

Minutes

Planning and Licensing Committee Tuesday, 21st September, 2021

Attendance

Cllr J Cloke (Chair)	Cllr Gelderbloem
Cllr Bridge (Vice-Chair)	Cllr Heard
Cllr Barber	Cllr Laplain
Cllr Cuthbert	Cllr Mynott
Cllr Fryd	Cllr Tanner

Apologies

Cllr Dr Barrett	Cllr Wiles
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Substitute Present

Cllr Reed

Also Present

Cllr Haigh

Officers Present

Phil Drane	- Corporate Director (Planning and Economy)
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Mike Ovenden	- Associate Consultant Planner
Steven Bell	- Solicitor, Birketts (for and on behalf of the Council's Solicitor)
Claire Mayhew	- Corporate Manager (Democratic Services)
Zoe Borman	- Governance and Member Support Officer

LIVE BROADCAST

[Live broadcast to start at 7pm and available for repeat viewing.](#)

114. Apologies for Absence

Apologies had been received from Cllr Wiles and Cllr Reed was substitute. Apologies were also received from Cllr Barrett.

115. Minutes of the Previous Meeting

The Minutes of the Planning and Licensing Committee held on 27th July 2021 were approved as a true record.

116. Minutes of the Licensing Sub-Committee held on 28th June 2021

The Minutes of the Licensing Sub Committee which took place on 28th June 2021 were agreed as a true record.

117. APPLICATION NO. 20/01913/FUL - De Rougemont Manor Great Warley Street Great Warley Brentwood Essex CM13 3JP

A request was received from the applicant to defer this item. This is because of a recent objection from a local resident who had until now been supporting the scheme. The applicant is keen to undertake further work in an attempt to resolve this objection, which relates to development proposals towards the northern boundary of the site. The item will be brought to a future meeting of the committee.

118. APPLICATION NO. 21/01004/FUL - Land Adjacent To 1 Hugh Chappington House Magpie Lane Little Warley Brentwood Essex CM13 3DZ

This application had been referred to committee at the request of Councillor Haigh for the following reasons:

- 1) The Hugh Chappington Charity has served the poor and needy of Little Warley for 300 years.
- 2) The site from 1720 had been a Poor House, from 1840 -1912 a School, from 1912-1969 accommodation and then in 1969 with the request and finance from Brentwood Council the present Alms Houses were built.
- 3) The Charity has the encouragement of The Charity Commissioners to use their capital and financial support of The Alms-houses Association.
- 4) They embrace the policy with Local Authorities and The Alms houses Association for small developments in the Green Belt
- 5) They are developing on the foundations of the old farm barns rather than impact on the frontage of Magpie Lane
- 6) There is a need and demand for low rent social housing and they are fulfilling the aims of the charity to give relief in need.
- 7) They have 100% support from the village community and the Village Hall Committee. Their Alms Houses are an integral part of the village community and an important part of what holds us together as a village entity.

- 8) This development will be very beneficial for those in need and it cannot be built anywhere else.
- 9) In all the circumstances, these facts amount to very special circumstances which individually and collectively clearly outweigh any harm to the green belt which this development might cause.

This application relates to the erection of a single storey, pitched roof building to provide 3 one bed dwellings. The building would have an approximately rectangular footprint, 23.7m long, by 10.3 m wide, 2.5 to eaves and 6.7 to ridge. The building would be adjacent to a similar block, though end on to the road, with vehicular access and parking to the east and small gardens to the west. The materials would be brown/red multi stock brick, some vertical tile hanging, with brown concrete plain tiles on the roof.

To the rear and west is open countryside.

Mr Ovenden summarised the report.

Alderman David Tee, a Trustee of the Charity, addressed the Committee in support of the application.

Cllr Haigh, Ward Councillor, spoke in favour of the application. Ward Cllrs Cuthbert and Laplain also spoke supporting the application.

A motion to **APPROVE** the application was moved by Cllr Laplain and **SECONDED** by Cllr Cuthbert.

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

FOR: Cllrs Barber, Bridge, Cloke, Cuthbert, Fryd, Gelderbloem, Heard, Laplain, Mynott, Reed and Tanner (11)

AGAINST: (0)

ABSTAIN : (0)

The application was **APPROVED**.

The Committee identified the following matters as the Very Special Circumstances that justify granting planning permission in this case:

- This is a development of three affordable units in a Ward in need of affordable housing;
- The provision of the Alms-houses would be of benefit to local people and attracted no objections;
- It is an appropriate site for a small development of Alms-houses
- Compliant with Policy H10; and
- The benefits clearly outweigh the harm to the green belt and all other harm.

The committee resolved to grant planning permission for the development subject to a S106 agreement and conditions.

The S106 agreement is to ensure that the three dwellings are occupied as affordable housing and the benefits of such accommodation is retained for the benefit of future occupiers.

The committee imposed the following planning 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 above and specifications.

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

3 Ecological /Badger protection

- All workmen on site shall be fully briefed concerning the potential presence of badgers on site.
- Any trenches or deep pits shall be securely covered overnight to stop any badgers falling in and becoming trapped. Alternatively, a rough plank can be provided, at an angle no steeper than 45 degrees, to allow any badgers a suitable means of escape.
- Any trenches/pits shall be inspected each morning and evening to ensure no badgers have become trapped. Should a badger be found then formal ecological advice must be sought before work commences for the day.
- The storage of topsoil or other 'soft' building materials within the site shall be given careful consideration. Badgers will readily adopt such mounds as setts, which would then be afforded the same protection as established setts. So as to avoid the adoption of any mounds, they shall be subject to daily inspections before work commences.
- During the work, the storage of any chemicals shall be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.
- Open pipework with a diameter of more than 120mm shall be properly covered at the end of the work day to prevent badgers entering and becoming trapped.
- Litter on site shall be cleared at the end of the working day or otherwise kept to a minimum.
- Security lighting shall be kept to a minimum so as not to disturb any badgers on site.

Reason: In the interests of protecting the protected species.

4 Prior to first occupation of the development, the existing western vehicle access on Magpie Lane shall be reduced in width to a maximum of 6 metres, this shall include the reinstatement to full height of the redundant highway verge.

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.

5 No unbound material shall be used in the surface treatment of all the vehicular access to the development within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

6 Prior to first occupation the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

7 Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

8 Prior to the commencement of the development hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

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

9 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 dwellings 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.

10 Details of existing and proposed site levels and the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

[Non pecuniary interests were declared by Cllrs Barber, Bridge, Cloke, Heard, Reed and Mynott as they were all known to Alderman Tee].

119. APPLICATION NO. 21/01215/TEL - Land Between Hulletts Lane And Ongar Road Hulletts Lane Pilgrims Hatch Essex

A request for deferral had been received on this item. This is to consider a revised set of application drawings and so will be brought to a future meeting of the committee.

120. Urgent Business

There were no items of urgent business.

The meeting concluded at 19.40