

Minutes

Planning Committee Tuesday, 17th October, 2023

Attendance

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

Apologies

Cllr Mrs Francois

Substitute Present

Cllr Barber

Also Present

Cllr Barrett
Cllr Parker
Cllr Mrs Pound

Officers Present

Phil Drane	- Director - Place
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Zoe Borman	- Governance and Member Support Officer
Mike Ovenden	- Associate Consultant Planner
Carole Vint	- Planning Officer
Jonathan Quilter	- Corporate Manager (Strategic Planning)
Claire Mayhew	- Acting Joint Director of People & Governance & Monitoring Officer
Tom Newcombe	- Solicitor, Birketts (for and on behalf of the Council's Solicitor)
Jane Lowe	- Planning Assistant

LIVE BROADCAST

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

209. Apologies for Absence

Apologies had been received from Cllr Francois and Cllr Barber was substituting.

210. Minutes of the Previous Meeting

The Minutes of the last meeting held on 19th September 2023 were signed as a true record.

211. POOKS HILL RISEWAY BRENTWOOD ESSEX CM15 8BG

This application had been referred at the request of Cllr G Barrett for the following reason:

I believe that the proposed dwellings by way of design, fail to be informed by the surrounding context and therefore relates poorly to the existing development. Alongside this, even though smaller than previous proposals, their scale, in terms of depth, height and width, would appear cramped, at odds and incompatible in terms of their size and appearance within the surrounding context, forming a jarring visual relationship with their surroundings, resulting in harm to the character and appearance of the street scene.

Of additional importance the size, design and position of the new dwellings would result in material overlooking and a loss of privacy to the private amenity areas and habitable rooms of the adjacent dwelling "Brook Lodge" and "Candleford" and would result in an overbearing impact to the residential amenity of the occupiers of "San Vito".

Therefore the proposal would be in conflict with policy BE14, NE07 of the Brentwood Local Plan, Chapter 12 of the NPPF and the National Design Guide (C1) which states new development should understand and relate well to the site and its local and wider context including form, layout, scale, appearance, details and materials.

Mrs Carole Vint presented the report.

Mr Mitchell Gibb, spokesperson for the neighbouring properties, presented to Members their reasons for opposing this application.

Members also heard from the Agent, Mr Tom Wiffen, in support of the application.

Cllr G Barrett was also present and reiterated to the Committee his reasons for referral.

A motion to **REFUSE** the application was **MOVED** by Dr T Barrett and **SECONDED** by Cllr Mynott.

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

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

AGAINST: Cllrs Barber, Bridge, Mrs Gelderbloem, Heard, McCheyne, Mrs Murphy (6)

ABSTAIN: (0)

The Chair used his casting vote **FOR** the motion of **REFUSAL**. The application was **REFUSED**.

Reason for Refusal

The proposed dwellings by way of design, fails to be informed by the surrounding context and therefore relates poorly to the existing development, and would therefore be out of character and harmful to the visual amenity of the area. It would also fail to integrate and enhance the natural environment by way of planting to enhance biodiversity. Furthermore, the loss of the existing trees would result in material overlooking and a loss of privacy to the private amenity areas and habitable rooms of the adjacent dwelling "Brook Lodge". The proposal would be in conflict with policy BE14 e), f) and i), NE07 b) and c) and NE03 2) of the Brentwood Local Plan, Chapter 12 of the NPPF and the National Design Guide (C1) which states new development should understand and relate well to the site and its local and wider context including form, layout, scale, appearance, details and materials.

212. ONGAR GARDEN CENTRE, ONGAR ROAD, KELVEDON HATCH, ESSEX, CM15 0LB

This matter had been deferred following publication of the Agenda, subject to legal advice being sought by the Council.

A note was posted on the website confirming this, however, the Agenda remained as published.

213. LAND SOUTH OF STOCKS LANE STOCKS LANE KELVEDON HATCH ESSEX

This application had been reported to the committee at the discretion of the Director of Place because it relates to one of the former green belt allocations in the Development Plan and due to the levels of representations received.

Mr Mike Ovenden presented the report and advised Members that there was a change in the recommendation written in the report. The new recommendation, if approved, would state:

7. Recommendation

The Application be APPROVED subject to:

(1) the completion of a S106 agreement with the following Heads of Terms:

- To provide and secure on site affordable housing (as agreed with the planning authority)*
- off site ecological mitigation/Biodiversity net gain (provision and retention)*
- Financial contributions for*
 - o Contribution to the cost of transport for secondary school pupils (£42,810.80 Index inked to 2Q 2021).*
 - o Library facilities (£3,189.90 index linked to April 2020)*
 - o Fee for monitoring of 'education payments' (approx. £550 per obligation)*
 - o Greater capacity for NHS surgery (£24,100 indexed)*

(2) Members further resolve to delegate the negotiation of additional heads of terms to the s.106 Agreement to the Head of Planning as follows:

- o Policy Compliant level of contribution towards off-site indoor and outdoor sports provision*
- o Policy Compliant level of Highway Infrastructure contributions as set out in the Infrastructure Delivery Plan (IDP) subject to consultation response from National Highways*

(3) subject to the following conditions:- (as set out in the report)

Mr Mr Kieran Wheeler of Savills was present at the meeting and spoke in support of the application.

Cllr Parker addressed the Committee as Ward Councillor expressing that the consultation processes had been followed and he could see no reasons for refusal.

Cllr Gelderbloem, Ward Councillor, sympathised with residents' views, but agreed with her fellow Councillor regarding consultation. However, was unsure whether this was the right application for the site.

Members expressed concerns over the increase in the number of homes, 49 from around 40, as stated in the original proposal. Officers advised that the original figure was a guide only, and the increased amount of homes would go

toward forming part of the housing and affordable home allocation as stated in the Local Development Plan.

Cllr Dr Barrett requested that officers request confirmation from ECC Schools and Education that its comments of sufficient school capacity are as reported, given the contrary comments made in representations by third parties. After the meeting officers sought and received such confirmation from ECC Schools and Education that its position remains as reported in the planning report.

Members expressed they thought this to be a mediocre application.

Following a full discussion Cllr Mynott **MOVED** and Cllr M Cuthbert **SECONDED** a motion to **APPROVE** the application.

A vote was taken and Members voted as follows:

FOR; Cllr Dr Barrett, Bridge, M Cuthbert, Mrs N Cuthbert, Heard, McCheyne, Mynott (7)

AGAINST: Cllrs Barber, Mrs Gelderbloem, Mrs Murphy (3)

ABSTAIN: Cllr Gorton, Munden (2)

The application was **APPROVED** subject to the revised Recommendation and conditions as stated in the report.

[Cllr Gorton declared a registerable interest as a Parish Councillor of Kelvedon Hatch Parish Council and confirmed he has not taken part in discussions concerning this matter at the Parish Council.]

214. LAND AT BRIZES CORNER FIELD BLACKMORE ROAD KELVEDON HATCH ESSEX

This application was reported to the committee at the discretion of the Director of Place because it relates to one of the former green belt allocations in the Development Plan and due to the levels of representations received.

Mr Mike Ovenden presented the report and advised Members that there was a change in the recommendation written in the report. The new recommendation, if approved, would state:

7. Recommendation

The Application be APPROVED subject to

(1) the completion of a S106 agreement with the following Heads of Terms:

- *To provide and secure on site affordable housing (as agreed with the planning authority)*

- off site ecological mitigation/Biodiversity net gain (provision and retention)
- Financial contributions for
 - o Contribution to the cost of transport for secondary school pupils (£19,414.20 Index inked to 2Q 2021).
 - o Library facilities (£1,867.20 index linked to April 2020)
 - o Fee for monitoring of 'education payments' (approx. £550 per obligation)
 - o Greater capacity for NHS surgery (£11,800 indexed)

(2) Members further resolve to delegate the negotiation of additional heads of terms to the s.106 Agreement to the Head of Planning as follows:

- o Policy Compliant level of contribution towards off-site indoor and outdoor sports provision
- o Policy Compliant level of Highway Infrastructure contributions as set out in the Infrastructure Delivery Plan (IDP) subject to consultation response from National Highways

(3) subject to the following conditions:- (as set out in the report)

Mr Mr Kieran Wheeler of Savills was present at the meeting and spoke in support of the application.

Cllr Parker addressed the Committee as Ward Councillor and thanked officers for the consultation process and early submission of plots.

Cllr Gelderbloem, Ward Councillor, praised the affordable housing and biodiversity.

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

Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Heard, McCheyne, Mrs Murphy, Mynott (10)

AGAINST: (0)

ABSTAIN: Cllrs Gorton, Munden (2)

The application was **APPROVED** subject to the revised Recommendation and conditions as stated in the report.

[Cllr Gorton declared a registerable interest as a Parish Councillor of Kelvedon Hatch Parish Council and confirmed he has not taken part in discussions concerning this matter at the Parish Council.]

215. 10 CROW GREEN ROAD PILGRIMS HATCH BRENTWOOD ESSEX CM15 9RA

This application relates to Council owned property.

Ms Jane Lowe presented the report.

Following a full discussion a motion to **APPROVE** the application was **MOVED** by Cllr Barber and **SECONDED** by Cllr McCheyne.

Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Heard, Gorton, McCheyne, Munden, Mrs Murphy, Mynott (12)

AGAINST: (0)

ABSTAIN: (2)

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

216. Response to Plan-making reforms: consultation on implementation

The Department for Levelling Up is proposing a number of changes to the plan-making process in order to allow plans to be made simpler, faster to prepare and more accessible. The proposal is focused around enabling local planning authorities to prepare a plan within a target of 30-months, which was first announced in 2020 Planning for the Future white paper.

Mr Quilter summarised the report.

Cllr Mynott thanked officers for the report and confirmed his support to the responses given.

Cllr Mynott **MOVED** the recommendations in the report which were **SECONDED** by Cllr Cuthbert.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY:**

To approve the response to the consultation on Plan-making reforms, as set out in Appendix A.

Reason for Recommendation

The Department for Levelling Up is proposing a number of changes to the plan-making process in order to allow plans to be made simpler, faster to prepare and more accessible. The Council has no objections to the principles outlined in the consultation, however, have raised that Local Plans must be far broader, and that clearer articulation of the expectations of Local Plans in the context of climate change, the natural environment, place-making and health

and wellbeing should be weighed equally with the three listed proposals. The Council has also requested that a clear definition is provided on what is meant by a beautiful place.

217. Urgent Business

There were no items of urgent business.

The meeting concluded at 21.20