Council originally adopted a Street Trading Policy and supported the establishment of a market in order to:

- 1 Support local businesses and retailers by increasing footfall
- 2 Attract new visitors, residents and shoppers to the High Street
- 3 Create a welcoming atmosphere
- 4 Provide an opportunity to trade for local businesses
- 5 Complement existing retailers and business on the High Street
- 6 Provide a diverse and alternative offer of products to shoppers

This involved striking a balance between supporting shop traders who are vital to the success and attraction of the High Street, whilst ensuring that Street Trading, particularly relating to the market meets these objectives.

In the form originally adopted, it could be argued that the policy was too restrictive as to some extent, whilst the market had been a success, it had only been able to provide a limited offering. Officers had found the current policy to be restrictive and difficult to enforce, which also means that through no fault of their own, it is was difficult for traders applicants and members of the public to fully understand. It was therefore, believed that option A provided flexibility for the Council and traders alike, whilst striking the correct balance in restricting the items that would normally be found more in the shops but permitting the market trade more freely and to better promote the objectives that it was designed to meet.

**425. CONSTRUCTION OF 16 APARTMENTS WITH ASSOCIATED PARKING, COMMUNITY PARKING SPACES, ACCESS, AND LANDSCAPING.**

**APPLICATION NO: 15/00710/FUL**

Mr First, the applicant representative was present and spoke in support of the application and applicant.

Cllr Day from Ingatestone Parish Councillor also spoke on the application.

Cllr Wiles **MOVED** and was **SECONDED** by Cllr Cloke for approval of the application.

Members of the committee requests that further conditions should be added to the annexed to the conditions in the report.

- 1) Bats: a survey to be undertaken and mitigation measures to be imposed as appropriate
- 2) Lighting to the foot path should where is as practically possible be lit and reach the standards of Essex County Council adopted footpaths
- 3) Details of the construction of the retaining wall feature identified on drawing number PRO38-01 rev F
- 4) Amendment to condition 15 to identify each flat is allocated at least one on-site parking space
- 5) Amendment to condition 12 to include management plans of the watercourses

For: Councillors Mrs Coe, Mrs Murphy, Wiles, Reed, Tee, Cloke, Mynott, Newberry, Morrissey, Mrs Pound and McCheyne (11)  
Against: (0)  
Abstain: (0)

It was **RESOLVED UNANIMOUSLY** that the application be **APPROVED** subject to completion of a Section 106 Agreement and the following conditions:

- 1 TIM01 Standards Time – Full  
The development hereby permitted shall be begun before the expiration of three years from the date of this permission  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 DRA01A Development in accordance with drawings  
The development hereby permitted shall not be carried out except in complete accordance with the approved drawing (s) listed above and specifications.



Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

- 3 U12576  
Notwithstanding the details indicated in the application, no development shall take place above ground level until samples of the materials to be used in the construction of all the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Details shall include but not be limited to window profiles, balconies, bricks and roof tiles. A sample panel of the brickwork and proposed bonding shall be made available to the local planning authority as part of these details. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

- 4 U12579  
With the exception of the details to be approved as part of the hardstanding areas, the site shall be landscaped in accordance with the landscaping scheme indicated on the submitted drawings and specifications hereby approved. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme that has been agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason: In order to safeguard and enhance the character and appearance of the area.

- 5 U12580  
All existing trees on the site indicated for retention on the approved drawings shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. If prior to the commencement of the development or within five years of the completion of the development, any such trees are removed without such consent, or become severely damaged or diseased, they shall be replaced with others of a species, number, size and in positions to be agreed in writing with the local planning authority. The replacement shall be carried out within the first planting season after the Council's written agreement. Any works to existing trees which may prove

necessary shall be carried out in strict accordance with a written scheme to be approved in writing with the local planning authority prior to the carrying out of those works.

Reason: In order to safeguard the character and appearance of the area.

6 U12575

No development above ground level shall take place until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure shall be submitted to and approved in writing by the local planning authority.

The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers

7 U12581

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity. This issue is fundamental to the approval of these matters before the commencement of the development.

8 U12558

No development above ground level shall take place until details of the proposed footbridge and footpath as indicated on drawing 803-PL-002 rev R have been submitted to the local planning authority for approval in writing. The footbridge and pathway shall be constructed in accordance with the approved details prior to the first occupation of the

development. Maintenance of the footbridge shall be undertaken by the developer or their successors or by agreement in perpetuity.

Reason: In order to provide a pedestrian route through the site in the interests of sustainable transport methods.

9 U12559

Notwithstanding the details submitted on the proposed landscaping scheme, no development above ground level shall take place until details of all hard standing including materials have been submitted to and approved in writing by the local planning authority. The access road and areas of hardstanding shall be retained in the agreed form.

Reason: In the interests of the visual amenity of the area, and in the interests of highway safety.

10 U12560

No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To enable archaeological records to be made if necessary on a site that lies within an area of known archaeological interest

11 U12562

With the exception of the clearance of the site, no development shall take place until a detailed surface water drainage strategy including calculations, and based on the submitted Flood Risk Assessment Addendum A, rev B has been submitted to and approved in writing by the local planning authority as outlined in the Flood Risk Assessment Addendum A Revision B.

Reason: To prevent flooding to the site and surrounding area by ensuring the satisfactory storage of / disposal of surface water from the site and to provide mitigation of any environmental harm which may be caused to the local water environment.

12 U12577

Prior to first occupation of the development, the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and where appropriate, watercourses, and the maintenance activities / frequency.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

- 13 U12563  
The relationship between the height of the buildings hereby permitted and adjacent buildings shall be as indicated on the approved drawing.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

- 14 U12578  
Details of existing and proposed site levels and the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

- 15 U12582  
The development shall not be occupied until the access road, vehicle turning areas and parking areas for each plot have been constructed in accordance with the approved layout and approved plans. All parking spaces shall be available for the parking of vehicles that are related to the use of the development.

Reason: To provide appropriate access and vehicle parking in the interest of highway safety and amenity.

*(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of her working for a local Estate Agent).*

**426. DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION THREE NEW DWELLINGS.**

**APPLICATION NO: 16/00134/FUL**

Mr Hudson was present and spoke as an objector to the application.

Mr Hunter, a representative from Hutton Mount Residents Association was also present and spoke in objection to the application.

Mr Ward-Booth, the Agent for also present and spoke in support of the application.

Cllr Reed, Ward Member spoke on the application and expressed concerned on the application relating to access to the site and the amount of hard standing on the site, and the location of Plot 3, which has moved nearer to the neighbouring property Dunelm since the previous application.

Essex County Council Highway Authority representative informed the committee that the site was in a private road and therefore the Highway Authority provided only guidance on the highway issues.

Cllr Pound **MOVED** and Cllr Cloke **SECONDED** that this application be **DEFERRED**.

For: Cllrs Cloke, Mrs Coe, McCheyne, Mrs Murphy, Mrs Pound, Wiles, (6)  
Against: Cllr Newberry (1)  
Abstain: Cllrs Tee, Mynott, Morrissey (3)

A vote was taken by a show of hands and it was **RESOLVED** that the determination of the application would be deferred to a later meeting for officers to provide information on the amount of hardstanding on the site and the changes in the siting of plot 3 in relation to the neighbouring dwelling, and to for Cllr. Reed to meet with the residents.

*(Under 5.2 of the Constitution, Cllr Reed was not able to vote as he referred this item to the Committee).*

*(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of her working for a local Estate Agent).*

#### **427. Consultation Response to Basildon Borough Council Draft Local Plan**

The report sought Members agreement on a formal response to the Basildon Borough Council Draft Local Plan consultation (January 2016).  
A response was submitted in March to comply with the consultation deadline, subject to the approval of the Council's Planning and Licensing Committee

The Council's response set out general support for the Draft Local Plan's strategic objectives and vision. However, an objection was made on the basis that Basildon Borough failed to identify suitable and available locations for both Housing and Gypsy, Traveller and showpeople needs within the Basildon Borough.

Both Councils have a 'duty to cooperate' on planning issues that cross administrative boundaries, particularly strategic priorities. These priorities include Housing and Gypsy, Traveller and Showpeople site provision. Further work between the Councils is needed to address these issues.

Cllr McCheyne **MOVED** and Cllr Mynott **SECONDED** to agree the recommendations set out in the report.

A vote was taken by a show of hands it was **RESOLVED UNANIMOUSLY** to:

- 1. Approve the response to the Basildon Draft Local Plan 2014-2034 (January 2016), as set out in Appendix A.**

**2. To support on-going Duty to Cooperate work at Officer and Member level in line with the requirements of the National Planning Policy Framework.**

**REASONS FOR RECOMMENDATION**

Basildon Council has proposed to meet some of Basildon Borough's unmet housing and Traveller need within Brentwood Borough, without the sound procedural discussion that this requires.

89% of Brentwood borough's total land area is designated as Green Belt, which severely restricts options for new development. In order to meet the identified objectively assessed needs of Brentwood Borough the Council is proposing limited release of Green Belt, potentially reducing Green belt Coverage in the Borough (Brentwood Draft Local Plan, January 2016). This is in order to meet local needs, despite Green Belt and infrastructure constraints. Adding the unmet needs of Basildon Borough is unreasonable and unjustified.

Brentwood Borough is constrained, restricting suitable and available sites for new homes, pitches or transit site provision. For this reason Brentwood Borough Council is unable to accommodate the unmet needs of surrounding districts and object to the Basildon Draft Local Plan on this premise.

The Brentwood Draft Local plan proposed a new strategic site to provide a new self sustaining community at Dunton Hills. The Basildon Draft Local Plan has proposed an extension to West Basildon, which would include new homes, a residential care/nursing home, Gypsy and Travellers pitches and park homes sites for non-travelling Gypsies and Travellers as well as employment land. The relationship between these two nearby proposals will require further dialogue.

The dialogue between Basildon Borough Council and Brentwood Borough Council has been limited beyond the initial Memorandum of Understanding for Dunton Garden Suburb.

In meeting the required Duty to Cooperate, Basildon Borough Council has acknowledged matters that require ongoing cooperation including;

- 1 'Providing the right housing types and tenures to support sustainable development including sustainable economic growth within the South Essex Strategic Housing Market Area.'
- 2 'The unmet accommodation needs of Gypsies, Travellers and Travelling Showpeople.'
- 3 'Joint working with local authorities to the west of Basildon to consider the provision of a cross boundary 'garden suburb' in the area around Dunton

- 4 To move forward with proposals contained in both draft plans further dialogue will be necessary. Brentwood Borough Council consider that the reinstatement of engagement on strategic matters with Basildon Borough Council is a priority in line with the Duty to Cooperate, particularly on issues pertinent to proposed development in the wider Dunton area.

**428. Consultation response to Essex County Council and Southend-on-Sea Borough Council Replacement Waste Local Plan Pre-Submission Draft**

The report looked at the Essex and Southend replacement Waste Local Plan Pre-Submission Draft that provides the key principles and policies proposed to guide the future management of waste in the Plan area up until 2032.

It proposed to safeguard existing waste capacity, allocate sites suitable for waste facilities and a range of policies to manage waste development.

A number of 'Strategic Sites' had been identified to meet the waste capacity needs of Essex and Southend. None had been identified in Brentwood Borough. The consultation document identified two 'Areas of Search' and eight 'Safeguarded Sites' within Brentwood Borough.

This consultation provided the final opportunity for comments to be made on the Replacement Waste Local Plan and supporting documentation before it is submitted for an Examination in Public. Only representations on matters of soundness and legal compliance can be considered by the Planning Inspectorate. Further to raising specific points regarding Areas of Search and Safeguarded Sites, the Replacement Waste Local Plan is considered to be sound and legally compliant.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Mynott to agree the recommendation set out in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** to:

1. **Approve the response to the Essex and Southend Replacement Waste Local Plan Pre-Submission Draft (March 2016), as set out in Appendix A.**

**REASON FOR RECOMMENDATION**

It is not considered necessary to object to the Essex and Southend Replacement Waste Local Plan Pre Submission Draft consultation on the basis of identifying two Areas of Search and safeguarding eight existing waste facilities within the Borough.

Principally the identified approach of the emerging Replacement Waste Local Plan is to meet the waste capacity requirements through strategic allocations (none of which are identified in the Brentwood Borough). The

Areas of Search would be an option for waste development should none of the strategic allocations be deemed suitable and for non-strategic sites. Any applications would still be subject to assessment against the appropriate policies of the Waste Local Plan and Brentwood Local Plan.

The Brentwood Draft Local Plan identifies sufficient additional employment land for the plan period. With the sites at West Horndon and Codham Hall Farm allocated for non-waste development the additional employment land identified in the Borough to meet future needs may be suitable as alternative locations for future waste facilities.

The Council supports the main aim of the RWLP to continue to support better and more sustainable ways of dealing with waste, further reduce dependence on landfill and achieve net self-sufficiency for all waste streams.

#### **429. Urgent Business**

There were no items of Urgent Business. However the Chair thanked Cllr Tee, Cllr Carter and Cllr Sleep for their service to the Community and for their input to the Committee over the years and wished them well.

The meeting concluded at 21:30





## Minutes

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### **Licensing/Appeals Sub-Committee** **Tuesday, 8th March, 2016**

#### **Attendance**

Cllr McCheyne  
Cllr Reed

Cllr Wiles

#### **Also Present**

Cllr Newberry

#### **Officers Present**

Dave Leonard	- Licensing Officer
Chris Pickering	- Principal Solicitor
Rakish Rose	- Technical Officer, Environmental Health
Jean Sharp	- Governance and Member Support Officer

### **380. Appointment of Chair**

Members resolved that Councillor McCheyne should chair this meeting of the Sub-Committee.

### **381. Administrative Function**

Members were respectfully reminded that, in determining the matters listed below, they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

### **382. Application for a Premises Licence - Licensing Act 2003, CAFE LOWE, 2-2A VICTORIA ROAD, BRENTWOOD CM14 5EE**

The report before Members provided information relating to the application for a variation to the premises licence in respect of Cafe Lowe, 2-2A Victoria Road, Warley Brentwood CM14 4AP.

Members were requested to determine the application having regard to the operating schedule, the Council's Statement of Licensing Policy and the four Licensing objectives:

- Prevention of crime and disorder
- Prevention of nuisance
- Public safety
- Protection of children from harm

The application was received on 13 January 2016 from Mr Robert Lowe and a copy was before the Sub-committee. The applicant sought a licence for the provision of the sale of alcohol for the following hours: 10:30hrs to 00:00hrs daily and late night refreshment for 23:00hrs – 00:00hrs daily with extended hours on Christmas Eve and New Year's Eve.

The application had been advertised in accordance with the Licensing Act 2003 regulations.

Two representations had been received from responsible authorities - Essex Police (Licensing) and Environmental Health (Noise Pollution) - and ten representations were received from interested parties relating to public nuisance, all of which were appended to the agenda.

The Sub-committee was addressed by the applicant's representative who advised that the applicant now wished to reduce the requested licensing hours which would go some way to addressing the concerns of those making representation.

The Sub-Committee considered the written and oral submissions from all parties and noted the greatly reduced hours by way of a varied application, made orally at the meeting. The hours applied for were as follows:

10:00 to 18:00hrs Monday to Sunday and the first Saturday of each month  
10:00 to 23:00hrs .

The Sub-Committee noted the objections from local residents but since parking was not relevant to the Licensing Objectives, complaints about current anti-social behaviour could not be associated with the applicant premises. The Sub-Committee put some weight in the recommendations of the Council's Environmental Health department and the Police and noted that their recommendations had been accepted by the applicant and that Mrs Rose from the Environmental Health department accepted at the hearing that with the new hours applied for, she was now happy with the application being granted.

The Sub-Committee were satisfied that the conditions volunteered and accepted were sufficient to satisfy the licensing objectives and therefore resolved to grant the licence as applied for, with the following conditions also applied:

1. Alcohol shall only be sold ancillary to a table meal as defined by s159 of the Licensing Act 2003
2. No drinks or glassware shall be permitted outside the premises



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<b>SITE PLAN ATTACHED</b>
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**03. LAND REAR OF 139-141 COXTIE GREEN ROAD PILGRIMS HATCH SOUTH WEALD ESSEX**

**DEMOLITION OF THE EXISTING BUILDINGS AND THE CREATION OF 12 NO. TWO, THREE, FOUR AND FIVE BEDROOM HOUSES AND A NEW ACCESS ROAD.**

**APPLICATION NO: 16/00226/FUL**

<b>WARD</b>	South Weald	<b>8/13 WEEK DATE</b>	18.05.2016
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG GB1 GB2 H6 H9 H14 CP1 PC4 T2 C5 C16
<b>CASE OFFICER</b>	Mrs Charlotte White	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	ARBORICULTURAL IMPACT ASSESSMENT; DESIGN AND ACCESS STATEMENT; ECOLOGICAL APPRAISAL; FLOOD RISK ASSESSMENT; LAND AND VISUAL IMPACT REPORT; TRANSPORT STATEMENT; GEOENVIRONMENTAL ASSESSMENT; AFFORDABLE HOUSING REPORT; SH006-001C; SH006-A-002A; SH006-003A 00; SH006-C-006A; SH006-D-007A 00; SH006-D-008A; SH006-D-008A 00; SH006-E-010A; SH006-G-012A; SH006-G-013A; SH006-B-003A; SH006-B-003A 00; SH006-002E; SH006-003B; SH006-004B; SH006-005; F05144/15/001; SH006-A-001 00; SH006-B-004A; SH006-C-005 00; SH006-D-007 00; SH006-E-009 00; SH006-G-014 00; SH006-ST-015 00;		

This application has been referred to Committee by Cllr Coe for the following reasons:

- The site is brown field and not green belt.
- Warwick Place is a similar idea.
- No issues.
- Improvement to the area.
- 2 affordable units.
- Trucks in and out in the past.
- Shortage of houses.

## **1. Proposals**

Planning permission is sought to demolish the existing structures on the site, including three dwellings and a former telephone exchange and to construct 12 dwellings. No. 139 Coxtie Green Road will be retained and refurbished, therefore in total there will be 13 dwellings on this site as a result of this development. The proposed dwellings comprise 4x 2-bedroom dwellings, 4x 3-bed dwellings, 2x 4-bed dwellings and 2x 5-bed dwellings. The applicant has offered 2 of the 2 bedroom dwellings as intermediate (shared equity) affordable units. A new vehicular access will be provided, providing access to the dwellings located behind the new dwellings proposed fronting Coxtie Green Road. The dwellings fronting Coxtie Green Road will create two small terraced rows and comprise 2 and 3 bedroom dwellings. Immediately behind the terraced rows fronting Coxtie Green road are two 2-bedroom 'FOG' units (flats over garage units) with the 4 and 5 bedroom units provided to the rear of the site. The parking is provided in courtyards comprising garages and parking spaces accessed from the new vehicular access with no parking spaces gaining access from Coxtie Green Road. No.139 Coxtie Green Road will also be provided with a parking space accessed from the new access road. The buildings proposed range from single storey structures (garages) to 2.5 storey structures (the 5 bedroom dwellings to plots 9 and 12).

The dwellings to the front of the site facing Coxtie Green Road are designed to resemble workers cottage with the dwellings to the rear designed to create the character of a farmyard. A restricted range of facing bricks, roof tiles, weatherboarding and surfacing will be used with render, bay windows, projecting porches, gables and dormers.

The application has been submitted with full plans, a covering letter, a planning, design and access statement, a landscape proposal plan, a transport statement, a flood risk assessment, a landscape and visual impact assessment, an arboricultural impact assessment, an affordable housing statement, a phase 1 and 2 geoenvironmental assessment and a preliminary ecological appraisal and external bat scoping survey.

## **2. Policy Context**

GB1 - New Development in the Green Belt

GB2 - Development criteria

H6 - Small Unit Accommodation

H9 - Affordable Housing on Larger Sites

H14 - Housing Density

CP1 - General Development Criteria

PC4 - Noise

T2 - New Development and Highway Considerations

C5 - Retention and Provision of Landscaping and Natural Features in Development

C16 - Development within the Vicinity of a Listed Building

### **3. Relevant History**

- 15/00923/FUL: Demolition of the existing buildings and creation of 7 no. four bedroom detached houses, plus a new access road and associated drives and parking. -Application Refused

### **4. Neighbour Responses**

17 neighbour letters were sent, a site notice was displayed and the application was advertised in the press.

1 letter of support has been received which makes the following comments:

- Will greatly improve the appearance of the site.
- Will mediate the site and remove contamination.
- Housing is more preferable than a scrap yard or alternative business.
- Much needed housing will be provided.
- Enhance the area for all living locally.
- Sensible use of previously developed land.
- Only proviso is that privacy is maintained to rear garden of adjoining homes and care and consideration given to residents during the proposed building works.

2 letters have been received from the same resident which neither explicitly support or objects to the proposal, but makes the following comments:

- Green Belt does not apply.
- Concerns raised about previous use including environmental concerns, negative impacts on the neighbours of the site and health issues.
- Concerns raised about the proposed access being inadequate and dangerous, with requests for traffic calming and the access to be moved nearer to No.137 Coxtie Green Road.
- Request that adjacent land is cleaned up, including a pond and stream which were contaminated by the scrap yard site.

A map has also been received indicated land ownership to the west of the site.

### **5. Consultation Responses**

- **Highway Authority:**

The location of the development and access by walking, cycling and public transport are not ideal, but the Highway Authority has considered the existing neighbouring properties, the existing vehicle movements generated by the scrap yard and residential dwellings, the expected reduction in daily movements from the proposed residential development, and the creation of a single central access improving

visibility in both directions onto Coxtie Green Road (as shown on drawing no.F05144/15/001).

Consequently, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority; given the consideration detailed above, and the area to be provided for parking within the site, which complies with Brentwood Borough Council's adopted parking standards or the proposed development for 12no dwellings, subject to conditions requiring;

1. A 2 metre wide footway along the site frontage.
2. A white edge line outside the site.
3. A Construction Method Statement.
4. The vehicle access to be constructed at right angles to the highway.
5. Visibility splays.
6. Vehicle turning facilities.
7. The requisite sized parking spaces.
8. Residential Travel Information packs.
9. The existing access to be closed.

- **Essex & Suffolk Water:**

No response received.

- **Environmental Health & Enforcement Team:**

A standard remediation condition is required.

- **Anglian Water Services Ltd:**

Response awaited.

- **Arboriculturalist:**

The report is extensive and suitable for the site, it should be conditioned in its entirety.

- **County Archaeologist:**

No response received.

- **Natural England:**

No response received.

- **Essex Wildlife Trust:**

No response received.

- **Housing Services Manager:**

We would require on-site provision of affordable housing at affordable rent, preferably a mix of all bedroom sizes.

- **Schools, Children Families Directorate:**



No response received. The number of dwelling proposed is less than the threshold for requiring education funding.

- **Design Officer:**

Overall the approach to the layout is to retain built form at the frontage in a linear pattern, which is characteristic of the urban grain with the demolition of the former EHS chalet bungalow to provide out of keeping with the established urban grain.

The layout has taken reference from the wider context and the extension of ribbon development; although I recommend strongly aspects of scale are addressed throughout - both at the frontage and as the built form spreads into the site. In particular the heights of the more ancillary buildings and FOGs should be reduced in order not to compete with the host residential buildings - this is achievable without diluting the design intent. At the principle frontage the gable frontages can also be reduced and still retain the intent - this is a fundamental concern.

In addition the layout requires refinement; the orientation of Plot 12 is fairly awkward and given it is proposed for 2.5 storeys the impact its protrusion at the south east corner this needs to be addressed.

In terms of design detail there are areas where proposed openings should be refined e.g. Type E elevations show enlarged dormers within the roofscape - these currently exceed the good proportions designed for openings on the ground and first floor windows - this should be reconsidered to negate an overbearing scale; dormers should read more as minor incidents in the roofscape. The portico's are also quite heavy for buildings of this scale and proportion; more concerning is that some house types are of a Georgian language and others Victorian - the development can have variation but the differing periods of architectural pastiche illustrated within this submission is not supported. There is however consideration in the design of the properties at the principle thoroughfare (Plots 2-6), and a good detail intent for barge boards, plinths and gauged arches - these do reflect the local vernacular, it is unfortunate this approach has not been adopted throughout with subtle variation where required.

To adopt a good strong narrative would assist further in the material selection - I advise against the mix of yellow and red bricks; this is a relatively small scale development and to apply too many variations in material language in tandem the mixed architectural language proposed will not achieve a good sense of place. 'slate effect' roofing should not be accepted - the design of the roof tiles on Type D shows a 'fish scale' insert pattern which would work well, however other parts of the same house type have what appears to be interlocking and plain tile - again this is too much variation on one dwelling.

Scale, layout, detail and material cohesion needs to be more considered in a refined design; the cumulative impact of these negative elements within the

redevelopment results in a diminution of the architectural intent and lowers the standard of a design.

Subject to revisions I have no further comments on design Grounds at present; I am currently unable to advise you this scheme is of 'Good Design'.

- **ECC SUDS:**

We object to the granting of full planning permission based on the following:

The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Detailed Drainage Checklist.

Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

- **Bats - Mrs S Jiggins:**

Response awaited.

- **Essex Badger Protection Group:**

Response awaited.

## **6. Summary of Issues**

Executive Summary

Concerns and objections have been raised by the Design Officer, Essex County Council as Lead local Flood Authority.

The proposal constitutes inappropriate development in the Green Belt which would result in significant and demonstrable harm to the openness of the Green Belt and the proposal would conflict with the purposes of including land in the Green Belt. The site is not located in a sustainable location and the occupiers of the dwellings would be highly reliant on private vehicles for a high proportion of all journeys. The proposal does not provide an acceptable mixture of dwelling sizes. The layout, scale, design and materials proposed are unacceptable and would result in significant and demonstrable harm to the character and appearance of the area. Insufficient information has been submitted to demonstrate that the proposal would not result in unacceptable flood risk to future occupiers of the site and that flood risk will not increased elsewhere as a result of the development. There are no very special circumstances that outweigh the significant and demonstrable harm identified.

## Site Description

The application site is located on the northern side of Coxtie Green Road and is currently occupied by four dwellinghouses, a telephone exchange and a disused scrap yard site with some outbuildings, including some small piggeries to the northern end of the site. The site was previously used as a scrap yard and there are a number of surviving elements on the site from this use including large areas of hardstandings, corrugated iron on the boundaries and a brick wall, there are areas of rubble on the site also and areas of vegetation.

The site is in the Green Belt and as such the main considerations in the determination of this proposal are; Green Belt considerations, sustainability, housing policies, loss of employment land, design and character of the area, residential amenity, living conditions, contamination, parking and highway considerations, landscaping and ecology considerations and flood risk/drainage:

## History

The site has an extensive planning history including the construction of piggeries in 1950 and 1962 and the installation of a weighbridge in 1976. Part of the site has a lawful use certificate to be used as a scrap metal yard.

Planning permission was recently refused to redevelop part of the site (ref. 15/00923/FUL) to provide 7 dwellings, which was refused for the following reasons:

- Inappropriate development in the greenbelt
- Detract from openness of greenbelt
- Development in area with poor public transport links
- Unacceptable mix of dwelling sizes
- Incongruous development out character with surroundings
- Overlooking of adjacent properties
- Failure to demonstrate provision of sustainable drainage

This decision is a material consideration for determining this application – it relates to the same site and is a recent decision.

Within the surrounding area there have been other applications for dwellings in the locality, and to the rear of the established ribbon development, including an application for 3 dwellings to the rear of 131-137 Coxtie Green Road (ref. 11/00874/OUT) which was refused by the Council for six reasons which can be summarised as; inappropriate development in the Green Belt, harm to the openness of the Green Belt, harm to the character and appearance of the rural location, unacceptable impact on the residential amenity of No's 133 and 137 Coxtie Green Road, insufficient information to determine the impact on ecology and that there are no very special circumstances that outweigh the harm.

This decision was appealed and dismissed, the Inspector commenting that the development is inappropriate development in the Green Belt, would significantly erode the openness of the Green Belt, would not have any visual or physical affinity with the ribbon development which characterises the locality, is piecemeal development of some former gardens which provide a semi-rural backcloth to the established frontage of properties and the layout and arrangement of houses would be out of keeping with the more loose-grained character of the locality and inappropriate to its context. The Inspector concluded that none of these considerations, individually or collectively outweigh the harm identified and accordingly there are therefore no very special circumstances that would justify granting planning permission. Furthermore the proposal would lead to a significant increase in residential activity, intruding on the secluded setting that exists to the rear of the properties along the frontage, and parking, manoeuvring and vehicle movements would detract from the living conditions of neighbouring properties, and the provision of new housing would not be compatible with the adjacent commercial use. It should be noted that this appeal decision was post the NPPF.

Reference is made in the Planning, Design and Access Statement submitted to Warwick Place; a cul-de-sac of 16 dwellings. However, the cul-de-sac of Warwick Place was permitted a significant amount of time ago - an application was made in 1987 for this development (ref. BRW/1057/1987) and was approved in January 1988 when Planning Policy was very different to today. In any case, all planning applications should be considered on their own merits.

The Transport Statement submitted indicates that until October 2012 the site traded as a scrap metal recycling company, employing 12 people and operating 5 HGVs at its busiest period. Prior to that, up until the mid 1990s the site was used as a haulage yard whereby it is understood that an operator's licence was in place for 50 HGVs.

## Green Belt

Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Is the proposal inappropriate development in the Green Belt:

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with some exceptions including:

- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

The definition of previously developed land (PDL) contained in the NPPF is: land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings, land that has been developed for minerals extraction or waste disposal by landfill purposes where provisions for restoration has been made through development control procedures; land in built up area such as private residential gardens, park, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

The Planning, Design and Access Statement submitted comments that: there is potential for the redevelopment of the site to be considered an exception to the presumption against inappropriate development if it can be shown that the former scrap yard causes greater harm to the openness of the Green Belt and the purposes of the designation than a scheme for twelve new homes. The information submitted in this regard recognises that much of the site has already been cleared and comments that when operations were being undertaken at full capacity the harm to the Green Belt was much greater than the current site. In this regard a historic photograph has been provided which shows the existing bungalow, piles of scrap and materials such as cars, a red brick building and a lean-to and a barn. The statement refers to the Landscape Visual Impact Assessment (LVIA) which comments that the residential scheme will enhance the openness of the Green Belt as the proposed buildings will occupy less space than the old buildings and stored scrap. It is therefore claimed that the proposal meets the exception to inappropriate development cited above.

Officers consider that at least part of the site is previously developed land; as the definition of previously developed land excludes agricultural land and buildings; the piggeries to the rear of the site may not therefore constitute previously developed land. As such, to determine whether this proposal constitutes inappropriate development in the Green Belt, it is necessary to determine whether this proposal would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development:

Openness and purposes of including land in the Green Belt:

It is important to note that to be acceptable the redevelopment of PDL cannot have a greater impact on the openness of the Green Belt and the purposes of including

land within the Green Belt than the existing situation. The existing site is largely open with the exception of the dwellings at the front of the site, a fairly dilapidated building to the rear of the telephone exchange and some low-level piggeries to the rear of the site. (There are also some remains of some walls on the site, corrugated metal to the boundaries, hardsurfacing and some piles of rubble on the site). Whilst it is noted that there used to be larger buildings on the site, these have since been removed. The justification provided, relies heavily on these previous buildings that are no longer on the site and also refers to the piles of scrap and material that were stored on the site, however, these items have also been largely removed and are not permanent structures and therefore have limited permanent impact on the openness of this part of the Green Belt in any case. The benefits of clearing the site are less than claimed.

The justification submitted also comments that the built structures within the proposed development area will occupy less space than the old buildings and stored scrap. However, as previously noted, the majority of these buildings have now been removed and the stored scrap is not a permanent structure. The Planning Design and Access Statement submitted provides some estimates of the previous sizes of the buildings on the site; 'it is believed that the footprint of permanent buildings whilst the site was in use was 1050 sq. m, with a volume of 4470 cu. m'. The statement goes on to comment that the proposed buildings would have a footprint of 1130 sq. m and a volume comparable to the volume of the previous buildings on the site.

Given the extent of the existing limited buildings and their locations in the site, the existing situation would have much less impact on the openness of the Green Belt than the 12 large - up to two and a half storey dwellings and associated garages hereby proposed. As such, the proposal would result in a significant and demonstrable reduction to the openness of the Green Belt compared to the existing situation.

In terms of the purposes of including land in the Green Belt; there are 5 purposes as outlined at paragraph 80 of the NPPF:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban lands.

The existing site is largely hardsurfaced; however, to the rear of the site there are only some small, low-level piggeries. As such, this proposal to erect 12 houses on the site, which extend significantly back into the plot, beyond the established ribbon development would result in further encroachment into the Green Belt, contrary to the purposes of including land in the Green Belt.

It is therefore considered that the proposal would result in material harm to the openness of the Green Belt over and above that of the existing development and would result in further encroachment into the Green Belt, contrary to the purposes of including land in the Green Belt. The proposal therefore constitutes inappropriate development in the Green Belt.

## Sustainability

The applicant states that Coxtie Green is a small dispersed settlement to the north-west of the built-up area of the Town...Most of the surrounding land is in agricultural use. However, this document goes on to state that there are local services at the junction of Coxtie Green Road and Ongar Road; a five minute cycle ride leads to a small supermarket with post office, a hot food takeaway, an off-licence, two public houses and Bentley Village Hall, plus Larchwood Primary School. Unlike the previous application, this document does not comment on these services being accessible by foot.

In terms of walking, it is noted that the footpath from this site does not continue all the way along Coxtie Green Road to Ongar Road. It would be a fairly significant walk from the site to Ongar Road, and given the lack of a footpath all the way from the site to these shops and services, it is considered unlikely that the majority of people living on this site would walk to these shops and services and would be much more likely to reach these shops and services via private vehicle. According to Google Maps, this journey is some 0.8 miles and it would take around 16 minutes to walk from the site to these shops and services. In terms of cycling, it is unlikely that occupiers will use a bicycle to get food shopping or access schools, for example.

The applicant also refers to local bus services, commenting that the bus stops at the junction of Coxtie Green Road and Mores Lane are served by the No's 71 and 72 bus routes which combine to provide 6 buses to Brentwood Town Centre and Railway Station in the morning and early afternoon with services returning from late morning to early evening. This service reduces to three journeys each way on Saturdays. However, this service is very poor and infrequent and as such it is unrealistic alternative to private car use.

As such, this bus service is very limited and provides only a small, irregular and limited service, decreasing the probability of residents of this site utilising this service.

The Planning, Design and Access Statement goes on to comment that there is a bus stop at the junction of Coxtie Green Road and Ongar Road; served by more regular bus services. However, the site is located some 16 minutes walk from this junction and these bus stops and the footpath does not continue all the way along

Coxtie Green Road. As such, it is considered unlikely that occupiers of this site would walk to these bus stops to utilise these more frequent services.

As such, it is considered that the occupiers of the new dwellings would be likely to rely on private vehicles for a high proportion of all journeys which would directly conflict with paragraph 35 of the NPPF which indicates that development should be located to give priority to pedestrian and cycle movements and should have access to high quality public transport. The proposal would therefore conflict with the underlying objective of the NPPF as regards to sustainable development and an objection is therefore raised to the proposal on this basis.

### Emerging Local Plan

The emerging, draft Local Plan (2013-2033) does not seek to allocate this site for residential development purposes, although it was put forward as a development site. The planning policy team has advised that the reason this site was not chosen as a development site was due to its limited size, because the site is in an unsustainable location and is not located in a strategic location or on a main transport corridor and as such does not meet the spatial strategy of the plan proposed.

### Housing Policies

Policy H6 of the Local Plan states that in all new housing developments the Council will seek the provision of a mix of units on suitable sites of 6 units and above or on suitable sites of 0.2 ha or more with at least 50 percent of the total units being 1 and 2 bedroom properties, except where it can be demonstrated that such a mix of units will be inconsistent with the character of existing development in the area.

The Planning, Design and Access Statement comments that the location of the site is unlikely to be suitable to meet the aspirations for 50 percent of units to have two bedrooms or fewer. It goes on to state that smaller properties behind the street frontage would be inconsistent with the character of existing development in the area. The document also comments that this proposal results in a better mix of housing compared to the previous application (ref.15/00923/FUL). However no further justification is provided as to why only 33 percent of the dwellings proposed are less than 3 bedrooms.

The existing, established linear development in the wider area surrounding this site includes a mixture of dwelling sizes and within the immediate vicinity of the site the ribbon frontage dwellings consist of smaller dwellings; small two storey cottages and chalet-bungalows. As such, smaller properties would not be inconsistent with the existing character of the area. As such, an objection is raised in terms of Policy H6 of the Local Plan and Paragraph 50 of the NPPF which seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable and mixed communities.



Policy H9 of the Local Plan comments that outside the Brentwood Urban Area, on sites of 5 or more dwellings or on sites of 0.16ha or greater, a proportion of 35 percent of the units shall be affordable units.

The application has been submitted with an affordable housing statement which comments that whilst the proposal is for the redevelopment of the site to provide 12 units this includes the replacement of the existing four vacant residential properties resulting in a net increase of 8 properties.

However, the application form indicates that the proposal will result in a net increase of 9 dwellings. The existing site has 4 dwellings on it; No. 139, 141, 147 and 149 Coxtie Green Road. As part of this proposal No139 will be retained and brought back into residential use and the other 3 existing dwellings will be demolished. Including No.139, this development will result in a total of 13 dwellings on the site. As such, this proposal will result in the net increase of 9 dwellings on the site, not 8 as suggested in the affordable housing statement.

As such, there is a requirement for 3.15 affordable housing units on the site (35%). However, the developer is only proposing to provide 2 affordable housing units - 2x 2-bedroom terraced houses (plots 3 and 5) - both of which are to be shared ownership units, with no affordable rent units being proposed.

The justification offered by the applicant to the undersupply of affordable housing relates to the increased costs required to develop this site due to the contamination of the site and the reasoning provided by the applicant as to why social rent affordable housing is not to be provided is due to typical occupiers of social rent properties being more dependent on local facilities and may not have ready access to a car, or income to spend on bus fares. However, no further information regarding viability has been submitted and no independent viability assessment has been submitted.

However, during the course of this application the Court of Appeal has upheld the Written Ministerial Statement of 28th November 2014 that prevented local planning authorities requesting affordable housing on sites under 10 dwellings in the case of West Berkshire District Council and Reading Borough Council v. Secretary of State for Communities and Local Government. The Policies previously added to the NPPG are yet to be reinstated following this decision, however, given this decision it is not considered that a reason for refusal on this basis could be fully justified.

Policy H14 requires residential densities of no less than 30 dwellings per hectare unless the special character of the area determines that such densities would be inappropriate.

The application form indicates that the site area is 0.44 hectares and the proposed development would result in 13 dwellings on the site (12 new dwellings with the

retention of No.139). As such a density of 29.5 dwellings per hectare (dph) is proposed which is only marginally below the 30dph required. No objection is therefore raised on this basis.

### Loss of Employment

This proposal will result in the loss of an employment site. However, it is apparent that the site has not been used for employment purposes for some time and no-one is currently employed on this site. The Planning, Design and Access Statement submitted indicates that the use of the scrap yard is on hold. As such, it is not considered that an objection can be raised on this basis as the site is currently not employing anyone.

### Design and Character of the Area

A Planning, Design and Access Statement and a Landscape and Visual Impact Assessment (LVIA) have been submitted with this application.

The Assessment submitted comments that the site lies within the linear village of Coxtie Green and that there is a rural feel to the area. The rear of the site is now derelict but was previously a scrap yard and had several two and two and a half storey buildings. Panorama views of the current site are provided in this report which demonstrate that the site has been largely cleared and is now largely open in nature. The report looks at the impact of the development on a number of visual receptors. The LVIA concludes that the site currently has no visual merits and that the proposed residential development will provide a great improvement to the Coxtie Green Road frontage and it will create an attractive and appropriate new housing scheme within Coxtie Green. The development will have no effect on the wider character area and will enhance the local setting. The visual effects are limited and will greatly improve the appearance of the local area.

The Council's Design Officer has commented that the layout to retain built form at the frontage in a linear form is a characteristic of the urban grain, however, development to the rear of the site is incongruous in the area and against the established urban grain of the area.

The Design Officer has also raised some concerns in relation to scale; including that heights of ancillary buildings and comments that the FOG units should be reduced and that the gables at the front of the site should be reduced. The Design Officer also raises concerns in relation to the layout with plot 12 which having an awkward and prominent orientation. Concerns are also raised regarding some of the detailing, including the scale of the dormers and porticos proposed. Concern is also raised about the mix of the design of the dwellings with the differing periods of architectural pastiche not supported. It is unfortunate that the design of the dwellings fronting Coxtie Green Road has not been adopted throughout with subtle variations. Concern is raised about the material intend, including the use of both

yellow and red bricks which will not achieve a good sense of place and the use of slate effect roof tiles. The Design Officer therefore raises concerns regarding the scale, layout and detailing proposed and the development does not constitute good design.

As such, it is considered that the siting and layout of the dwellings would be at odds with the predominant distinct linear, ribbon character of the area. Whilst it is noted that there is a development of detached dwellings that are at odds with the ribbon development on Coxtie Green Road at Warwick Place, this development was permitted a long time ago, when planning policies were different and each case must be considered on its own merits. Warwick Place is also not located within the immediate vicinity of the site and as such Warwick Place does not provide justification for the layout hereby proposed which is incongruous in its immediate context.

It is considered that this layout and the siting of the dwellings would result in significant and demonstrable harm to the existing character and appearance of the linear area. This conclusion is supported by a previous appeal decision in relation to an adjoining site 131-137 Coxtie Green Road (see history section above) ref. 11/00874/OUT in which development to the rear of the existing ribbon development was proposed, the Inspector concluding that the proposal would not have any visual or physical affinity with the ribbon development which characterises the locality and the layout and arrangement of houses would be out of keeping with the more loose-grained character of the locality and inappropriate to its context.

Given the established ribbon development and the comments received from the Design Officer, an objection is therefore raised to the layout, scale, design and materials of the development hereby proposed. Such a development would result in an incongruous development that would fail to reinforce the local distinctiveness of the area contrary to Paragraph 60 of the NPP. The proposal would result in significant and demonstrable harm to the character and appearance of the area contrary to Chapter 7 of the NPPF and Policies CP1(i) and CP1(iii) of the Local Plan.

#### Residential Amenity

In terms of overlooking, the western and rear boundaries of the site would adjoin open, undeveloped areas and the development would not therefore result in any undue overlooking in this regard. Plots 11 and 12 back on to land beyond the immediate gardens of the adjoining properties in Coxtie Green Road and would not therefore result in any material overlooking.

However, Plot 7 would back onto the main garden area of No.137 Coxtie Green Road and is located only 4m from the boundary with the garden of No.7. However, Plot 7 constitutes a Type 'C' FOG (flat over garage) unit and the plans submitted indicate that the rear FOG units windows would all be obscure glazed and non-

opening with the hallway windows designed to be high level windows. Subject to a condition restricting these windows in this regard the development would not result in any material overlooking or loss of privacy.

In terms of an overbearing impact, given the separation between the new dwellings and the existing dwellings, it is not considered that the proposal would result in any material dominance. .

In terms of noise and disturbance, this proposal would result in dwellings, an access road and parking and turning facilities being located to the rear of the existing dwellings fronting Coxtie Green Road which has the potential to result in noise and disturbance to the existing residents. However, given the previous use of the site, the two exiting accesses and the existing extent of hardsurfacing which could potentially be used for parking and turning, it is not considered that this proposal would result in any significant or demonstrable harm to the residential amenity of nearby residents in this regard, when compared to the existing situation.

#### Living Conditions

Whilst the proposed dwellings at Plots 1-6 do not meet the minimum sizes required by the technical housing sizes, given that these standards have not been formally adopted by the Council, it is not considered that a reason for refusal on this basis could be fully justified.

Whilst some of the gardens proposed are small, the gardens proposed are of a useable shape and would provide adequate private outdoor amenity space for the occupiers of the dwellings.

In terms of contamination, a Phase I and Phase II Geo-environmental Assessment and a Ground-source Data set has been submitted with this application. These technical documents have been reviewed by the Council's Environmental Health Department, who comment that it would be necessary to attach a standard remediation condition on any grant of consent so that contamination is dealt with prior to the development of the site, which should include assessments of any contamination at the site boundaries. Subject to the conditions recommended by the Environmental Health Officer, no objection is therefore raised on this basis.

#### Parking and Highway Considerations

A transport statement has been submitted with this application which states that the vehicle trips associated with the development over the previous use of the site will be less intensive in terms of site and volume. The site access proposed will improve upon the available visibility splays and direct vehicle access to and from Coxtie Green Road will be removed for three existing dwellings.

The Highway Authority has commented that although the location of the development and access by walking, cycling and to public transport are not ideal, the Highway Authority raises no objection to the proposal, subject to conditions given the existing neighbouring properties, the vehicle movements generated by the scrap yard and residential dwellings, the expected reduction in daily movements and the creation of a single, central access, improving visibility in both directions and the area to be provided for parking within the site. The conditions recommended relate to the provision of a 2m wide footway to the front of the site, providing a white line along the carriageway, requiring the submission of a construction method statement, requiring the road to be constructed at right angles to the highway boundary with appropriate dropped kerbs provided and requiring visibility splays, turning facilities, parking spaces, residential travel information packs and the closing of the existing access. These conditions are all necessary and reasonable. As such, subject to such conditions no objection is raised to the proposal on this basis.

### Trees, Landscaping and Ecology Considerations

This application has been submitted with an arboricultural impact assessment and a preliminary ecological appraisal and external bat scoping survey.

The arboricultural impact assessment submitted indicates that two individual trees and four groups will be removed for the development, however, it also states that these trees will be replaced as per the landscape plan submitted.

The Council's Tree Officer has commented that the Tree Report submitted is extensive and suitable for the site and should be conditioned in its entirety.

The Tree Officer has raised no objection to the loss of the trees on this site as result of this development. The application has been submitted with a landscape plan which the arboricultural officer has raised no objection to. The landscaping scheme includes planting to the front gardens of the dwellings facing Coxtie Green Road and is considered acceptable.

In terms of ecology, a preliminary ecological appraisal and external bat scoping survey has been submitted with this application which concludes there are no sites with statutory protection within 2km of the site. The closest non-statutory Local Wildlife Site is located 425m to the west of the site and the proposal is unlikely to directly affect this site. There are suitable features within the area which may provide suitable habitat for protected species, including areas of scrub and the buildings may provide suitable habitat for protected species; breeding birds and reptiles with the building having low potential for bat roosts. The ecology report recommends vegetation clearance happens outside the bird nesting season and further; phase II surveys for bats and reptiles are undertaken. The report also recommends some biodiversity enhancements.

Therefore, subject to the further reports being submitted and the recommendations and biodiversity enhancements recommended by the ecology report submitted being adhered to, no objection is therefore raised to the proposal in terms of its impact on ecology.

## Flood Risk

In terms of flood risk, a flood risk assessment (FRA) has been submitted with this application which determines that the site is located within Flood Zone 1 and does not therefore experience flooding from rivers or the sea. The FRA comments that Brentwood Council's Strategic Flood Risk Assessment (SFRA) and Surface Water Management Plan (SWMP) do not consider the site to fall within a Critical Drainage Area. The report comments that the development would result in an increase in the amount of permeable area across the site and comments that permeable paving will be utilised.

Essex County Council as Lead Local Flood Authority (ECC LLFA) have objected to the application as the drainage strategy submitted does not comply with necessary requirements and does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the development.

The lead flood authority objects as it has not been clearly demonstrated that the proposal would not result in unacceptable flood risk to the future occupiers of the site and it has not been demonstrated that flood risk will not be increased elsewhere as a result of this development, contrary to Chapter 10 of the NPPF.

## The Historic Environment

There is a Listed Building to the south-east of the site; 26 Gate House, Coxtie Green Road; a Grade II Listed Building. S66(1) of the Planning and Listed Building and Conservation Areas Act 1990 makes it clear that a Local Planning Authority (LPA) should have special regard to the desirability of preserving the Listed Building and its setting or any features of special architectural or historic interest which it possess.

However, this Listed Building is removed from the application site. The Council's Design and Historic Buildings Consultant has not raised any objection in this regard and the Landscape, and Visual Impact Assessment submitted concludes that the site will have no adverse effects on the special architectural or historic character and appearance of the Listed Building near the site. It is not therefore considered that this proposal would have any harm to the setting of this designated heritage asset.

The Historic Environment Officer at Essex County Council response is awaited, but previously commented in relation to 15/00923/FUL that there would be no

archaeological implications and there is no requirement for archaeological investigations at the site. No conditions are therefore needed in this regard.

### Green Belt Balance

It has been established above that the proposal constitutes inappropriate development in the Green Belt. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that 'very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Planning, Design and Access Statement submitted includes a section titled 'statement of very special circumstances' which puts forward a number of issues which will be considered in turn:

The issue put forward is that the development will have no greater impact on openness. This has already been discussed above, in detail; the proposal does result in greater harm to the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt over and above that of the existing situation and is therefore inappropriate development in the Green Belt. In this regard, the planning and design and access report submitted also recognises that much of the site has already been cleared. This argument relies heavily upon the size of a previous red brick barn building, however, it is evident that this has been demolished and could not be replaced without further planning permission and does not therefore provide justification for this development.

Secondly, it is stated that because the scrap yard use of the site cannot be controlled by the planning system, the LPA cannot control operating hours, the amount of work undertaken or the lorry movements. It is stated that the re-use of the site as a scrap yard could have a negative environmental impact, including causing further contamination, a deterioration of air quality and increased noise. It is stated that the scrap yard use would harm the quality of life of nearby residents, increase pollution and the number of vehicles movements, including large vehicles carrying scrap, and that this proposal will remove the non-conforming use from the area.

In response to this, it is recognised that the LPA had limited control; however, other services in the Council can provide some control in this regard, such as Licensing and Environmental Health. Organisations such as the Environment Agency can also have an input in this regard. Concerns such as contamination could also be dealt with without a scheme of this nature which results in significant and demonstrable harm. It is also not certain that a scrap yard use will begin on this site again should planning permission fail. This use is historical and any new activity on the site, such as new buildings would require planning permission.

The third consideration identified by the applicant is titled 'regeneration benefits' and refers to the negative impact that the scrap yard has on the surrounding area, the environmental impact and the impact of the derelict buildings on the streetscene and the character and appearance of the area. However, as discussed above, the design is not considered acceptable and the site could be redeveloped in a way which would not result in the material harm that has been identified.

The fourth consideration put forward by the applicant is that the proposal will enhance the openness of the Green Belt, will permanently remove the current use, remediate the contamination and is more sympathetic to the character of the streetscene. However, as previously discussed and as recognised by the applicant, some of the buildings have already been cleared from the site. The proposal for significant new buildings would result in much greater harm to the openness of the Green Belt than the existing situation. As previously discussed it is considered that the re-use of the site and the remediation could be achieved without a development of this scale and nature that results in significant and demonstrable harm.

The fifth consideration put forward by the applicant is called 'scale and appearance' and comments that the permanent buildings that were part of the scrap yard were industrial in nature with the buildings having approximate heights of 8m and 5m. The buildings had a bulky and boxy appearance with smaller single storey buildings spread throughout the site. The applicant goes on to comment that the proposed scheme does not exceed 2.5 storeys in height. However, as previously stated the site has been largely cleared and limited permanent buildings are retained on site. The proposed buildings have a maximum height of 9.7m with the majority of the buildings having a height of in excess of 9m.

As such, none of the considerations put forward by the applicant, either individually or taken together amount to very special circumstances that clearly outweigh the harm by reason of inappropriateness, harm to the openness of the Green Belt, conflict with the purposes of including land in the Green Belt and the other harms identified; the unsustainable location, the unacceptable mix of houses, poor design and harm to the character and appearance of the area.

The applicant makes several references to Paragraph 81 of the NPPF which states that: Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged or derelict land. However, this proposal does not provide outdoor sport or recreation and is of an unacceptable design. It is not considered that proposal to redevelop this site, outweighs the harm identified.

The Council do not consider that there are any other very special circumstances that clearly outweigh the harm identified. Whilst it is recognised that the Council



cannot currently identify a 5 year housing supply, the NPPG makes it clear that the Government attaches great weight to the protection of the Green Belt and that when taking decisions for proposals in the Green Belt an unmet need for housing is unlikely to outweigh the harm to the Green Belt such as to constitute the very special circumstances needed to justify inappropriate development in the Green Belt. Any new development of this nature represents a boost to the local building and supplies industry and the dwellings would make a contribution to the local housing stock, however, these benefits do not clearly outweigh the significant harm identified.

The benefits of the proposal and the considerations put forward by the applicant, whether taken individually or as a whole, do not outweigh the significant and demonstrable harm identified and as such an objection is maintained in terms of Chapter 9 of the NPPF and Policies GB1 and GB2 of the Local Plan.

## Conclusion

The proposal constitutes inappropriate development in the Green Belt which would result in significant and demonstrable harm to the openness of the Green Belt and the proposal would conflict with the purposes of including land in the Green Belt. The site is not located in a sustainable location and the occupiers of the dwellings would be highly reliant on private vehicles for a high proportion of all journeys. The proposal does not provide an acceptable mixture of dwelling sizes. The layout, scale, design and materials proposed are unacceptable and would result in significant and demonstrable harm to the character and appearance of the area. Insufficient information has been submitted to demonstrate that the proposal would not result in unacceptable flood risk to future occupiers of the site and that flood risk will not increased elsewhere as a result of the development. There are no very special circumstances that outweigh the significant and demonstrable harm identified above. As such, the proposal is recommended for refusal.

## 7. **Recommendation**

The Application be REFUSED for the following reasons:-

### R1        U12957

The proposal constitutes inappropriate development in the Green Belt which would materially detract from the openness of the Green Belt and represents encroachment of development into the Green belt contrary to Chapter 9 of the National Planning Policy Framework (NPPF) and Policies GB1 and GB2 of the Brentwood Replacement Local Plan 2005.

### R2        U12958

Given the location of the site in relation to local shops and services and the very limited public transport in the immediate area, the occupiers of the new dwellings would be likely to be highly reliant on private vehicles for a high proportion of all

journeys. This would directly conflict with Paragraph 35 of the National Planning Policy Framework (NPPF) which indicates that developments should be located to give priority to pedestrian and cycle movements and should have access to high quality public transport facilities and conflicts with the overriding aim of the National Planning Policy Framework (NPPF) which is to provide sustainable development.

R3 U12959

The proposed development fails to provide an acceptable mix of housing units, with insufficient smaller; 1 and 2 bed units proposed, contrary to Policy H6 of the Brentwood Replacement Local Plan 2005 and Paragraph 50 of the National Planning Policy Framework (NPPF) which seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, mixed communities.

R4 U12960

The layout, scale, design and material proposed would result in an incongruous development that would materially detract from the established linear, ribbon development of the area, would fail to promote the local distinctiveness of the area and would result in significant and demonstrable harm to the character and appearance of the area contrary to Chapter 7 of the National Planning Policy Framework (NPPF) and Policies CP1(i) and CP1(iii) of the Brentwood Replacement Local Plan 2005.

R5

Insufficient information has been submitted to demonstrate that the proposal would not result in unacceptable flood risk to the future occupiers of the site or that flood risk will not be increased elsewhere as a result of this development, contrary to Chapter 10 of the National Planning Policy Framework (NPPF).

R6 U12961

Other matters that may weigh in favour of the proposal have been considered but they do not clearly outweigh the harm to the Green Belt and the other harms identified. Therefore very special circumstances to justify the inappropriate development in the Green Belt do not exist, contrary to Chapter 9 of the National Planning Policy Framework (NPPF) and Policies GB1 and GB2 of the Brentwood Replacement Local Plan 2005.

#### Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2, H6, H9, H14, CP1, PC4, T2, C5, C16 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 U03038

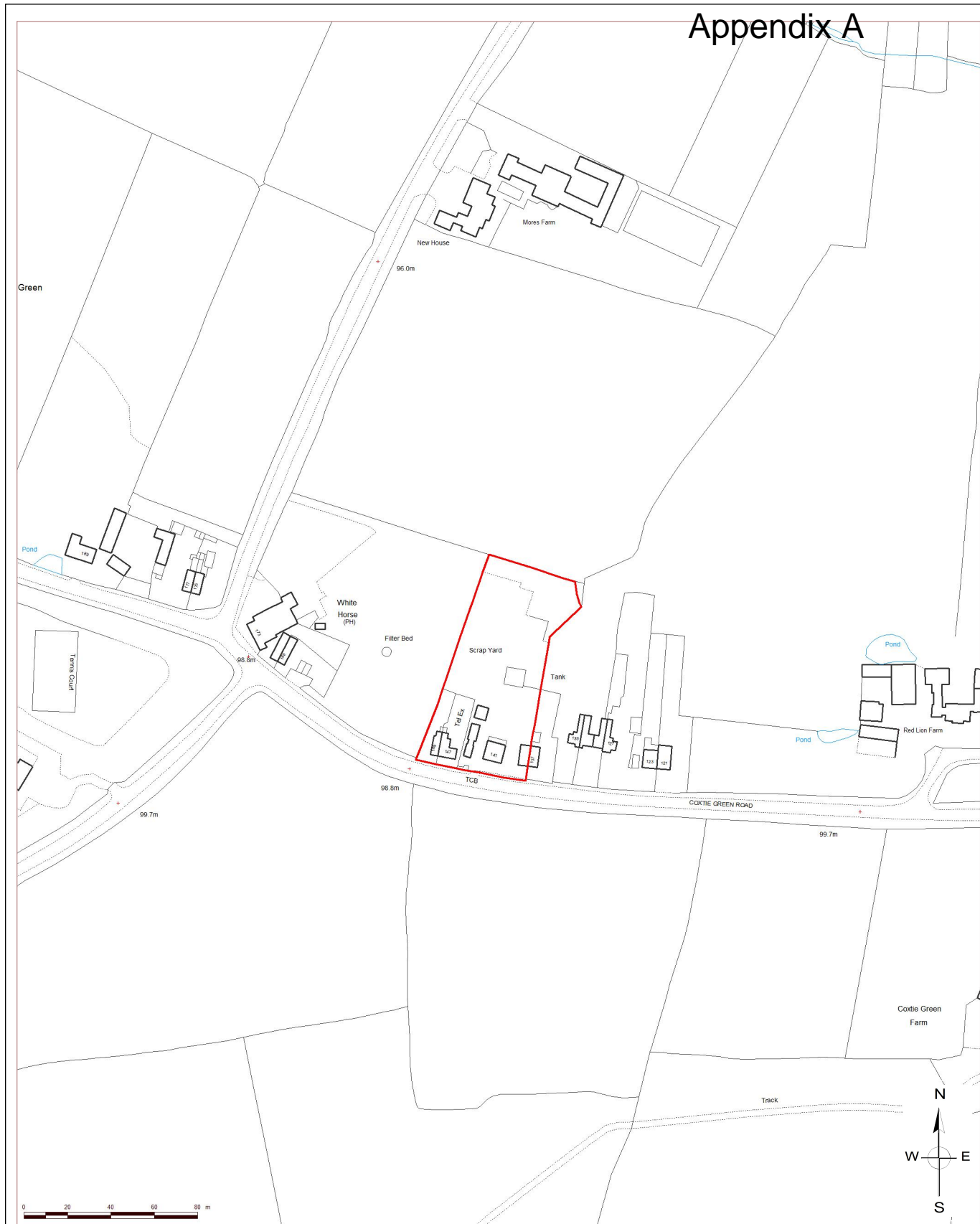
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action via pre-application advice in respect of any future application for a revised development.

*BACKGROUND DOCUMENTS*

**DECIDED:**

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# Appendix A



Title : Land Rear of 139-141 Coxtie Green Road, Pilgrims Hatch

16/00226/FUL

Scale at A4 : 1:2500

Date : 31st May 2016

Brentwood Borough Council  
Town Hall, Ingrave Road  
Brentwood, CM15 8AY  
Tel.: (01277) 312500



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<b>SITE PLAN ATTACHED</b>
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**04. BRENTWOOD FOOTBALL CLUB BRENTWOOD CENTRE DODDINGHURST ROAD PILGRIMS HATCH ESSEX CM15 9NN**

**REPLACEMENT OF GRASS SURFACE FOOTBALL PITCH WITH 3G SYNTHETIC ALL WEATHER PITCH.**

**APPLICATION NO: 16/00267/FUL**

<b>WARD</b>	Pilgrims Hatch	<b>8/13 WEEK DATE</b>	04.05.2016
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG CP1 GB1 GB2 LT6
<b>CASE OFFICER</b>	Mr Mike Ovenden	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	1596-06 ; 1596-07 ;		

**1. Proposals**

This application relates to the replacement of the existing grass football pitch with a synthetic all weather surface. No other changes are proposed.

This application is reported to committee because it relates to land owned by the Borough Council.

**2. Policy Context**

National Planning Policy Framework (the Framework)  
National Planning Practice Guidance (PPG)

CP1 General Development Criteria  
GB1 New Development  
GB2 Development Criteria  
LT6 The Brentwood Centre

**3. Relevant History**

- : - None

#### **4. Neighbour Responses**

None received to date.

#### **5. Consultation Responses**

- **Open Space Strategy Coordinator:**

The proposed development would have no impact on current open spaces nor grounds maintenance operations and at this stage there is no objection from an open spaces perspective.

#### **6. Summary of Issues**

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Of particular relevance to this application are Brentwood Replacement Local Plan 2005 Policies CP1 (General Principles), GB1 (New Development), GB2 (Development Criteria) and LT6 (Brentwood Centre). The National Planning Policy Framework (NPPF) is a material consideration in planning decisions and amongst other things provides policy relating to development in the greenbelt. The National Planning Practice Guidance (NPPG) is also a material consideration in the determination of this application.

The site lies within the Green Belt, adjacent to the A12, in an area of transition where urban form has given way to the progressively more open parts of the countryside beyond. The main considerations in the determination of this proposal are Green Belt considerations and rural restraint policies. These issues are to some degree interrelated and are considered below.

##### **Green Belt**

Paragraph 79 of the NPPF states that the Government attaches great importance to the protection of Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. National and local policies seek to prevent inappropriate development in the green belt.



Whether the proposal is inappropriate development in the Green Belt

This proposal is unusual in that it relates to the replacement of a flat surface within the enclosed football ground with another flat surface. Its impact is therefore not like a new building which would require considered of whether it would be inappropriate development, but this proposal essentially has a neutral effect on the openness of the Green Belt. The proposal is in compliance with national and local greenbelt policies GB1 and GB2.

General principles of development

Development Plan Policy CP1 seeks to ensure that new development is of high quality design, protects visual amenity, the character of its surroundings, the amenity of neighbours and avoids creating access and travel problems. The pitch would protect visual amenity. It would not affect the amenity of neighbours or create particular access or travel problems, the proposal complies with policy CP1 of the Local Plan.

Whether there are Very Special Circumstances

As the proposal is acceptable in greenbelt terms it is not necessary to assess whether there are any very special circumstances in this instance. However it is noted that the new surface would improve the facilities to the benefit of users of the pitch and potentially the wider community. This further weighs in favour of the proposal.

While Policy LT6 'Brentwood Centre' primarily relates to extensions to the facilities, enhancement such as proposed here, at what the policy recognises as a hub for multi purpose trips, the proposal would be in line with the general support for leisure uses at the site.

Conclusion

The proposal constitutes appropriate development in the Green Belt and the proposal is complies with National and Local Policy as specified above and is therefore recommended for approval.

## **7. Recommendation**

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

Informative(s)

1 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2 and LT6 the National Planning Policy Framework 2012 and NPPG 2014.

3 U03032

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

*BACKGROUND DOCUMENTS*

**DECIDED:**

# Appendix A



Title : Brentwood Football Club, Brentwood Centre, Doddinghurst Road, Pilgrims Hatch

16/00267/FUL

Scale at A4 : 1:2500

Date : 31st May 2016

Brentwood Borough Council  
Town Hall, Ingrave Road  
Brentwood, CM15 8AY  
Tel.: (01277) 312500



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**SITE PLAN ATTACHED**

**05. THE WHITE HOUSE MAGPIE LANE LITTLE WARLEY ESSEX CM13 3EA**

**TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT EXTENSION  
WITH OPEN PORCH.**

**APPLICATION NO: 16/00250/FUL**

<b>WARD</b>	Warley	<b>8/13 WEEK DATE</b>	11.04.2016
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG CP1 GB1 GB2
<b>CASE OFFICER</b>	Mr Jonathan Binks	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	D2528/EP/01; D2528/PA/101/C;		

This application was referred by former Ward Cllr David Tee for consideration by the Committee. The reason(s) are as follows:

Reasons surrounding design, footprint, visibility and lack of objections.

**1. Proposals**

Planning permission is sought for a two storey side extension, single storey front extension with an open porch.

The two storey enlargement would extend 3.88 metres beyond the side elevation of the dwelling, would have a height of 7.9 metres and an eaves height of 5.3 metres. The single storey front enlargement would extend 1.94 metres beyond the front wall of the dwelling and would have a height of 3.8 metres.

The application site falls within the Metropolitan Green Belt and will be assessed for compliance with the relevant local and national policies.

## **2. Policy Context**

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. The Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

On the 6th March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning application. The NPPGs have been taken into account, where relevant in the following assessment.

### **CP1 - General Development Criteria**

Policy CP1 of the local plan ensures development does not have a detrimental impact on the visual amenity or character and appearance of the area. Development should not impact on the general amenities of nearby occupiers, should be of a high standard of design and layout. The development should have satisfactory parking arrangements and not give rise to adverse highway conditions of safety concerns. Development should not have a detrimental impact on the environment due to the release of pollutants to land, air and water.

### **GB1 - New Development in the Green Belt**

Within the Green Belt planning permission will not be given except in very special circumstances, for the construction of new buildings, change of use of the land or extensions to new buildings other than those appropriate to Green Belt.

### **GB2 - Development Criteria - Green Belt**

When considering proposals for development in the Green Belt, the Local Planning Authority will need to be satisfied they do not conflict with the purposes of including land in the Green Belt and do not harm the openness of the Green Belt. The precedent created by allowing even an individually innocuous or well-merited proposal which cumulatively would undermine Green Belt will be taken into account.

### **3. Relevant History**

- : - None

### **4. Neighbour Responses**

One neighbour representation letter was sent to the surrounding property and a site notice was displayed within Magpie Lane, no responses were received.

### **5. Consultation Responses**

- : None

### **6. Summary of Issues**

#### Key Considerations

Key considerations which form part of this application are the principle of development in the Green Belt and the impact on the openness of the Green Belt, design, character and appearance, and any impact on the amenity of neighbouring occupiers.

#### The Site and it's Surroundings

The application dwelling forms one half of a pair of semi-detached properties, set within a rural Green Belt location. The adjoining dwelling at No.1 has been extended to the side at both two storey and single storey.

#### Principle of Development in the Green Belt

Chapter 9 of the NPPF states the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The five purposes of the Green Belt are: -to check the unrestricted sprawl of large built-up areas; -to prevent neighbouring towns merging into one another; -to assist in safeguarding the countryside from encroachment; -to preserve the setting and special character of historic towns; and - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The policies relating to Green Belt within the Brentwood Replacement Local Plan 2005 are GB1 and GB2 they state that planning permission for new development will not be given, except in very special circumstances, for changes of use of land or the construction of new buildings or extensions of existing buildings for purposes other than those appropriate to a Green Belt. Although adopted some time before the Framework, these Green Belt policies are considered to be compliant with the Framework and therefore weight should be attached to them.

Paragraph 89 of the NPPF states: 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:'

'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

The NPPF does not define how proportionality should be measured, however it is reasonable to assess increases in footprint, volume, bulk and mass and their relation to the original dwelling as a consideration.

The dwelling at The White House has a single storey enlargement which projects beyond the southern side elevation (to be replaced), although this appears to be a later addition to the host dwelling, there is no evidence within the planning history to suggest this is not original in planning terms, with the extension shown as existing on all available drawings. For the purposes of the Green Belt assessment, the building as existing is considered to be original.

The proposal seeks to extend the building to the side at two storey level, with a small front projection and to the front at single storey level, with part of the front projection forming an open canopy. Section 336 of the Town and Country Planning Act 1990 states a "building" includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building;. For the purposes of this application the canopy is considered to be part of the building and will be included in the Green Belt assessment.

The proposal would add a footprint of 42.72 square metres (61.15%) to the 69.87 square metre footprint of the original building and would add 311.85 cubic metres (79%) in volume to an original building of 394.52 cubic metres. The combination of the 61.15% increase in footprint and the 79% volume increase is considered to result in a disproportionate addition to the original building and does not form an exception to inappropriate development within the Green Belt as identified by paragraph 89 of the NPPF. By policy definition the proposal would be harmful to the openness of the Green Belt. The identified harm to the openness of the Green Belt additionally conflicts with policies GB1 and GB2 of the local plan.



The developer has not put forward any considerations which amount to 'very special circumstances' outweighing the harm to the openness of the Green Belt, it is considered that the desire for additional habitable accommodation does not amount to a 'very special circumstance' which would outweigh the harm to the openness of the Green Belt.

The proposal is considered to conflict with chapter 9 of the NPPF and policies GB1 and GB2 of the local plan.

### Design, Character and Appearance

The application dwelling forms one half of a pair of semi-detached properties which are set within a rural location of Warley. The proposal would be screened from view of the main thoroughfare of Childerditch Lane but would be visible from Childerditch Hall Drive.

The proposal represents a two storey side extension with a gable fronted projection and would extend up to the ridge of the existing roof. The proposal includes a single storey front extension projecting 1.94 metres beyond the front wall. The other half of the semi-detached properties has been extended at two storey level to the side however this example is a smaller and more subsidiary feature than that proposed at the White House.

The proposal by way of its size and scale would represent a dominant addition, of a poor design which would unbalance a pair of semi-detached properties causing harm to the character and appearance of the area. The enlargement extending up to the ridge of the existing roof and the gable front design which projects beyond the existing front elevation contributes to the poor design and large bulk of enlargements. The single storey front extension exceeds the limits of the 1.3 metres as identified within the adopted design guidance forming an appendix of the local plan. The neighbouring property at No.1 has not been extended to the front and the proposed front projecting element would contribute to the dominant features of the proposal and the unbalancing of the set of terraces.

The proposal by way of its poor design and the harm created to the character and appearance of the area would conflict with policies CP1(i) and CP1(iii) of the local plan and the design principles of chapter 7 and the core principles of the NPPF.

### Impact on Neighbour Amenity

The application site adjoins No.1 Council Cottage to the North and given the sites rural location does not neighbour any other residential properties. The proposed two storey side enlargement would be positioned away from the neighbouring property at No.1 and would be a sufficient size and position as to not result in a detrimental impact on the amenity of the neighbouring occupiers by way of overbearing or a loss of light.

The single storey front extension would extend along the shared boundary with No.1 by 1.94 metres. The size and position of the single storey front extension is considered to be sufficient as to not cause an overbearing effect or create a tunnelling effect to the neighbouring occupiers at No.1.

No objections are raised under policy CP1(ii) of the local plan, and one of the core principles of the NPPF which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

## Conclusions

The proposal is considered to conflict with chapter 9 and the design principles of the NPPF, and policies CP1(i), CP1(iii), GB1 and GB2 of the Brentwood Replacement Local Plan 2005. The application is recommended for refusal.

## 7. **Recommendation**

The Application be REFUSED for the following reasons:-

### R1 U12677

The site falls within the Metropolitan Green Belt where new buildings are inappropriate development unless they fall within a list of exceptions identified by paragraph 89 of the NPPF. The proposed extension would result in disproportionate extensions to the original building (increases in footprint by 61.15% and volume by 79% to the original building) and therefore does not fall within the list of exceptions to inappropriate development in the Green Belt, and is by policy definition harmful to the Green Belt. The proposal would be harmful to the openness of the Green Belt by reason of its height, bulk and mass. There are no other considerations that amount to 'very special circumstances' that would outweigh the harm identified. The proposal therefore conflicts with policies GB1 and GB2 of the Brentwood Replacement Local Plan 2005, and chapter 9 of the NPPF.

### R2 U12678

The proposal by way of its two storey gable fronted design, and its projection beyond the existing front wall at both single and two storey level, added with the enlargement extending up to the ridge of the existing dwelling, would create a large volume of extensions which would un-balance a pair of semi-detached dwellings and would cause harm to the character and appearance by way of its poor design., The proposal is inappropriate in terms of size, scale and design, and conflicts with policies CP1(i) and CP1(iii) of the Brentwood Replacement Local Plan 2005, chapter 7 of the NPPF and the adopted design guidance within the appendix of the local plan.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1 GB1 GB2 the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20

The drawing numbers listed above are relevant to this decision

3 U02972

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal.

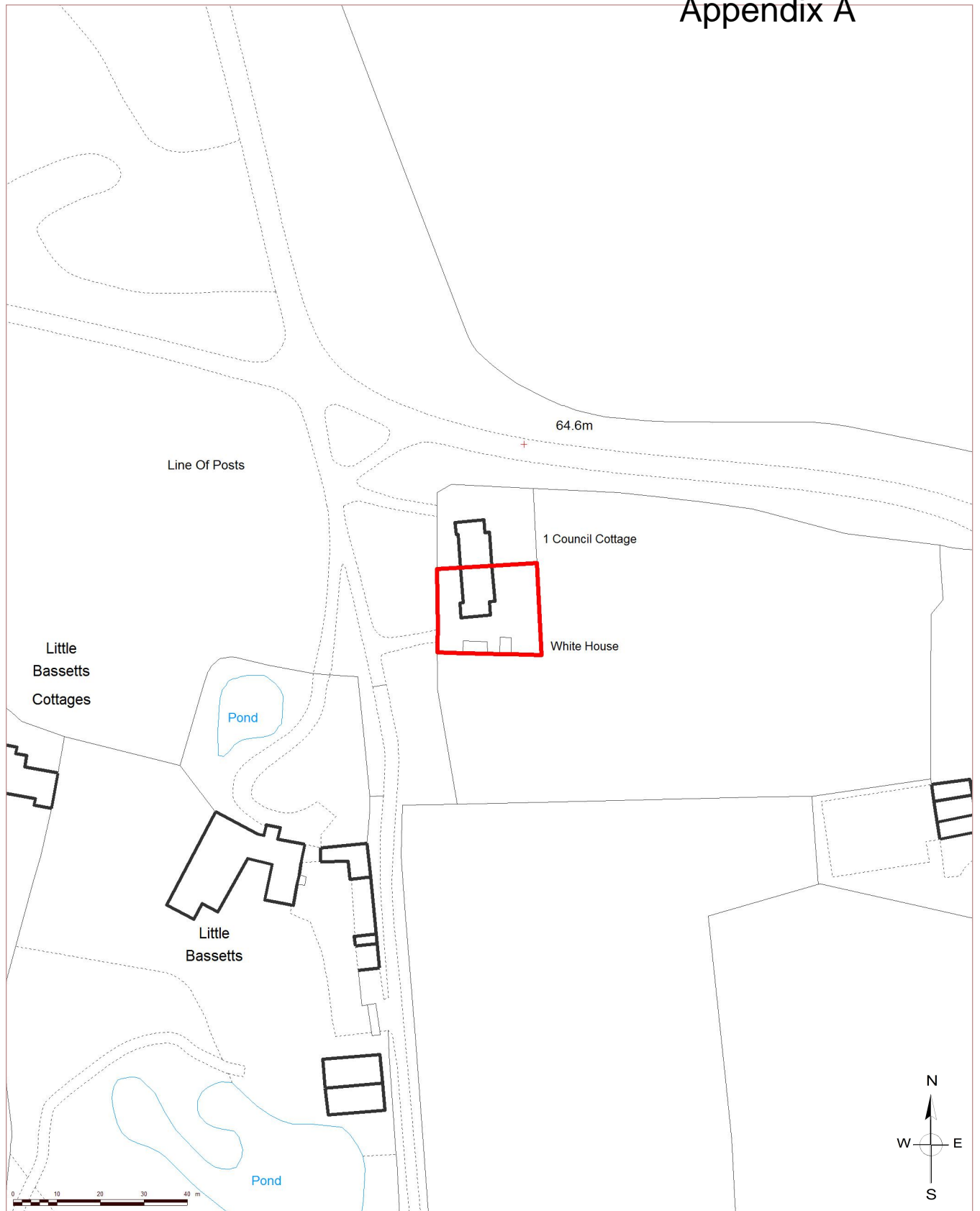
The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action via a formal request for pre-application advice in respect of any future application for a revised development.

*BACKGROUND DOCUMENTS*

**DECIDED:**

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# Appendix A



Title : The White House, Magpie Lane, Little Warley

16/00250/FUL

Scale at A4 : 1:1250

Date : 31st May 2016

Brentwood Borough Council  
Town Hall, Ingrave Road  
Brentwood, CM15 8AY  
Tel.: (01277) 312500



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<b>SITE PLAN ATTACHED</b>
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## 06. ATTE BOWER FIRSGROVE ROAD WARLEY ESSEX CM14 5JJ

**HIP TO GABLE ROOF WITH REAR DORMER, RAISING THE EXISTING ROOF BY 750MM, LIFTING EAVES HEIGHT TO DROP OVERALL HEIGHT OF ROOF, AND TWO ROOF LIGHTS.**

**APPLICATION NO: 16/00380/FUL**

<b>WARD</b>	Brentwood West	<b>8/13 WEEK DATE</b>	29.04.2016
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG CP1 H17
<b>CASE OFFICER</b>	Ms Sukhi Dhadwar	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	D8080/PA/02c; D8080/PA/01a; D8080/PA/03a;		

This application was referred by Cllr Russell for consideration by the Committee.  
The reason(s) are as follows:

The roof design and dormer are acceptable and do not impact on the streetscene or design of this inter war property. In addition it is neighboured by larger properties so will not be overbearing. Ridge height has been reduced from previous application. Complies with CP1 of the Local Plan.

### 1. Proposals

Permission is sought for hip to gable roof extensions, to raise the height of the roof by 750mm and a dormer extension on the rear roof slope. Two roof lights are also proposed to the front roof slope.

The hip to gable roof extensions will extend the ridge line to each side of the apex.

The proposed rear dormer measures a maximum 4.8 and project 3.58m from the ride.

Materials proposed include black weatherboarding for the walls of the dormer and side elevation of gable roof, roof tiles to match existing and black framed upvc fenestration.

## **2. Policy Context**

The National Planning Policy Framework (NPPF) (2012)

Chapter 7: (Requiring Good Design) requires new development to be of high design and be design that promotes or reinforces local distinctiveness.

The National Planning Practice Guidance (NPPG) provides additional guidance which supports the National Planning Policy Framework.

Brentwood Replacement Local Plan

CP1 (General Development Criteria) expects new development to be in scale with the existing dwelling and respect the character and appearance of the area.

H17 (Dormer Windows) Dormers should be subsidiary rather than dominant feature of the roof, be set in from any wall of the property and be below the ridge height.

## **3. Relevant History**

- 15/01194/FUL: Hip to gable roof with dormer to rear, raise existing roof by 1m and two rooflights to front. -Application Refused

## **4. Neighbour Responses**

No representations received.

## **5. Consultation Responses**

- **Design Officer:**

I do not support the proposals as being of Good Design; the roof in particular is of fundamental concern and should be reconsidered. I have not been part of any preapplication discussions but would be pleased to advise on any amendments submitted.

## **6. Summary of Issues**

The issues relevant to the determination of this application are:

The impact the proposal will have on the character and appearance of the application house and surrounding area and,

The impact of the proposal will have on the living conditions of neighbouring residential properties.



### Site and surroundings

The proposal site comprises a detached interwar house with attached garage on the northern side of Firsgrove Road. The house is set forward of the neighbouring property No. 7 Firsgrove Road but broadly shares a front building line with the adjacent flats at Copeland House Firsgrove Road.

The properties on the opposite side of the road are a mixture of late Victorian and turn of the 20th Century semi detached and terraced houses.

### Background

The grounds of refusal for the previous application (reference 15/01194/FUL for a hip to gable roof extension with rear dormer, raising the existing roof by 1m, lifting eaves height to drop overall height of the roof and two roof lights) were:-

"The proposed alterations and extensions to the existing roof by virtue of their height, bulk and prominent position visible from the public realm will be out of scale and poorly related to the design and height of the application property, resulting in a dominant and incongruous feature which will undermine the distinctive local character and appearance of the site and surrounding area contrary to chapter 7 of the NPPF and local policy contained within CP1 (i) and (iii) of the Brentwood Replacement Local Plan."

This current application seeks to address those concerns by reducing the height of the ridge extension by 250mm (25cm) in comparison to the refused scheme, which is considered to be 'de minimus' amount.

### Impact on character and appearance :

The existing property is a well proportioned two storey dwelling with pyramid design roof plan and a modest roof pitch.

The effect of the proposed extensions would be to completely alter the design, bulk and massing of the building, increasing the height so that the overall form would appear dominant and out of scale with the house. It is noted that No. 7 Firsgrove Road is higher than what is proposed here, but that property is of a different design and in any event is set back from the highway and less prominent in the street scene. However it is the combination of all the extensions that would give rise to a bulk and massing that would be materially harmful to the existing dwelling and therefore in turn be harmful to the character and appearance of the area.

Furthermore, the rear dormer would dominate the rear roof slope rather than being a subsidiary feature.

This would be in conflict with both National Planning Policy Framework which seeks to reinforce good design and local plan Policy CP1 which requires new extensions to be of a high standard of design and not have an unacceptable detrimental impact on the character and appearance of the surrounding area, and Policy H17.

Impact on neighbouring amenity.

There is no increase in the footprint of the building and neighbouring residential properties are sufficiently distant to ensure that they will not be materially affected in terms of light, outlook or privacy.

Fallback position:

Government legislation allows most householders to undertake certain types of development without the need for specific consent from the local planning authority (permitted development). These types of development can be a material consideration when considering proposals required for full planning permission. In this instance, the raising of the roof would not be within the limitations of 'permitted development', and it is considered that the combination of the increase in height and all the other extensions that would make this proposal an unacceptable form of development, and therefore outweigh any fallback position.

In conclusion, the recommendation for refusal remains unchanged since the previous application, and the revisions to the scheme are not considered significant enough to be able to overcome the harm that the development would have on the character and appearance of the existing house and wider area, in conflict with Local Plan Policy and National Planning Policy.

## **7. Recommendation**

The Application be REFUSED for the following reasons:-

R1            U12945

The proposed alterations and extensions to the roof by virtue of their height, bulk and massing would be out of scale and poorly related to the design and height of the application property, resulting in a dominant and incongruous development which would in turn be harmful to the character and appearance of the area. This would be conflict with Local Plan Policy CP1 (i) and (iii) and the aims and objective of the National Planning Policy Framework.

R2            U12946

The proposed dormer would be a dominant feature and poorly related to the roofscape into which it is to be inserted, harmful to the character and appearance of the area and in conflict with Local Plan Policy H17 and contrary to one of the principle objectives of the National Planning Policy Framework.

Informative(s)

1 INF25

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

2 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1. H17 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF20

The drawing numbers listed above are relevant to this decision

*BACKGROUND DOCUMENTS*

**DECIDED:**

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# Appendix A



Title : Atte Bower, Firsgrove Road, Warley

16/00380/FUL

Scale at A4 : 1:1250

Date : 31st May 2016

Brentwood Borough Council  
Town Hall, Ingrave Road  
Brentwood, CM15 8AY  
Tel.: (01277) 312500



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## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.



## **Planning and Licensing Committee**

### Planning

- (a) Town and Country Planning Act 1990 and any related legislation including:-
  - (i) determination of planning applications;
  - (ii) enforcement of planning control;
  - (iii) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
  - (i) determination of applications for Listed Buildings and Conservation Area consent;
  - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.
  - (a) To guide the Council in setting its policy objectives and priorities.
  - (b) To carry out the duties and powers of the Council under current legislation;
  - (c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.
  - (d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
  - (e) To consider and approve relevant service plans;
  - (f) To comply with the standing orders and financial regulations of the Council;
  - (g) To operate within the budget allocated to the committee by the Council.
  - (h) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance.

- (d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning.

### Licensing

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.
- (d) To exercise all other functions relating to licensing and registration including
  - i. Trading Requirements
  - ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
  - iii. Animal Welfare and Security
  - iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing
  - v. Sex establishments (including Sex Entertainment Venues (SEV))
  - vi. Pavement Permits
  - vii. Charitable Collections
  - viii. Camping, Caravan Sites and Mobile Homes
  - ix. Scrap Metal
  - x. Game Dealers
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.
- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.