



# Agenda

## Planning and Licensing Committee

Tuesday, 12 March 2019 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,  
Brentwood CM14 4JF

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### 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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### Agenda

Item	Item	Wards(s) Affected	Page No
	<b>Contents</b>		
1.	<b>Apologies for Absence</b>		
2.	<b>Minutes of the Previous Meeting</b>		5 - 10
3.	<b>Recreational disturbance Avoidance Mitigation: Supplementary Planning Document Consultation</b> (Report to follow)		
4.	<b>Response to the Thurrock Local Plan Issues and Options Stage 2 Consultation</b> (Report to follow)		
5.	<b>Response to the Southend Local Plan Issues and Options Consultation</b> (Report to follow)		

6. **Urgent Business**

A handwritten signature in black ink, appearing to read 'P. L. R. B.' with a large, sweeping underline.

Chief Executive

Town Hall  
Brentwood, Essex  
04.03.2019

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### 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.

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#### 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.

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#### Point of Order/ Personal explanation/ Point of Information

##### Point of Order

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.

##### Personal Explanation

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.

##### Point of Information or clarification

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.

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### Information for Members of the Public

#### Access to Information and Meetings

You have the right to attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

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#### Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

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.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

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

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

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 **Private Session**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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 **Access**

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

 **Evacuation Procedures**

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



## Minutes

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### Planning and Licensing Committee Tuesday, 19th February, 2019

#### 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	Cllr Trump

#### Also Present

Cllr Aspinell  
Cllr Bridge  
Cllr Cloke  
Cllr Mrs Davies

#### Officers Present

Surinder Atkar	-	Planning Solicitor
Nick Howard	-	Development Management Team Leader
Paulette McAllister	-	Principal, Design & Conservation
Steve Plumb	-	Arboriculturalist – Planning
Jean Sharp	-	Governance and Member Support Officer
Lorne Spicer	-	Executive Assistant and PR Manager

#### 327. Apologies for Absence

There were no apologies for absence – all Committee members were present.

#### 328. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee meeting held on 15 January 2019 were agreed to be a true record.

#### 329. Minutes of the Licensing Sub Committee 09.01.19

The minutes of the Licensing Sub-Committee meeting held on 9 January 2019 were agreed to be a true record.

**330. Minutes of the Licensing Sub-Committee 17.01.19**

The minutes of the Licensing Sub-Committee meeting held on 17 January 2019 were agreed to be a true record.

**331. Minutes of the Licensing Sub-Committee 24.01.19**

The minutes of the Licensing Sub-Committee meeting held on 24 January 2019 were agreed to be a true record.

**332. Minutes of the Licensing Sub-Committee 30.01.19**

The minutes of the Licensing Sub-Committee meeting held on 30 January 2019 were agreed to be a true record.

The Chair proposed and it was agreed to vary the order of the agenda so that Item 9 was considered as the next item of business.

**333. LAND AT JUNCTION OF MILL GREEN ROAD AND FRYERNING LANE, FRYERNING, INGATESTONE, ESSEX. TPO 18/1995 – APPLICATION NO 18/1970/TPO**

The proposal received was to Oak crown lift to 3m and remove major deadwood with conservation cuts and had been referred by Cllr Cloke.

The tree, known as the Jubilee Oak, was a large mature specimen growing in the green at the junction of Mill Green Road and Fryerning Lane in the Fryerning Conservation Area. Branches extended very low, in some cases touching the ground. There was also deadwood throughout the canopy. The works were proposed to aid grass cutting and to improve highway safety.

The tree had an attractive shape and had not been subject to any works previously. It was accepted that work was required to remove low hanging branches however it was considered that the proposed crown lift was too much and would adversely affect the amenity of the tree and leave large wounds.

Mr Steve Plumb advised the Committee that he had met the applicant on site and they had discussed a revised proposal and a revised recommendation was tabled for Members' consideration. Cllr Close and the applicant, Mr Collins, addressed the Committee and both confirmed they were satisfied with the revised proposal.

Cllr Ms Sanders **MOVED** and Cllr McCheyne **SECONDED** the revised recommendations and following a discussion a recorded vote was taken and Members voted as follows:

FOR: Cllrs Chilvers, Haigh, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Sanders, Mrs Slade and Trump (12)

AGAINST: (0)

ABSTAIN: (0)

It was **RESOLVED UNANIMOUSLY** to:

Permit a crown lift of up to 2 metres removing no branches of more than 150mm in diameter. Remove all deadwood with conservation cuts. All works to be carried out in accordance with conditions

1 TPO01 Works with supervision

The works hereby permitted shall not be commenced unless at least 14 days written notice of the works has been given to the local planning authority indicating the time and date upon which the works are to be commenced.

Reason: To enable the Council's Arboriculturalist (Planning) to be present at the commencement of works to ensure that they are carried out in accordance with this permission.

2 TPO04 Good Practice B.S. 3998

All tree works must be carried out in accordance with good practice as defined in B.S. 3998

Reason: To ensure good arboricultural practice

3 TPO05 Single operation and 2 years

This consent is for a single operation only and is valid for 2 years from the date of this decision only. Consents for extended management works may be applied for.

Reason: To allow the Local Authority to keep track of works to trees.

**334. FAR END, DAYS LANE, PILGRIMS HATCH, ESSEX, CM15 9SJ  
APPLICATION NO: 18/01663/FUL - CONSTRUCTION OF A BARN**

Cllr Aspinell referred the application on the grounds that the construction of an agricultural and forestry barn at this location was essential for the safe storage of agricultural equipment, along with providing a protected environment for the storage of various crops, hay and logs and was sensitively sited and designed.

The proposed barn would be located within the site closest to Days Lane and would be set back somewhat from Days Lane and accessed via a new entrance road and area of hardstanding. The front elevation of the barn would be oriented towards Days Lane. A gabled barn door was proposed which would full height, 4.1m wide with a projection of 1.56m. The barn would measure 11m deep. The width including a single storey canopy to the east would be 28.5m. The total height would be 4.5m. The barn would be constructed of timber weatherboard above a brick plinth with a 'plain' tiled roof.

Ward Councillors Cllr Aspinell and Cllr Mrs Davies addressed the Committee in support of the application.

Mr Thurtle, the applicant, was present and addressed the Committee in support of the application.

Cllr Mrs Slade **MOVED** and Cllr Mynott **SECONDED** that the application be **APPROVED** with conditions as stated by the officer relating to commencement, materials and use and following a full discussion a recorded vote was taken. Members voted as follows:

FOR: Cllrs Chilvers, Haigh, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Sanders, Mrs Slade and Trump (12)

AGAINST: (0)

ABSTAIN: (0)

It was **RESOLVED UNANIMOUSLY** that the application be **APPROVED** subject to the conditions outlined.

**334. AMENITY LAND, WHITTINGTON ROAD, HUTTON, ESSEX - APPLICATION NO: 18/01851/BBC**

The proposal was part of a wider neighbourhood renewal project led by the Council's Strategic Housing Team, the aims of which were to deliver new affordable housing, public realm improvements, improved wayfinding and landscape enhancements.

This proposal was the Phase 1 approach to address the urgent need to provide additional parking at key locations within the site context of Coram Green, whilst preserving quality green open space.

The site comprised three areas and were as follows:

- Area A south of Whittington Road between Coram Green and Carpenter Path - Provision of 25 car parking spaces (a group of 7 spaces and a group of 18 spaces)
- Area B North of Whittington Road - provision of 19 spaces.
- Area C a separate parcel of land southwest of areas A & B along Whittington Road - provision of 7 spaces.

A total of 51 car parking spaces were to be provided, an increase of 34 spaces.

Cllr Trump **MOVED** and Cllr McCheyne **SECONDED** that the application be **APPROVED** and following a full discussion a recorded vote was taken. Members voted as follows:

FOR: Cllrs Chilvers, Haigh, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Sanders, Mrs Slade and Trump (12)



AGAINST: (0)

ABSTAIN: (0)

It was **RESOLVED UNANIMOUSLY** that 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 U28916

The vehicle parking areas as indicated in Drawing nos P100 Revision B and P101 Revision C shall be provided with dropped kerb crossings of the footway, be hard surfaced, sealed and marked out. The parking areas shall be retained in this form in perpetuity and shall not be used for any purpose other than the parking of vehicles unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that that appropriate parking is provided in accordance with Policy T1 of the Brentwood Replacement Local Plan.

4 Landscaping, full, details not submitted

Prior to the first use of any of the parking areas hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. 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 to be 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.

**336. Urgent Business**

There was no urgent business.

The meeting ended at 20.05 hrs.

## **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 policies 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.