

# Minutes

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## Planning and Development Control Committee Tuesday, 6th January, 2015

### Attendance

Cllr Baker (Chair)	Cllr Mrs Hones
Cllr Mynott (Vice-Chair)	Cllr Hossack
Cllr Carter	Cllr McCheyne
Cllr Cloke	Cllr Morrissey
Cllr Mrs Henwood	

### Substitute Present

Cllr Aspinell (substituting for Mrs Squirrell)  
Cllr Quirk (substituting for Mrs Cohen)

### Also Present

Cllr Kendall	
Cllr Le-Surf	
Cllr Clark	
Cllr Mrs Davies	
Cllr Foan	West Horndon Parish Council
Cllr Lloyd	

### Officers Present

Gordon Glenday	Head of Planning & Development
Philip Cunliffe-Jones	Planning Solicitor
Claire Hayden	Governance and Member Support Officer
Caroline McCaffrey	Development Management Team Leader
Charlotte Allen	Senior Planning Officer
Martyn Earl	Senior Planning Officer
David Carter	Senior EHO
Hilary Gore	Strategic Development Manager (Highways), Essex County Council

**358. Apologies for absence**

Apologies for absences were received by Cllr Mrs Cohen, Cllr Quirk substituted and Cllr Mrs Squirrell and Cllr Aspinell substituted.

**359. Minutes of the previous meeting**

The minutes of the meeting held on 19<sup>th</sup> November 2014 were signed by the Chair as a correct record.

**360. Planning Applications and Matters**

The Chair reminded those present of the procedure to be followed in order to allow the public, etc, to speak at the meeting, where requisite notice had been given.

Notwithstanding any comments made by the public, etc, Members were reminded that they had to base their decision on the material planning considerations appertaining to each application.

**361. GREAT EASTERN MAIN LINE THROUGH BRENTWOOD BOROUGH  
HUTTON ROAD SHENFIELD ESSEX**

**CROSSRAIL INFRASTRUCTURE AND STATION WORKS IN  
BRENTWOOD BOROUGH COUNCIL, INCLUDING WORKS AT  
BRENTWOOD STATION, SHENFIELD STATION AND SIDINGS.**

**APPLICATION NO: 14/01016/CROSS**

The application previously went to the Planning and Development Control Committee meeting held on the 19<sup>th</sup> November 2014, but the item was deferred by Members, due to the lack lack of information and in some cases, conflicting information. The issues that were raised have been summarised below:

- The size of the work site required within Friars Avenue car park and space that would be retained for use as a public car park
- Land ownership issues with the proposed work site to the rear of 95 -105 Hutton Road
- Lorry routes to and from the work sites
- Positioning of fencing within Friars Avenue car park

Mr Matthew White, Surface Level Operations Director Crossrail was in attendance and addressed the committee setting out his support of the application.

Amendment to recommendation on page 37 of the report, to state informatives, not conditions.

Members expressed concerns with regards to width of roads for transportation use around Brentwood Station and the height restriction on bridges within Wash Road, Hutton. A Member suggested an ongoing review of vehicles will be undertaken.

Concerns were also raised towards the traders within Shenfield Station area and the effects on their businesses due the scheduled works. Crossrail are discussing alternative locations for the Taxi office.

A motion was **MOVED** by Cllr Baker and **SECONDED** by Cllr Mynott that the application be approved.

For: Cllrs Aspinell, Baker, Cloke, Mrs Henwood, Mrs Hones, Hossack, McCheyne, Morrissey, Mynott and Quirk (10)

Against: (0)

Abstain: Cllr Carter (1)

The motion was **CARRIED**.

**RESOLVED** that the planning permission is approved subject to the following informatives

U09179

Prior to commencement, a Lorry Management Plan shall be 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 include:

- i. Lorry routing as agreed with the Highway Authority and Local Planning Authority
- ii. Details of the number and size of construction vehicles per phase of development
- iii. Details of the proposed phasing of various construction / maintenance work elements
- iv. A Logistics Management Plan

U09180

A condition survey of lorry vehicle routes in the vicinity of the Crossrail worksites to be undertaken before and after the Crossrail works, and any damage to the highway caused by the Crossrail/Network Rail works construction traffic to be remediated within 3 months of completion of the Crossrail/ Network Rail works or as agreed with the Highway Authority.

U09181

Regular Traffic Liaison Group (TLG) meetings to be held between Crossrail, Network Rail, the contractor, Essex County Council and Brentwood Borough Council to discuss and agree the highway and transportation mitigation, and the traffic management associated with the Crossrail proposals at Shenfield and Brentwood. Any changes to the proposed logistics surrounding this project must be approved through the TLGs.

INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, PC4 and T2 the National Planning Policy Framework 2012 and NPPG 2014.

U02216

Any additional infrastructure required in conjunction with the Crossrail works that are not already included in the current Schedule 7 submission, should be included in an additional Schedule 7 submission for approval by Brentwood Borough Council and Essex County Council.

U02217

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

U02218

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973.

*(Cllr Quirk, declared a non pecuniary interest under the Council Code of Conduct by virtue of knowing a trader that is located near Shenfield Station)*

### **362. LAND WEST OF NORTH DRIVE HUTTON ESSEX**

#### **CONSTRUCTION OF FOUR DETACHED DWELLINGS**

##### **APPLICATION NO: 14/01190/FUL**

Mr Walker, the Applicant Representative was present and addressed the Committee in support of the application.

Councillor Hossack speaking both as Ward Member and as Committee Member spoke in support of the application.

A motion was **MOVED** by Cllr Hossack and **SECONDED** by Cllr McCheyne to approve this application.

The motion was **LOST**.

For: Cllrs Hossack and McCheyne (2)

Against: Cllrs Aspinell, Baker, Carter, Cloke, Mrs Henwood, Mrs Hones, Morrissey, Mynott and Quirk (9)

Abstain: (0)

After a full discussion, it was recommended by the Chair that this land be forwarded to the LDP for consideration.

Mr Glenday confirmed that the land is a potential option within LDP consultation.

A motion was MOVED Cllr Baker and SECONDED by Cllr Mynott to refuse with application.

The motion was **CARRIED**.

For: Cllrs Aspinell, Baker, Carter, Cloke, Mrs Henwood, Mrs Hones, Morrissey, Mynott and Quirk (9)

Against: Cllrs Hossack and McCheyne (2)

Abstain: (0)

**RESOLVED** that the planning permission is refused for the following reasons:

U09013

The proposal would be inappropriate development in the Green Belt as defined by the National Planning Policy Framework (The Framework). It would detract from the openness of the Green Belt and would represent an encroachment of development into the Green Belt countryside. The proposal would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 the objectives of which are fully consistent with the objectives of the Framework as regards development in Green Belts. The Framework indicates that within Green Belts inappropriate development is harmful and should not be approved except in very special circumstances. The Framework goes on to indicate that "very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The considerations set out by the applicant do not clearly outweigh the harm to the Green Belt arising from this proposal and it follows that the "very special circumstances" needed to justify the approval of inappropriate development in the Green Belt have not been demonstrated.

U09014

The proposal would detract from the character and appearance of this edge of built-up-area location in conflict with Policy CP1(i) of the Brentwood Replacement Local Plan and one of the core planning principles set out in the Framework which indicates that the intrinsic character of the countryside should be recognized.

U09015

The proposal fails to demonstrate that the development has been designed to minimise its impact on biodiversity and the proposal would therefore conflict with paragraph 109 of the Framework which indicates that the planning system should minimise impacts of development on biodiversity and where possible provide net gains in biodiversity.

Informative(s)

INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1,GB2 the National Planning Policy Framework 2012 and NPPG 2014.

INF20

The drawing numbers listed above are relevant to this decision

INF25

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

**363. PROPOSED NEW DWELLING COTTAGE GARDEN BEADS HALL LANE  
PILGRIMS HATCH ESSEX CM15 9QP**

**CONSTRUCTION OF DETACHED TWO-STOREY DWELLING AND  
DOUBLE GARAGE TO REPLACE STATIC CARAVAN.**

**APPLICATION NO: 14/01069/FUL**

Ms Whettingsteel, the Agent was present and addressed to committee in support of the application.

Councillor Aspinell spoke as Ward Member and Committee Member in support of the application. He considered that there are very special circumstances: the site was Previously Developed Land and the application

should be regarded as a replacement dwelling, as the foundation and chimney from the previous dwelling still remain; also the applicant has a disabled daughter in need of specialist housing and that a legal agreement to prevent sale together with conditions on this application be applied:

- Restrictions to prevent further development of the site.
- Removal of the caravan and tidying up the site
- Applicant withdraws his appeal to the Secretary of State.

A motion was MOVED by Cllr Aspinell and SECONDED by Cllr Morrissey to approve the application, subject to the conditions stated.

After a full discussion, Cllr Aspinell withdrew this motion and this was SECONDED by Cllr Morrissey to deferral the application for consideration of the legal arrangements to be discussed with the Applicant.

A motion was MOVED by Cllr Baker and SECONDED by Cllr Mynott to defer to application to the next meeting on 3.2.2015.

*(During the debate, Cllr Hossack withdrew from the meeting with derogatory remarks as he left the Chamber, therefore did not take part in the voting. Cllr Hones apologised for Cllr Hossack's remarks).*

**364. LAND TO THE FRONT OF 50 TO 72 HUTTON DRIVE HUTTON ESSEX  
CONSTRUCTION OF 8 PARKING BAYS.**

**APPLICATION NO: 14/00873/BBC**

Mr Harris was present and addressed the committee with objections from a number of residents to this application.

Mr Becket was also present and addressed the committee in support of the application.

Members raised concerns about commuters using the parking space and in walking distance to Shenfield Station and the issue by the objector on surface drainage. The Committee were advised that this surface drainage could be regulated by a condition to the grant of permission.

A motion was MOVED by Cllr Baker and SECONDED by Cllr Mynott that the application be approved.

For: Cllrs Aspinell, Baker, Carter, Cloke, Mrs Henwood, Mrs Hones, Hossack, McCheyne, Morrissey, Mynott and Quirk (11)

Against: (0)

Abstain: (0)

This motion was **CARRIED**.

**RESOLVED** that planning permission be approved, subject to the conditions recommended.

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.

DRA02A Development in accordance with drawings

Unless formally permitted by the local planning authority 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.

LAN04 Landscaping - Small Developments

No development shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, 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.

U08967

No development shall take place until details showing the means to prevent the discharge of surface water from the development onto the highway has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The approved scheme shall be carried out in its entirety prior to the car parking spaces becoming operations and shall be retained in the agreed format at all times.

Reason: To prevent hazards caused by water flowing onto the highway, in the interests of highway safety.



### Informative(s)

#### NF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1 the National Planning Policy Framework 2012 and NPPG 2014.

#### 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.

#### NF04

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.

### **365. Hands off our Open Green Space Petition**

A petition has been received from Cllr Louise McKinlay entitled "Hands off our open green space!"

The petition states the following: *"We the undersigned oppose any piecemeal plans to build on the open green spaces across Hutton and in the rural wards of Brentwood. We want to see such areas protected from development plans that the new Lab / Lib coalition running Brentwood Council put forward as part of the Local Development Plan, which will allocate land for building over the next fifteen years. Local people must decide."*

The petition is made up of 705 signatories.

Members asked that petition guidelines be circulated.

After a full discussion, a motion was MOVED by Cllr Aspinell and SECONDED by Cllr Mynott to amendment to recommendation.

2.1. That the petition is received, but wording is strongly criticised as it undermines the Local Development process.

Cllr Aspinell requested a requested a recorded vote in accordance with Part 4.1 of the Constitution Rule 9.5, 5 Members requested a recorded vote be taken and Members voted as followed:

For: Cllr Aspinell, Baker, Carter, Mynott, Morrissey and Quirk (6)

Against: (0)

Abstain: Cllr Cloke, Hones and McCheyne (3)

The motion was **CARRIED**.

**RESOLVED** to accept the recommendation.

*(Cllr Mrs Henwood left the meeting and therefore did not take part in the vote).*

### **366. Urgent Business**

There was no items of Urgent Business.