

Minutes

Planning and Licensing Committee Tuesday, 1st December, 2015

Attendance

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

Apologies

Cllr Reed

Substitute Present

Cllr Murphy (substituting for Cllr Reed)

Also Present

| | |
|---------------|-----------------------------|
| Cllr Faragher | |
| Cllr Hossack | |
| Cllr Poppy | |
| Cllr Rowlands | |
| Cllr Foan | West Horndon Parish Council |

Officers Present

| | |
|----------------------|---------------------------------------|
| Gordon Glenday | Head of Planning & Development |
| Claire Hayden | Governance and Member Support Officer |
| Karen O'Shea | Governance and Member Support Officer |
| David Carter | Senior EHO (Team Leader) |
| Philip Drane | Planning Policy Team Leader |
| Helen Gregory | Interim Head of Housing |
| Alan Marsh | Arboricultural Assistant |
| Paulette McAllister | Design & Conservation Officer |
| Christine Stephenson | Planning Solicitor |
| Stephen Blake | Environmental Health Officer |

236. Apologies for Absence

Apologies were received from Councillor Reed, Cllr Mrs Murphy was substituting.

237. Minutes of the Previous Meeting

The Minutes of the Planning and Licensing Committee 3rd November 2015 were agreed and signed by the chair as a true record.

238. Authority Monitoring Report: Housing

Each year the Council publishes an Annual Monitoring Report (AMR). This sets out how the Borough's planning policies have been implemented over the previous financial year and monitors progress on the preparation of documents as set out in the Council's Local Development Scheme timetable.

Regulations specifying the content and frequency with which the Annual Monitoring Report must be published have changed. Local planning authorities now have more flexibility when monitoring, no longer needing to wait annually until publishing information. This coincides with a change of name to "Authorities Monitoring Reports", reflecting the fact that information can be published as and when it becomes available.

A residential monitoring update has been prepared with information relating to residential completions for the period 1 April 2014 to 31 March 2015. This update forms the first of what will be a series of updates each reporting on different monitoring issues, which together will form the Council's Monitoring Reports.

A motion was **MOVED** by Councillor McCheyne for approval of the recommendations and was **SECONDED** by Councillor Trump

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

1. **Approve the Housing chapter of the Authority Monitoring Report 2014/15, as set out in Appendix A.**
2. **To approve the new approach to monitoring data, publishing information once it becomes available as part of the Council's Authority Monitoring Report and in a variety of formats online.**

REASON FOR DECISION

Publication of the Housing chapter for the Authority Monitoring Report 2014/15 allows information on residential completions in the Borough to be shared with the local community, as well as other related information. It also

meets the monitoring requirements set out in the Town and Country Planning Regulations 2012, as amended by the Localism Act 2011.

Unlike previous Annual Monitoring Reports published each year, Authority Monitoring Reports can provide up to date information on specific issues as and when it becomes available. This allows for greater transparency and up-to-date feedback.

In addition to publishing monitoring information in usual formats, such as a PDF document on the Planning pages of the Council's website, using the DataShare site will help meet the Council's commitment to being open and transparent. Planning monitoring data will be freely available to view and download in a variety of formats.

239. HUTTON HALL HUTTON VILLAGE HUTTON ESSEX CM13 1RX

CHANGE OF USE OF EXISTING GRADE II* LISTED HOUSE AND GROUNDS TO WEDDING AND EVENTS VENUE WITH FORMATION OF ASSOCIATED CAR PARK AND CONSTRUCTION OF SEASONAL MARQUEE.

APPLICATION NO: 15/00755/FUL

The chair informed the committee that both the reports on Hutton Hall were to be debated together, however voting on each item was undertaken separately.

Mr Sykes was present and addressed the committee in objection to the applications.

Ms Keynon, Hutton Preservation Society, was present and addressed the Committee in objections to the applications.

Mr Wilson, a resident of Hall Green Lane was present and addressed the Committee in objections to the applications.

Mr Pryor, the Agent was also present and addressed the Committee in support of the application.

Members raised concerns over the 111 letter of objection that had been received against the application relating to the impact on Green belt, noise, disturbance and the Historic Grade 2 building.

A motion was **MOVED** by Councillor Trump and **SECONDED** by Councillor Cloke and the application was approved.

For: Cllrs Barrell, Tee, Pound, Wiles, Cloke, Trump and McCheyne
(7)

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

Abstain: Cllrs Murphy (1)

RESOLVED that planning permission is approved subject to conditions delegated to the Head of Planning in consultation with the Chair of Planning and Licensing Committee.

(All Members of the committee declared a non pecuniary interest in the virtue of knowing a relative of the applicant)

240. HUTTON HALL HUTTON VILLAGE HUTTON ESSEX CM13 1RX

ALTERATIONS TO THE GRADE II* LISTED BUILDING AND GRADE II LISTED WALLED GARDEN TO FACILITATE THE CHANGE OF USE OF EXISTING GRADE II* LISTED HOUSE AND GROUNDS TO A WEDDING AND EVENTS VENUE AND CONSTRUCTION OF SEASONAL MARQUEE.

APPLICATION NO: 15/00756/LBC

A motion was **MOVED** by Councillor Trump and **SECONDED** by Councillor Cloke and the application was approved.

For: Cllrs Barrell, Tee, Pound, Wiles, Cloke, Trump and McCheyne (7)

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

Abstain: Cllr Murphy (1)

RESOLVED that planning permission is approved subject to conditions delegated to the Head of Planning in consultation with the Chair of Planning and Licensing Committee.

(All Members of the committee declared a non pecuniary interest in the virtue of knowing a relative of the applicant)

241. LAND FORMERLY KNOWN AS NV TOOLS ST JAMES ROAD BRENTWOOD ESSEX

REDEVELOPMENT FOR 45 FLATS, LANDSCAPED AMENITY DECK AND ASSOCIATED CAR PARKING.

APPLICATION NO: 15/01084/FUL

Ms Ngo was present and addressed the committee in objection to the application.

Mr Wood was also present as the applicant and spoke in support of the application.

Members raised concerns over parking issues and whether a better use would have been for office space instead of housing.

A motion was **MOVED** by Councillor Wiles and **SECONDED** by Councillor McCheyne that the application be approved.

For: Cllrs Barrell, Tee, Murphy, Pound, Wiles, Cloke, Trump and McCheyne. (8)

Against: Cllrs Carter, Morrissey, Mynott, Newberry (4)

Abstain: (0)

RESOLVED that planning permission is approved subject to completion of a Section 106 agreement as set out in the officer's report and 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 U11451

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: Taking account of the character of the area including nearby residential and business uses the method of carrying out the development 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 living conditions of nearby residents, the safety and convenience of highway users and the character and appearance of the area during the construction period. In the absence of a condition

requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

3 U11452

No development above ground level shall take place until details and samples, where necessary, of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The details submitted shall include:-

- drawings showing details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate.
- a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the local planning authority
- a sample panel of 1 square metre minimum shall be erected on site to show areas of new exterior walling, this panel shall indicate: - brick bond, copings, mortar mix, colour and pointing profile

The development shall be carried out in accordance with those approved details.

Reason: In order to safeguard the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

4 U11453

Prior to occupation of the proposed development, the first occupiers of each of the flats hereby permitted shall be provided with a Residential Travel Information Pack for sustainable transport, with information covering local public transport travel and including six one day travel vouchers for use with the relevant local public transport operator, within one month of their occupation of their dwelling. Details of the Residential Travel Information Pack shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings hereby permitted.

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

5 U11454

Prior to occupation of any flat the vehicle parking area, including the provision of car, motor cycle and bicycle parking facilities, shall be completed as indicated on the approved drawings. The vehicle parking area shall thereafter be retained in this form and shall not be used for any purpose other than the parking of vehicles associated with the residential occupation of the building.

Reason: To ensure that appropriate parking is provided in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005 in the interests of highway safety and the encouragement of the use of sustainable methods of transport.

6 U11455

No development above ground level shall take place until details of the two amenity decks have been submitted to and approved in writing by the local planning authority. Those details shall include the layout, surface treatment, planting arrangements and any seating or other fixtures. The decks shall be laid out as approved prior to the first occupation of any flat and shall thereafter be retained as approved for use by the occupiers of the flats.

Reason - To ensure the provision of amenity space for the occupiers of the flats in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

7 U11456

No development above ground level shall take place until a landscaping scheme to include details of all surfacing materials, measures to support climbing plants and specification of plant species on the three road frontages of the site, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or climbing plant 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 the interests of the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

8 U11457

The building hereby permitted shall be equipped with a communal TV and radio aerial and satellite dish prior to the first beneficial use. Details of the size, external appearance and the position shall be previously submitted to and agreed in writing with the Local Planning Authority prior to the installation of such systems. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no other satellite dishes or aerials shall be fixed to the building hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

9 U11458

None of the accommodation hereby permitted shall be occupied until the facilities to be provided for the storage of refuse/recycling materials have been provided in accordance with the details shown on the approved drawings. Thereafter the accommodation shall not be occupied unless those facilities are retained.

Reason: To ensure that adequate provision is made in order to safeguard the character and appearance of the area.

10 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.

11 U11459
Development shall not commence until a drainage strategy detailing any on-site and/or off-site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. It is essential that the measures are submitted and approved before commencement because the drainage measures are likely to be implemented at the outset of the development.

12 U11460
Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the surface water discharge from the site is not detrimental to the existing sewerage system or highway safety. It is essential that the measures are submitted and approved before commencement because the drainage measures are likely to be implemented at the outset of the development.

13 U11461
Prior to occupation of the development, the east facing vehicular access as shown in Drawing no 1284:112 rev P5 shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 4.8m, shall be retained at that width for 10m within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Headroom at the vehicle entrance and within the parking area shall be a minimum of 2.1m

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

14 U11462

d) Prior to occupation of the development, the north facing vehicular access as shown in Drawing no 1284:113 rev P5 shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.1m, shall be retained at that width for 20m within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Headroom at the vehicle entrance and within the parking area shall be a minimum of 2.1m.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

242. GARAGES WAINWRIGHT AVENUE HUTTON ESSEX

DEMOLITION OF EXISTING GARAGES/LOCK UPS AND CONSTRUCTION OF 4 X 1 BED BUNGALOWS FOR OVER 65'S.

APPLICATION NO: 15/01376/FUL

Ms Gregory, the Application was present at the meeting and spoke in support of the application.

A motion was **MOVED** by Councillor McCheyne and **SECONDED** by Councillor Mynott for approval of the application.

For: Cllrs Barrell, Tee, Murphy, Pound, Wiles, Cloke, Trump and McCheyne, Morrissey, Mynott and Newberry (11)

Against: (0)

Abstain: (0)

RESOLVED UNANIMOUSLY that planning permission is approved subject to 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 U11491

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 the external surfaces of the building hereby permitted have

been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

3 U11492

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
- viv. external lighting

Reason: In the interests of highway safety, visual and neighbour amenity. These details are required prior to the commencement of the development as they are fundamental to the proposal hereby approved.

4 SIT02 Site levels - as illustrated

The relationship between the height of the building 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.

5 U11493

The surfacing materials of the accessway, driveways and parking areas shall be of a permeable construction or shall be designed to direct run-off surface water to a permeable area within the site.

Reason: In order to prevent surface water flooding in the area.

6 U11494

No development shall take place above ground level until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, has been submitted to and approved in writing by the local planning authority. The landscaping scheme

shall be carried out as approved. 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.

7 U11495

Notwithstanding the submitted details, no development above ground level shall be carried-out until details of the treatment of all boundaries including drawings of any gates, fences, walls 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 existing and future occupiers.

8 U11496

Should any contamination be found, the contamination shall be reported immediately to the local planning authority and construction of the development shall cease immediately. The site shall then be assessed in accordance with Essex Contaminated Land Consortium's 'Land affected by Contamination (2nd Edition)' and a remediation scheme submitted to and approved in writing by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority before construction of the development hereby approved re-commences.

Reason: In the interests of human health and prevent of pollution of the water environment.

9 U11503

No development shall take place until a site layout has been submitted to and approved in writing by the local planning authority which includes a minimum of five vehicular parking spaces with minimum dimensions of 2.9 metres x 5.5 metres and with a minimum 6m aisle behind each space. The development shall be carried out in accordance with the approved details and the approved parking spaces shall be provided prior to the occupation of any of the dwellings hereby permitted.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

10 U11504

No development shall place above ground level until details of cycle parking for the new dwellings has been submitted to and approved in writing by the local planning authority. The facility shall be secure, convenient, covered, provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

11 U11505

Prior to the occupation of the proposed development, the developer shall provide a Residential Travel Information Pack for sustainable transport, to the occupier of each dwelling. Details of the pack shall have the prior written consent of the local planning authority.

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

12 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 including the Arboricultural Report dated 26 November 2015.

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

(Cllr Carter declared a non pecuniary interest under the Councils Code of Conduct by virtue of his involvement in this application as the previous chair of the Housing Committee. Therefore, Cllr Carter left the Chamber and didn't take part in the debate or vote).

**243. LAND ADJACENT TO 12 AND 13 MAGDALEN GARDENS HUTTON
ESSEX**

CONSTRUCTION OF 3 NEW DWELLINGS.

APPLICATION NO: 15/01375/FUL

Ms Gregory was present as the applicant and spoke in support of the application.

A motion was **MOVED** by Councillor McCheyne and **SECONDED** by Councillor Mynott for approval.

For: Cllrs Barrell, Tee, Murphy, Pound, Wiles, Cloke, Morrissey, Mynott, Newberry, Trump and McCheyne (11)

Against: (0)

Abstain: (0)

RESOLVED UNANIMOUSLY that the application was approved subject to an additional condition regarding landscaping at the rear of the development and 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.

3 U11436

No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4 U11437

The first floor bathroom windows shall be:-

a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

5 U11438

No development above ground level shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out as approved prior to the first occupation of the dwellings hereby permitted. 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.

6 U11439

The surfacing materials of the driveways and parking areas shall be of a permeable construction or shall be designed to direct run-off surface water to a permeable area within the site.

Reason: In order to prevent surface water flooding in the area.

7 U11440

No development shall take place until a full stag beetle ecology report, including mitigation and compensation measures, as appropriate, has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved report.

Reason: In the interest of preserving the protected species identified on site. This information is needed prior to the commencement of the development as it is fundamental to the development and without such a report being submitted to and approved in writing prior to the commencement of the works on the site it would have been necessary to refuse planning permission.

8 U11441

The proposed development shall not be occupied until the Developer has provided a Residential Travel Information Pack for sustainable transport, with information covering local public transport travel, to each proposed dwelling.

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

9 U11442

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 condition is needed prior to the commencement of the development as it is fundamental to the proposal hereby approved.

10 SIT02 Site levels - as illustrated
The relationship between the height of the building 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.

(Cllr Carter declared a non pecuniary interest under the Councils Code of Conduct by virtue of his involvement in this application as the previous chair of the Housing Committee. Therefore, Cllr Carter left the Chamber and didn't take part in the debate or vote).

244. Urgent Business

There was no urgent business.

The meeting concluded at 10:05 p.m.