

# Minutes

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## Planning and Licensing Committee Tuesday, 28th June, 2022

### Attendance

Cllr Bridge (Chair)	Cllr Jakobsson
Cllr Barber (Vice-Chair)	Cllr Laplain
Cllr Cuthbert	Cllr Mynott
Cllr Fryd	Cllr Parker
Cllr Gelderbloem	Cllr Wiles

### Apologies

Cllr Dr Barrett	Cllr Tanner
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### Substitute Present

Cllr Barrett  
Cllr Mrs Pearson

### Also Present

Cllr Sankey  
Cllr Mrs Francois  
Cllr Mrs Murphy

### Officers Present

Phil Drane	- Corporate Director (Planning and Economy)
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Claire Mayhew	- Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Brooke Pride	- Planning Officer
Julia Sargeant	- Consultant Planner

## LIVE BROADCAST

[Planning Committee - Live broadcast to start on the rising of Licensing Committee and available for repeat viewing.](#)

**54. Apologies for Absence**

Apologies were received from Cllr Tanner and Cllr Mrs Pearson was substitute and Cllr Dr Barrett and Cllr Barrett was substitute.

**55. Minutes of the Previous Meeting**

The Minutes of the Planning and Licensing Committee held on 15<sup>th</sup> March 2022 were agreed as a true record.

**56. 53 Crown Street Brentwood Essex CM14 4BD**

This application has been referred to the Planning Committee by Cllr Gareth Barrett for the following reason:

*The proposal proposes an inconsistent density with the property in the local area, new velux style windows create overlooking and a reduction in privacy, and while without clear measurements on the plans available this is not easy to confirm, appears it is not in line with the gross internal area standards for a nine bedroom property (in terms of floor space across the site, in multiple rooms and height in the 2<sup>nd</sup> floor rooms).*

Mrs Sargeant presented the report to the committee.

**The chair read out a statement on behalf of Mr & Mrs Ludwig in objection to the application.**

*As a very close resident (1 Primrose Hill), to the said property (53 Crown Street), my husband and I have grave concerns of a 9 bedroom HMO opening on our doorstep. The property in question was set up some time ago (by previous owners) as a unlicensed HMO and we suffered lots of disturbance, noise pollution and excessive rubbish waste behind our garden. The amount of bedrooms squeezed into the new developed property seems questionable and far too many occupants compared to surrounding properties. The owner has also added two 'new' windows to the side of the property which directly overlook our garden and living areas. Thankfully this was picked up as unauthorised development.*

*However, the windows are still in place and causing us concerns for our privacy. We have a young son who is often playing in the garden and previously had to be subjected to groups from the property hanging around in the car park using foul language and smoking illegal substances.*

*The developer for this application has already built a large development in front of our property (Primrose Mews) and is now planning to house another 9+ residents behind us. It all seems very excessive considering how many other developments we have going on in the area?*

*We have lived in our property for 15 years and considerate it our family home. We feel an HMO on our doorstep would compromise our privacy and wellbeing.*

**The chair read out a statement from the agent on behalf of the applicant in support of the application.**

*The application before you seeks to resurrect the use of 53 Crown Street as a house of multiple occupancy providing accommodation of high-specification that meets all planning and licensing policies for use as a HMO. Including bike stands, bin store and parking spaces in excess of the required minimum standards.*

*As the existing and proposed elevations demonstrate and in accordance with the planning officers request, the amendment to the side elevation has been limited to the removal of 1 window and the enlargement of 1 window at ground level. There are no further changes to the building's fenestration.*

*Historically, 53 Crown Street was licensed (BRW/HMO/021) as an HMO of 9 dwellings from January 2014 with a licence renewal date of January 2019. The property currently has the Classification of B1 (Office), albeit previously approved for D2, planning permission was also granted to convert the property to 2 residential apartments as well as previously being used as an individual residential dwelling.*

*Due to lack of use and/or interest under its current classification, the property had fallen into a dilapidated state of repair under previous ownership, with extensive repairs and renovation required throughout. This application, now under new ownership seeks to re-purpose the property, providing residential housing therefore assisting with the boroughs current housing requirements, having no effect on the loss of employment or as per the officers report no adverse effect on the neighbouring occupiers.*

*The proposal looks to address the government's framework and local plans which place emphasis on residential development within sustainable locations, particularly the conversion of offices to residential use. For the assurance of safety, all fixtures and fitting including appliances are certified for fire safety in line with building control legislation. In addition, CCTV is installed in all communal areas.*

*The case officer has also demonstrated that each dwelling has been given sufficient floor space, **in excess of** the minimum requirement. All benefiting from ensuite shower rooms and kitchenette. Both the planning case officer and Environmental Health Officer are satisfied with the proposals and therefore recommended this application for approval.*

*As the applicant was advised that a site visit would be external viewing only. Photos demonstrating the high standard of the internal space were previously circulated to officers and members via post C/O the town hall.*

*The application site lies between Knight Court which has 19 x apartments housing 40 residents and Primrose Mews a development of 12 x apartments housing 23 residents. A block of five apartments stands on the corner at 73 – 81 Crown Street and adjacent to the application site is Felders Court hosting 8*

*apartments. Therefore, the applicant believes that the proposals are inline with the density of accommodation in Crown Street.*

*The applicant has addressed all the reasons for referral by the ward councillor and hopeful that the planning committee will now endorse Brentwood Borough Councils professional planner's recommendation to approve this application.*

Cllr Barrett, Ward Councillor, spoke on his referral and informed the Chair that he wouldn't be voting on this item.

Cllr Wiles, Ward Councillor also spoke in support of the application and **MOVED** that the application be **APPROVED**, which was **SECONDED** by Cllr Mrs Pearson.

Concerns were expressed by Members in relation to lack of direct open space and private amenity in relation to policy HP06 (Standards for new Housing) as well as lack of direct outlook for some units as stated in the HMO 2018.

A vote was taken, and Members voted as follows:

FOR: Cllrs Barber, Bridge, Mrs Gelderbloem, Jakobsson, Parker, Mrs Pearson and Wiles (7)

AGAINST: Cllrs M Cuthbert, Fryd, Laplain, Mynott (4)

ABSTAIN: (0)

*(Cllr Barrett did not vote on this item).*

The motion to **APPROVE** the application was **RESOLVED** 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 Limitation of Occupancy

The HMO hereby permitted shall not be occupied by more than 9 persons and no more than one person shall occupy any of the 'suites' as shown on the approved drawings.

Reason: To ensure that appropriate living conditions are maintained and to avoid issues of overcrowding.

5 RESL04 No PD for windows etc

Aside from those indicated on the approved drawings, and 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), no windows, dormer windows, glazed doors or rooflights shall be constructed without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

6 Details of cycle and refuse store

None of the accommodation hereby permitted shall be occupied until the facilities to be provided for the storage of cycles and refuse; have been provided in accordance with the details shown on the approved drawings. Thereafter the accommodation shall not be occupied unless those facilities are retained.

Reason: To ensure that adequate provision is made in order to safeguard the character and appearance of the area.

7 Basement not for HMO Use

This permission relates to the approval of a HMO on the ground, first and second floor of the building. The basement as shown on approved drawing shall only be used for the storage of plant and CCTV and accessed by the landlord or owner of the building and shall not be accessible or used by occupiers of the HMO for any purposes, unless approved in writing by the local planning authority.

Reason: To safeguard the future occupiers of the development to ensure adequate living conditions are provided.

8 Electric Car Charging

Prior to first occupation, the proposed development shall be provided with, as a minimum, the space and infrastructure required to provide electric vehicle charging/plug-in points in the proposed car parking spaces for the future occupants of the building.

Reason: In order to provide for the transition to electromobility and reduce pollution and climate change impacts in the interests of the health and wellbeing of the public in accordance with policy BE11.

9 Sustainability - water efficiency

The proposed building shall not be occupied until details of:

- measures to ensure that the building does not exceed 110 litres per person per day;
- measures to provide wastewater infrastructure capacity;
- measures to achieve lower water consumption rates and to maximise future proofing;
- measures to demonstrate the development would not have an adverse impact upon the sewerage network; and
- measures to improve water quality and protect the quality and functioning of existing water courses/groundwater.

have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: in order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

10 Digital Infrastructure

The proposed buildings shall not be occupied until the infrastructure for the fastest available broadband connection installed on an open access basis has been provided for the future occupants of the building.

Reason: In order to ensure that new developments are connected to digital infrastructure in accordance with policy BE07 of the Brentwood Local Plan.

Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

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

- 12 Obscure Glazing – (on drawings)  
The windows identified on the approved drawings as being obscure glazed 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 window(s) 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.

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

#### Informative(s)

##### 1 INF02

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below. The Council has had regard to the concerns expressed by residents but the matters raised are not sufficient to justify the refusal of permission.

##### 2 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

##### 3 U0008628

The following Development Plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE02, BE04, BE07, BE11, BE13, BE14; HP06; as is the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG).

##### 4 INF22

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

##### 5 U0008630

This consent is only in relation to the town and country planning act. Other legislation may be applicable for which consent is required, such as licensing. The applicant is required to contact the Council's Environmental Health Department to ensure an appropriate licence is

sought for the HMO. It is the duty of all parties to ensure compliance with all laws.

#### 6 Secure by Design

This proposal should comply with the security section of the “Essex amenity standards for Houses in Multiple Occupation” (extract below). This includes security of the external doors, accessible windows and secure cycle storage. Essex Police also recommend that each individual resident has access to securable personal space including lockable cabinets/storage within the shared kitchen area.

It is recommended that dual certificated doors (fire and security) are installed in the property. Secured by Design provides guidance on flat entrance doorsets, which may be useful for this property (*A Guide to Selecting Flat Entrance Doorsets*). The SBD website- (<https://www.securedbydesign.com/guidance/design-guides>) provides full details.

#### 57. **Havering Grove Farm, 552A Rayleigh Road, Hutton, Brentwood, Essex CM13 1SG**

This application is presented to Committee for determination as it has been referred by Cllr Olivia Sanders (Francois) for the following reason:

*Havering Grove Farm is a farmstead with a mixture of buildings. Due to cessation of these storage buildings a proposed development of four residential units is proposed.*

*These buildings will be constructed on the current hard standing therefore the green belt will not be harmed. It will vastly improve the appearance of the site given what is there currently. The associated landscaping will also help to enhance the area. As this proposal will see homes built instead of commercial storage, there will be a reduction in traffic movements on this small section of Rayleigh Road which will definitely be of benefit to the residents who live either side of the farm.*

Mrs Sargeant presented the report to the committee.

Cllr Sanders (Francois) Ward Councillor, spoke in support of the application.

Members expressed that this application would improve the site as it is at present and that residents are in support of the application. Discussion was had in relation to very special circumstances for allowing inappropriate development in the Green Belt. It was considered that very special circumstances exist in this case as the proposal would enhance the landscape, visual amenity and biodiversity, as well as improving damaged and derelict land.

Following a full discussion, Cllr Parker **MOVED** and Cllr Barber **SECONDED** that the application be **APPROVED**.



A vote was taken, and Members voted as follows:

FOR: Cllrs Barber, Bridge, Jakobsson, Parker, Mrs Pearson and Wiles (6)

AGAINST: Cllrs Barrett, M Cuthbert, Mrs Gelderbloem, Fryd, Laplain, Mynott (6)

ABSTAIN: (0)

The Chair used his casting vote, and the application was **RESOLVED** subject to the conditions:

Draft conditions have been sent to the Chair and Vice Chair and are copied below (please note these are still subject to agreement):

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(1) 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) and documents listed above.

Reason: To ensure that the development is as permitted by the local planning authority.

3. No development shall take place, including any ground works or demolition, until a Construction Environment Method Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. a waste management plan
- iii. details of measures to minimise noise and vibration during construction and demolition
- iv. measures to control the emission of dust and dirt during construction
- v. route to be used by construction vehicles to and from the site
- vi. loading and unloading of plant and materials
- vii. site set-up including arrangements for the storage of plant and materials used in constructing the development
- viii. wheel and underbody washing facilities
- ix. hours of works

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to minimise the impact of the construction of the development upon the environment.

4. No development shall take place above slab level until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. The inspection of material samples shall be undertaken on site unless otherwise agreed 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 and for the avoidance of doubt.

5. No development shall take place above slab level until detailed scaled plans of the detached garages (floor plans and elevations) at 1:100 or 1:50, including external materials to be used, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the overall design and appearance of the garages are appropriate, to safeguard the character and appearance of the area and for the avoidance of doubt.

6. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses.

7. Prior to the first use/occupation of the development hereby approved, details of bat sensitive external lighting scheme for the development shall be submitted to and approved in writing by the local planning authority. The details submitted shall include the luminance and spread of light and the design and specification of the light fittings. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site.

Reason: In the interests of biodiversity and to ensure that external lighting of the development does not result in excessive external light spill over existing light levels, particularly to the northern boundary.

8. No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
  - Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
  - Limiting discharge rates to 1.2l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development, and to provide mitigation of any environmental harm which may be caused to the local water environment

9. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of

the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

10. The applicant or any successor in title must maintain yearly logs of maintenance as agreed under condition No. 9 which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

11. No works except demolition shall occur until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition

Reason: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

12. No development shall commence until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The arboricultural method statement shall detail measures to protect existing trees during construction and specific management requirements for the veteran trees. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure appropriate protection of the trees to be retained on site.

13. The development shall be carried out to ensure that all mitigation and enhancement measures as detailed in the Ecological Assessment (December 2021) are carried out. Furthermore within 3 months of commencement of the development an updated badger survey should take place the details of which, along with any required mitigation measures, shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with any additional mitigation agreed.

Reason: To conserve and enhance protected and priority species and allow the LPA to discharge its duties under the Conservation of

Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the NERC Act 2006 (priority habitats and species).

14. No development above slab level shall take place until a scheme of soft landscaping for the site has been 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 and those areas to be grassed. The approved scheme of soft landscaping works 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.

15. No development above slab level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include surfacing materials; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; and any proposed functional services above ground as well as existing and proposed ground levels. The development shall then be carried out in accordance with the approved hard landscaping scheme and retained as such thereafter.  
Reason: In order to safeguard and enhance the character and appearance of the area.

16. 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.

17. The development shall not be occupied until the infrastructure for the fastest available broadband connection installed on an open access basis has been provided for the future occupants of the

building.

Reason: in order to ensure that new developments are connected to digital infrastructure in accordance with policy BE07 of the Brentwood Local Plan.

18. No development above slab level shall take place until details of:
- measures to ensure that the building does not exceed 110 litres per person per day;
  - measures to provide wastewater infrastructure capacity;
  - measures to achieve lower water consumption rates and to maximise futureproofing;
  - measures to demonstrate the development would not have an adverse impact upon the sewerage network;
  - measures to improve water quality and protect the quality and functioning of existing water courses/groundwater.

have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: in order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

19. No development above slab level shall take place until a sustainability statement has been submitted to and approved in writing by the local planning authority. The sustainability statement shall outline the approach of the development to:
- Adaptation to climate change;
  - Carbon reduction;
  - Water management;
  - Site waste management;
  - Use of materials.

The development shall be carried out in accordance with the details as agreed.

Reason: in order to ensure that the proposal development incorporates the carbon reduction and renewable energy principles in relation to policy BE01 of the Brentwood Local Plan.

20. Prior to first occupation the cycle parking shall be provided in accordance with the adopted 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.

21. Prior to first occupation of the dwelling to which it relates, the onsite vehicle parking shall be provided as shown in principle on the approved plans. Furthermore, a fast charging point shall be provided adjacent to at least one parking space for each new dwelling. The vehicle parking areas shall be retained in the agreed form at all times.

Reason: To ensure adequate parking is provided and to promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality.

22. Prior to the first occupation of each dwelling, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, which shall have been submitted to and approved in writing by the Local Planning Authority. The packs are to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

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

23. The existing building(s) or parts of buildings on the site indicated on the approved drawings and/or specifications for demolition shall be demolished and all materials arising shall permanently be removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason - In the interests of maintaining the openness of the Green Belt.

24. 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 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 prevent the creation of a dwelling of disproportionate size that would conflict with the policies of restraint within the Green Belt.

25. 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) no development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a

dwellinghouse') shall be carried out 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 and to limit the further spread of built form of adjunct and incidental outbuildings, within the curtilage of the dwellinghouses, into the Green Belt.

**58. 9 Sebastian Avenue, Shenfield, Brentwood, Essex CM15 8PN**

The application is reported to the Planning Committee as referred by Councillor Thomas Heard for the following reason:

*Last July, plans were approved for an extension at 9 Sebastian Avenue. Building work started in the Autumn and is continuing. At the time of the original approval residents in neighbouring properties identified to the Planning department that they believed the approved plans were flawed in that they were inaccurate and confusing.*

*There have been many issues of concern since building started, not least that some of the building work was in breach of the original plans (enforcement have been involved). There have been 14 revised plans submitted. Neighbours have been in lengthy communication with Brentwood Planning concerning, amongst other things, the inaccuracy of plan measurements and accompanying statements and establishing a clear view of what it is we are supposed to be reviewing as neighbours.*

Miss Pride presented the report to the committee.

Mr Jenkins was present and address the committee in objection to the application.

Mr Maitana, the applicant was also present and address the committee in support of the application.

Cllr Fryd, Ward Councillor, spoke about his concerns relating to the application process.

Concerns were expressed by members in regarding to the number of alternatives drawings that were submitted by the applicant.

Following a full discussion, Cllr Parker **MOVED** and Cllr Wiles **SECONDED** that the application be **APPROVED**.

A vote was taken, and Members voted as follows:

FOR: Cllrs Barrett, Barber, Bridge, Mrs Gelderbloem, Jakobsson, Parker, Mrs Pearson and Wiles (8)

AGAINST: (0)



ABSTAIN: Cllrs M Cuthbert, Fryd, Laplain and Mynott (4)

The motion to **APPROVE** the application was **RESOLVED** subject to the conditions below:

- 1 DRA01A Development in accordance with drawings  
The development hereby permitted shall not be carried out except in complete accordance with the approved documents listed above and specifications.

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

- 2 U0046541  
This permission only relates to the variation of condition 2 of the permission granted under reference 21/00645/HHA and all other conditions, i.e. conditions 1, and 3 to 5, of that permission shall continue to apply in full unless otherwise discharged.

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

#### Informative(s)

- 1 INF04  
The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

- 2 INF05  
The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE14 National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

- 3 INF22  
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

#### **59. Lee Farm, Horseman Side, Navestock CM14 5ST**

The application is reported to the Planning Committee as it has been referred at the request of the Parish Council for the following reasons:

*The site has been granted the construction of 3 substantial houses in the past two years now potentially 4 more and their associated parking spaces in this application, with the prospect of more plans for housing put forward as other farm buildings exist on other parts of the farm.*

*The road the site lies off of is a rat run suffering from speeding issues and the introduction of more houses and vehicles will only add to impact on ill maintained country lanes of the Parish.*

*There is no public transport.*

*The design is not in keeping of the area.*

*The site is neither brownfield nor infill and does not form part of the LDP.*

*The site is nearby to the growing development of illegal travellers site.*

*The Parish Council and residents consider it is over development in the greenbelt impacting on its openness and loss of greenbelt*

Miss Pride was present at the meeting and presented the report.

Mr Halladay, Agent, spoke on behalf of the Applicant.

Cllr Mrs Gelderbloem, spoke in support of the concerns expressed by the Parish Council.

(Cllr Mrs Gelderbloem declared an non pecuniary interest)

Cllr Parker **MOVED** and Cllr Mrs Pearson **SECONDED** that the application be **APPROVED**.

A vote was taken, and Members voted as follows:

FOR: Cllrs Barber, Bridge, M Cuthbert, Fryd, Jakobsson, Laplain, Mynott, Parker, Mrs Pearson and Wiles (10)

AGAINST: Cllr Mrs Gelderbloem (1)

ABSTAIN: Cllr Barrett (1)

The motion to **APPROVE** the application was **RESOLVED** subject to the conditions below:

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 MAT01 Samples (details acceptable)

No development shall take place until details 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 BOU01 Boundary treatment to be agreed (general)

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.

5 BOU08 No walls or fences

Notwithstanding the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no walls, fences or other means of enclosure shall be erected within the application site.

Reason: In the interests of safeguarding the character and appearance of the area.

6 DEM01 Demolition of buildings on site (green belt)

The existing building(s) or parts of buildings on the site indicated on the approved drawings and/or specifications for demolition shall be demolished and all materials arising shall permanently be removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason - In the interests of maintaining the openness of the Green Belt.

7

No new grilles, security alarms, lighting, security or other cameras or other fixtures shall be mounted on the external faces of the building other than those shown on the drawings hereby approved.

Reason: To preserve the character and appearance of the area.

8

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) no development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reasons: To prevent the creation of a dwelling of disproportionate size that would conflict with the policies of restraint within the Green Belt

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.

Reasons: To prevent the creation of a dwelling of disproportionate size that would conflict with the policies of restraint within the Green Belt

#### 10 Noise attenuation

With the proposed development within close proximity of the M25 a noise assessment should be completed, suitable for the development hereby permitted and shall be submitted to and approved in writing by the local planning authority before development begins. The noise assessment should consider noise from both internal and external environments, with reference to BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the noise assessment shall be made available to the Local Planning Authority to review before development begins.

#### 11 Contamination

No development shall take place until a desk top study of the nature and extent of any possible ground contamination has been carried out. The results of the investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

12

Prior to the development proceeding above slab level, details of the surfacing materials of footpaths, driveways and parking areas shall be submitted to and approved in writing by the local planning authority and construction shall be in strict accordance therewith.

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

13

The proposed development shall not be occupied until a landscaping scheme showing details of new and replacement trees, shrubs and native hedges (including those to be used as boundary treatments in lieu of high fencing) and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection across the entire application site during the construction phase, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out as approved. 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. Note: Native species include hornbeam and hawthorn and are recommended.

14

No development shall proceed above slab level until a detailed Arboricultural Method Statement to include tree protection measures and plan have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area.

15

Prior to first occupation, the proposed building shall be provided with, as a minimum, the space and infrastructure required to provide at least 1 electric vehicle charging/plug-in points for the future occupants of the building and visitors to the site.

Reason: in order to provide for the transition to electromobility and reduce pollution and climate change impacts in the interests of the health and wellbeing of the public in accordance with policy BE11.

16

The proposed building shall not proceed above slab level until details of:

- measures to ensure that the building does not exceed 110 litres per person per day;
- measures to provide wastewater infrastructure capacity;
- measures to achieve lower water consumption rates and to maximise futureproofing;
- measures to demonstrate the development would not have an adverse impact upon the sewerage network;

- measures to improve water quality and protect the quality and functioning of existing water courses/groundwater. have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: in order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

17

The proposed building shall not be occupied until the infrastructure for the fastest available broadband connection installed on an open access basis has been provided for the future occupants of the building.

Reason: in order to ensure that new developments are connected to digital infrastructure in accordance with policy BE07 of the Brentwood Local Plan.

### Informative(s)

1

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

2

The following Development Plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE14, MG02, BE13, HP06; National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

3

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 Environment Health

No bonfires should be permitted during construction.

Any asbestos containing materials within the existing buildings should be removed by an appropriately licensed contractor before demolition commences

Any existing buildings on site should be assessed for asbestos materials prior to demolition. Any asbestos must be removed in full consultation with the Health & Safety Executive

Heavy plant, noisy equipment or operations and deliveries, should not take place outside the hours of;

Monday-Friday.....08.00-18.00

Saturday.....08.00-13.00.

No noisy activities on Sundays or Bank Holidays.

Particularly noisy equipment such as Pile Drivers/Angle Cutters/Pneumatic Drills/Cement Mixers etc. should be used approximately one hour after the beginning hours mentioned above and one hour before the said end times.

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

Where the site is adjacent to residential or business premises, bonfires should be avoided, and all waste materials should be removed from site and suitably disposed of. At no time should any material that is likely to produce dark/black smoke be burnt (eg. Plastics, rubber, treated wood, bitumen etc.)

Radio noise should not be audible at the boundary of the nearest neighbouring property.

Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Health Department prior to commencement.

#### **60. Planning Appeals Update (February - May 2022)**

This report provided members with information regarding recent planning appeal decisions. Mr Drane presented the report, which was to note. Members thanked officers on the work undertaken on appeals.

#### **61. Urgent Business**

There were no items of urgent business.

The meeting concluded at 21.18