

Minutes

Planning Committee Tuesday, 17th January, 2023

Attendance

Cllr Tanner (Chair)	Cllr Jakobsson
Cllr Barber (Vice-Chair)	Cllr Laplain
Cllr Dr Barrett	Cllr Mynott
Cllr M Cuthbert	Cllr Parker
Cllr Fryd	Cllr Wiles
Cllr Gelderbloem	

Apologies

Cllr Mrs Murphy

Substitute Present

Cllr Mrs Pearson

Also Present

Cllr Barrett
Cllr Heard
Cllr Lockhart
Cllr Russell

Officers Present

Phil Drane	- Director - Place
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Claire Mayhew	- Corporate Manager (Democratic Services) and Deputy Monitoring Officer
Paul Adams	- Licensing Manager
David Carter	- Environmental Health Manager
Carole Vint	- Planning Officer
Brooke Pride	- Planning Officer
Zoe Borman	- Governance and Member Support Officer

315. Apologies for Absence

Apologies were received from Cllr Murphy and Cllr Pearson was substitute.

316. Minutes of the Previous Meeting

The Minutes of the last meeting held on 20th December 2022 were agreed as a true record.

317. APPLICATION NO: 22/01459/FUL Birley Grange Hall Lane Shenfield Brentwood Essex CM15 9AL

The application had been referred at the request of Cllr Heard for the following reason:

The recommendation for refusal is understood in the context of policy. However, this does not take into consideration the health and safety benefits that the additional parking would have on local residents and the pupils and staff of the school opposite. In addition, the applicant has noted the officer's recommendation and altered the plans accordingly.

In short, I do not believe the recommendation gives account for the reality of the present situation and lacks fairness. I would be most appreciative if the committee could visit the site and debate the application at the next planning meeting.

Mrs Vint presented the report.

A statement of objection from Mr Jones was read by the Chair.

Mr Willis, agent on behalf of the applicant, addressed the committee.

Ward Cllr Fryd addressed the committee stating his reasons for not supporting the application for reasons outlined in the report.

Cllr Fryd **MOVED** that the application be **REFUSED**. This was **SECONDED** by Cllr Mynott.

The committee also heard from Cllr Heard, Ward Councillor, reiterating his reasons for referral.

Cllr Mynott spoke objecting to the application for reasons including no very special circumstances for building within the green belt. This was echoed by many Members.

Following a debate a vote was taken and members voted as follows:

FOR: Cllrs Dr Barrett, Cuthbert, Fryd, Laplain, Mynott (5)

AGAINST: Cllrs Barber, Gelderbloem, Jakobsson, Pearson, Parker, Tanner, Wiles (7)

ABSTAIN: (0)

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

Cllr Tanner spoke in favour of the application and **MOVED** for the application to be **APPROVED**. This was **SECONDED** by Cllr Barber.

The committee made it clear that the very special circumstances that exist to clearly overcome the adverse harm by policy and impact on the green belt, was the provision of on-site parking for users of the church and school which in turn makes safe the highway use along Hall Lane, currently a dangerous and unsafe passage for pedestrians and car users alike.

Following further debate a vote was taken and Members voted as follows:

FOR: Cllrs Barber, Gelderbloem, Jakobsson, Pearson, Parker, Tanner, Wiles (7)

AGAINST: Cllrs Dr Barrett, Cuthbert, Fryd, Laplain, Mynott (5)

ABSTAIN: (0)

The application was **APPROVED** subject to standard conditions to be agreed.

318. APPLICATION NO: 22/01290/FUL First Floor 40 High Street Brentwood Essex CM14 4AJ

This application had been reported to the Planning and Licensing Committee having been referred by Cllr Gareth Barrett. The reasons given are:

The smoking area/the balcony impacts the residents of Alfred Road and High Street properties directly. For context, noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment (including any anticipated changes to that environment from activities that are not permitted but not yet commenced).

Ms Brooke Pride presented the report.

Cllr Barrett, Ward Councillor, addressed the Council outlining the reasons for his referral and objecting to the application.

Objections were raised to the external noise that would be created by people using the rear terrace area and concern that the installation of the wall and protective barriers would rebound the noise rather than absorb it which would

lead to an impact upon the amenity of surrounding residents. The retractable canopy would also allow noise to escape the area when open with no controls.

The Committee heard from David Carter, Environmental Manager, regarding proposals in the application and how mitigation measures were being proposed within the application to mitigate noise and the noise limiter that has already been installed. David Carter confirmed that the only noise level that cannot be controlled is the one from people.

The committee concluded that the use of the premises as nightclub and drinking premises, including the use of the first floor rear external terrace area was not appropriate within this location and would impact upon other night-time economy contrary to policy PC09, and harmful to the local residents by reason of noise from its users.

Following debate, a motion to **REFUSE** the application was **MOVED** by Cllr Wiles and **SECONDED** by Cllr Barrett. Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Cuthbert, Fryd, Gelderbloem, Jakobsson, Laplain, Mynott, Pearson, Tanner, Wiles (11)

AGAINST: (0)

ABSTAIN: Cllr Parker (1)

The application was **REFUSED**.

Notwithstanding the issue of a Premises Licence, the nightclub is not acceptable in this location because of the harm it will cause to nearby residents and other users of this part of the high street arising from noise, disturbance and anti-social behaviour from comings and goings arising from its use, and especially from the first floor rear terrace area, in conflict with local plan policy PC09.

319. Planning Appeals Update (September - December 2022)

This report provided Members with a summary of recent planning appeal decisions.

Mr Drane presented the report. Following a full discussion, the report was noted by Members.

320. Fees & Charges Update

Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committees relating to the services provided.

Recommended amendments to the fees and charges are incorporated into the budget setting process to take effect from the following financial year.

Cllr Tanner **MOVED** and Cllr Barber **SECONDED** the recommendation in the report with the removal of Appendices D and E as they were not contained within the report. The amended report is attached to the Minutes.

Members agreed unanimously to:

Approve the proposed charges for 2022/23 as attached in Appendix A, B and C subject to the annual budget setting process.

Reasons for Recommendation

Officers review fees and charges annually and this will be used to inform the 2022/23 budget setting process.

321. Urgent Business

There were no items of urgent business.

The meeting concluded at 20:46