

Minutes

Planning and Licensing Committee Wednesday, 31st January, 2018

Attendance

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

Apologies

Substitute Present

Also Present

Cllr Kerlake		
Cllr Foan	-	West Horndon Parish Council
Cllr Lockhart	-	Blackmore Parish Council

Officers Present

Paul Adams	-	Principal Licensing Officer
Surinder Atkar	-	Planning Solicitor
Philip Drane	-	Planning Policy Team Leader
Claire Mayhew	-	Governance and Member Support Officer
Paulette McAllister	-	Principal Urban Design and Heritage Officer
Steve Plumb	-	Arboriculturalist
Gavin Dennett	-	Environmental Health and Licensing Manager
Philip Ruck	-	Chief Executive
Jacqueline Van Mellaerts	-	Financial Services Manager

258. Apologies for Absence

No apologies were received for this meeting. However, Cllr Morrissey was not in attendance.

259. Minutes of the Previous Meeting

The minutes of the meeting held on 12th December 2017 were approved as a true record.

260. Variation of the agenda

Cllr Ms Sanders, **MOVED** and Cllr Faragher **SECONDED** that item 5 - Planning Application 17/01527/OUT - Bridge Head Quarters, Rayleigh Road be debate before Item 3 – Setting of Hackney Carriage and Private Hire Driver License Fees for 2017/2018.

However, due to a technical issue with the Planning Presentation the Chair reverted back to the original agenda until the item was resolved.

261. Setting of Hackney Carriage and Private Hire Driver License fees for 2017/18

The report was to agree the Fees and charges associated with Hackney Carriage and Private Hire Driver License application for 2017/2018 period, for recommendation to Council for setting.

Mr Hayter from the Taxi Trade Consultative Group was present and permission for Chair was given for him to address the committee in objection to the recommendation.

Cllr Mynott, made reference to the Internal Audit report and queried the figures on Page 40 relating to Actual and Budget this was clarified by the Finance Service Manager and Licensing Officer.

A motion for approval the recommendation was **MOVED** by Cllr Ms Sander and **SECONDED** by Cllr Bridge, subject to the Fees commencing on 1st April 2018.

1. Members to agree the schedule of fees shown in Appendix B and recommend to Council for adoption.

A vote was taken by a show of hands and it was **APPROVED**.

Reasons for Recommendation

The fees and charges once approved have to be agreed by Council. The fees proposed are on a cost recovery basis where possible.

262. Variation of the Agenda

The Chair informed the committee will now debate item 5 - Planning Application 17/01527/OUT - Bridge Head Quarters, Rayleigh Road before item 4, as the technical issue had been resolved.

**263. Brigade Head Quarters, Rayleigh Close, Hutton, Brentwood, Essex
Application Number: 17/01527/OUT**

Outline application for the construction of a 55 bed assisted living and 77 bed car home development together with associated communal facilities, access, basement car, cycle and mobility scooter parking, refuse storage area, landscaped grounds and associated works following demolition of existing building. (Landscaping reserved matters).

Mr Armstrong, an objector, was present and addressed the committee setting out his concerns in relating to the application highlighting on the removal the well-established trees and the size of the development, stating that a 3 storey dwelling would be more acceptable.

Ms Groot, Beech House and Laurel Court Residents Association, was also present and addressed the committee setting out the concerns of the residents of Beech House and Laurel Court.

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

Cllr Kerlake, Ward Member was present and address the committee. He has visited to the on a number of occasions and has attending pre-application meetings and seen the development of the scheme from the beginning it a large site and import to the local residents and the Borough of Brentwood. He expressed his concerns that if this application was not approved, there is a possibility that the Council will received an application for housing. If this was approved this would be cause traffic congestion, noise and many other problems.

The key issues for residents with the current application is the visual impact of the development with the tree screening. Would like to see a condition be included, requiring the applicant to submitted a detailed landscaping plan. Which can be agreed by the relevant Officers together with Cllr Faragher/Cllr Kerlake on behalf of the residents.

Concerns were expressing by Members of the Committee on the size and mass of the proposed development, the overbearing to neighbours properties and that the screening of trees and scrubs is retained.

Condition to be added relating to a consultation between relevant officers, chair and ward member to agree the landscaping.

A motion was **MOVED** by Cllr Bridge and **SECONDED** by Cllr Faragher to approve the application the subject in the report, with an additional condition and an amendment of a condition relating to a consultation between relevant

officers, chair and ward member to agree the landscaping on a subsequent reserved matters application.

A vote was taken by a show of hands and the Members voted as follows:

FOR: Cllrs Wiles, Mrs Murphy, Ms Middlehurst, Reed, Ms Slade, Bridge, Ms Sanders and Faragher (8)

AGAINST: Cllrs Chilvers, Mynott and Newberry (3)

ABSTAIN: (0)

The motion was **CARRIED** subject to the following conditions:-

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 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 be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. 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.

4. A schedule of all external surface materials including walls and roofs, and a schedule of all external joinery, indicating the proposed finish and decoration to be used, shall be submitted to and approved by the local planning authority in writing prior to the commencement of any works. The development shall be constructed in full accordance with the approved details.

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

- 5 Works shall not be commenced until sample panels of 1 square metre minimum shall be erected on site to show areas of new, exterior walling, have been approved in writing by the local planning authority. Where appropriate, these panels shall indicate: brick bond, copings, mortar mix, colour and pointing profile, render mix, finish and colour. The works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

- 6 Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges, cills and coping to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

- 7 All windows and doors in masonry walls shall be inset at least 70mm, fitted with sub-cills and permanently maintained as such. No visible trickle vents/vent strips.

In order to safeguard the character and appearance of the area

- 8 No electricity, gas or water meter boxes shall be fixed to the external fabric of the building. All electrical and telephone services to the development shall be run underground.

In order to safeguard the character and appearance of the area

- 9 All soil and waste plumbing shall be run internally and shall not be visible on the exterior.

In order to safeguard the character and appearance of the area

- 10 The development shall not be occupied until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and 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.

- 11 All trees and hedges to be retained, including trees outside the site whose canopies overhang the site, shall be protected by strong

fencing, the location and type to be previously approved in writing by the local planning authority. The fencing 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.

12 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.

13 Prior to occupation of the development and as shown in drawing no 66041-TS-002, the site access at its centre line shall be provided with a clear to ground visibility splays, with dimensions of 2.4 metres by 48 metres to the east and 2.4 metres by 47 metres to the west as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided prior to first occupation and retained free of any obstruction at all times.

To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway in the interest of highway safety in accordance with Policy T2 of the Brentwood Replacement Local Plan

14 Prior to occupation the proposed new pedestrian footway access shall be provided with a minimum two metre width for its entire length

To provide a safe link for both pedestrians and the mobility impaired in the interest of accessibility in accordance with Policy T2 of the Brentwood Replacement Local Plan.

- 15 Prior to occupation the existing bus stops on both sides of the A129 Rayleigh Road to the west of the site shall be improved to Essex County Council specifications. The eastbound stop shall be relocated approximately 25 metres to the west of its existing location i.e. further away from the traffic signals and shall be provided with raised kerbs to facilitate pedestrian and wheelchair access as well as timetable information. The existing westbound stop shall be provided with raised kerbs and a new bus shelter to incorporate new timetable information.

To encourage trips by public transport in the interest of accessibility in accordance with Policy T2 of the Brentwood Replacement Local Plan.

- 15 The proposed development shall not be occupied until such time as the vehicle parking area including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at times. The vehicle parking area shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy T2 of the Brentwood Replacement Local Plan.

- 16 Cycle parking for both the assisted living and the care home shall be provided in accordance with the Council's parking standards. The approved facilities shall be secure, convenient, covered and provided prior to occupation and retained at all times.

To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy T2 of the Brentwood Replacement Local Plan.

- 17 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy.

To prevent environmental and amenity problems arising from flooding.

- 18 No drainage works shall commence until a surface management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water strategy.

19 Other than the staff the assisted living residential units shall not be occupied other than by a 'qualified person', defined as:

- i). Persons of more than 65 years of age;
- ii). Persons living as part of a single household with such a person or persons;
- iii). Persons who were living as part of a single household with such a person or persons who have since died.
- iv) Persons in need of personal care by reason of old age, illness or disablement.

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

20. The assisted living units shall not be occupied other than by persons who are, assessed on admission, as a qualified person in need of care. All potential residents of the assisted living units will be assessed as to their care needs before occupation by the onsite assisted living manager and on occupation agree to be contracted into a minimum care package.

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

To prevent environmental and amenity problems arising from flooding.

21. Before development commences a noise acoustic report identifying the plant equipment's combined noise output from a set distance from the plant room shall be submitted to and approved by the Local Planning Authority. The recommendations in the report shall be implemented before the development is first occupied.

In the interests of protecting the living conditions of the neighbouring residents.

264. Licensing Fees and Charges

The report was to agree fees and charges associated with licence applications for the 2018/19 period, for recommendation to Council for setting.

A motion was **MOVED** by Cllr Ms Sanders and **SECONDED** by Cllr Faragher to approve the recommendation in the report.

A vote was taken by a show of hand and is was **RESOLVED**.

- 1. To recommend to Council the adoption of the licence fees as detailed in Appendix A.**

Reasons for Recommendation

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

265. Response to the Epping Forest District Local Plan

The report seeks Members approval on a formal response to Epping Forest District Council's Local Plan Submission Version (December 2017). A response has been submitted to comply with the consultation deadline, subject to the approval of the Council's Planning and Licensing Committee.

The Council's response sets out general support for the Epping Forest Local Plan, with concerns expressed over the Plan not meeting the five-year housing supply and lack of clarity as to the actual housing figures.

Both Councils have a "Duty to Cooperate" on strategic priorities, such as planning issues that cross administrative boundaries. These priorities include housing and Gypsy, Traveller and Travelling Showpeople site allocations; conservation of the natural and built environment; and green infrastructure. Although Epping Forest District Council are at the Pre-Submission stage of their Local Plan, the two councils will continue to engage through the duty to cooperate, even after both respective Local Plans have been adopted.

A motion was **MOVED** by Cllr Ms Sanders and **SECONDED** by Cllr Faragher to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.

- 1. To approve the response to the Epping Forest Local Plan Submission Version (December 2017), as set out in Appendix A.**

Reasons for Recommendation

The Epping Forest Local Plan Submission Version (2017) has been considered by Officers to be in general conformity with the duty to cooperate, soundness, and legally complaint. Therefore, support of the Plan is proposed. Concerns are raised as outlined in section 4 of the report.

It is considered appropriate that Brentwood Borough Council express general support for the way Epping Forest District Council has moved forward with challenging local development needs, and a commitment to continued collaboration through the duty to cooperate on strategic planning matters that affects our two areas.

266. Urgent Business

This report sets out the Council's Planning fees and charges. Planning fees are set by central government.

As per the settlement announcement, the Secretary of State confirmed local authorities will be able to increase Planning Fees by 20 per cent when they commit to spending additional income on their planning services.

Legislation has been updated as of 20th December 2017 stating the increased statutory Fees. These are set out in Appendix A.

A motion was **MOVED** by Cllr Ms Sanders and **SECONDED** by Cllr Faragher to approve the recommendations in the report, subject to an amendment to 1.1 to state:-

1. **That members agree note the fees and charges as in Appendix A to come which comes into effect from 5th February 2018.**
2. **That members acknowledge the additional income raise from these fees will be re-invested into improve the delivery of the planning service.**

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY.**

The meeting concluded at 21:05