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Agenda

Planning and Licensing Committee

Tuesday, 15 January 2019 at 7.00 pm
Brentwood County High School, Shenfield Common, Seven Arches Road, Brentwood CM14 4JF

Membership (Quorum – 4)

Cllrs Ms Sanders (Chair), McCheyne (Deputy Chair), Chilvers, Haigh, Keeble, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Mrs Slade and Trump

Substitute Members

Cllrs Aspinell, Barrett, Mrs Davies, Mrs Fulcher, Mrs Hones, McLaren, Mrs Middlehurst and Wiles

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4.	**17/01050/Out - Land South of East Horndon Hall, Tilbury Road, West Horndon, Essex. CM13 3LR: Outline application for demolition of all buildings; construction of 13 new buildings, comprising of Class B1b, B1c, B2 and B8 floor space and 250 sqm of Class A3 floorspace, together with associated vehicle parking, loading, cycle parking and infrastructure (Landscaping and Appearance reserved matters)** (Report to follow)	Herongate, Ingrave and West Horndon	

Governance & Member Support Officer: Jean Sharp (01277 312 655)
Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY
☎01277 312 500 www.brentwood.gov.uk

5.	**18/01500/Ful - Red Roofs Challacombe Close Hutton Essex CM13 2LU** **Raise Ridge and Extend Roof, Add Part Single Storey, Part Two Storey Rear Extensions Incorporating Rear Juliette Balcony, Add First Floor Side and Front Extensions, Add 2 Dormers to Rear and Replace Front Canopy Porch and Add Canopy to Garage Front**	Hutton South	17 - 26
6.	**Urgent Business**		

Chief Executive

Town Hall
Brentwood, Essex
07.01.2019

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order	Personal Explanation	Point of Information or clarification
A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.	A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.	A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate, If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

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If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

these activities, in their opinion, are disrupting proceedings at the meeting.

Private Session

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.

BRENTWOOD BOROUGH COUNCIL

Minutes

Planning and Licensing Committee
Tuesday, 11th December, 2018

Attendance

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

Apologies

Cllr Chilvers

Officers Present

Surinder Atkar	-	Planning Solicitor
Philip Drane	-	Director of Strategic Planning
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Business Development and PR Manager

272. Apologies for Absence

Apologies were received from Cllr Chilvers.

273. Minutes of the Previous Meeting

In relation to minute 187 – 33-37 High Street, Brentwood CM14 4RG - Cllr Mynott believed that details of an additional condition had been omitted. The condition required an appropriate height and obscure glass privacy screen along the walkway facing the Culyers Yard development. Subsequent to the meeting it was established that the detail of this condition had been included in the decision notice sent out to the applicant, as follows:

'14. Before the residential units are first occupied and notwithstanding the submitted plans, details (including height and type), of a boundary screen at the rear of the residential units facing onto the High Street shall be submitted to and approved by the Local Planning Authority. The approved details shall

be fully implemented and retained thereafter. In order to prevent overlooking into Culyers Yard located at the rear of the site'.

Subject to the clarification of Cllr Mynott's enquiry the minutes were agreed to be a true record.

274. Planning and Building Control Fees and Charges 2019-20

The report before Members set out the Council's Planning and Building Control non-statutory fees and charges. Planning fees were set by central government and building fees continued to be led by market conditions.

Planning pre-application charging schedule was reviewed on a quarterly basis and fees were adjusted where appropriate, to reflect the quality of service and resources provided. Building control fees and other non-statutory fees were reviewed on an annual basis.

There was no proposed fee increase to any of the charges for 2019/20.

Cllr Ms Sanders **MOVED** and Cllr McCheyne **SECONDED** the recommendation in the report and a vote was taken on a show of hands. It was

RESOLVED UNANIMOUSLY that

Members note that the Fees & Charges in Appendix A and B were to remain at 2018/19 charges for 2019/20; and that Appendix A and B were referred to Policy, Project and Resources Committee as part of the Budget setting process.

Reasons for Recommendation

Ongoing budget pressures facing the public sector continue to be a factor in Council services seeking to generate income wherever possible to contribute to the provision of a high-quality service to residents and businesses.

Currently, it is not considered that any increase is required to the current fees and charges. However, this should be reviewed on a regular basis and adjusted to reflect both the level of demand from the development industry and the Council's resources to provide a high standard of service.

Local Land Charges fees, having regard to the 1975 Act, are considered to be at a level that addresses the level of resources required to provide the demands of the service at cost. The fees have been reviewed in order to ensure that a cost recovery service is maintained and will be reviewed in line with any future legislative changes.

275. Licensing Fees and Charges 2019-20

The report before Members set out the proposed fees and charges associated with licence applications for the 2019/20 period, for recommendation to Council for setting. There were minor increases (50p) in some charges compared with the 2018/19 period.

Cllr Ms Sanders **MOVED** and Cllr McCheyne **SECONDED** the recommendation in the report and a vote was taken on a show of hands. It was

RESOLVED UNANIMOUSLY that

Members approve the Fees and Charges as detailed in Appendix A and that Appendix A is referred to Policy Projects and Resources Committee as part of the Budget setting process.

Reason for Recommendation

The fees and charges must be agreed by Full Council and cannot be set by this committee. The fees proposed are on a cost recovery basis where possible.

276. Statement of Community Involvement Update

Members were reminded that local planning authorities were legally required to prepare a Statement of Community Involvement (SCI). The SCI was an important part of the Council's Local Development Plan and set out how the Council would engage with the local communities through the planning process.

The Council's current SCI was adopted in 2012. Since then there had been several changes to the planning system and it was now necessary to update the SCI accordingly. The revised Brentwood Borough SCI was attached to the report as Appendix A.

As part of joint working within the Association of South Essex Local Authorities (ASELA) and early work to prepare a Joint Strategic Plan (JSP) for South Essex, a brief SCI addendum had been prepared. It was recommended that this SCI be approved as Part Two addendum to the Brentwood Borough SCI, as was being proposed for other ASELA partners. The Part 2 SCI was enclosed in Appendix B.

National Planning Practice Guidance did not require public consultation to take place when publishing an SCI. However, in order to test the effectiveness of joint consultation across local authority boundaries in preparation for the South Essex JSP, the Part 2 SCI (Appendix B) might be subject to a period of public consultation.

Cllr Ms Sanders **MOVED** and Cllr McCheyne **SECONDED** the recommendation and following a full discussion a vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY that the Committee

1. Approves the revised Brentwood Borough Statement of Community Involvement enclosed in Appendix A; and

2. Approves the Part Two SCI South Essex Joint Strategic Plan set out in Appendix B.

Reasons for Recommendation

Changes to the national planning system make it necessary to revise the Brentwood Borough SCI. The SCI is an important part of the Council's Local Development Plan, setting out how the Council will engage with local communities through the planning process. Local planning authorities must prepare an SCI in accordance with Regulations.

Given the Council's partnership in ASELA and early work to prepare a Joint Strategic Plan for South Essex, it is necessary to consider how consultation will take place across local authority boundaries.

277. Response to Basildon Borough Council Revised Publication Local Plan and Community Infrastructure Levy (Preliminary Draft Charging Schedule) November 2018

Members were advised that Basildon Borough Council was preparing a new Local Plan for their area as required by the National Planning Policy Framework (NPPF). Brentwood Borough Council was duty bound to undergo the duty to cooperate with neighbouring authorities on preparation of their local plans.

The Basildon Borough Revised Publication Local Plan (October 2018) was now at the pre-submission stage of the plan-making process (Regulation 19), which was the final opportunity to make representations before it was submitted for examination in public. Alongside the plan, Basildon Council had published its first stage of Community Infrastructure Levy (CIL) consultation; the Preliminary Draft Charging Schedule.

Several cross-boundary issues were identified as a result of unmet housing needs being identified in Basildon Borough, including provision for Gypsies and Travellers. It was proposed that the Brentwood Borough Council response set out cross-boundary issues and remaining concerns, with the need to resolve these through the Duty to Cooperate and specifically a Statement of Common Ground. Both Brentwood and Basildon Councils were partners in the Association of South Essex Local Authorities (ASELA). Both

authorities had approved the ASELA Statement of Common Ground, which included a commitment to joint working through the preparation of a Joint Strategic Plan for South Essex.

Cllr Ms Sanders **MOVED** and Cllr McCheyne **SECONDED** the recommendation and following a full discussion a vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY that

The Committee approves the response to the Basildon Borough Revised Publication Local Plan 2013-2034 consultation set out in Appendix A.

Reasons for Recommendation

Brentwood Borough Council is duty bound to undergo the duty to cooperate with neighbouring authorities on preparation of their local plans. The proposed response to the Basildon Borough Revised Publication Local Plan 2014-2034 is set out in Appendix A.

Both Brentwood and Basildon Councils' have embraced opportunities to work together in the preparation of our respective local plans in line with the duty to cooperate. Both authorities are partners in ASELA, committed to joint working through the preparation of a Joint Strategic Plan for South Essex.

The response set out in Appendix A aims to outline key issues and remaining concerns within the context of ongoing partnership and joint working.

278. Urgent Business

There were no items of urgent business.

The meeting ended at 8.00pm

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BRENTWOOD BOROUGH COUNCIL

Minutes

Licensing Sub-Committee
Monday, 10th December, 2018

Attendance

Cllr Keeble
Cllr McCheyne
Cllr Mrs Slade

Officers Present

Paul Adams	-	Principal Licensing Officer
Surinder Atkar	-	Planning Solicitor
Steve Blake	-	Environmental Health Officer
David Carter	-	Environmental Health Manager
Dave Leonard	-	Licensing Officer
Jean Sharp	-	Governance and Member Support Officer
Maria Williams	-	Licensing Officer

268. Appointment of Chair

Members resolved that Cllr McCheyne should chair the meeting.

269. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

270. Declarations of Interest

No declarations of interest were received.

271. Application to Review a Premises Licence - The Skew Bar and Grill, Rayleigh Road, Hutton, Brentwood. CM13 1SG

An application had been received for a review of the premises licence in respect of **The Skew Bar & Grill, Rayleigh Road, Hutton CM13 1SG.** Seven relevant representations had been received during the consultation period**.**

The review related to two Licensing objectives: Prevention of Crime and Disorder and Prevention of Public Nuisance.

An authorisation was required in respect of any premises where it was intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late Night Refreshment

An appropriate authorisation was either, a premises licence, a club premises certificate or a Temporary Event Notice. Licence holders were required, when offering any licensable activity, to ensure that they promoted the licensing objectives at all times. The operating schedule of the application contained details of the activities applied for and the control measures that the applicant would have in place in order to promote these objectives. Such measures would, where appropriate, be converted into enforceable conditions on any licence issued.

The four licensing objectives were;

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

Any representation must be able to demonstrate that on the balance of probability the application in its current form would fail to adequately promote one or more of the licensing objectives. No other matters might be considered.

On the 13th September 2018 an application for a Review was received from Martyn White of 576 Rayleigh Road, Brentwood, Essex citing issues relating to noise and anti-social behaviour.

This Premise was currently a Turkish restaurant occupying the ground floor of a substantial building, with a large carpark to one side with residential housing surrounding the building.

Representations had been received from Responsible Authorities - Environmental Health and The Licencing Authority of Brentwood Council.

Environmental Health referred to noise from customers in the carpark and noise from bottle disposal. They also raised concerns of overflowing bins sitting on an unstable surface which caused noise when the bins were moved. They also had concerns from the noise emanating from the kitchen when the kitchen doors were open.

Representations had also been received from residents of Rayleigh Road which consisted mainly of noise disturbance and anti-social behaviour and the increase of entertainment at weekends.

Ms Nixon lived next door to the restaurant on the side of the kitchen, bin area and staff rest area, and advised that she was disturbed by the noise and violent behaviour from the car park and garden mostly late at night and noise from the refuse and glass disposal area as they were so close to her home. She also experienced noise from the kitchen.

Mr Hussey had put a representation in complaining of music noise from the venue and vehicles in the carpark and Mrs Hailes had also submitted a representation regarding noise from the air conditioning unit, music, shouting and the slamming of car doors but both representations were withdrawn before the Sub-Committee meeting.

Ward Councillors Hossack and Ms Sanders had also submitted representations on behalf of residents relating to concerns about the delivery times of lorries, noise from the area where the bins were located along with the noise from where the staff congregated, the cooking fumes and the insufficient parking at the venue, also to the noise from the music and bottle collection and parking. (Members noted that disabled parking did not fall within the licensing objectives.)

Before business commenced the legal representative of the Skew Bar and Grill, Mr Dadds, asked for confirmation that members of the Sub-Committee had not been lobbied by the Ward councillors and this was confirmed by Cllrs Keeble, McCheyne and Mrs Slade.

Ms Moses introduced the report and then the Sub-Committee heard from Martyn White who had applied for the review of the Skew Bar and Grill's licence and he outlined the problems he had experienced relating to noise and anti-social behaviour. Ms Nixon then addressed the Sub-Committee advising of problems she had experienced with noise from the kitchen and the refuse and glass disposal area and violent behaviour in the car park.

Next, Stephen Blake, a Brentwood Borough Council Environmental Health Officer and Dave Leonard, a Brentwood Borough Council Licensing Officer

addressed the Sub-Committee in turn and reported on the outcome of their visits to the Skew following neighbours' complaints.

Mr Blake advised that he had met with Mr Dadds before the Sub-Committee meeting and he had made some recommendations to Mr Dadds which he believed would go some way to alleviate the issues cited by the complainants.

Cllr Hossack, Ward councillor, addressed the Sub-Committee regarding the issues he had highlighted in his representation which was included in an appendix to the report.

Following the oral representations made by Mr White and Ms Nixon and the responsible authority representatives, Mr Dadds addressed the Sub-Committee in response to the statements made. He advised that he would accept the conditions proposed by Mr Blake.

The Sub-Committee retired to consider its' decision and considered carefully all the information that had been presented to them both in the report and verbally at the hearing.

The view taken by members was that the conditions identified by Mr Blake were sufficient to overcome the challenges presented which undermined the two Licensing Objectives the subject of the Review. With a few slight alterations the decision made was to maintain the Premises License as previously granted but with the following additional conditions-

1. Disposal of waste bottles and refuse into external receptacles must not occur between 20.30 and 08.00 hours;

2. The handling of kegs, bottles, cleaning equipment, bottle disposal and similar items shall not take place after 20.30 hours or before 08.00 hours when the noise generated could cause a nuisance particularly outside the building;

3. Arrangements must be in place to ensure that waste collection contractors do not collect refuse between 21.00 and 08.00 hours;

4. An adequate number of suitable (lidded) receptacles shall be provided to receive and store refuse from the premises/site;

5. Receptacles of waste shall be emptied regularly and to be maintained in a clean condition and cleaned professionally at least once a week.

6. All external doors and windows to be closed other than for access and egress;

7. The external doors associated with the flank/side kitchen and food preparation rooms shall have suitable door closers such closers to operate without having loud impact noise;

8. The floor of the external refuse collection area and bin storage must be maintained to ensure that the floor is smooth, hard-wearing and free from holed/pitted areas or cracks on a temporary basis within 6 weeks and on a permanent basis within 3 months of this decision;

9. The premises licence holder or a responsible person nominated by them in writing shall receive and respond to complaints throughout the duration of all licensable activities. These complaints must be recorded and must note the steps taken. The records must be made available to the local authority upon request. Such records must be maintained for a minimum of 1 year;

10. The Licensee to present to the Licensing Department of the Council a noise dispersal plan to be reasonably acceptable to the Council within 3 months of this decision;

11. Signs to be erected in the car park to the premises to keep noise down and to refrain from anti-social behaviour;

The conditions were reported orally and all parties were reminded that they had a right to appeal against the decision to the Magistrates Court.

The meeting ended at 21.30 hours.

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SITE PLAN ATTACHED

. **RED ROOFS CHALLACOMBE CLOSE HUTTON ESSEX CM13 2LU**

RAISE RIDGE AND EXTEND ROOF, ADD PART SINGLE STOREY, PART TWO STOREY REAR EXTENSIONS INCORPORATING REAR JULIETTE BALCONY, ADD FIRST FLOOR SIDE AND FRONT EXTENSIONS, ADD 2 DORMERS TO REAR AND REPLACE FRONT CANOPY PORCH AND ADD CANOPY TO GARAGE FRONT

APPLICATION NO: 18/01500/FUL

WARD	Hutton South	**8/13 WEEK DATE**	02.11.2018
PARISH		**POLICIES**	
CASE OFFICER	Ms Tessa Outram	01277 312500	
Drawing no(s) relevant to this decision:	1447-PL02 ; 1447-PL03 ; 1447-PL05 B; 1447-PL01 A; 1447-PL06 B; 1447-PL04 A; 1447-PL07 ;		

This application has been referred to committee by Councillor Hirst on the grounds that the proposed development is of excessive bulk that would be out of character with the area and would amount to overlooking contrary to local plan policies CP1 and H15.

1. Proposals

Planning permission is sought for the raising of the ridge and extension to existing roof, the addition of a part single part two storey rear extension incorporating two rear dormer windows and Juliette balcony, part single part first floor front and side extensions and roof lights to the front and rear at Red Roofs, Challacombe Close.

The proposal has been amended part way through the application process, the ridge height has been reduced and now extends 0.2 metres above the existing compared to the 1.5 metres originally submitted. The roof design has also been altered and the eaves of the first floor side extension have been reduced in height in line with No.13 'Summerleigh'.

2. Policy Context

Local Development Plan:

National Planning Policy Framework (NPPF) 2018

National Planning Practice Guidance (NPPG)

Policy CP1 General Development Criteria

Policy H15 Hutton Mount

Policy H17 Dormer Windows

The emerging Local Development Plan is currently at the Pre-Submission (Publication Draft) Stage (Regulation 19) and there are outstanding objections to be resolved**.** The Brentwood Replacement Local Plan 2005 remains the development plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the Local Plan Pre-Submission (Publication Draft) provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The Local Plan Pre-Submission (Publication Draft) (Regulation 19) is currently anticipated to be to be published for consultation early in Q1 of 2019. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q1 and Q2 of 2019. Provided the Inspector finds the plan to be sound, it is estimated that it could be adopted by the Council in late 2019.

3. Relevant History

- : - None

4. Neighbour Responses

This application has been advertised by way of individual neighbour notification letters.

Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: http://publicaccess.brentwood.gov.uk/online-applications/

Seven representation letters were received objecting to the proposed development. The concerns arising from the objection letters included:

-Ridge height too high
-Overlooking to properties to the rear
-Unsympathetic and dominating design
-Overpowering to No.15 Challacombe Close
-Drainage may be affected
-Road disturbance during construction
-Loss of light to No.13
-Loss of property values

5. Consultation Responses

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: http://publicaccess.brentwood.gov.uk/online-applications/

- No consultation responses received.

6. Summary of Issues

Design, Character and Appearance

The amended scheme has reduced the ridge height to extend just 0.2 metres higher above the existing. The roof addition will also include a small infill and alteration to the angle of the roof at the east of the site. The additional roof height is minimal and given the reduction in land level would not exceed the height of adjacent properties, furthermore the eaves have been redesigned to follow the line of the neighbouring property Summerleigh.

Therefore it is not considered the extended dwelling would be of a height or design that would appear large or prominent in the street scene.

The extensions to the front would extend beyond the existing building line however, would not be out of keeping with the surrounding development.

The side and rear extensions are of an appropriate size and design and would not extend any closer to the side boundaries than the existing building. The rear dormer windows are set below the ridge and are acceptable in size in compliance with policy H17 of local plan.

The revised scheme is therefore considered to be of an acceptable design and would not detract from character and appearance of the surrounding area or host dwelling in compliance with policy CP1 (i) and (iii) of the local plan and chapter 7 of the NPPF.

Impact on Neighbour Amenity

While the height will increase by 0.2 metres, no extensions are proposed to the eastern side of the dwelling and a sufficient distance will be retained between the host building and the smaller neighbouring dwelling Chota, the minor alterations to the angle and height of the roof here will not be significant to impact on the neighbouring occupiers. The two storey element of the rear extension is set in from the side boundaries and the single storey elements are considered to be of an appropriate height and position in relation to neighbouring properties. As such, the alterations to increase the ridge height and the extensions proposed are not considered to result in an overbearing or dominant impact on the adjoining properties.

The first-floor side extension extends over the existing garage and a distance of 2.2 metres will be retained between the side wall and adjacent building Summerleigh. The flank roof light of Summerleigh may result in a loss of light during the morning compared to the existing situation as a result of the first floor extension. However, the distance between the two buildings in combination with the slope of the roof of the extension means that the proposal would not give rise to an unacceptable degree of light loss that would harm the living conditions of the occupiers.

The first floor east facing flank windows can be conditioned to be obscure glazed to prevent overlooking to Chota. The rear first floor and second floor dormer windows will be in excess of 30 metres from the rear boundary which is considered to be an adequate distance and would not amount to material overlooking or loss of privacy to Longaford Way properties at the rear.

The proposal is compliant with policy CP1 (ii) of the local plan and the NPPG.

Tree and Landscaping Considerations

The application site benefits from significant tree coverage to the front and rear of the site which is characterful of the street scene. The application identified some hedgerow is to be removed to facilitate the extensions, but no trees are required to be removed.

Given the importance and positive contribution the trees have on the street scene it is considered a condition is required for tree protection details to be submitted prior to any groundwork.

Parking and Highway Considerations

The proposal will utliise the existing access and adequate off-street parking will be retained in accordance with the adopted parking standards.

Neighbour concerns have been raised concerning road disruption as a result of construction vehicles. Whilst the street is narrow it is wide enough to allow the passing of two-way vehicular traffic. In addition, the site has a large frontage for the storage and off-loading of materials and all properties have driveways and off-street parking. Therefore, construction vehicles would not cause disturbance through a loss of parking provision and obstruction to the road could be adequately mitigated by considerate construction methods.

Other Matters

The majority of the neighbour comments received have already been considered above including the design and size of the proposal and its impact on the street scene and residential amenity concerns. The comments concerning drainage, flooding and property values are not a material planning considerations that bare any weight on the determination of this application.

Conclusion

The proposal is considered to be compliant with policies CP1, H17 and H15 of the Brentwood Replacement Local Plan 2005, the NPPF and NPPG. The application is recommended for approval subject to conditions.

7. Recommendation

The Application be 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 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 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 Tree Protection
No development shall take place until details showing the root protection area and tree protection measures have been submitted to and approved in writing the by the local planning authority prior to the commencement of the proposed works on site. The tree protection measures shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: In order to protect trees and hedges of importance to safeguard the character and appearance of the area.

5 Obscure Glazing
The first floor flank window(s) serving 'bedroom 4' and 'ensuite'; 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.

<u>Informative(s)</u>

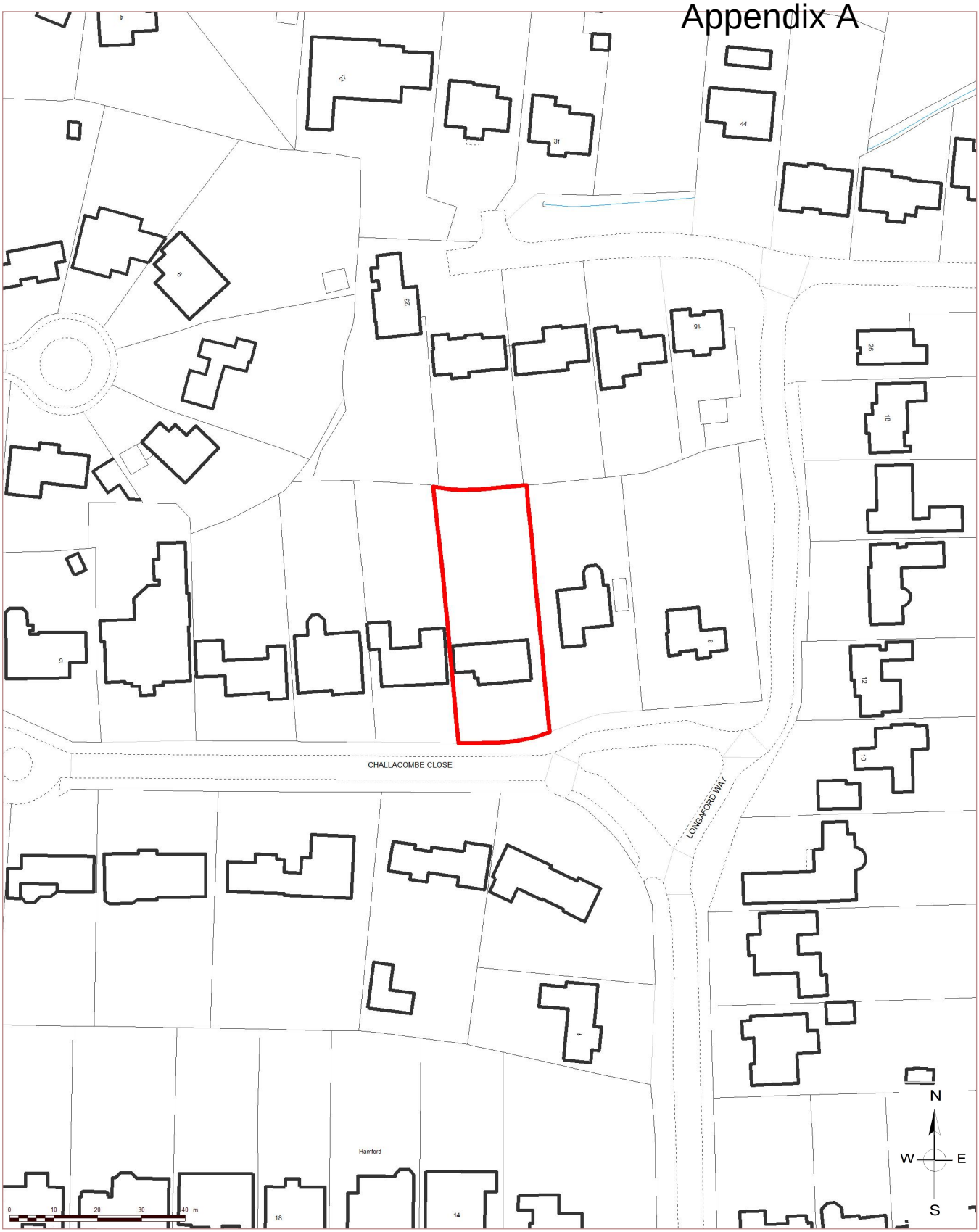
1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.
2 INF04
The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.
3 INF05
The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H15, National Planning Policy Framework (NPPF) 2018 and NPPG 2014.
4 INF22
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
5 U05977
The development should be constructed following the British Standard 5228 code of practice for noise control on construction sites and should refer to the Council's Considerate Contractor Advice; found at:
https://www.brentwood.gov.uk/pdf/pdf_1185.pdf, throughout the duration of the construction process.

BACKGROUND DOCUMENTS

DECIDED:

Appendix A



Title : Red Roofs, Challacombe Close, Hutton, Brentwood, Essex

18/01500

Scale at A4 : 1:1250 Date : 15th January 2019

Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500

BRENTWOOD BOROUGH COUNCIL

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

  A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

  You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

  If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

  - participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
  - participate in any vote or further vote taken on the matter at the meeting.

  These prohibitions apply to any form of participation, including speaking as a member of the public.

  - **Other Pecuniary Interests**

  Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

  If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A ‘relevant person’ is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Planning and Licensing Committee

Planning
(a) Town and Country Planning Act 1990 and any related legislation including: -
(i) determination of planning applications;
(ii) enforcement of planning control;
(iii) waste land notices, purchase notices, etc.

(b) Listed Buildings and Conservation Areas Act 1990
(i) determination of applications for Listed Buildings and Conservation Area consent;
(ii) enforcement of Listed Building and Conservation Area legislation.

(c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.
(i) To guide the Council in setting its policy objectives and priorities.
(ii) To carry out the duties and powers of the Council under current legislation;
(iii) To develop, implement and monitor the relevant strategies and polices relating to the Terms of Reference of the committee.
(iv) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
(v) To consider and approve relevant service plans;
(vi) To comply with the standing orders and financial regulations of the Council;
(vii) To operate within the budget allocated to the committee by the Council.
(viii) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning

Licensing
(a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
(b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
(c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.
(d) To exercise all other functions relating to licensing and registration including
i.Trading Requirements
ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
iii. Animal Welfare and Security
iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing
v. Sex establishments (including Sex Entertainment Venues (SEV))
vi. Pavement Permits
vii. Charitable Collections
viii. Camping, Caravan Sites and Mobile Homes
ix. Scrap Metal
x. Game Dealers

(e) Any other matters relating to licensing as may be referred to the committee for consideration.

(f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
(g) To manage and monitor the budgets in respect of licensing and vehicle licensing.