

# Minutes

---

## **Planning and Licensing Committee Tuesday, 13th October, 2015**

### **Attendance**

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

### **Also Present**

Cllr Ms Sanders

### **Officers Present**

Jonathon Bink	- Planning Assistant
Claire Hayden	- Governance and Member Support Officer
Sukhvinder Dhadwar	- Planning Officer
Gordon Glenday	- Head of Planning and Development
Caroline McCaffrey	- Development Management Team Leader
Kathryn Mathews	- Senior Planning Officer
Charlotte White	- Senior Planning Officer
Christine Stephenson	- Planning Lawyer
David Carter	- Environmental Health Manager
Brandan Johnson	- Highways Representative

### **191. Apologies for Absence**

There were no apologies received for this meeting.

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

The Minutes of the previous Licensing/Appeals Sub-committee meetings held on 26<sup>th</sup> January 2015, 29<sup>th</sup> April 2015 and 10<sup>th</sup> September 2015 were agreed as correct records also those of the Planning and Licensing Committee meeting held on 1<sup>st</sup> September 2015, subject to an amendment to min. 118 –

8 Bowhay, Hutton, Essex from Cllr Carter who declared on behalf of the Liberal Democrat Group that the applicant was known to the group

*(Councillor Morrissey declared a non pecuniary interest due under the Council Code of Conduct by virtue of her employment at a local Estate Agents).*

### **Variation of the agenda**

The Chair **MOVED** a motion and it was **RESOLVED** by the Members of the committee to vary the order of the agenda and move item 6 before item 3.

### **193. 198 - 202 RAYLEIGH ROAD HUTTON ESSEX CM13 1PN**

Ms Lees, the agent was present and addressed the committee in support of the application.

Cllr Sanders, ward member expressed her concerns about the application; Highway safety, parking, impact of a national brand changing the village nature of the parade, the need for extraction units generating fumes and impact on neighbours amenity.

Members expressed a desire to ensure that the take away could not change to a restaurant and that any approval would be on that understanding.

A motion was **MOVED** by Cllr Barrell and **SECONDED** by Cllr Wiles for approval

A vote was taken by a show of hands.

FOR: Cllrs Tee, Reed, Barrell, Wiles, Cloke, Mynott, Newberry, Morrissey, Keeble, Trump and McCheyne (10)

AGAINST: Cllr Carter (1)

ABSTAIN: (0)

### **RESOLVED**

That the Application be **APPROVED** subject to the following conditions and an additional condition, to be agreed with Chair and Head of Planning, no change of use to A3 (Restaurant) without express consent, only oven baking.

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.**

3. U11173  
The premises shall not be open for customers outside the following hours: 12 noon til 10pm Monday to Wednesday, 12 noon til 11pm Thursday til Sunday inclusive.

**Reason: To safeguard the living conditions of nearby residents.**

4. BUS07 Hours of Use - deliveries  
No deliveries shall take place outside the following hours: -  
(09:00 - 21:00], Mondays – Fridays, [09:00 - 17:00] Saturdays and there shall be no deliveries on Sundays and public holidays.

**Reason – To safeguard the living conditions of nearby residents**

5. U11085  
Prior to commencement of the development hereby permitted, further details of the extract ducting system shall be provided. Once approved in writing, the extract ducting shall be implemented in accordance with the approved details and maintained.

**Reason: In the interests of residential amenity.**

6. U11086  
Prior to the use commencing a grease trap should be installed within the foul drainage system. Once fitted it shall be regularly maintained in accordance with the manufacturers instructions.

**Reason: To prevent any pollution of ground water.**

7. Given Members requirement to ensure that a restaurant could not open in the premises without permission, a condition to be delegated to the Head of Planning will be added restricting the use to A5 Use.

**Reason – to ensure that a restaurant could not open in the premises without permission**

#### **194. GARAGES ADJACENT TO 10 ALEXANDER LANE HUTTON ESSEX**

Ms Tappin, the applicant was present and addressed the committee in support of the application.

Concerns had been raised by the committee about possible future parking issues and advice was sought on this issue from Brendon Johnson, the Highways Representative. It was considered that at present this was adequate. The Committee welcomed the prospect of having an increase in much needed one bedroom accommodation within the Brentwood area.

A motion was **MOVED** by Cllr Trump and **SECONDED** by Cllr Cloke for approval.

A vote was taken by a show of hands.

FOR: Cllrs Tee, Reed, Barrell, Wiles, Cloke, Keeble, Trump and McCheyne (8)

AGAINST: Cllrs Mynott, Newberry, Carter and Morrissey (4)

ABSTAIN: (0)

#### **RESOLVED**

That the application be **APPROVED**, subject to conditions. In particular conditions are added relating to the design, highways, landscaping material and noise. The wording of the conditions to be delegated to the Head of Planning.

#### **195. HIGH POINT BEGGAR HILL FRYERNING ESSEX CM4 0PN**

Mr Hillier, was present and addressed the committee in objection to the application.

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

Cllr Hones, ward member spoke in support of the application and informed the committee that the resident is in poor health and improvements are required to make her home more comfortable and efficient for her.

The Committee noted that no objections had been received from the Parish Council's or Tree Officer.

A Motion was **MOVED** by Cllr Cloke and was **SECONDED** by Cllr Wiles to approve this application.

A vote was taken by a show of hands.

FOR: Cllrs Tee, Reed, Wiles, Cloke, Mynott, Newberry, Keeble, Trump and McCheyne (9)

AGAINST: Cllrs Barrell, Carter, Morrissey (3)

ABSTAIN: (0)

**RESOLVED**

That the application be **APPROVED**, subject to conditions. In particular conditions be added that verges, roads and landscaping were protected during construction.

The conditions to be agreed with the Chair and Head of Planning, before issuing a decision notice.

*(Cllr Cloke declared a personal interest in knowing the applicant and Cllr Hones, who is not a member of the committee, but was present, also declared a personal interest in knowing the applicant).*

**196. LAND TO THE EAST OF WARLEY HALL MAGPIE LANE LITTLE WARLEY ESSEX CM13 3DT**

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

Cllr Tee, ward member spoke in support of the application, however due to report on the Modern Planning Services presented and resolved at the Planning and Development meeting in March 2015, Cllr Tee will not be able to vote on this application as he referred it to committee.

A motion was **MOVED** by Cllr Barrell and was **SECONDED** by Cllr Wiles for approval of the application.

A vote was taken by a show of hands.

FOR: Cllrs Reed, Barrell, Wiles, Cloke, Mynott, Newberry, Carter, Morrissey Keeble, Trump and McCheyne (11)

AGAINST: (0)

ABSTAIN: (0)

**RESOLVED**

The application be **APPROVED**, with conditions. The wording of the conditions to be agreed with the Chair and Head of Planning, In particular a

condition to be added regarding the removal of Permitted Development rights before issuing a decision notice.

#### **197. Urgent Business**

Gordon Glenday, Head of Planning and Development updated the Committee on two additional features relating to the Council's Modern Planning initiative.

To help make the new system simpler to follow, from now on, every Monday, a list will be emailed to all members showing the new planning applications in the Borough with details of the proposed development, address, case officer and the deadline for consultation responses. By having access to this information, members can find out more about the planning application in their ward at an early stage in the planning process.

In addition to this, an additional series of emails will be circulated to all members showing when Decision Notices are about to be issued. This information needs to be treated as confidential until the Decision Notice is finalised and sent to the applicant.

Following some discussion it was **AGREED** that this list will also be sent to the Chair and Clerk of Parish Councils on the presumption that the information is also treated by them as confidential.

The meeting concluded at 9.17 p.m.