

Minutes

Planning and Licensing Committee Tuesday, 11th October, 2016

Attendance

Cllr McCheyne (Chair)	Cllr Keeble
Cllr Ms Rowlands (Vice-Chair)	Cllr Mrs Middlehurst
Cllr Barrell	Cllr Morrissey
Cllr Bridge	Cllr Mynott
Cllr Mrs Hubbard	Cllr Newberry

Apologies

Cllr Mrs Murphy

Substitute Present

Cllr Mrs Coe

Also Present

Cllr Mrs Davies	
Cllr Aspinell	
Cllr Foan	- West Horndon Parish Council
Cllr Lockhart	- Blackmore, Hook End and Wyatts Green Parish Council
Cllr Parker	

Officers Present

Paul Adams	- Principal Licensing Officer
Philip Drane	- Planning Policy Team Leader
Caroline McCaffrey	- Development Management Team Leader
Kathryn Mathews	- Senior Planning Officer
Claire Mayhew	- Governance and Member Support Officer
Christine Stephenson	- Planning Solicitor
David Carter	- Environmental Health Manager
Dave Leonard	- Licensing Officer
Brendan Johnston	- Highways Representative

166. Apologies for Absence

Apologies were received by Cllr Faragher, Cllr Mrs Coe was present as a substitute and Cllr Mrs Murphy, no substitute was present.

167. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee of 13th September 2016 were approved and signed as a true record.

168. Minutes of the Licensing Appeals Sub Committee

The minutes of the Licensing Appeals Sub Committee of 15th September were approved and signed as a true record.

169. Hackney Carriage Fares

Local Authorities have a power to set fares for hackney carriages. A request from representatives of the hackney carriage trade via the TTCG (Taxi Trade Consultative Group) has been received for an increase in the Taxi Fare, this reports seeks agreement to allow for public consultation as in accordance with the statutory requirements.

Cllr McCheyne **MOVED** and Cllr Ms Rowlands **SECONDED** the recommendation in the report, a vote was taken by a show of hands.

RESOLVED UNANIMOUSLY

- 1. That the Committee agrees for the proposed table of fares, as set out in appendix A, to go out for public consultation, in accordance with the statutory requirement.**

REASON FOR RECOMMENDATION

The process of setting Hackney carriage Fares is prescribed by the legislation, this recommendation is compliant with the procedure to be followed.

170. 206 HATCH ROAD, PILGRIMS HATCH, ESSEX, CM15 9QN, NEW CHALET DWELLING TO REAR OF 206 HATCH ROAD WITH ACCESS VIA ALDERTON CLOSE, APPLICATION NO: 16/00752/FUL

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

Mrs Simpson, Hatch Road Neighbours Association was also present and addressed the committee in objection to the application.

Mr Barker, Applicants Representative was present and addressed the committee in support of the application.

Cllr Mrs Davies, Ward Member spoke in objection to the application with concerns relating to the back garden development, harm to character and appearance, harm to neighbours, flood risk and precedent.

Cllr Aspinell, Ward Members also spoke in objection to the application in relation to parking, screening and surfacing materials.

The officer informed the committee that a letter had recently been received from Anglian Water and conditions 6 & 8 had been addressed.

After a full debate, Cllr Mynott **MOVED** and Cllr Mrs Hubbard **SECONDED** that the application should be **REFUSED** under policies CP1 (i) and (iii), H17 and Flood Risk.

A vote was taken by a show of hands.

FOR: Cllrs Mynott, Newberry, Mrs Hubbard, Keeble and Morrissey (5)

AGAINST: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Ms Rowlands and McCheyne (6)

ABSTAIN: (0)

The motion was **LOST**.

Cllr Barrell **MOVED** and Cllr Mrs Coe **SECONDED** that the application should be **APPROVED** subject to the addition of a condition re construction method statement and the removal of conditions 6 & 8 as requested by the Officer.

A vote was taken by a show of hands.

FOR: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Ms Rowlands and McCheyne (6)

AGAINST: Cllrs Mynott, Newberry, Mrs Hubbard, Keeble and Morrissey (5)

ABSTAIN: (0)

The motion was **CARRIED** and the application was **APPROVED**.

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 U14642

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 U13920

Prior to occupation of the proposed development, the occupiers shall be provided a Residential Travel Information Pack for sustainable transport, in accord with details which shall have first been submitted to and approved in writing by the local planning authority.

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

4 U13921

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

5 LAN03 Landscaping - full - details submitted

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.

6 U14673

No development shall take place until further excavations to confirm groundwater depths and soil testing have been completed in accordance with BRE365. No development shall take place until details have been submitted to and approved in writing by the local planning authority which demonstrate that the size of the soakaways have been designed on the basis of the further excavations and soil testing completed in accordance with BRE365. The development shall be completed and retained in accordance with the approved details.

Reason: In order to ensure satisfactory drainage of the development. This issue is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the surface water drainage for the proposal would be satisfactory in perpetuity. In the absence of this condition, it would have been necessary to refuse planning permission.

7 U14643

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above, specifications and the Surface Water Drainage Strategy submitted as part of the application (including the proposed connection/outflow to the public sewer, the piped overflow being situated above the top of the design water level in the soakaway and the flow rate of the overflow being a maximum of 5 l/s), unless otherwise required by any of the other conditions.

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

8. Notwithstanding the Construction Method Statement submitted, no development shall take place 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
- 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 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.

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

(Cllr Barrell and Cllr Mrs Coe declared a non-pecuniary interest under the Council's Code of Conduct by the virtue of living within the application area).

171. 114 ORCHARD AVENUE ,BRENTWOOD, ESSEX, CM13 2DP. REMOVAL OF CONDITION 4 (NO HEATING/COOKING EQUIPMENT SHALL BE USED ON PREMISES) OF APPLICATION 15/00145/FUL (CHANGE OF USE FROM MOTOR SPARES SHOP (RETAIL) TO CAFE (FOOD OUTLET)).APPLICATION NO: 15/01341/FUL

Cllr Morrissey, Ward Member spoke in support of the application.

The officer informed the committee that an additional condition needed to be imposed requiring the installation of a grease trap and grease filter on Environmental Health advice.

Cllr Morrissey **MOVED** and Cllr Barrell **SECONDED** to **APPROVE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Mynott, Newberry, Mrs Hubbard, Keeble, Morrissey, Ms Rowlands and McCheyne (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application is **APPROVED** subject to the following conditions.

1 U14681

No cooking/heating equipment shall be used on the premises other than a Bain Marie, grill, oven and hot plate griddle at any time.

Reason: To protect the amenities of the occupiers of local residents.

2 AME01 Applications for Amendments

This permission relates only to condition 4 of planning permission 15/00145/FUL and in all other respects the development shall be carried out fully in accordance with planning permission reference 15/00145/FUL granted on 26 June 2015.

Reason: To establish the scope of this permission.

3 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.

4 Within 1 month of the date of this planning permission, a grease trap shall be installed within the premises' drainage system and grease filter shall be installed after the baffles within the ventilation hood(s) in the kitchen, and both shall be retained in perpetuity.

Reason: To protect the amenities of the occupiers of local residents.

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

172. Urgent Business

There were no items of Urgent Business.

The Meeting concluded at 20:20pm