

Minutes

Planning Committee Tuesday, 25th July, 2023

Attendance

Cllr Mynott (Chair)	Cllr Gelderbloem
Cllr M Cuthbert (Vice-Chair)	Cllr Gorton
Cllr Dr Barrett	Cllr Heard
Cllr Mrs N Cuthbert	Cllr McCheyne
Cllr Mrs Francois	Cllr Munden

Apologies

Cllr Bridge	Cllr Mrs Murphy
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Substitute Present

Cllr Barber
Cllr Hirst

Also Present

Cllr Aspinell
Cllr Parker
Cllr Poppy
Cllr Kendall
Cllr Lockhart

Officers Present

Emily Yule	- Strategic Director
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Jonathan Quilter	- Corporate Manager (Strategic Planning)
Fiona Dunning	- Senior Planning Consultant
Daryl Cook	- Senior Planning Officer
Carole Vint	- Planning Officer
Zoe Borman	- Governance and Member Support Officer
Brendan Johnston	- Strategic Development Engineer, Essex Highways

104. Apologies for Absence

Apologies had been received from Cllrs Bridge and Murphy. Cllrs Barber and Hirst were substitutes respectively.

105. Minutes of the Previous Meeting

The Minutes of the previous meeting held on 18th July 2023 were agreed as a true record.

The Chair proposed to vary the order of the agenda and hear Item 6, Land East of Nags Head Lane, as the first application. This was agreed by Members.

106. APPLICATION NO: 22/01347/FUL LAND EAST OF NAGS HEAD LANE NAGS HEAD LANE BRENTWOOD ESSEX

Ms Fiona Dunning presented the report to Members.

The committee heard from Mr Caruso on behalf of Mascalls Gardens Resident's Association. Mr Caruso stated there had been little engagement from the developers with residents and the current application impacted their homes and gardens blocking light, loss of countryside, loss of natural habitat and unsafe highways. They objected to the application in its current form.

Mr Orr addressed the committee in support of the application.

Cllr Kendall, was present at the meeting and spoke in objection to the application.

Cllr Mynott **MOVED** and Cllr M Cuthbert **SECONDED** a motion to **DEFER** the application.

A full debate identified several concerns from Members which required further engagement from officers with the applicant, including cumulative highway issues and how the site engages with the Gateway site; layout/design particular the street adjacent to the eastern boundary and landscaping/buffer zone; clustering of affordable housing units; ecology/and landscaping including the need for a badger survey; consultation with neighbours.

Mrs Corrigan summarised the following points :

- Further Badger survey be undertaken - Mrs Corrigan advised the Ecology officer had reviewed both Badger and Butterfly reports and this could be dealt with under pre-commencement condition.
- Thames Water conflicting advice in report – Mrs Corrigan advised that both Surface and Foul water drainage had been deemed acceptable by Thames Water and this could be conditioned.

- Brentwood Gateway – the Gateway application has resolution for approval but at present the decision has not been issued. It would be unreasonable to withhold permission on the current application on that basis, as it is not a planning reason for refusal.
- Road Safety improvement – Brentwood LPA defers to the Highway Authority on this and the Highways Authority have requested conditions and infrastructure contributions to be dealt with via s106 contributions from the developer.
- Landscaping – this can be secured by condition and enforced if breached.
- Removal of Permitted Development Rights – these are used where considered necessary but are not site wide.

Members voted as follows:

FOR: Cllrs Dr Barrett, Barber, M Cuthbert, N Cuthbert, Francois, Gelderbloem, Gorton, Heard, Hirst, McCheyne, Munden, Mynott (12)

AGAINST: (0)

ABSTAIN: (0)

The motion to **DEFER** the application was **CARRIED UNANIMOUSLY**.

[Cllr Hirst declared a non-pecuniary interest as Essex Police, Fire and Crime Commissioner in relation to consultations mentioned in the report.]

107. APPLICATION NO: 23/00481/FUL RED HOUSE FARM WARREN LANE DODDINGHURST BRENTWOOD ESSEX CM15 0JD

The application had been referred to the Committee because the applicant, Mr Clifford Poppy, is a borough Councillor.

Mrs Carole Vint presented the report.

Both Cllr Parker and Cllr Gelderbloem, Ward Councillors, spoke in favour of the application.

Cllr Barrett **MOVED** a motion to **APPROVE** the application. This was **SECONDED** by Cllr Hirst.

Members voted as follows:

FOR: Cllrs Dr Barrett, Barber, M Cuthbert, N Cuthbert, Francois, Gelderbloem, Gorton, Heard, Hirst, McCheyne, Munden, Mynott (12)

AGAINST: (0)

ABSTAIN: (0)

The motion to **APPROVE** the application was **CARRIED UNANIMOUSLY**.

[The Monitoring Officer had granted a dispensation to all committee members in relation to the Applicant being a Borough Councillor.]

**108. APPLICATION NO: 23/00411/FUL SHENCOT ALEXANDER LANE
HUTTON BRENTWOOD ESSEX CM13 1AG**

The item has been referred to Committee by Cllr Jan Pound for the following reason:

Policy BE:13 Parking Standards states that proposals which make under provision of parking in respect of the Essex Parking Standards should be justified by evidence detailing the local circumstances that justify deviation from the standard. Whilst the site is located near to Shenfield there is clear evidence submitted by local residents in opposition to the application that Alexander Lane is already suffering from dangerous on street parking that is resulting in highways safety issues. Coupled with the need for deliveries and workman to service the building this application will result in further highways safety issues for road users and should be rejected for this planning reason. There is no evidence that the normal parking requirements can be reduced without causing these safety issues.

Mr Daryl Cook presented the report to Members.

Mr Shah was present at the meeting and spoke in objection to the application.

The committee also heard from the Applicant in support of the application.

Cllr Pound, Ward Cllr, reiterated her reason for referral and further concerns regarding the design and scale of the development and its impact upon the character of the area.

Following discussion a motion was **MOVED** by Cllr Barber to **REFUSE** the application and was **SECONDED** by Cllr Heard.

Members raised concerns regarding material reasons why this application should not be approved.

Following a full debate, Members voted as follows:

FOR: Cllrs Barber, Francois, Gelderbloem, Heard, Hirst, McCheyne (6)

AGAINST: Cllrs Dr Barrett, M Cuthbert, N Cuthbert, Gorton, Munden, Mynott (6)

ABSTAIN: (0)

The Chairman used his casting vote.

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

A motion was **MOVED** by Cllr Mynott and **SECONDED** by Cllr M Cuthbert to **APPROVE** the application.

Members voted as follows:

FOR: Cllrs Dr Barrett, M Cuthbert, N Cuthbert, Munden, Mynott (5)

AGAINST: Cllrs Barber, Francois, Gelderbloem, Heard, Hirst, McCheyne (6)
ABSTAIN: Cllr Gorton (1)

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

A further motion to **APPROVE** the application was **MOVED** by Cllr Mynott and **SECONDED** by Cllr M Cuthbert.

Members voted as follows:

FOR: Cllrs Dr Barrett, M Cuthbert, N Cuthbert, Gorton, Munden, Mynott (6)

AGAINST: Cllrs Barber, Francois, Gelderbloem, Heard, Hirst, McCheyne (6)

ABSTAIN: (0)

The Chairman used his casting vote.

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

The application was **APPROVED** subject to conditions outlined in the report.

MONITORING OFFICER ADVISORY NOTE:

The correct voting process was not followed on the application 20/00411/FUL, Shencot, Alexander Lane, Hutton, Hutton, Brentwood, Essex CM13 1AG.

Therefore, I have asked that the application be re-considered at a future Planning Committee.

- 109. APPLICATION NO: 23/00254/PNTEL PROPOSED 20M HIGH SLIM LINE PHASE 8 MONOPOLE C/W WRAPAROUND CABINET AT BASE, 3NO. ADDITIONAL ANCILLARY EQUIPMENT CABINETS AND ASSOCIATED ANCILLARY WORKS**

This application was reported to the Planning Committee in accordance with the requirements of the Councils Constitution.

Mr Daryl Cook presented the report to Members.

Mr Ellingworth, a resident, was present and spoke objecting to the application.

Following discussion a motion was **MOVED** by Cllr M Cuthbert and **SECONDED** by Cllr Mynott to **REFUSE** the application.

Members voted as follows:

FOR: Cllrs Dr Barrett, Barber, M Cuthbert, N Cuthbert, Francois, Gelderbloem, Gorton, Heard, Hirst, Munden, Mynott (11)

AGAINST: Cllr McCheyne (1)

ABSTAIN: (0)

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

110. Planning Appeals Update

This report provided a summary of recent appeal decisions that have been received relating to sites in the borough. This report is regularly presented to the committee and was last reported on 22 March 2023 (summary of appeals between December 2022 and February 2023, Item 423).

Mr Corrigan introduced the report.

The report was noted by Members.

111. Urgent Business

There were no urgent items.

The meeting concluded at 22:00