

Minutes

Planning and Licensing Committee Tuesday, 15th January, 2019

Attendance

| | |
|----------------------------|----------------|
| Cllr Ms Sanders (Chair) | Cllr Mynott |
| Cllr McCheyne (Vice Chair) | Cllr Nolan |
| Cllr Chilvers | Cllr Mrs Pound |
| Cllr Haigh | Cllr Reed |
| Cllr Keeble | Cllr Mrs Slade |
| Cllr Morrissey | Cllr Trump |

Also Present

Cllr Hirst
Cllr Russell
Cllr Colin Foan – West Horndon Parish Council
Cllr Terry Lockhart – Blackmore, Hook End and Wyatts Green Parish Council

Officers Present

| | | |
|--------------------|---|---------------------------------------|
| Surinder Atkar | - | Planning Solicitor |
| Nick Howard | - | Development Management Team Leader |
| Philip Drane | - | Director of Strategic Planning |
| Caroline McCaffrey | - | Development Management Team Leader |
| Jean Sharp | - | Governance and Member Support Officer |
| Tessa Outram | - | Senior Planning Officer |
| Brendan Johnston | - | Essex County Council, Highways. |

287. Apologies for Absence

No apologies were received.

288. Minutes of the Previous Meeting

The Minutes of Planning & Licensing Committee held on Tuesday 11th December 2018 were agreed to be a true record.

289. Minutes of the 10.12.18 Licensing Sub Committee meeting

The Minutes were agreed to be a true record.

290. 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)

(Cllr Sanders declared a prejudicial interest in this application and left the room. The role of Vice Chair was undertaken by Cllr Nolan).

This application sought outline planning permission for an employment use. Approval was sought for layout, scale and access, whilst matters of appearance and landscaping were reserved for the future in the form of reserved matters.

The proposal was for the redevelopment of the existing site to provide an overall maximum gross floor space of up to 35,000sqm of employment uses (Use Class B1c, Use Class B2 and Use Class B8) along with ancillary office, servicing, parking, access roads and open space.

There were five existing buildings, located in the northern part of the site. The proposals involved the demolition of four of the buildings and the retention of one of the existing buildings located in the north western corner of the site. The proposed commercial floorspace would be provided within 13 separate buildings which were each capable of various subdivisions to create individual units which would vary in size, in order to accommodate a range of businesses from small start-ups to large multinationals.

Mrs Palmer was present and spoke as an objector to the application. She advised that the site under consideration was part of Thames Chase and outlined her concerns including the detrimental effect on the wildlife habitat and health of those living in the community.

Mr Wheeler, the Agent, spoke in favour of the application, stating that case law indicated that weight should be given to the emerging local plan, the site's minor contribution to greenbelt and the significant contribution to employment.

Cllr Foan of West Horndon Parish Council also spoke against the application agreeing with the officers' reasons for their recommendation to refuse the application, particularly highlighting the risk of flooding from standing water on land surrounding the site.

Cllr Nolan **MOVED** and Cllr McCheyne **SECONDED** the recommendation in the report for approval.

Cllr Mynott expressed his disappointment in Members supporting the application as he believed there were no special circumstances to contravene building on the green belt, and that approving the scheme in advance of the Draft Local Plan being examined by an Inspector and formally adopted would undermine the whole plan process that the Council had agreed at the Extraordinary Council meeting last November. Cllr Mynott agreed with the Parish Councillor in relation to the flood risk and added that the site's close proximity and possible detrimental effect on the proposed Dunton Hills Garden Village needed to be considered. He also pointed out the site's closeness to the Grade 2 listed building, East Horndon Hall.

Mr Drane advised that the report included relevant information regarding the current stage of the Local Development Plan in relation to the application.

Following a full discussion a recorded vote was taken and Members voted as follows:

FOR: Cllr Nolan, Cllr McCheyne, Cllr Reed, Cllr Mrs Slade and Cllr Trump (5)

AGAINST: Cllr Chilvers, Cllr Haigh, Cllr Keeble, Cllr Morrissey, Cllr Mynott and Cllr Mrs Pound (6)

ABSTAIN: 0

The motion to **APPROVE** the application was **LOST**.

Cllr Mynott **MOVED** and Cllr Morrissey **SECONDED** a motion for the application to be **REFUSED**.

FOR: Cllr Chilvers, Cllr Haigh, Cllr Keeble, Cllr Morrissey, Cllr Mynott and Cllr Mrs Pound
(6)

AGAINST: Cllr Nolan, Cllr McCheyne, Cllr Mrs Slade, Cllr Trump, Cllr Reed
(5)

It was **RESOLVED** that the Application be **REFUSED** for the following reasons: -

1. The proposal would be inappropriate development in the Green Belt in that it would materially detract from openness, it would represent an encroachment of development into the countryside and result in an unrestricted sprawl of a large built up area. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 and the objectives of the Framework as regards development in the Green Belt.

2. Other matters that may weigh in favour of the proposal have been considered but collectively they do not clearly outweigh the harm to the Green Belt or the other harms identified. Therefore, very special circumstances to justify inappropriate development in the Green Belt do not exist.

(Cllr Sanders declared a prejudicial interest in accordance with the Council's Code of Conduct and left the room taking no part in the debate and did not vote.)

291. 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

This application had been referred to committee by Councillor Hirst on the grounds that the proposed development was 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.

Planning permission was 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 had been amended part way through the application process and the ridge height reduced so that it now extended 0.2 metres above the existing compared to the 1.5 metres originally submitted. The roof design had also been altered and the eaves of the first floor side extension had been reduced in height in line with a neighbouring property - No.13 'Summerleigh'.

Mr Patmore was an objector and spoke against the application raising concerns over the considerable impact on his property and loss of privacy.

Dr Olukanni, the Applicant, spoke in support of the application advising Members that the proposal was in keeping with the area and that boundary and screening would remain. The plans had been approved by Hutton Mount Limited and the application complied with all its regulations.

Cllr Hirst, Ward Councillor, raised concerns over the Juliette balcony and the impact this would have on the neighbours. He requested further amendments to be made to address these concerns.

Ward Member Cllr Reed also expressed concern regarding the proposed balcony.

Cllr Mynott believed that the issues raised by Cllrs Hirst and Reed were not significant enough to refuse this application but requested a condition be added to modify the balcony to lessen the reduction of the neighbours' privacy. The Planning Officer advised that any condition imposed needed to be reasonable and necessary.

Cllr Mynott **MOVED** and Cllr Chilvers **SECONDED** the recommendation in the report for approval and without the need for an additional condition.

Following a full discussion a recorded vote was taken and Members voted as follows:

FOR: Cllr Chilvers, Cllr Haigh, Cllr Keeble, Cllr McCheyne, Cllr Morrissey, Cllr Mynott, Cllr Nolan, Cllr Mrs Pound, Cllr Sanders, Cllr Mrs Slade and Cllr Trump (11)

AGAINST: Cllr Reed (1)

ABSTAIN: 0

It was **RESOLVED** 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 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 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.

292. Urgent Business

There was no urgent business.

The meeting concluded at 20.10