

Minutes

Planning and Licensing Committee Tuesday, 21st July, 2015

Attendance

Cllr McCheyne (Chair)	Cllr Mynott
Cllr Trump (Vice-Chair)	Cllr Newberry
Cllr Carter	Cllr Reed
Cllr Cloke	Cllr Tee
Cllr Keeble	Cllr Wiles
Cllr Morrissey	

Apologies

Cllr Barrell

Substitute Present

Cllr Poppy (substituting for Cllr Barrell)

Also Present

Cllr Aspinell	
Cllr Crowley	West Horndon Parish Council
Cllr Mrs Davies	
Cllr Foan	West Horndon Parish Council
Cllr Mrs Hones	
Cllr Kendall	
Cllr Parker	
Cllr Ms Rowlands	

Officers Present

Ashley Culverwell	- Head of Borough Health Safety and Localism
Claire Hayden	- Governance and Member Support Officer
Caroline McCaffrey	- Development Management Team Leader
Gary O'Shea	- Principal Licensing Officer
Chris Potter	- Monitoring Officer & Head of Support Services
David Carter	- Senior EHO (Team Leader)
Philip Drane	- Planning Policy Team Leader

Paulette McAllister - Design & Conservation Officer
Christine Stephenson - Planning Solicitor
Kathryn Mathews - Senior Planning Officer
Patricia Coyle - Senior Planner

98. Apologies for Absence

Apologies were received by Cllr Barrell with Cllr Poppy substituting.

99. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee held on 23rd June 2015, were agreed and signed as a correct record, subject to an amendment request by Cllr Carter to minute 52 to state Miss Barge, not Miss Barg.

100. Gambling Act 2005 - Review of Statement of Gambling Policy

The Statement of Gambling Policy must be reviewed by January 2016. The report requested Members to agree an interim consultation on re-adopting the current policy as a temporary measure pending publication of significant new guidance from the Gambling Commission after which it is recommended that consultation takes place in respect of a fresh Statement of Gambling Policy.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Trump to agree the recommendations in the report.

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

- 1. That a 12 week consultation on renewing the current Statement of Gambling Policy be agreed.**
- 2. That, if no representations are duly received within the consultation deadline, the Statement of Gambling Policy be recommended for adoption by Ordinary Council effective from 31 January 2016 on the basis that a full review of the policy will follow once new guidance has been issued but if one or more representations are received and not withdrawn, the matter shall be reported back to a future meeting of this Committee for consideration of such representation(s).**

REASON FOR RECOMMENDATION

The Council does not have the option of leaving the process entirely until publication of the revised GLA, as from 1 February 2015 any decision made relating to any aspect of the Gambling Act 2005 would be ultra vires given that the policy is a requirement of the Act.

The alternative solution at Para. 4.7 is not particularly viable as it involves a degree of speculation as to the content of the revised GLA and potentially

involves undertaking a meaningless consultation given that certain aspect of the policy will change.

The solution in Para. 4.6 enables the Council to fulfill its obligation to re-publish the statement of policy within the legislative timeframe. This will enable lawful decision making with regard to the Council's functions under the Act, whilst ensuring that the policy is brought up to date at the earliest opportunity.

There are no concerns over the conduct of commercial gambling establishments within the Borough at this time, nor have there been any significant problems since implementation of the Act. The current policy has served the Borough well over the last three years and a continuation of that policy in the short term is not anticipated to raise any issues.

(As a substitute of this committee, Cllr Poppy did not take part in the debate on vote on this item).

101. Face to Face Direct Debit Charity Collectors

The report seeks Members approval for the implementation of a new agreement between the Council and the Public Fundraisers Regulatory Association in respect of direct debit charity fundraising.

An amendment to the designated area for Face to Face Collection will be made before adoption, without delay.

A motion was MOVED by Cllr McCheyne and SECONDED by Cllr Trump to agree the recommendations in the report.

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

- 1. That the Head of Health Safety and Localism be granted delegated authority to sign the agreement attached at Appendix A and that upon such signature the adoption of the agreement shall take immediate effect; and**
- 2. That the Head of Health Safety and Localism be granted delegated authority to exclude the ability for direct debit collections to be undertaken on specific event days, with appropriate notice in accordance with paragraph 5.10 of this report.**

REASON FOR RECOMMENDATION

The existing Member approved voluntary agreement follows a recognised legal framework, which is designed to safeguard the interests of the public, whilst protecting the interests of bona fide charity organisations. The review of this agreement ensures that it remains fit for purpose.

The agreement has been updated and modernised and now makes reference to new codes of practice and a rule book produced by the PFRA since the establishment of the original site agreement.

There were two distinct areas for street collections in Brentwood Town Centre highlighted in the original agreement, these being outside of Iceland and Superdrug respectively. However, since the establishment of the Market in the High Street, these areas can at times become pinch points and therefore one reason for a review of the agreement was to consider whether there is an appropriate alternative collection point(s).

Currently, collections are permitted Monday through to Saturday inclusive.

Subject to Member approval, the revised draft agreement extends the area within which collections may be made to any point along the High street on either side of the road between Saint Thomas Road and the Church ruins. Whilst this is an extension of the area it enables the collections to be wider spread with a maximum of two collectors on each side of the High Street and one floating supervisor. Additionally collections will only be permitted on two days per week and only between Monday and Thursday thus removing any conflict with the current Street Market operations.

The PFRA have stated that they do not wish to hold collections on Saturday and Sunday and believe that four available days per week is sufficient for their members needs. They therefore proposed the restriction to 4 days in order to avoid over kill and by way of compromise for a slightly extended collection area.

The main benefit of the revised agreement is that the PFRA become effectively partners in ensuring a safe and legitimately operated collection and through their rules, which are signed up to by all main charities, they will enforce the terms of the agreement giving penalty points in respect of breaches of these protocols.

The advantage of penalty points, which amount to 20, 50 or 100 at a time dependent on the level of breach of the rules, is that a fine is automatically imposed on any charity at a rate of £1 per point if and when they reach 1000 points.

Collectors that do not conform to the terms of the new agreement or that have not sought permission through the agreed process will be reported to the PFRA. Any person (s) that is not a member of the PFRA will be reported to the PFRA and investigated by the Council and the PFRA to ensure that they are bona fide collectors.

It is also worth noting that the new site agreement will provide flexibility to the Council to exclude specific event days such as lighting up Brentwood and similar events. In this regard there is a further recommendation that the Head of Borough Health, Safety and Localism be delegated the authority to liaise

with the PFRA and relevant charities and with appropriate notice, to exclude collections on such days as and when necessary to do so.

(Cllr Carter declared a non pecuniary interest under the Council Code of Conduct by virtue of previously working with the PFI Management Team).

102. Markets, including Specialist and Christmas Markets

The report updates Members, following their resolution of 13 January 2015 to write to all Parish Councils, with a view to gauging interest in operating a Market in their respective parish areas.

It was agreed that Officers write to Parish Councils informing them that they can approach the Council at anytime to request that a license or consent street be established in their Parish.

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

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

- 1. That the establishment of any new Markets or 'licence' or 'consent' streets in the Borough at this time be not further proceeded with.**

REASON FOR RECOMMENDATION

The process for adopting additional licence or consent streets is a relatively lengthy process and as such it is only recommended should there be an operational requirement to establish such additional areas.

As no expressions of interest were received there is no recommendation to undergo a process of adopting any further areas for the purpose of street trading or to pursue the idea of additional markets any further at this time. However, the option for any parish council or ward councillor to approach the licensing team with a preliminary enquiry will remain open and any such approach may be reported back to licensing committee at that time.

103. 206 HATCH ROAD PILGRIMS HATCH ESSEX CM15 9QN

NEW CHALET DWELLING TO REAR OF 206 HATCH ROAD WITH ACCESS VIA ALDERTON CLOSE

APPLICATION NO: 15/00426/FUL

Mrs Goodwin, was present and addressed the committee in objection to the application.

Mr Hunneybel, the applicant was also present and addressed the committee in support of the application.

Ward Members expressed concerns over ownership of the site (Members were informed that this is a civil matter) and flooding and surface water drainage, being a major concern of local residents. Concerns regarding the scale of the dormer windows proposed, under policy H17, impact on neighbouring properties and access issues were also raised

A motion was **MOVED** by Cllr Trump and **SECONDED** by Cllr Wiles to defer to enable the applicant to provide further technical information to address the Committee's concerns in relation to surface water drainage for the Council's consideration.

A vote was taken by a show of hands and on the casting vote of the Chair was **RESOLVED** to defer the application.

FOR: Cllrs Cloke, McCheyne, Poppy, Reed, Trump and Wiles (6)

AGAINST: Cllrs Carter, Keeble, Morrissey, Mynott, Newberry and Tee (6)

ABSTAIN: (0)

(Cllr Morrissey declared a non pecuniary interest under the Councils Code of Conduct by virtue of her employed at a local Estate Agents).

104. LAND AT THOBY PRIORY THOBY LANE ESSEX CM15 0TB

OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING STRUCTURES ON SITE AND THE DEVELOPMENT OF 87 RESIDENTIAL UNITS AND FORMATION OF ACCESS ROADS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED MATTERS)

APPLICATION NO: 15/00527/OUT

Mrs Pettett was present and addressed the committee in objection of the application.

Mr Shackleton, was present and addressed the committee in support of the application.

Mr Dines, the agent was also present and addressed the committee in support of the application.

Cllr Cloke, spoke on behalf of Mountnessing Parish Council and although the Parish Council supports the application, they do have a few concerns; sewage, the pathway leading from the site to Coronation Playing Field, they would not wish to see affordable housing being located off site and the impact on the local schools and medical centre.

A motion was **MOVED** by Cllr Cloke and **SECONDED** by Cllr Wiles that the application be approved.

For: Cllrs Carter, Cloke, Keeble, McCheyne, Morrissey, Mynott, Newberry, Poppy, Reed, Tee, Trump and Wiles (12)

Against: (0)

Abstain: (0)

RESOLVED UNANIMOUSLY that outline planning permission is approved subject to completion of a s106 agreement (to include an obligation relating to noise mitigation of adjoining agricultural buildings) and the following conditions.

1 U10511

Approval of the details of the scale, layout and appearance of the buildings and the landscaping of the site that are reserved for later approval (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority before the development is commenced and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 TIM03 Standard Time Outline - 3 years

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 TIM04 Standard Time Outline - Time Limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 U10483

No application for approval of reserved matters shall be made without a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The approved scheme shall subsequently be implemented in accordance with the approved details including those in the Outline Drainage Strategy referenced BR/02, March 2015, Clark Smith Partnership and the subsequent Revised Storage calculations (Ref BR/02, 27 May 2015).

Reason: To prevent flooding on the proposed site and the local area by ensuring the satisfactory storage of/disposal of surface water in a range of rainfall events and to ensure the system operates as designed for the lifetime of the development.

5 U10480

i. No application for approval of reserved matters shall be made before a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and gained the prior approval of the local planning authority.

ii. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and no later than the submission of the application for approval of reserved matters.

iii. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and written confirmation of the satisfactory completion of fieldwork has been gained from the local planning authority.

iv. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance in writing with the Planning Authority). This assessment shall include a complete post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and a publication report.

Reason: In order to ensure the satisfactory investigation and mitigation of the archaeology within the site.

6 U10481

CONTAMINATED LAND

A. Site Characterisation

No application for approval of reserved matters shall be made without an assessment of the nature and extent of contamination across the whole application site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,

- o groundwaters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

B. Submission of Remediation Scheme

No application for approval of reserved matters shall be made without a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within three months of the completion of measures identified in the approved remediation scheme a validation report must be submitted to the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition C.

E. Long Term Monitoring and Maintenance

No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of an agreed amount of years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority within 3 months of the completion of the measures identified.

Reason: To ensure that any contamination is remediated in the interests of the health of existing and future occupiers, ecology and the water environment.

7 U10484

No development shall take place until an Ecological Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved Plan.

Reason: In order to ensure that the existing ecology of the site is protected and enhanced. This matter is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful to local ecology. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

8 U10514

The site shall be cleared of all existing open storage, hard surfcaing, chattels, fencing and existing buildings. All materials arising shall be permanently removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason - In the interests of maintaining the openness of the Green Belt, the character and appearance of the area and residential amenity.

9 U10521

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
- ix. numbers, size and routes for all HGV movements to and from the site

Reason: In the interests of highway safety, visual and neighbour amenity. This matter is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful to residential amenity or highway safety. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

10 LAN01 Landscaping - outline

The scheme of hard and soft landscaping to be submitted pursuant to condition 1 above shall indicate the existing trees, shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. 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 to be 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.

11 U10510

No application for approval of reserved matters shall be made without an Arboricultural Survey and Method Statement Report. The development shall be completed in accordance with the approved Report.

Reason: In the interests of the character and appearance of the area.

12 U10507

Prior to the first occupation of the development the developer shall:-

- i. provide a 5.5m wide access road with traffic calming features including build outs as shown on drawing no.2591.07A. The carriageway is to have a minimum width of 3.7m at the build outs.
- ii. provide improvements to the site access road junction with Thoby Lane including minor widening of Thoby Lane on the inside of the bend as shown on drawing no. 2591.15.
- iii. construct the access to the site with a minimum clear to ground visibility of 2.4m x 160m in both directions along Thoby Lane, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of obstruction thereafter as shown on drawing no. 2591.07A.

iv. construct the carriageway and footways of the proposed estate road up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstand to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

v. construct the junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials.

Reason: In the interests of highway safety by providing adequate inter-visibility between vehicles using the road junction and those in the existing public highway, ensuring that roads/footways are constructed to an appropriate standard and ensuring that the junction is constructed to the appropriate standard.

13 U10517

There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

14 U10518

The developer shall provide the first occupier of each new dwelling with a Residential Travel Information Pack. The packs shall include information in support of sustainable transport. Details of the packs shall have been submitted to and gained the prior approval in writing by the Local Planning Authority. Each pack shall include six one day travel vouchers for use with the relevant local transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

15 U10519

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 no later than the submission of any application for approval of reserved matters. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area, the openness of the Green Belt and the living conditions of nearby residents.

16 U10520

[If noise mitigation not secured through the Section 106 Agreement]

No application for approval of reserved matters shall be made without a detailed acoustic report on the existing noise climate at the development site with particular reference to noise from the adjoining agricultural plant and equipment. The report shall include a scheme of noise mitigation for the site and insulation measures for all residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to the following standard:

Maximum internal night noise (23:00-07:00) levels of 30dB LAeq,T for living rooms and bedrooms, for bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB LAmax. Maximum external noise levels for residential gardens shall not exceed 50db LAeq,T.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of The National Planning Policy Framework, BS8233:2014. The approved scheme shall be implemented prior to the occupation of the site and be permanently maintained thereafter.

Reason: In order to ensure that an adequate quality of life is provided for the occupiers of the proposed dwellings and the use of the adjoining barns would be restricted.

17 U10522

The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls, bunds or other means of enclosure have been 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 future occupiers. This matter is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful to the character and appearance of the area, the openness of the Green Belt or the setting of the listed building and SAM. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

18 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.

(Cllr Reed declared a non pecuniary interest under the Councils Code of Conduct by virtue of knowing an employee of Mass & Co).

**105. BRENTWOOD CARWASH CENTRE BRENTWOOD CENTRE
DODDINGHURST ROAD PILGRIMS HATCH ESSEX CM15 9NN**

**RELOCATION OF AN EXISTING PORTAKABIN IN ASSOCIATION WITH
THE USE OF PART OF THE SITE AS A HAND CARWASH FACILITY**

APPLICATION NO: 15/00466/FUL

A motion was MOVED by Cllr Trump and SECONDED by Cllr McCheyne that the application be approved.

For: Cllrs, Cloke, McCheyne, Morrissey, Poppy, Tee, Trump and Wiles (7)

Against: (0)

Abstain: Cllrs Carter, Keeble, Mynott and Newberry (5)

RESOLVED that the planning permission be approved subject to the following conditions:-

1 TIM07 Temporary permission - Use (Land)

The use hereby permitted shall be discontinued and the land restored to its former condition on or before 30 June 2018 in accordance with a scheme of work to be first agreed in writing with the local planning authority.

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

2 U10211

The portakabin hereby approved shall only be used ancillary to the use of the Brentwood Leisure Centre and for no other purpose.

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

3 U10289

The portakabin shall not be placed on the site before improvements to its external appearance have been completed in accordance with details which shall have first been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the character and appearance of the area.

4 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.

(Cllr Reed disclosed a non pecuniary interest under the Council Code of Conduct by virtue in his role as Trustee for Brentwood Leisure Trust and therefore left the Chamber and did not participate in the discussion or the vote).

106. Local Development Scheme Report

The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare and maintain a Local Development Scheme.

The Local Development Scheme sets out the documents which, when prepared, will comprise the Local Plan for the Borough. It provides timescales and key milestones, such as future public consultation dates.

The Local Development Scheme must be made available publically and kept up-to-date so that local communities and interested parties can keep track of progress. This latest development scheme updates information and timetables for preparation of planning policies in light of changes since the current development scheme was adopted in December 2012.

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

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

- 1. That the Draft Revised Local Development Scheme (July 2015) as set out at Appendix A be approved.**

REASON FOR RECOMMENDATION

The Council, as local planning authority for the Borough, is required to prepare and maintain a Local Development Scheme. This must be made available publically and kept up-to-date so that local communities and interested parties can keep track of progress.

The Council's current Local Development Scheme (adopted December 2012) is out of date and needs to be revised. The revised Local Development Scheme (July 2015) provides updated information and a new timetable for preparation of the Local Development Plan and Community Infrastructure Levy in light of changes since 2012 and expected future timeframes.

107. Essex Waste Local Plan

The Essex and Southend Replacement Waste Local Plan Revised Preferred Approach is out for public consultation from 18 June to 30 July 2015. The document sets out the preferred approach on a strategy for waste development up until 2032. It proposes 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' have been identified to meet the waste capacity needs of Essex and Southend. None have been identified in Brentwood Borough. The consultation document identifies two 'Areas of Search' and three 'Safeguarded Sites' within Brentwood Borough.

Each of these sites has also been proposed for development in the emerging Brentwood Local Development Plan. It is not considered that identification of these sites as Areas of Search and Safeguarded Sites would cause conflict with the development plan, subject to further discussion with Essex County Council regarding appropriate land uses.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Trump to agree the recommendations in the report.

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

- 1. That the response to the Essex and Southend Replacement Waste Local Plan Revised Preferred Approach June 2015 consultation as set out in Appendix A of this report be approved**
- 2. That the response as set out in Appendix A be agreed and recommended for endorsement by the Environment & Housing Management Committee at its next meeting on 9 September 2015.**

REASON FOR RECOMMENDATION

It is not considered necessary to object to the Essex and Southend Replacement Waste Local Plan Revised Preferred Approach consultation on the basis of identifying two Areas of Search and safeguarding three existing aggregate recycling facilities within the Borough.

Principally the preferred 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 Borough Local Plan will need to identify sufficient additional employment land for the plan period. If the sites at West Horndon and Codham Hall Farm are allocated there will still need to be additional employment land identified in the Borough to meet future needs which 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.

Once adopted the RWLP will provide a wide ranging strategy with significance across Council services. Feedback has been sought from the Street Scene & Environment Department. It is also recommended that the Council's response to the RWLP be endorsed by the Environment & Housing Management Committee at its next meeting on 9 September 2015.

(Cllr Carter was not present for this item and therefore did not take part in the vote).

108. Sustainable Drainage System Design Guide

The Government adopted a new approach to implementing Sustainable Drainage Systems (SuDS) on 6 April 2015. These changes to the SuDS regime impact upon how flood risk and surface water run-off is managed.

The report outlined these changes to the planning system and asks Members to acknowledge the Sustainable Drainage System Design Guide (2014) produced by Essex County Council, as a material consideration.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Trump to agree the recommendations in the report.

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

- 1. That the Sustainable Drainage System Design Guide, as attached at Appendix A, be acknowledged as a material consideration for the purposes of determining planning applications where relevant to the particular application.**

REASON FOR RECOMMENDATION

Formal acknowledgement of the SuDS Design Guide as a material consideration when determining planning applications will help the Borough meet its Local Plan policy objectives and assist the Council in negotiating good quality sustainable drainage schemes as part of new major developments.

Acknowledgement of the guide will help ensure that sustainable drainage schemes coming forward in the Borough are fit for purpose in terms of helping reduce and manage the risk of surface water flooding as well as delivering wider amenity, ecological and landscape benefits.

109. Surface Water Management Plan

Essex County Council, in its role as Lead Flood Risk Authority, has produced a Surface Water Management Plan (SWMP) for Brentwood Borough. The plan has been undertaken in consultation with stakeholders, including Brentwood Borough Council.

The SWMP is an intermediate assessment to inform spatial and emergency planning along with determining possible areas that may benefit from flood mitigation measures. It will also determine if/where detailed assessments should be undertaken and enable warning and informing initiatives.

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

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

- 1. That the Surface Water Management Plan for Brentwood Borough, as attached at Appendix A, be acknowledged as a material consideration for the purposes of determining planning applications where relevant to a particular application.**

REASON FOR RECOMMENDATION

Reducing flood risk requires a pro-active stance on planning policy across the Borough. The formal acknowledgement of the SWMP for Brentwood Borough as a material consideration for the purposes of determining planning applications will give the plan greater weight in the planning process.

Acknowledgement of the SWMP will help to ensure the Borough meets its Local Plan policy objectives and assist development management in negotiating good quality sustainable drainage schemes as part of new major developments.

110. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 22:22