

# Minutes

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## Planning and Development Control Committee Tuesday, 3rd February, 2015

### Attendance

Cllr Baker (Chair)	Cllr Mrs Henwood
Cllr Mynott (Mayor)	Cllr Mrs Hones
Cllr Carter	Cllr McCheyne
Cllr Cloke	Cllr Morrissey
Cllr Mrs Cohen	

### Substitute Present

Cllr Lloyd (substituting for Mrs Squirrel)  
Cllr Reed (substituting for Hossack)

### Also Present

Cllr Foan	West Horndon Parish Council
Cllr Harman	Herongate and Ingrave Parish Council

### Officers Present

Philip Cunliffe-Jones	Planning Solicitor
Gordon Glenday	Head of Planning & Development
Claire Hayden	Governance and Member Support Officer
Kathryn Mathews	Senior Planning Officer
Paulette McAllister	Design & Conservation Officer
Caroline McCaffrey	Development Management Team Leader
Hillary Gore	Highways Representative

### 427. Apologies for absence

Apologies for absences were received by Cllrs Mrs Squirrel, Cllr Lloyd substituted and Cllr Hossack, Cllr Reed substituted.

### 428. Minutes of the previous meeting

The minutes of the meeting held on 6<sup>th</sup> January 2015 were signed by the Chair as a correct record.

**429. CONSTRUCTION OF 27 RESIDENTIAL RETIREMENT FLATS WITH COMMUNAL FACILITIES; SEPARATE STAFF, VISITOR AND COACH PARKING FOR INGRAVE JOHNSTONE CHURCH OF ENGLAND PRIMARY SCHOOL AND AN EXTENDED SCHOOL PLAYGROUND; CONSTRUCTION OF A NEW ACCESS TO SERVE BOTH DEVELOPMENTS; ASSOCIATED LANDSCAPING, AND A NEW GREENSWARD TO BRENTWOOD ROAD.**

**APPLICATION NO: 14/01024/FUL**

Members were advised that the Chair disclosed a personal interest and therefore step down from his role on this application. Cllr Mynott become chair for duration of this item.

Cllr Mynott requested nominations for a Vice-chair for this item only. Cllr Mynott nominated Cllr Mrs Hones. A vote was taken on a show of hands and Cllr Mrs Hones was appointed Vice Chair for the duration of this item.

Ms O'Connor, was present and addressed the committee in objection to the application.

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

Ms Skinner, the Agent was also present and addressed the committee in support of the application.

Cllr Harman from Herongate and Ingrave Parish Council spoke in objection to the application.

Members raised concerns about the increase in traffic on the A128 and to affects it would have on the safety of school children travelling to and from school. The poor design and the bulk of the development are not in keeping with the village, which is situated in Green Belt and that no affordable housing was proposed within the application. This would merge the villages together and lose the uniqueness of both the villages.

It was confirmed that the site on the LDP register for consideration.

The Committee were advised that a Deed dated 18<sup>th</sup> August 2014 purporting to be a Deed of Unilateral Obligation made pursuant to Section 106 Town and Country Planning Act 1990 did not comply with the provisions of the Act and could be given no weight. If Members were in favour of the application Heads of Terms for a different Section 106 Deed providing for Contributions to the Local Planning Authority and Essex County Council would be required and

planning permission would be subject to prior completion of such a revised document.

Highway issues requiring attention if the development were allowed required a detailed specification and funding by legal agreement.

A motion was **MOVED** by Cllr Lloyd and **SECONDED** by Cllr Morrissey that the application be refused.

For: Cllrs, Cloke, Mrs Hones, Lloyd, McCheyne, Morrissey, Mynott and Reed (7)

Against: (0)

Abstain: Cllrs, Mrs Cohen and Mrs Henwood (2)

**RESOLVED** that the planning permission is refused for the following reasons:

R1 U09257

The proposed development would be inappropriate development within the Green Belt and, as a result of the scale, size and height of the building and the other works proposed, would result in a reduction in the openness of the Green Belt, contrary to the NPPF (in particular section 9) as well as Policies GB1 and GB2 of the Brentwood Replacement Local Plan.

R2 U09287

The proposed development would be, as a result of the scale, size, design and height of the building and the other works proposed, along with the loss of existing trees (some of which are preserved) and other vegetation, would harm the character and appearance of this rural area (which also forms part of a Special Landscape Area and Thames Chase Community Forest) and would result in the loss of a valuable break in built development between the two villages of Herongate and Ingrave, contrary to the NPPF (in particular section 7) as well as Policies CP1, C5, C7, C8 and C11 of the Brentwood Replacement Local Plan.

R3 U09288

The occupiers of the proposed flats would largely be dependant on the private car to gain access to the majority of facilities and services and the car park proposed to serve the school would be in excess of the maximum parking requirement for primary schools, contrary to the NPPF (section 4) and Policies CP2 and CP3 of the Brentwood Replacement Local Plan.

R4 U09289

The proposed development makes no provision for affordable housing and so does not make an adequate contribution towards the Borough's housing needs, contrary to the NPPF (section 6) and Policy H9 of the Brentwood Replacement Local Plan.

R5 U09290

The proposed retirement flats would not be located in a suitable location as the occupiers of the proposed flats would not be in close proximity to adequate facilities and services to the detriment of the quality of life for the site's occupiers, contrary to the NPPF (section 6) and Policies CP1 (criterion ii) and H11 of the Brentwood Replacement Local Plan.

R6 U09258

The matters advanced by the applicant in support of the application would not clearly outweigh the harm the development would cause through inappropriateness, reduction in openness of the Green Belt within which the site is located, harm to the character and appearance of the area, lack of affordable housing and car dependency. Therefore, no circumstances exist to justify the grant of planning permission for the inappropriate development proposed.

*(Cllr Baker declared a non pecuniary interest under the Councils Code of Conduct by virtue of his past relationship for with Ingrave Johnstone C of E Aided Primary School and Cllr Carter declared a non pecuniary interest under the Councils Code of Conduct by virtue of living opposite the application site. They both left the Chamber and did not participate in the discussion or vote).*

**430. CAR PARK WILLIAM HUNTER WAY WILLIAM HUNTER WAY  
BRENTWOOD ESSEX CM14 4SS**

**CHANGE OF USE OF PART OF THE WILLIAM HUNTER WAY CAR PARK  
SITE TO CAR WASH AND THE RETENTION OF THE EXISTING FENCE,  
CARWASH UMBRELLA AND PORTAKABIN (RETROSPECTIVE  
PERMISSION)**

**APPLICATION NO: 14/01326/FUL**

This application was withdrawn. The Committee were informed that the cost of the interceptor of pollutants required by the Water Authority was considered prohibitive by the applicant for this proposed development.

**431. 90 RAYLEIGH ROAD HUTTON ESSEX CM13 1BH**

**SINGLE STOREY REAR EXTENSION**

**APPLICATION NO: 14/01374/BBC**

A motion was MOVED by Cllr Baker and SECONDED by Cllr Mynott that the application be approved.

For: Cllrs Baker, Carter, Cloke, Mrs Cohen, Mrs Henwood, Mrs Hones, Lloyd, McCheyne, Morrissey, Mynott and Reed (11)

Against: (0)

Abstain: (0)

**RESOLVED UNANIMOUSLY** that planning permission approved, subject to the following conditions.

**1 TIM01 Standard Time - Full**

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

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

**2 DRA02A Development in accordance with drawings**

Unless formally permitted by the local planning authority 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 MAT03 Materials to match**

The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

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

**4 U09331**

Notwithstanding the details on the drawings submitted the ground floor flank window on west elevation 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 window shall be installed prior to the first occupation of the development permitted and shall remain so glazed and non-openable, in perpetuity. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: To safeguard the living conditions of neighbouring occupiers in accordance with Policy CP1 (ii) of the Brentwood Replacement Plan 2005.

**432. Update from the Chair on Cottage Gardens, Beads Hall Lane, Pilgrims Hatch, Essex APPLICATION NO: 14/01069/FUL**

The Chair updated the committee on the application which was deferred from the 6 January 2015. The Applicant's Agent had requested that this application be deferred until March.

The Chair mentioned that the Agent had been asked to obtain consultation comments on the proposed development from Social Services. Social Services comments and advice is not for airing or debate in public, so consideration may have to be given to debating part of the revised report in Part II

The Chair went on to say that he was wanting to see a revised procedure for Call In. He suggested that all Members would wish to have a full opportunity to consider this in draft.

The Chair explained that the report on modernising the Planning Service, including proposed changes to the Call In Protocol and Guidance was nearly ready. What was proposed is that a draft of the report and procedures be circulated to all Members at the end of the week, so that any Member may comment in the following fortnight before the next Committee's Agenda if they wish.

The Report would then be published in the usual way taking account of Member suggestions, then presented for debate at the March meeting of the Committee and all being well recommended to the full Council at the end of March for adoption.

There was no formal vote but Members indicated agreement.

**433. Government Consultation on Starter Homes**

The Government is consulting on a change to national planning policy to promote Starter Homes Exception sites. The report outlined the proposed changes and suggested a response to the twelve specific questions in the Consultation paper, with some context of Brentwood's housing needs

**RESOLVED UNANIMOUSLY to:**

- 1. That approval of a letter of response from the Acting Chief Executive be delegated to the Head of Planning in consultation with the Chair and Vice-Chair of the Committee taking account of views expressed.**

*(Cllr Lloyd declared a non-pecuniary interest by virtue of his employment at a local Mortgage packaging company).*

**434. Urgent business**

There was no items of Urgent Business.

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