

# Minutes

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## Planning and Licensing Committee Tuesday, 4th September, 2018

### Attendance

Cllr Ms Sanders (Chair)	Cllr Mynott
Cllr McCheyne (Deputy Chair)	Cllr Nolan
Cllr Chilvers	Cllr Mrs Pound
Cllr Haigh	Cllr Reed
Cllr Keeble	Cllr Mrs Slade
Cllr Morrissey	

### Apologies

Cllr Trump

### Substitute Present

Cllr Mrs Hones

### Also Present

Cllr Russell

### Officers Present

Surinder Atkar	-	Planning Solicitor
Zoe Borman	-	Governance and Member Support Officer
Gina Clarke	-	Corporate Governance Lawyer
Nick Howard	-	Development Management Team Leader
Paulette McAllister	-	Design & Conservation Officer
Caroline McCaffrey	-	Development Management Team Leader
Jean Sharp	-	Governance and Member Support Officer

### 109. Apologies for Absence

Apologies were received from Cllr Trump and Cllr Mrs Hones substituted for him.

#### 110. Minutes of the Previous Meeting

It was **RESOLVED UNANIMOUSLY** that the minutes of the Planning and Licensing Committee meeting which took place on 17 July 2018 were a true record.

#### 111. Minutes of the Licensing Sub Committee

The minutes of the 28 August 2018 Licensing Sub-committee would be included in the agenda for the 16 October 2018 Planning and Licensing Committee meeting for Members' perusal.

#### 112. Application 18/00859/FUL - Development land at at 141-147 High Street, Brentwood.

**Mixed use development comprising of commercial unit(s), for Class A1 retail, Class A2 services, Class A3 restaurant, Class D1 non-residential institution or Class D2 assembly and leisure use, together with 19 x one and two bed flats.**

The application related to the redevelopment of the vacant site located on the corner of High Street and Weald Road, where the previous Sir Charles Napier public house stood. It comprised the erection of a new building providing 19 dwellings (12 x 2 bed and 7 x 1 bed flats) over 5 floors with commercial use being provided at ground and basement level. Amenity space would be provided through private balconies to each apartment.

Waste and recycling storage would be provided at the rear of the building, along with secure cycle parking.

Mr Aranson, the agent was present and addressed the Committee in support of the application.

Cllr Russell, Ward Member for Brentwood West, was present and addressed the Committee in support of the application.

Cllr McCheyne **MOVED** and Cllr Ms Sanders **SECONDED** that the Application be **APPROVED**.

Members voted as follows:

FOR: Cllrs Chilvers, Haigh, Mrs Hones, Keeble, McCheyne, Morrissey, Naylor, Mrs Pound, Reed, Ms Sanders and Mrs Slade (11)

AGAINST: (0)

ABSTAIN: Cllr Mynott (1)

The motion was **CARRIED** and the application **APPROVED** subject to the conditions within the report and amendment to include the following:

- Deliveries made to the ground floor commercial units to be restricted to the hours of 9.30am to 4.30pm and only to be made in a small vehicle.
- A restriction to be put on the commercial units so that an application for A5 (takeaway food) use would need to be specifically approved
- Enquiries be made of SEPP (South Essex Parking Partnership) regarding the rules for the provision of Residents' Parking Permits given the lack of parking space in the vicinity.

*(Cllrs Morrissey and Reed each declared a non-pecuniary interest under the Council's Code of Conduct by virtue of Cllr Morrissey living fairly close to the development and Cllr Reed's employment since the proposed commercial units could be occupied by a gym).*

**113. Application 18/00959/FUL - 33-37 High Street, Brentwood. CM14 4RG**

**Demolition of 35 and 37 High Street Brentwood, the part demolition, part retention of no. 33 and construct of part 3 part 4 storey building comprising five ground floor retail units and 14 no. residential units (8no. 1 bed units; 6no. 2 bed units). Additional construction of five storey building to rear of the site comprising ground floor SME (flexible retail/office) use, and 4no. 2 bed units.**

**Members were advised that the Committee refused a planning application for a similar development on this site at its meeting in March 2018 and that the current application proposed a revised form of development.**

The site comprised two linked parcels of land, a roughly rectangular plot which covered units 33-37 High Street (plot A), with a ribbon of land extending to William Hunter Way, and a triangular plot to the north (plot B) facing William Hunter Way. Both plots were within the Brentwood town centre and conservation area. The building structures of units 33, 33a and 33b would be retained at ground and first floor level, with internal/external alterations. Units 35 and 37 would be demolished and replaced in their entirety.

Unit 33 would have three storeys including a pitched roof with front facing dormers behind a low parapet. The ground floor would have three retail units, and there would be 3 flats on each of the first and second floors totalling 2 x one bed units and 4 x two bed units - providing a total of 6 residential flats. The total height of the building was 650mm lower than previously proposed.

Unit 35 would have four storeys including a pitched roof with front facing dormers behind a parapet. The ground floor would have one retail unit, and there would be 2 x one bed units on each of the three floors above – providing a total of 6 residential flats. The total height of the building was approximately 1290 mm lower than previously proposed.

Unit 37 would be three storeys, with a front façade of similar proportions to unit 35 but without the pitched roof. It would have retail use on the ground floor, and 1 x two bed unit on each of the floors above. It would provide in total 2 residential flats. The total height of the building was one storey lower, approximately 3135 mm, than previously proposed.

In total, Plot A would retain all five retail units on the ground floor and provide 14 residential units. CGIs submitted with the application (referred to as 'View points') show the High Street elevation to have articulated frontages of finely detailed brickwork with fenestration having generous reveals. The other change is to the material colour of Block A, this variation in the finish provided more visual variety to the scheme. The front elevation had a sympathetic relationship to the massing of its neighbours to each side.

The proposal for Plot B was a five-storey building with flexible retail/office use at the ground floor and four floors of residential units above; each residential floor would provide 1 x two-bedroom unit. The ground floor would also include cycle and bin storage. In total the proposal would provide one commercial unit and four residential units above. The height of this building was the same as previously proposed and it would be mostly brick clad facing William Hunter Way, with a part glazed aluminium curtain wall stair tower to its rear elevation rising just above the main body of the building. There was a minimum of windows to its flanks.

Dr Gomes – a resident of Culyers Yard - was in attendance and addressed the Committee in objection to the application.

Mr Parr – the agent - addressed the Committee in support of the application.

Cllr Chilvers was concerned that residents of Culyers Yard had not been sent letters by the Planning Department advising them of the proposed development as was customary in Brentwood although not a statutory requirement and **MOVED** and Cllr Mynott **SECONDED** that consideration of the application be **DEFERRED** for further consultation.

The Chair agreed to **DEFER** the application accordingly.

#### **114. Urgent Business - The Adoption of Revised Members' Planning Code of Good Practice into the Constitution**

A report had been published in a supplement to the agenda which the Chair had accepted as an urgent item as comments from Members of the Planning and Licensing Committee were invited as consultees on the Revised Members Planning Code of Conduct which was to be considered by the Regulatory and Governance Committee at its' 10 October 2018 meeting.

Members were advised that the Constitution Working Group had been working on changes to the Constitution since 2016, following a review of the Constitution being undertaken by external legal advisors, Bevan Brittan. One of the areas identified for further review was the Council's planning

procedures to make sure that they comply with the current law, best practice in relation to the declaration of interests by Members, predetermination and bias and other wider planning considerations.

Following earlier consideration of the draft Members Planning Code of Good Practice by the Constitution Working Group, it had been substantially revised in the light of comments received. It had been shortened and made much clearer and up to date, both in style and in relation to revisions which were necessary since the passing of the Localism Act 2011, which changed the rules about the Code of Conduct and the types of interests that were now required to be disclosed.

In order to ensure that Members had sufficient time to consider the proposed revised Planning Code of Good Practice, Cllr Mynott proposed that an extended time be allowed for comments to be forwarded to Ms Clarke, the report author.

Cllr Sanders **MOVED** and Cllr McCheyne **SECONDED** the recommendations in the report including the proposed extended timeframe and it was

**RESOLVED UNANIMOUSLY**

- 1. That the Planning and Licensing Committee note the report.**
- 2. Any comment on the revised Members Planning Code of Good Practice attached as Appendix A to the report be given to Ms Clarke by 14 September 2018 to be reported back to the next meeting of the Regulatory & Governance Committee by the Monitoring Officer.**

The meeting concluded at 20:30