

Minutes

Planning and Licensing Committee Tuesday, 26th July, 2022

Attendance

Cllr Bridge (Chair)	Cllr Laplain
Cllr Barber (Vice-Chair)	Cllr Mynott
Cllr Dr Barrett	Cllr Parker
Cllr Cuthbert	Cllr Wiles
Cllr Gelderbloem	Cllr Tanner

Apologies

Cllr Fryd	Cllr Jakobsson
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Substitute Present

Cllr Mrs Hones
Cllr Sankey

Also Present

Cllr Cuthbert
Cllr Heard
Cllr Hossack
Cllr Wagland
Cllr Aspinell
Cllr S Cloke
Cllr Naylor

Officers Present

Caroline Corrigan	- Corporate Manager (Planning Development Management)
Jonathan Quilter	- Corporate Manager (Strategic Planning)
Paulette McAllister	- Principal, Design & Conservation Officer
Mike Ovenden	- Associate Consultant Planner
Carole Vint	- Planning Officer
Daryl Cook	- Planning Officer
Brendan Johnston	- Strategic Development Engineer, Essex Highways
Steve Plumb	- Landscape and Arboricultural Adviser
Kathryn Williams	- Consultant Planner
Tom Newcombe	- Solicitor, Birketts (for and on behalf of the Council's

Zoe Borman Solicitor)
- Governance and Member Support Officer

118. Apologies for Absence

Apologies had been received from Cllrs Fryd and Jakobsson. Cllrs Sankey and Hones were substitutes respectively.

119. Minutes of the Previous Meeting

The Minutes of the last meeting held on 28th June 2022 were agreed as a true record.

120. 54 Nags Head Lane Brentwood Essex CM14 5NL

The application had been referred at the request of Cllr McLaren for the following reason:

Resident has put forward a proposal which in volumetric terms is similar to what has been approved under PD for a single story extension. The proposal is modest in scale and further development could be constrained through removal of further PD rights. I can only assume that it has been refused on basis of being inappropriate development in the green belt, as from a street scene / scale perspective it is more modest than other schemes which have previously been approved. Any impact on the green belt, e.g. openness, is subjective and I believe should be open to question by the planning committee. Note that even in it's proposed form the property does not meet the residents housing need.

Mrs Vint presented the report to the committee.

Ms Bland, resident, was present at the meeting and addressed the committee in support of the application.

Mr Driscoll, Agent, was also present and spoke on behalf of the applicant.

The Chair also read a statement from Ward Councillor, Cllr McLaren, in support of his referral.

Cllr Parker spoke in favour of the application and **MOVED** that the application be **APPROVED**, which was **SECONDED** by Cllr Bridge.

Cllr Parker requested that future permitted development rights be withdrawn. Officers confirmed a condition could be applied in exceptional circumstances. This condition was enforceable and had been tested.

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Bridge, Gelderbloem, Hones, Parker, Tanner, Wiles (7)
AGAINST: Cllrs Dr Barrett, Cuthbert, Laplain, Mynott, Sankey (5)
ABSTAIN: (0)

The motion to **APPROVE** the application was **RESOLVED** subject to the following conditions agreed with the Chair and Vice Chair following the meeting:

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 documents 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 U0047283

No development above ground shall take place until details 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.

4 U0047285

No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan 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. wheel and underbody washing facilities.
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not

brought out onto the highway in the interests of highway safety, visual and neighbour amenity.

5 U0047286

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.

6 U0047289

The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.

Reason: In the interests of improving water usage efficiency in accordance with Policy BE02 of the Brentwood Local Plan.

7 U0047292

The development hereby approved shall be designed and built to achieve at least a 10% reduction in carbon dioxide emissions above the requirements as set out in Part L Building Regulations.

Reason: In the interests of improving resource efficiency to meet the government's carbon targets in accordance with Policy BE01 of the Brentwood Local Plan.

8 U0047291

Prior to first occupation, the proposed buildings shall be provided with, as a minimum, the space and infrastructure required to provide at least 1 electric vehicle charging/plug-in points per building for the future occupants of the buildings and visitors to the site.

Reason: in order to provide for the transition to electromobility and reduce pollution and climate change impacts in the interests of the health and wellbeing of the public in accordance with policy BE11.

9 U0047290

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reason: To prevent the creation of a dwelling of disproportionate size that would conflict with the policies of restraint within the Green Belt

Informative(s)

1 INF04 Amendments to approved scheme

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.

2 INF05 Policies

The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: MG02, BE14, BE13, BE11, BE01, BE02, National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

3 U0009018

o Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

o All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

o The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

4 U0009019

Contaminated Land

Due to the current residential use of the site, it would not be necessary for a Phase 1 contaminated land report, but a watching brief should be kept during groundworks for any unforeseen contamination. If any is encountered an intrusive investigation would be required and a risk assessment and remediation strategy submitted to the LPA for approval should the investigation find it necessary.

Asbestos

Any asbestos within the current building, must be removed by a licensed contractor.

Bonfires

No bonfires should be permitted on site.

121. Birley Grange Hall Lane Shenfield Brentwood Essex CM15 9AL

The application had been referred at the request of Cllr Heard for the following reason:

The developer has spent the last 3 to 4 years obtaining highways approval / working with the church and diocese to agree an extension to the church car park to increase parking for both the church and the school. In addition they have worked with the local badger protection group to avoid harm to the

protected species, and addressed the drainage issues as currently the existing buildings are not connected to mains drainage.

So it is clear that a lot of work has been going on behind the scenes. The developer would welcome the opportunity to show the committee the project and for them to make a decision on the development.

The overall area is approximately 2 acres and this is a very low density project which would provide much needed accommodation to local residents. Another critical point is that enhanced parking for the church will stop people parking on the road which can become hazardous.

Mrs Vint presented the application to the committee, which included amendments to the agenda by way of;

An additional neighbour comment raising concerns regarding the proposed access and highway safety for users of the Church Car Park;

Clarification on the description of the proposal in the comments from the Historic Buildings and Conservation Officer, from 7 dwellings proposed to 6;

Page 55 of the agenda, the very special circumstances put forward by the applicant were identified as the first paragraph and first sentence under housing demand and community asset, with the remaining being officer's assessment.

A statement of objection from Mr Jones was read by the Chair.

Mr Willis, Agent for the applicant, addressed the committee on behalf of the applicant.

Cllr Aspinell, County Councillor, addressed the committee and welcomed the application as it highlighted the current parking issues and highways danger in the area.

Cllr Heard, Ward Councillor, addressed the committee in support of his referral and the need for more family homes in the area.

Cllr Tanner spoke in favour of the application adding the new car parking was a generous offer.

Cllr Tanner **MOVED** and Cllr Gelderbloem **SECONDED** that the application be **APPROVED**.

Some members raised concerns that the character of the buildings was not in keeping with the surrounding area and no very special circumstances for building in the green belt.

A vote was taken and Members voted as followed:

FOR: Cllrs Barber, Gelderbloem, Hones, Parker, Tanner, Wiles (6)
AGAINST: Cllrs Dr Barrett, Bridge, Cuthbert, Laplain, Mynott, Sankey (6)
ABSTAIN: (0)

The Chair took the deciding vote and the motion to **APPROVE** the application was **LOST**.

A vote was then taken to **REFUSE** the application and Members voted as follows:

FOR: Cllrs Dr Barrett, Bridge, Cuthbert, Laplain, Mynott, Sankey (6)
AGAINST: Cllrs Barber, Gelderbloem, Hones, Parker, Tanner, Wiles (6)
ABSTAIN: (0)

The Chair took the deciding vote and the motion to **REFUSE** the application in accordance with the recommendation was **RESOLVED**.

122. De Rougemont Manor Great Warley Street Great Warley Brentwood Essex CM13 3JP

This application had been referred to committee at the discretion of the Corporate Director - Planning and Economy - as a major application that is likely to be of interest to the committee.

Mr Ovenden presented the application to the committee.

Mrs Burgess, resident, addressed the committee opposing the application.

Mr Greest, resident, spoke supporting the application.

Ms Beaney, addressed the committee on behalf of Great Warley Conservation Society opposing the application.

The Agent, Mr Jeffrey, spoke on behalf of the applicant.

Cllr Cuthbert, Ward Councillor, addressed the committee raising concerns of detriment to the green belt, and **MOVED** that the application be **REFUSED**, this was **SECONDED** by Cllr Laplain.

Members commented that they saw very little change from the previous application which had been refused by committee.

A vote was taken and Members voted as followed:

FOR: Cllrs Dr Barrett, Bridge, Cuthbert, Laplain, Mynott, Sankey (6)
AGAINST: Cllrs Barber, Gelderbloem, Hones, Parker, Tanner, Wiles (6)
ABSTAIN: (0)

The Chair had the deciding vote. The motion to **REFUSE** the application in accordance with the recommendation was **RESOLVED**.

123. Fairfield House Fairfield Road Brentwood, Essex, CM14 4SD

This application has been referred to the Planning and Licensing Committee at the request of Cllr Sarah Cloke for the following reasons:

In the planning statement associated with this application the developer cites (policy) BE14 in our new LDP and reminds us that developments should safeguard the living conditions of future occupants. However, they fail to cite the full statement which is item J of BE14: *safeguard the living conditions of future occupants of the development and adjacent residents.*

The alterations to the development disregard the living conditions of adjacent residents as follows:

1. Relocation of bin store and bike shed now mean these elements of the development will abut directly onto the rear of 2 Fairfield Road. Planned tree planting to form a barrier seems to have been removed from between the store and 2 Fairfield Road from what I can discern of the plans. We believe the adjustments should retain a planted barrier and in LDP 8.45 it states Trees, woodlands, hedges and hedgerows, wherever appropriate, should be incorporated within a landscape scheme. Since this was incorporated before it is unacceptable this has now been removed/downscaled. Furthermore, the noise and disruption of residents from 20 apartments entering the binstore regularly should not be underestimated. An alternative location should be sought and if not available measures to prevent door noise and transmission of smells into adjacent neighbours should be taken.

2. The reduction of car parking spaces from 14 to 12 is also unacceptable. The plan was originally approved for 12 apartments with 14 spaces, now 20 apartments with 12 spaces. Despite proximity to the train station, it is likely more than 50% of residents (even assuming only 1 adult per apartment which seems unlikely will want to park cars, not to mention visitors etc. Fairfield road is a narrow cul-de-sac that already suffers from antisocial parking issues that will only be worsened by this step. Recently a fire engine was not able to access the street to attend to an emergency. The LDP part 5.111 states "b. the type of development (fringe site, infill site, etc.) - infill sites are much more likely to be located in areas with existing travel patterns, behaviours and existing controls, and may be less flexible" This small street has already seen huge over development around it with no consideration to the ever-worsening access issues that existing residents are suffering.

Mr Cook presented the application to committee which included amendments to the published report (namely, drawing number revisions and additional and revised conditions).

A statement was read by the Chair from Ms Cook, resident, objecting to the application.

Ms Marrocco, Agent for the applicant, addressed the committee.

Cllr Cloke, Ward Councillor, spoke regarding significant access issues in the area, but was pleased that the reasons for her referral had been addressed by the developer, namely planting between the bin store and street area, soft closing doors to minimise noise and the 2 additional parking spaces.

Cllr Bridge **MOVED** and Cllr Barber **SECONDED** that the application be **APPROVED**.

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, Cuthbert, Gelderbloem, Hones, Laplain, Parker, Sankey, Tanner, Wiles (11)

AGAINST: (0)

ABSTAIN: Cllr Mynott (1)

The motion to **APPROVE** the application was **RESOLVED** subject to the conditions outlined within the report and amendments referenced within the presentation.

124. Development Land adjacent to Roman Road Ingatestone Essex

This application had been submitted on behalf of Cala Homes, for the erection of 57 dwellings (including 20 affordable dwellings) accessed from Roman Road, together with associated highway works, landscaping, utilities, drainage infrastructure and parking.

Ms Williams presented the report.

Mr Angus, addressed the Committee on behalf of the Applicant, Cala Homes.

Members thanked Ms Williams for a thorough and comprehensive report and presentation.

Members raised concerns regarding the appropriateness of 3 storey buildings among surrounding bungalows and 2 storey buildings. Also, another major issue is with regard to air quality and noise given the proximity to the A12 and the proposed siting of the children's playground.

Members also commented that the site was within the LDP, recommended by officers and conditions thoughtfully applied.

Cllr Tanner **MOVED** and Cllr Hones **SECONDED** that the application be **APPROVED**.

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, Gelderbloem, Hones, Laplain, Parker, Tanner, Wiles (9)

AGAINST: Cllrs Cuthbert, Mynott, Sankey (3)

ABSTAIN: (0)

The motion to **APPROVE** the application was **RESOLVED** subject to the conditions outlined in the report.

[Cllr Bridge declared a non-pecuniary interest as he lives near the site]

[Cllr Sankey declared a non-pecuniary interest as Parish Councillor for Fryerning and Ingatestone Parish Council]

125. Urgent Business