

---

PLANNING AND RIGHTS OF WAY PANEL  
MINUTES OF THE MEETING HELD ON 20 APRIL 2021

---

Present: Councillors Mitchell (Chair), Coombs (Vice-Chair), L Harris, Prior, Savage, Windle and Bell

Apologies: Councillors Vaughan

60. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

It was noted that following receipt of the temporary resignation of Councillor Vaughan from the Panel the Head of Legal and Democratic Services, acting under delegated powers, had appointed Councillor Bell to replace them for the purposes of this meeting.

61. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

**RESOLVED:** that the minutes for the Panel meeting on 16 March 2021 be approved and signed as a correct record.

62. **PLANNING APPLICATION - 20/01608/FUL - REDBRIDGE BUSINESS PARK**

The Panel considered the report of the Head of Planning and Economic Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Retrospective change of use of units 4, 5 and 5a to class B2 (vehicle preparation and spraying) and 2 x external flue extraction systems.

Mr McManus (Chair of the Redbridge Residents Association ), Mr Bradford (Agent), and Councillor Spicer (Ward Councillor) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that a trade effluent discharge licence has now been submitted and Southern Water are currently reviewing the submission. Officers are waiting for confirmation that the submission is sufficient to allow the discharge of condition 8 of permission 19/01973/FUL.

Additionally, the Panel noted that for clarity the conditions set out in the previous permissions for this site would be required to be added to any permission, as set out below.

The Panel considered the time period set out in the Noise and Odour Condition of the report required adjustment, and after a vote, confirmed that it wished the time period to be reduced to 6 and not the 8 weeks as set out in the report.

The Panel then considered the recommendation to grant conditional planning permission.

Upon being put to the vote the recommendation with the additional and amended conditions, was carried unanimously.

## **RESOLVED**

That approval to grant planning permission be delegated to the Interim Head of Planning and Economic Development subject to the receipt of no objection from Network Rail following consultation and the conditions set out within the report together with any additional or amended conditions set out below:

### **Amended Conditions**

#### 2.Restricted Use [Performance Condition]

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Order revoking, amending, or re-enacting that Order, the development hereby approved shall be used only for the purposes indicated in the submitted details, namely vehicle bodywork paint spraying within units 4 & 5, and in association with vehicle valeting and car storage operations taking place on units 7,8,9 & 10 of Redbridge Business Park, and not for any other purpose, including any other use within Use Class B2.

REASON: In the interest of the amenities of neighbouring occupiers and to enable a further assessment should further employment uses seek to operate from this site.

#### 4.Noise/Odour Report - Full compliance within 6 weeks. [Performance Condition]

Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved will be carried out in full accordance with all recommendations held within the 'Spraying Facility Noise & Odour Control Report' produced by Sound Advice Engineering, File Reference SAE-1235, Issue 1. Dated 18<sup>th</sup> March 2021 including the fully operational flue extraction system, within 6 weeks of the date of this decision notice. Thereafter the recommendations, equipment and working practices specified shall be maintained in full working order in accordance with the report for the lifetime of the development.

REASON: To protect the amenities of nearby residents.

### **Additional Conditions**

#### Adequate Turning Space [Performance Condition]

The turning space within unit 7 as shown on the approved plans relating to permission 11/01506/FUL, shall remain clear from permanent structures and shall be made available for turning manoeuvres by 7.5 tonne vehicles (or greater) so that they are able to enter and leave the business park in a forward gear. At no time shall structures or storage of any goods occur on unit 7 other than vehicles relating to the valeting process.

REASON: In the interests of highway safety.

#### On site vehicular parking (25 vehicles) [Performance Condition]

In accordance with the approved plans the business operation on site (Pit Stop Service) to which this application relates shall at no time accommodate more than 25 customer vehicles as shown on plan ref: 300.14 Rev B

REASON: To avoid congestion of the adjoining highway which might otherwise occur because of overspill parking caused by the business operation.

On site vehicular parking (location) [Performance Condition]

Vehicles associated with the use hereby approved, including those belonging to staff and those awaiting collection and/or servicing, shall only park within the red line as shown on plan ref: 300.14 Rev B. Throughout the occupation the development hereby approved the parking areas defined by the approved plans shall not be used for any other purpose.

REASON: In the interests of neighbouring residential amenity and to avoid congestion of the adjoining highway which might otherwise occur because the parking provision on site has been reduced or cannot be conveniently accessed.

Restricted use of heavy goods vehicles [performance condition]

Unless otherwise agreed in writing by the Local Planning Authority, no heavy goods vehicles shall be used on the site or used to transport vehicles to the site in associated with the business operation hereby approved.

REASON: In the interests of the amenities of the neighbouring residential occupiers.

63. **PLANNING APPLICATION - 21/00263/FUL- 27 OBELISK ROAD**

The Panel considered the report of the Head of Planning and Economic Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Change of use from C3 dwelling house to 6-bed C4 House in multiple occupation (HMO) (Retrospective).

Ian Knight (agent), and Councillor Payne (ward councillors) were present and with the consent of the Chair, addressed the meeting. In addition a statement from Mr Cronin a local resident was read at the meeting and distributed to the Panel.

The presenting officer explained that Condition 6 of the report needed to amended, as set out below.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

**Amended Condition**

06. Landscaping and Means Enclosures (Performance)

Within the 3 months of the decision notice date, the landscaping and means of enclosure works shall be carried out in accordance with approved drawing no. KAD-01-A-EX Rev B. The provision of the front wall shall be no taller than 600mm above ground level and the maximum height of the hedge shall be no taller than 600mm within 2m of the western pier of the front wall adjacent to the driveway entrance as laid out on the approved plans. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, the front boundary wall and hedge shall be retained and maintained for the lifetime of the residential use.

The approved landscaping scheme implemented shall be maintained for a minimum period of 5 years following its complete provision. Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

REASON: In the interests of visual and residential amenity and for avoidance of doubt.

64. **PLANNING APPLICATION - 21/00101/FUL - ITCHEN BUSINESS PARK**

The Panel considered the report of the Head of Planning and Economic Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Change of use of the land for car sales and construction of ancillary site office and workshop (retrospective).

Katherine Barbour and Sarah Brightwell (local residents/ objecting), and Peter Atfield (agent), were in attendance and with the consent of the Chair, addressed the meeting.

The presenting officer reported that confirmation had been received from the applicant that car transporters are, and will, no longer be used to deliver cars to the site for resale. It was noted that officers had amended Condition 5, as set out below, to reflect this. The Panel discussed the hours of delivery and agreed to make an amendment to this condition, as set out below.

The Panel considered a motion proposed by Councillor Savage and Seconded by Councillor Mitchell to add a further condition to the application that would grant planning permission for a period of 12 months, upon being put to the vote this was carried.

The Panel then considered the recommendation to grant planning permission with the amended conditions. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

**Amended Conditions**

3.Hours of Delivery [Performance Condition]

The delivery and collection of cars, by vehicle transporter (lorries, trucks etc), for resale shall not occur outside the following hours:

10:00 and 15:00 Monday – Friday.

The delivery and collection of cars, not by vehicle transporter, for resale shall not occur outside the following hours:

08:00 – 17:00 Monday to Saturday and 09:00 – 16:00 on Sundays and Bank Holidays.

REASON: In the interests of the amenities of the neighbouring residential occupiers and Kent Road residents.

5. Restricted use of delivery vehicles [performance condition]

In accordance with the Servicing Management Plan, which is hereby approved, and as detailed within the letter dated 16<sup>th</sup> April 2020 (reference PA/TP.83171) the applicant shall ensure that vehicles for re-sale associated with the business shall not be delivered to or collected by car/vehicle transporter. In the event that, due to unforeseen circumstances, a car/vehicle transporter is used there shall be no more than one car transporter delivery/collection per calendar week, and the vehicle shall be limited in size by having no more than two axels, shall not exceed 7.5 tonnes and shall not exceed 9m in length, and it shall have the capacity for a single vehicle only.

REASON: In the interests of the amenities of neighbouring and Kent Road residents; and to avoid congestion and obstruction of the adjoining & nearby accesses within the business park.

**Additional Condition**

Time Limited (Temporary 1 year) Permission Condition

The use hereby permitted shall be discontinued and the land restored to its former condition within 1 year of the date of this decision.

REASON: To enable the Local Planning Authority to review the special circumstances under which planning permission is granted for this type of development.

**COUNCILLOR COOMBS IN THE CHAIR**

65. **PLANNING APPLICATION - 21/00074/FUL - 30 BROOKVALE ROAD**

The Panel considered the report of the Head of Planning and Economic Development recommending that conditional planning permission be granted in respect of an application for a proposed development at the above address.

Extension of existing annexe/store building including a new pitched roof

Jane Jameson (local residents objecting), Katherine Barbour and Professor Joan Orme (supporters) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that 3 additional letters of support had been received since the publication of the report and that Tree Officers had been happy with the conditions set out in the report. It was explained that the wording of condition 6 would require to be amended as below to reflect the description as set out in the proposal.

The Panel then considered the recommendation to grant conditional planning permission. Upon being put to the vote the recommendation was carried unanimously.

**RESOLVED** that planning permission be approved subject to the conditions set out within the report and any additional or amended conditions set out below:

**Amended Condition**

06. Limitation to ancillary use (Performance)

The converted annex hereby approved shall only be occupied as a use ancillary to the main building and shall not be subdivided, sold, leased, separated or altered in any way so as to create a separate planning unit, or separate unit of residential accommodation without the grant of further specific permission from the Local Planning Authority.

REASON: To avoid any unacceptable sub-division of the plot which would be unlikely to satisfy either adopted or emerging Council planning policies with regards to new business operations, or self-contained residential accommodation.

**NOTE:** Councillor Mitchell declared that as a Trustee of the applicant she would be withdrawing from the meeting for this item