

Minutes

Planning and Licensing Committee Tuesday, 25th July, 2017

Attendance

Cllr Ms Sanders (Chair)	Cllr Morrissey
Cllr Faragher (Vice-Chair)	Cllr Mynott
Cllr Bridge	Cllr Newberry
Cllr Chilvers	Cllr Reed
Cllr Mrs Middlehurst	Cllr Wiles

Apologies

Cllr Mrs Slade

Substitute Present

Cllr Mrs Coe

Also Present

Cllr Cloke	
Cllr Foan	West Horndon Parish Council
Cllr Mrs Hones	
Cllr Lockhart	Blackmore Parish Council
Cllr Barrell	

Officers Present

Nick Howard	-	Senior Planner
Philip Drane	-	Planning Policy Team Leader
Caroline McCaffrey	-	Development Management Team Leader
Claire Mayhew	-	Governance and Member Support Officer
Surinder Atkar	-	Planning Solicitor
Paulette McAllister	-	Design & Conservation Officer
Greg Campbell	-	Project Manager - Customer Transformation
Lorne Spicer	-	Business Development and PR Manager

87. Apologies for Absence

Apologies were received from Cllr Mrs Murphy, Cllr Mrs Coe was present as a substituted and Cllr Mrs Slade, no substitute was present.

88. Minutes of the Previous Meeting

The minutes of the previous Planning & Licensing Committee held on 13 June 2017 were approved as a true record.

89. 17/00591/FUL and 17/00589/LBC The Crown, High Street, Ingatestone, Essex CM4 0AT

The applications were discussed together but voted separately.

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

Cllrs Cloke and Hones, were present as Ward Councillors and spoke in objection to the application.

After a full discussion, Cllr Mynott **MOVED** and Cllr Reed **SECONDED** to **REFUSE** the application on 17/00591/FUL - The Crown, High Street, Ingatestone, Essex CM4 0AT.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **REFUSED** for the following reasons:

The proposed alterations to the Grade II listed building has covered over areas of architectural interest and detail, removed significant historic fabric and installed unsympathetic features contributing to a cumulative impact resulting in substantial harm to the significance of the designated heritage asset. The proposal is therefore contrary to Policies C15 and C17 of the Brentwood Replacement Local Plan. Furthermore, paragraph 133 of the Framework indicates that where the proposed development will lead to substantial harm to the significance of a designated heritage asset, local

planning authorities should refuse consent, unless it is demonstrated that the harm is outweighed by substantial public benefits. The public benefits of providing three market dwellings are considered to be minor and would not outweigh the substantial harm to the listed building and therefore the proposal is contrary to the provisions within the Framework.

After a full discussion, Cllr Mynott **MOVED** and Cllr Reed **SECONDED** to **REFUSE** the application on 17/00589/LBC - The Crown, High Street, Ingatestone, Essex CM4 0AT.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **REFUSED** for the following reasons:

The proposed alterations to the Grade II listed building has covered over areas of architectural interest and detail, removed significant historic fabric and installed unsympathetic features contributing to a cumulative impact resulting in substantial harm to the significance of the designated heritage asset. The proposal is therefore contrary to Policies C15 and C17 of the Brentwood Replacement Local Plan. Furthermore, paragraph 133 of the Framework indicates that where the proposed development will lead to substantial harm to the significance of a designated heritage asset, local planning authorities should refuse consent, unless it is demonstrated that the harm is outweighed by substantial public benefits. The public benefits of providing three market dwellings are considered to be minor and would not outweigh the substantial harm to the listed building and therefore the proposal is contrary to the provisions within the Framework.

90. 14/00489/FUL and 17/00483/LBC 67 High Street Ingatestone, Essex

The applications were discussed together but voted separately.

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

Cllrs Cloke and Hones, were present as Ward Councillors and spoke in objection to the application.

After a full discussion of application, Cllr Mynott **MOVED** and Cllr Bridge **SECONDED** to **REFUSE** the application 14/00489/FUL, 67 High Street, Ingatestone Essex.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **REFUSED** for the following reasons:

The proposed alterations to the curtilage listed building has installed unsympathetic features contributing to a cumulative impact resulting in less than substantial harm to the significance of the designated heritage asset. The proposal is therefore contrary to Policies C15 and C17 of the Brentwood Replacement Local Plan. Furthermore, paragraph 134 of the Framework indicates that where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The public benefits of providing two market residential units are considered to be minor and would not outweigh the harm to the listed building and therefore the proposal is contrary to the provisions within the Framework.

After a full discussion of application, Cllr Mynott **MOVED** and Cllr Bridge **SECONDED** to **REFUSE** the application 14/00483/LBC, 67 High Street, Ingatestone, Essex.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **REFUSED** for the following reasons:

The proposed alterations to the curtilage listed building has installed unsympathetic features contributing to a cumulative impact resulting in less than substantial harm to the significance of the designated heritage asset. The proposal is therefore contrary to policies C15 and C17 of the Brentwood Replacement Local Plan. Furthermore, paragraph 134 of the Framework indicates that where the proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The public benefits of providing two market residential units are considered to be minor and would not outweigh the harm to the listed building and therefore the proposal is contrary to the provisions within the Framework.

91. 17/00498/FUL 3, 4 and 5 Crown Mews, Ingatestone, Essex CM4 0AT

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

Cllrs Cloke and Hones, were present as Ward Councillors and spoke on the application. Although, they were both satisfied with the design of the dwellings. Concerns were expressed over the allocated car parking provision for the dwellings and setting a precedence in the future for developers to make alterations to applications and then come back to committee for approval.

After a full discussion, a request was made by Members that the Car Parking spaces allocated are marked out before the first occupation and retained.

Cllr Coe, referred to AstroTurf and its use within a conservation area, which is not permitted, a requested that a condition be implemented prior to the first occupation.

After a full discussion, Cllr Wiles **MOVED** and Cllr Sanders **SECONDED** to **APPROVE** conditions subject to two additional conditions It was approved subject to two additional conditions

1. Prior to the first occupation of the proposed development, the car parking spaces associated with the development, shall be clearly marked out, details of which shall be submitted to and approved by the Local Planning Authority. The car parking spaces shall be marked out in accordance with the approved details and shall be retained thereafter.
2. Prior to first occupation of the proposed development, details of a landscaping scheme shall be submitted to and approved by the Local Planning Authority. In particular the use of astro turf will not be permitted. The approved details shall be implemented prior to first occupation and retained thereafter.

A vote was taken by a show of hands.

FOR: Cllrs Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Mynott, Newberry, Reed and Wiles (9)

AGAINST: Cllr Morrissey (1)

ABSTAIN: Cllr Bridge (1)

RESOLVED that the application was **APPROVE** with the following conditions:

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.

92. 17/00643/FUL Town Hall, Ingrave Road, Brentwood, Essex

Mr Broomfield, was present and addressed the committee is objection to the application.

Mr Beamish, the agent was also present and addressed the committee in support of the application.

During the presentation, the Officer including extra conditions to be added:-

- Prior to the commencement of development details shall be submitted to and approved in writing by the LPA of measures to enhance and, and if necessary, protect the habitat of the site for badgers, and the development shall then be carried out in accordance with those approved details
- Before the development is brought into first use and notwithstanding the submitted plans a pedestrian access shall be provided from the proposed refuse storage area to the footpath on Seven Arches Road. Details shall be submitted to and approved by the LPA and implemented in accordance with the approved details and shall be retained thereafter.
- Before development commences a scheme providing insulation to the external walls of the proposed mansard roof shall be submitted to and approved by the LPA and be implemented in accordance with the approved details, before the development is brought into first use.

Concerns were expressed from the Members, relating to design, the lack of disabled parking, DDA compilate, lack of amenity area and the relocation of the History Plaques and Pilgrims Staff.

Mr Drane, informed members that the location of the Pilgrims Staff at Town Hall was temporary and a new location will be consisted within the Town Centre Design Plan.

After a full discussion, Cllr Wiles **MOVED** and Cllr Mrs Middlehurst **SECONDED** to **APPROVE** the application subject to the additional conditions from the Officer, together with a conditions relating to disabled parking and an amendment to Condition 9 to relocated the History Plaque.

An informative to be added relating the DDA access.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Mrs Coe, Faragher, Mrs Middlehurst, Reed Sanders and Wiles (7)

AGAINST: Cllrs Chilvers, Newberry, Morrissey and Mynott (4)

ABSTAIN: (0)

RESOLVED that the application was **APPROVED** subject to the following conditions.

1. 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. The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed in the report and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3. No development shall take place until samples 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. No development shall take place until samples of windows and balustrades to be used in the construction 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.

5. The area for parking identified on the approved drawing shall be provided prior to the first occupation of the development hereby permitted and shall thereafter remain available for parking the vehicles of the occupiers of the building.

Reason: To ensure the adequate on-site parking is available in the interests of highway safety and maintaining the character and appearance of the area.

6. Notwithstanding the submitted plans and prior to the commencement of development details of the design of the cycle storage shall be submitted to and approved 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.

7. Prior to first occupation of the proposed development, details regarding the location of the non-residential bin storage area shall be submitted to and approved 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.

8. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel information pack per dwelling, for sustainable transport, approved by Essex County Council, (to include size one day travel vouchers for use with the relevant local public transport operator).

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

9. The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to an approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

93. 17/00427/FUL South Car Park, Town Hall, Ingrave Road, Brentwood, Essex

Cllr Newberry, expressed concerns over parking.

Cllr Wiles **MOVED** and Cllr Morrissey **SECONDED** to **APPROVE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGANST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **APPROVED** subject to the following conditions:

1. The portacabins hereby permitted shall be removed and the land restored to its former condition on or before 1st August 2019; in accordance with a scheme of work to be first agreed in writing by the local planning authority.

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

2. 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. All existing trees, shrubs and hedgerows on the site indicated for retention on the approved drawings shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. If prior to the commencement of the development

or within five years of the completion of the development, any such trees, shrubs or hedges are removed without such development, or become severely damaged or diseased, they shall be replaced with others of a species, number, size and in positions to be agreed in writing with the local planning authority. The replacement shall be carried out within the first planting season after the Council's written agreement. Any works to existing trees, shrubs and hedgerows which may prove necessary shall be carried out in strict accordance with a written scheme to be approved in writing with the local planning authority prior to the carrying out of those works.

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

94. 17/00714/FUL 1-2 Seven Arches Road, Brentwood, Essex

Cllr Wiles **MOVED** and Cllr Morrissey **SECONDED** to **APPROVE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Chilvers, Mrs Coe, Faragher, Mrs Middlehurst, Morrissey, Mynott, Newberry, Reed, Ms Sanders and Wiles (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application was **APPROVED** subject to the following conditions:

1. 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. The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed in the report and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

95. 17/00682/FUL Land adjacent to 3 King Edward Road, Brentwood, Essex

Concerns were expressed from Members over the design, not in keeping with the neighbouring dwellings.

After a full discussion, Cllr Mynott **MOVED** and Cllr Chilvers **SECONDED** to **REFUSE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Chilvers, Mrs Coe, Newberry, Morrissey and Mynott (5)

AGAINST: Cllrs Bridge, Faragher, Mrs Middlehurst, Reed, Ms Sanders and Wiles (6)

ABSTAIN: (0)

The Motion was **LOST**.

Cllr Faragher **MOVED** and Cllr Wiles **SECONDED** to **APPROVE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Faragher, Mrs Middlehurst, Reed, Ms Sanders and Wiles (6)

AGAINST: Cllrs Chilvers, Mrs Coe, Newberry, Morrissey and Mynott (5)

ABSTAIN: (0)

The Motion was **CARRIED**.

RESOLVED that the application is **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. Removal of Permitted Development rights for extension/enlargement

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 avoid overdevelopment of the site.

4. Removal of Permitted Development rights for outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (as amended) (or any order revoking, reenacting or modifying that Order) no development falling within Class E of that Order (buildings, enclosures, swimming or other pools) shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reason: To avoid overdevelopment of this small site.

5. Remediation of potential site contamination

No development shall commence until a remediation scheme to bring the site to a suitable condition for residential development has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation scheme will be implemented prior to the commencement of any part of this planning permission (unless otherwise agreed in writing by the local planning authority). Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers. Such agreed measures shall be implemented and completed prior to the commencement of any development of the site.

- Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed prior to the commencement of any development of the site.
- The developer shall notify the Local Planning Authority in writing of impending completion of the remediation works within one month of the completion of the said works. Within four weeks of completion of such works a validation report undertaken by competent persons in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers related to the agreed remediation measures shall be submitted to the Local Planning Authority for approval. There shall be no residential occupation of the site until the Local Planning Authority has approved the validation report in writing. Furthermore, prior to

occupation of any property hereby permitted, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the conditions above.

Reason: To protect the safety of future occupiers of the dwellings given the long history of commercial and vehicle related uses on the site.

6. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement 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. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel 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: In the interests of highway safety, visual and neighbour amenity.

7. Prior to occupation, the footway located to the west of the proposed access shall be reinstated to full height and connect with existing footway along King Edward Road.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

8. Prior to occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction thereafter. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

9. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential

Travel Information Pack for sustainable transport (as approved by Essex County Council).

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

96. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 21.33