

Minutes

Planning Committee Tuesday, 20th February, 2024

Attendance

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

Apologies

Cllr Heard	Cllr Munden
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Substitute Present

Cllr Barber
Cllr Laplain

Also Present

Cllr Sankey
Cllr Kendall
Cllr Parker
Cllr Lockhart – Blackmore Parish Council

Officers Present

Leigh Nicholson	-	Interim Director - Place
Caroline Corrigan	-	Corporate Manager (Planning Development Management)
Jonathan Quilter	-	Corporate Manager (Strategic Planning)
Daryl Cook	-	Senior Planning Officer
Fiona Dunning	-	Senior Planning Consultant
Paulette McAllister	-	Programme Lead - Strategic Housing Development Programme
Zoe Borman	-	Governance and Member Support Officer
Angela Abbott	-	Corporate Manager - Housing Needs and Delivery
Brooke Pride	-	Planning Officer
Brendan Johnston	-	Strategic Development Engineer, Essex Highways
Michael Rhimes	-	Legal Representative

LIVE BROADCAST

[Live stream will commence at 7.00pm and available for repeated viewing.](#)

374. Apologies for Absence

Apologies were received from Cllrs Heard and Munden. Cllrs Barber and Laplain were substituting respectively.

375. Minutes of the Previous Meeting

The Minutes of the previous meeting held on 16th January 2024 were agreed as a true record.

376. ADDENDUM REPORT 22/01347/FUL LAND EAST OF NAGS HEAD LANE, BRENTWOOD

This report is an addendum to the reports submitted to Planning Committee in July and November 2023.

At the November Planning Committee meeting it was resolved to refuse the above application based on highway safety grounds. The application was viewed as being contrary to Policy BE12: Mitigating the Transport Impacts of Development, point 1, which states 'Developments must not have an unacceptable impact on the transport network in terms of highway safety, capacity and congestion', due to the new access road being near a blind bend with no speed warnings or turning signs and the proposed visibility splays not enough to warn drivers.

Officers drafted a reason for refusal and, in accordance with Part 5.2, Part B paragraph 7.7 of the Constitution, shared the draft reason with the Chair of the Planning Committee. The Chair of Planning Committee requested officers share the draft reason with the Members who moved and seconded the motion to refuse the application. This was to ensure the draft reason for refusal fully covered their concerns. It became evident, in sharing the officers' draft reason for refusal, that the Committee in reaching its decision did not have all the facts on the speed limit of Nags Head Lane and this was material to the decision. For this reason, a decision could not be issued. The planning application is now referred back to Planning Committee for consideration of the application in its entirety.

Ms Fiona Dunning presented the report.

Mr Soni Sunger, objector, addressed the Committee.

The Committee then heard from Ms Kate Caruso representing Mascalls Gardens Residents' Association and their reasons for objecting to the application.

Mr Barnaby Orr, Crest Nicholson, addressed the Committee in support of the application.

Cllr Russell, not a member of the Committee, spoke in opposition to the application outlining specific concerns including landscaping, visual impact, ridge heights and traffic issues.

Cllr Kendall, also not a member of the Committee, spoke addressing his concerns including issues with Brentwood Gateway, overcrowding of homes and lack of appropriate infrastructure and services.

Ward Councillor Munden, also raised his concerns regarding the application in particular the over-cramming of homes, negative visual impact to residents and traffic impact on Nags Head Lane and Brook Street.

The Council's legal representative, Mr Michael Rhimes, clarified the reasons for the application's return to Committee, advising it was lawful under the Constitution and should be determined on the basis of planning grounds and with an open mind.

Mr Brendan Johnston, Essex Council Highways, advised Members that a safety audit had been undertaken with findings of no significant issues. Other safety aspects such as speeding had been investigated and evidence suggests speeding is not an issue in this location. No objections have been raised to the scheme by Essex Highways, National Highways and Brentwood's own Transport Consultants considered that it could be delivered without a major impact. A further safety audit would be carried out by Essex Highways, should the application be approved where signage and other aspects would be reviewed.

It was confirmed that the proposal did not include a 30mph speed limit on Nags Head Lane.

Following a full discussion a short adjournment took place for officers to respond to a query regarding Policy BE09 covering roads both on and offsite.

On recommencement of the meeting, Mr Rhimes clarified to Members the test on refusal on behalf of traffic grounds, that an unacceptable impact on highways safety or severe impact on road network would need to be demonstrated. Rigorous testing carried out by the statutory consultee, Essex County Council Highways, had found no indication of this. Mr Rhimes also explained S278, and advised it is usual in planning applications that the detail is considered later, and the S278 Agreement allows for the Local Authority to effect changes in the highway outside the red line of the planning application.

The application has been reviewed and deemed safe, and further details will be effected later, should the application be approved.

Mr Quilter confirmed that Policy BE09 covers road safety both on and off site.

Regarding concerns of Members as to the number of homes planned within the site, it was confirmed that around 125 homes were allocated in the Local Development Plan, and the application provides this number. Exceptionally strong reasons would need to be identified for refusal under those grounds.

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

A vote was taken and Members voted as follows:

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

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

ABSTAIN: Cllrs Bridge, Mrs Francois, McCheyne (3)

The Motion to **APPROVE** was **CARRIED**. The application was **APPROVED** subject to the conditions in the report.

Members requested that Ward Councillors be kept informed of the S278 Agreement, when appropriate.

[Cllr Mrs Francois left the meeting after this application.]

377. APPLICATION NO: 23/01180/FUL 24 PINE DRIVE INGATESTONE ESSEX CM4 9EF

This application had been referred to Planning committee at the request of Cllr Darryl Sankey for the following reasons:

- The original building is a bungalow, the 1st in a series of bungalows on that side of the street.
- The proposed property is a 2 storied property which will alter, compromise the street scene.
- The proposed development will be out of character with the existing street scene and set a precedent for potential development of similar bungalows and is over-development.
- There is a detrimental affect on no.22 as moves closer to that property's boundary than presently rather than central on the existing

plot and should not extend past the boundary of no.22 which will restrict light and view.

- The height and size of the proposed property will have an adverse impact on properties opposite both in terms of outlook and light.
- The size of the proposed property is larger than the existing bungalow and dwarfs the adjacent bungalow.

Mr Daryl Cook presented the report.

Mr Fisher addressed the Committee as an objector for reasons including out of character with existing properties and overshadowing.

Mr Marcus Bennett, the Agent spoke on behalf of the applicant, supporting the application.

Cllr Sankey, Ward Councillor, reiterated his concerns for opposing the application as did Cllr Gorton. Members voiced concerns regarding the positioning of the new dwelling.

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

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Laplain, McCheyne, Mynott (9)

AGAINST: Cllrs Murphy (1)

ABSTAIN: Cllr Gorton (1)

The Motion to **APPROVE** was **CARRIED**. The application was **APPROVED** subject to the conditions in the report.

378. APPLICATION NO: 23/01020/FUL ROWAN GREEN HALL ROWAN GREEN EAST BRENTWOOD ESSEX CM13 2ED

This application represents an asset belonging to Brentwood Borough Council and is therefore referred to the Planning Committee as per the Constitution.

Ms Brooke Pride introduced the report.

Cllr Dr Barrett, Ward Councillor, spoke in support of the application.

Following a short discussion a motion to **APPROVE** the application was **MOVED** by Cllr Dr Barrett and **SECONDED** by Cllr Mynott.

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Dr Barrett, Bridge, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Gorton, Laplain, McCheyne, Mrs Murphy, Mynott (11)

AGAINST: (0)

ABSTAIN: (0)

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

379. APPLICATION NO: 23/01433/FUL INGLETON HOUSE STOCK LANE INGATESTONE ESSEX CM4 9DY

The planning application is part of Brentwood Borough Council's Strategic Housing Delivery Programme, which seeks to utilise existing housing sites and provide better quality affordable housing for its residents and meet greenhouse emissions target of net zero by 2050 in accordance with the Climate Change Act.

Ms Fiona Dunning presented the report and advised she had, today, spoken with Essex County Council regarding the contributions sought for library services. The matter is unresolved, and as a result her recommendations within the report are unchanged. Ms Dunning advised that the report on page 135 refers to 2 dwellings being lost when in fact there is only one being lost overall. There are 23 houses being demolished 22 being provided. Also, page 140 of the report refers to car parking. This should read 41 spaces are required; based on 20 spaces for one-bed dwellings including the 5 refurbished dwellings and 14 spaces for the 7 2-bed dwellings and 7 visitor spaces. On page 141, Policy 5 of the Neighbourhood Plan, as discussed in the report, refers to street parking or public parking spaces, therefore, the loss of the parking spaces on the site is not contrary to the Neighbourhood Plan.

Ms Paulette McAllister addressed the Committee as the Applicant Representative in support of the application.

Cllr Sankey spoke as Ward Councillor, and although supported the application, pointed out issues including Stock Lane road safety and speed restrictions, inadequate car parking and lack of funding for services.

Cllr Gorton, Ward Councillor, also spoke supporting the application and echoed issues raised by Cllr Sankey and those relating to access to the site.

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

A vote was taken and Members voted as follows:

FOR: Cllrs Barber, Bridge, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Gorton, Laplain, McCheyne, Mrs Murphy, Mynott (10)

AGAINST: (0)

ABSTAIN: (0)

The motion to **APPROVE** the application was **CARRIED**. The application was **APPROVED** subject to conditions outlined in the report and delegation to officers to negotiate a suitable S106 contribution if required for library contributions after further discussions with ECC.

[Cllr Dr Barrett declared a non-pecuniary interest as Chair of Housing and did not vote.]

380. Response to the Thurrock Local Plan, Initial Proposals (Regulation 18) Consultation

This report seeks approval of a formal response from Brentwood Borough Council to the Thurrock Local Plan, Initial Proposals (Regulation 18) consultation. The consultation ran from 18 December 2023 and closed on 19 February 2024.

The response conveys broad support of Thurrock Council's aims in preparing a new Local Plan. The Council expresses concerns regarding the limited engagement that has taken place with neighbouring authorities, such as Brentwood Borough Council, and lack of information on how Thurrock plans to meet their development needs.

Thurrock Council has identified that their housing need is 23,320 new homes and has an ambition to provide 27,000 new jobs. The consultation document outlines various opportunity areas but does not include specific sites. Instead, the consultation document outlines six possible spatial options for delivering new homes, which include the amount of new homes that could be delivered without any green belt release (resulting in approximately 7,300 new homes) and other high density option with green belt release that could result in approximately 39,800 new homes. It is clear that Thurrock are dependent on a large strategic allocation to come forward at West Horndon in order to meet their housing needs. The Council has raised an objection, on the basis that there is too much uncertainty around the full extent of the proposal, lack of evidence to support the proposal, and potential impacts to Dunton Hills Garden Village. In addition, the consultation document identified a need for an additional 75 new gypsy and traveller pitches and 7 new travelling showperson plots, but no further information is provided on how these needs will be met.

The consultation document does not set out specific policies but does state the intentions to require new developments to achieve net zero homes, 35% affordable housing provision, and deliver 20% biodiversity net gains.

Mr Quilter presented the report.

Members welcomed the response and expressed a desire to add some wording to paragraph 4 around the overdevelopment and unreasonableness in this specific location.

Following a full discussion Cllr Murphy **MOVED** and Cllr Mynott **SECONDED** a motion to approve the recommendations.

A vote was taken by a show of hands and Members **RESOLVED** to:

Approve the response to the Thurrock Local Plan, Initial Proposals (Regulation 18) as set out in Appendix A.

Reasons for Recommendation

Thurrock Council is currently working towards a new Local Plan, with a possible Plan period of 20 years. The consultation document outlines high level initial proposals and opportunity areas and does not include specific draft policies or identification of sites. The consultation ran from 18 December 2023 until 19 February 2024.

Brentwood Borough Council is duty bound to undergo the duty to cooperate with neighbouring authorities on preparation of their local plans. In addition to being a neighbouring authority, both Thurrock and Brentwood are members of the South Essex Councils (SEC; previously referred to as the Association of South Essex Local Authorities ASELA), and therefore ongoing joint working and discussion on cross-boundary planning matters, such as unmet housing needs, is discussed as part of the preparation of the South Essex Joint Strategic Framework.

Despite the joint partnership in SEC, no formal duty to cooperate meetings had taken place prior to the launch of the Thurrock Local Plan, Initial Proposals consultation in December 2023. As both councils are duty bound to undergo the duty to cooperate, Brentwood has raised concerns that no prior engagement had taken place and has requested regular and more effective engagement moving forward.

381. Urgent Business

There were no items of urgent business.

The meeting concluded at 22:57