

# Minutes

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## Planning and Licensing Committee Wednesday, 10th June, 2020

### Attendance

Cllr Ms Sanders (Chair)	Cllr Kerslake
Cllr McCheyne (Vice-Chair)	Cllr Morrissey
Cllr Fryd	Cllr Mynott
Cllr Jakobsson	Cllr Tanner
Cllr Keeble	Cllr Tierney

### Apologies

Cllr Chilvers	Cllr Haigh
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### Substitutes Present

Cllr Mrs Fulcher (for this meeting only)  
Cllr Laplain

### Also Present

Cllr Aspinell  
Cllr Mrs Davies  
Cllr Lewis  
Cllr Reed

### Officers Present

Zoe Borman	- Governance and Member Support Officer
Philip Drane	- Director of Planning and Economy
Max Gibson	- Planning Officer
Brendan Johnston	- ECC Highways Strategic Development Engineer
Alastair Lockhart	- Corporate Governance Solicitor
Paulette McAllister	- Principal, Design & Conservation
Caroline McCaffrey	- Development Management Team Leader
Claire Mayhew	- Corporate and Democratic Services Manager
Mike Ovenden	- Associate Consultant Planner
Brooke Pride	- Planning Officer
Jonathan Quilter	- Strategic Planning Manager
Jean Sharp	- Governance and Member Support Officer

#### **447. Apologies for Absence**

Apologies had been received from Cllrs Chilvers and Haigh and Cllrs Laplain and Mrs Fulcher had substituted for them respectively. The Chief Executive had permitted Cllr Mrs Fulcher to act as substitute for this meeting only.

#### **448. Minutes of the Previous Meeting**

The minutes of the Planning and Licensing Committee meeting which took place on 11 March 2020 were approved as a true record.

#### **449. Minutes of the Licensing Sub Committee - 25.2.2020**

The minutes of the Licensing Sub-committee meeting which took place on 25 February 2020 were approved as a true record.

#### **450. APPLICATION NO: 20/00459/FUL: 41 DANES WAY PILGRIMS HATCH BRENTWOOD ESSEX CM15 9JS**

**DEMOLISH EXISTING SIDE DERELICT STORE. CONSTRUCTION SINGLE STOREY REAR EXTENSION AND PART TWO STOREY PART SINGLE STOREY SIDE EXTENSION TO FORM NEW DWELLING.**

The application had been referred for the committee's consideration by Ward Member Cllr Aspinell due to concerns over limited parking, limited access, overdevelopment of the site and diminishing of the street scene.

The application related to the demolition of an existing derelict side store and the construction of a single storey rear extension and part two storey part single storey side extension to form a new dwelling. The proposal differed from the last application in the following ways:

- the proposed property had been altered from a detached property to a terraced property joining the existing pair, to become a staggered terrace
- rotation of ridgeline by 90 degrees to correspond with donor property
- alterations to fenestration layout and design
- alterations to garden
- internal alterations – previously a ground floor room was marked as bedroom/study, now marked living room

In view of the meeting having to take place via the internet, resident Mr Short's representation was read aloud by the Chair followed by a statement submitted by the applicant's agent, Mr Sosanya.

Ward Councillors Cllr Aspinell and Cllr Mrs Davies spoke in objection to the application.

Cllr Mynott **MOVED** and Cllr Fryd **SECONDED** that the application should be **REFUSED** and following a debate Members voted as follows:

FOR: Cllrs Fryd, Jakobsson, Kerslake, Keeble, Laplain, McCheyne, Morrissey, Mynott, Miss Sanders, Tanner and Mrs Tierney (11)

AGAINST: None

ABSTAIN: None

Cllr Mrs Fulcher was unable to log into the meeting at this point and was therefore unable to vote.

Members **RESOLVED** to **REFUSE** the application against officer recommendation citing the following reasons:

- The development would be an overdevelopment of the site as it would be cramped within the plot, would be harmful to the visual amenity of the area and out of character with the surrounding pattern of development in conflict with local plan policy CP1 (i) and (iii)
- There would be insufficient off-street parking provision for the two properties leading to further on-street parking to the detriment of the surrounding highway network, in conflict with Local Plan policy CP (v).

**451. APPLICATION NO: 19/01717/FUL: CANTERBURY TYE HALL,  
DODDINGHURST ROAD, PILGRIMS HATCH, BRENTWOOD, CM15 0SD**

**DEMOLITION OF BUILDINGS AND CONVERSION OF FORMER FARM  
BUILDINGS TO FORM 4 DWELLINGHOUSES.**

Cllr Aspinell had referred the application for consideration by the committee as he had concerns for highway safety due to the location of the access and the poor visibility available from it.

The application related to the demolition and conversion of former farm and commercial buildings to create four dwellings which would be served by the existing access from Doddington Road.

In view of the meeting having to take place via the internet, a statement submitted by the applicant's agent, Mr Jackson, was read aloud by the Chair.

Ward Councillors Cllr Aspinell and Cllr Mrs Davies spoke in objection to the application solely in relation to the dangerous location of the access to the site, having no objection to the conversion of the farm buildings.

Mr Johnstone of ECC Highways advised that no objection had been raised because the proposed development would reduce the number of slow-moving

vehicles using the access which was considered an improvement to highway safety.

Several Members advised they had witnessed near misses and accidents at the access site.

Cllr McCheyne **MOVED** and Cllr Jakobsson **SECONDED** that the application should be **REFUSED** and following a debate Members voted as follows:

FOR: Cllrs Fryd, Mrs Fulcher, Jakobsson, Kerlake, Keeble, Laplain, McCheyne, Morrissey, Mynott, Miss Sanders, Tanner and Mrs Tierney (12)

AGAINST: None

ABSTAIN: None

The application was **REFUSED UNANIMOUSLY** against officer recommendation for the following reasons:

The development would give rise to additional traffic movements into and out of the substandard and dangerous vehicular access, and would therefore result in an unacceptable impact on highway safety, in conflict with Local Plan Policies T2 and CP1 (v).

*(Cllr McCheyne declared a non-pecuniary interest by virtue of using the access road in connection with his occupation as a farmer).*

**452. APPLICATION NO: 19/01718/LBC: CANTERBURY TYE HALL,  
DODDINGHURST ROAD, PILGRIMS HATCH, BRENTWOOD, CM15 0SD**

**DEMOLITION OF BUILDINGS AND CONVERSION OF FORMER FARM  
BUILDINGS TO FORM 4 DWELLINGHOUSES.**

The application was part of a pair of applications relating to the same development. The other application, for planning permission, was referred to committee at the request of Councillor Aspinell due to highway safety concerns. The pair of applications had overlapping issues and therefore officers considered it appropriate that the committee determine both applications.

This application related to the demolition and conversion of former farm and commercial buildings to create four dwellings, which would re-use the existing access from Doddington Road. It was explained that the conversion would give rise to some measure of harm to the listed building. As the committee had by that point in the meeting refused the planning application, there was no justification for causing that harm to the listed building. For that reason the balance of issues for and against approving the listed building application had altered and members were therefore advised that the listed building consent application should be refused.

Notwithstanding the reason for refusal the Vice chair considered the proposed conversion of the barns to be acceptable in their own right and that the view of some of the committee members was to concur with that opinion.

Cllr Miss Sanders **MOVED** and Cllr Kerslake **SECONDED** that the application should be **REFUSED** and following a debate Members voted as follows:

FOR: Cllrs Fryd, Mrs Fulcher, Jakobsson, Kerslake, Keeble, Laplain, McCheyne, Morrissey, Mynott, Miss Sanders, Tanner and Mrs Tierney (12)

AGAINST: None

ABSTAIN: None

The application was **REFUSED UNANIMOUSLY** against officer advice for the following reason:

The works would result in a degree of harm to the fabric of the listed building, that harm would be less than significant but neither would it result in any public benefit or the optimum use of the building(s) in the absence of any planning permission for conversion.

**453. APPLICATION NO: 20/00466/PNTEL COPTFOLD ROAD MSCP, BRENTWOOD - APPLICATION FOR PRIOR APPROVAL - UNDER PART 16 OF SCHEDULE 2 FOR THE INSTALLATION OF 2NO. ANTENNAS, 2NO. TRANSMISSION DISHES, 2NO. REMOTE RADIO UNITS, 3NO. EQUIPMENT CABINETS AT GROUND LEVEL AND ANCILLARY DEVELOPMENT THERETO INCLUDING 1NO. GPS MODULE**

The application was reported to the Planning and Licensing Committee in accordance with the requirements of the Council's constitution.

The application related to a permitted development proposal including antennas, other apparatus, supporting infrastructure and associated equipment cabinets by telecommunications code system operators (in this case Telefonica (known as O2) and Vodaphone). The cabinets would be sited at ground level, the antennas would be installed on the top of the car park building. The application followed a proposal for a ground based 20 metre tall mast and three cabinets on highway land nearby refused prior approval at the committee in January 2020. This application was deferred from the May committee at the applicant's request to allow time for revision. This request was agreed subject to an extension of time.

The cabinets would be sited at ground level on a tarmacked area adjacent to the Coptfold Road elevation of the car park and its pedestrian entrance. Two equipment cabinets were proposed in a line backing on to the building, a third smaller cabinet would back on to the external flight of steps coming from the car park. The cabinets would be coloured Fir Green and be protected with three bollards.

The two proposed antennas would be mounted on a steel support structure affixed to the roof of the stair tower. The total height of the building at this point to the parapet was 21.4 metres. The proposed two vertical antennas would have a height of 2.75 metres. A transmission dish would be provided at a centre line of 23.15 above ground level and a small GPS module attached to the top of one antenna adding negligible extra height. Running between the roof mounted equipment and the ground based cabinets would be a 300mm wide cable tray running up the middle of the elevation of the stair tower.

The applicant had revised the proposal since submission. The revision related only to the roof mounted equipment which was now proposed to have an open topped GRP (glass reinforced plastic) box installed around it, referred to by the applicant as a 'mock chimney'. This enclosure would be 2.1m x 1.5 and 3.0m tall, resulting in a total height above ground level of 24.40 metres. This was shown on the drawings to have a 'brick finish', but further information had been sought to show how that would be achieved.

Like the last application, this development was a response to the forced removal of a base station from Ewing House, near Brentwood station, though unlike that one this proposal would provide a single replacement rather than requiring two sites serving the area – it was previously proposed to have one adjacent to this site and the other across the valley at Pastoral Way.

In view of the meeting having to take place via the internet, a statement submitted by the applicant's agent, Mr Hafiz, was read aloud by the Chair.

Members were reminded that the application related only to the siting and appearance of the equipment and they expressed concern regarding the proposed height and visual blight they believed the equipment would cause. They were also very concerned at the disruption and inconvenience the loss of signal would cause to mobile phone users and businesses in the vicinity. However, planning regulations allow telecommunication code operators to erect and retain emergency masts for eighteen months to avoid a loss of service. Having considered the merits of the proposal, the committee came to the view that the harm was unacceptable.

Cllr Mynott **MOVED** and Cllr Morrissey **SECONDED** that the application be **REFUSED** and following a debate Members voted as follows:

FOR: Cllrs Fryd, Kerslake, Keeble, Morrissey, Mynott, and Mrs Tierney (6)

AGAINST: Cllrs Jakobsson, Laplain, McCheyne and Tanner (4)

ABSTAIN: Cllr Miss Sanders (1)

The application was **REFUSED** in accordance with the Planning Officer's recommendation.

*Cllr Mrs Fulcher declared a non-pecuniary interest by virtue of living in the vicinity of the application site and therefore took no part in the discussion or vote on this item.*

**454. APPLICATION NO: 20/00531/PNTEL - MASEFIELD COURT VICTORIA ROAD WARLEY ESSEX - INSTALLATION OF 3NO ROOFTOP TRIPODS ACCOMMODATING 12NO ANTENNA APERTURES, 3NO SUPPORT POLES ACCOMMODATING 4NO TRANSMISSION DISHES, PLUS THE INSTALLATION OF 9NO EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT THERETO**

At the request of the applicant, this application was deferred for consideration at the 8 July 2020 Planning and Licensing Committee meeting.

**455. Urgent Business**

There were no items of urgent business and the meeting ended at 8.40pm.

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