



Agenda

Planning and Licensing Committee

Tuesday, 13 December 2016 at 7.00 pm
Council Chamber - Town Hall

Membership (Quorum – 4)

Cllrs McCheyne (Chair), Ms Rowlands (Vice-Chair), Bridge, Faragher, Mrs Hubbard, Keeble, Mrs Middlehurst, Morrissey, Mrs Murphy, Mynott, Newberry and Ms Sanders

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 12
3.	Minutes of the Licensing Appeals Sub Committee		13 - 24
4.	Response to Highways England M25 Junction 28 Improvement Scheme Consultation	All Wards	25 - 40
5.	Response to Epping Forest Draft Local Plan	All Wards	41 - 52
6.	Brentwood Monitoring Report: Housing Delivery & Five Year Housing Supply	All Wards	53 - 106
7.	Enclosed dry recycling facility - Brentwood Borough Council Transport Depot, The Drive, Great Warley, Essex. CM13 3BH - Planning Application 16/01411/BBC	Warley	107 - 114

8. Urgent Business

A handwritten signature in dark ink, appearing to read 'P. L. Russell', with a large, sweeping underline.

Chief Executive

Town Hall
Brentwood, Essex
05.12.2016

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

Information for Members of the Public



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If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.



Private Session

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.



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Access

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.



Minutes

Planning and Licensing Committee Tuesday, 11th October, 2016

Attendance

Cllr McCheyne (Chair)	Cllr Keeble
Cllr Ms Rowlands (Vice-Chair)	Cllr Mrs Middlehurst
Cllr Barrell	Cllr Morrissey
Cllr Bridge	Cllr Mynott
Cllr Mrs Hubbard	Cllr Newberry

Apologies

Cllr Mrs Murphy

Substitute Present

Cllr Mrs Coe

Also Present

Cllr Mrs Davies	
Cllr Aspinell	
Cllr Foan	- West Horndon Parish Council
Cllr Lockhart	- Blackmore, Hook End and Wyatts Green Parish Council
Cllr Parker	

Officers Present

Paul Adams	- Principal Licensing Officer
Philip Drane	- Planning Policy Team Leader
Caroline McCaffrey	- Development Management Team Leader
Kathryn Mathews	- Senior Planning Officer
Claire Mayhew	- Governance and Member Support Officer
Christine Stephenson	- Planning Solicitor
David Carter	- Environmental Health Manager
Dave Leonard	- Licensing Officer
Brendan Johnston	- Highways Representative

166. Apologies for Absence

Apologies were received by Cllr Faragher, Cllr Mrs Coe was present as a substitute and Cllr Mrs Murphy, no substitute was present.

167. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee of 13th September 2016 were approved and signed as a true record.

168. Minutes of the Licensing Appeals Sub Committee

The minutes of the Licensing Appeals Sub Committee of 15th September were approved and signed as a true record.

169. Hackney Carriage Fares

Local Authorities have a power to set fares for hackney carriages. A request from representatives of the hackney carriage trade via the TTCG (Taxi Trade Consultative Group) has been received for an increase in the Taxi Fare, this reports seeks agreement to allow for public consultation as in accordance with the statutory requirements.

Cllr McCheyne **MOVED** and Cllr Ms Rowlands **SECONDED** the recommendation in the report, a vote was taken by a show of hands.

RESOLVED UNANIMOUSLY

1. **That the Committee agrees for the proposed table of fares, as set out in appendix A, to go out for public consultation, in accordance with the statutory requirement.**

REASON FOR RECOMMENDATION

The process of setting Hackney carriage Fares is prescribed by the legislation, this recommendation is compliant with the procedure to be followed.

170. 206 HATCH ROAD, PILGRIMS HATCH, ESSEX, CM15 9QN, NEW CHALET DWELLING TO REAR OF 206 HATCH ROAD WITH ACCESS VIA ALDERTON CLOSE, APPLICATION NO: 16/00752/FUL

Mrs Goodwin, was present and addressed the committee in objection to the application.

Mrs Simpson, Hatch Road Neighbours Association was also present and addressed the committee in objection to the application.

Mr Barker, Applicants Representative was present and addressed the committee in support of the application.

Cllr Mrs Davies, Ward Member spoke in objection to the application with concerns relating to the back garden development, harm to character and appearance, harm to neighbours, flood risk and precedent.

Cllr Aspinell, Ward Members also spoke in objection to the application in relation to parking, screening and surfacing materials.

The officer informed the committee that a letter had recently been received from Anglian Water and conditions 6 & 8 had been addressed.

After a full debate, Cllr Mynott **MOVED** and Cllr Mrs Hubbard **SECONDED** that the application should be **REFUSED** under policies CP1 (i) and (iii), H17 and Flood Risk.

A vote was taken by a show of hands.

FOR: Cllrs Mynott, Newberry, Mrs Hubbard, Keeble and Morrissey (5)

AGAINST: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Ms Rowlands and McCheyne (6)

ABSTAIN: (0)

The motion was **LOST**.

Cllr Barrell **MOVED** and Cllr Mrs Coe **SECONDED** that the application should be **APPROVED** subject to the addition of a condition re construction method statement and the removal of conditions 6 & 8 as requested by the Officer.

A vote was taken by a show of hands.

FOR: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Ms Rowlands and McCheyne (6)

AGAINST: Cllrs Mynott, Newberry, Mrs Hubbard, Keeble and Morrissey (5)

ABSTAIN: (0)

The motion was **CARRIED** and the application was **APPROVED**.

1 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.

2 U14642

Notwithstanding the details indicated in the application, no development shall take place above ground level until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

3 U13920

Prior to occupation of the proposed development, the occupiers shall be provided a Residential Travel Information Pack for sustainable transport, in accord with details which shall have first been submitted to and approved in writing by the local planning authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

4 U13921

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

5 LAN03 Landscaping - full - details submitted

The site shall be landscaped in accordance with the landscaping scheme indicated on the submitted drawings and specifications hereby approved. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme that has been agreed in writing by the local planning authority. 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.

6 U14673

No development shall take place until further excavations to confirm groundwater depths and soil testing have been completed in accordance with BRE365. No development shall take place until details have been submitted to and approved in writing by the local planning authority which demonstrate that the size of the soakaways have been designed on the basis of the further excavations and soil testing completed in accordance with BRE365. The development shall be completed and retained in accordance with the approved details.

Reason: In order to ensure satisfactory drainage of the development. This issue is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the surface water drainage for the proposal would be satisfactory in perpetuity. In the absence of this condition, it would have been necessary to refuse planning permission.

7 U14643

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above, specifications and the Surface Water Drainage Strategy submitted as part of the application (including the proposed connection/outflow to the public sewer, the piped overflow being situated above the top of the design water level in the soakaway and the flow rate of the overflow being a maximum of 5 l/s), unless otherwise required by any of the other conditions.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

8. Notwithstanding the Construction Method Statement submitted, no development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity.

(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of working for a local estate agent).

(Cllr Barrell and Cllr Mrs Coe declared a non-pecuniary interest under the Council's Code of Conduct by the virtue of living within the application area).

- 171. 114 ORCHARD AVENUE ,BRENTWOOD, ESSEX, CM13 2DP. REMOVAL OF CONDITION 4 (NO HEATING/COOKING EQUIPMENT SHALL BE USED ON PREMISES) OF APPLICATION 15/00145/FUL (CHANGE OF USE FROM MOTOR SPARES SHOP (RETAIL) TO CAFE (FOOD OUTLET)).APPLICATION NO: 15/01341/FUL**

Cllr Morrissey, Ward Member spoke in support of the application.

The officer informed the committee that an additional condition needed to be imposed requiring the installation of a grease trap and grease filter on Environmental Health advice.

Cllr Morrissey **MOVED** and Cllr Barrell **SECONDED** to **APPROVE** the application.

A vote was taken by a show of hands.

FOR: Cllrs Barrell, Mrs Coe, Mrs Middlehurst, Bridge, Mynott, Newberry,
Mrs Hubbard, Keeble, Morrissey, Ms Rowlands and McCheyne (11)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application is **APPROVED** subject to the following conditions.

1 U14681

No cooking/heating equipment shall be used on the premises other than a Bain Marie, grill, oven and hot plate griddle at any time.

Reason: To protect the amenities of the occupiers of local residents.

2 AME01 Applications for Amendments

This permission relates only to condition 4 of planning permission 15/00145/FUL and in all other respects the development shall be carried out fully in accordance with planning permission reference 15/00145/FUL granted on 26 June 2015.

Reason: To establish the scope of this permission.

3 DRA01A Development in accordance with drawings

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.

4 Within 1 month of the date of this planning permission, a grease trap shall be installed within the premises' drainage system and grease filter shall be installed after the baffles within the ventilation hood(s) in the kitchen, and both shall be retained in perpetuity.

Reason: To protect the amenities of the occupiers of local residents.

(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of working for a local estate agent).

172. Urgent Business

There were no items of Urgent Business.

The Meeting concluded at 20:20pm

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Minutes

Licensing/Appeals Sub-Committee Tuesday, 18th October, 2016

Attendance

Cllr Mrs Hubbard
Cllr Mrs Middlehurst

Cllr Newberry

Also Present

Cllr Mrs Slade (Ward Councillor)

Officers Present

Paul Adams	-	Principal Licensing Officer
Dave Leonard	-	Licensing Officer
Chris Pickering	-	Principal Solicitor
Jean Sharp	-	Governance and Member Support Officer

173. Appointment of Chair

The Sub-committee resolved that Cllr Newberry should chair the meeting.

174. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-Committee and the rules of natural justice would apply.

175. Declarations of Interest

There were no declarations of interest.

176. Highways Act 1980 - Application for Pavement Permit: Wildwood, 9-11 High Street, Brentwood, CM14 4RG

The report before members provided information of an application for a new premises license in respect of **Wildwood, 9-11 High Street, Brentwood CM14 4RG**.

Members were requested to determine the application having regard to the Application, the representations received and the Council's Pavement Permits Policy.

The application was received on 31 August 2016 from Tasty plc in respect of Wildwood, 9-11 High Street, Brentwood CM14 4RG and a copy was before the sub-committee. The applicant initially sought a pavement permit to place 8 two-top tables, 16 chairs, 10 posts and 8 barriers on the public footway directly outside Wildwood, 9-11 High Street, Brentwood CM14 4RG in an area measuring 10m x 2m for the following hours:

11:30hrs - 23:00hrs Monday-Thursday
11:30hrs - 23:30hrs Friday & Saturday
11:30hrs – 22:30hrs Sunday

Following consultation prior to the sub-committee meeting with the Licensing Office and Mrs Elaine Hanlon (Environmental Health), and in accordance with the Brentwood Borough Council Pavement Permit Policy, it was agreed that the number of tables and chairs, and the hours applied for, were reduced to;

4 two-top tables, 8 chairs and no barriers in an area measuring 10m x 2m for the following hours;

11:30hrs – 22:00hrs on Monday - Sunday

One representation was received from the Responsible Authorities: Mrs Hanlon (Environmental Health - Health & Safety) had concerns from a public safety point of view that the minimum distance between the tables and chairs and a fenced in tree directly outside the premises was insufficient to allow safe passage and failed to conform to Brentwood Borough Council's own Pavement Permit Policy. Mrs. Hanlon's representation together with her dialogue with the applicant and observations and recommendations from the Essex Police Licensing Officer and the Essex County Fire & Rescue Service were attached as Appendix 2.

Members noted that, in accordance with the Highways Act 1980, the Council was required to seek the consent of the frontagers with an interest in the application. In this instance, both neighbouring premises, Paradise Stores of 7 High and B&M Cycles & Toys of 13 High Street were notified and both made representation against the application citing that the available distance between Wildwood, the proposed tables, chairs & barriers and the fenced off tree would be insufficient for convenient pedestrian access and that this in turn would encourage them to circumvent the fenced tree thus taking potential customers away from their shops. A further representation, received from Ward Councillor Mrs Slade, cited the potential health issues caused from secondary smoking by those seated outside. These representations were attached as Appendix 3.

The Licensing Officer attended the location and recorded the distances from the tree planter fence to the frontage of the Wildwood restaurant with a laser

measurement device. The readings were 2.571m at the greater distance and 2.481m from the narrowest point. The Brentwood Borough Council Pavement Permit Policy and Guidance Notes were attached at Appendix 5.

The application guidance provided that "it is essential in all cases that an absolute minimum width of 1.8 metres of unobstructed highway is kept free for safe and convenient pedestrian movement".

The area was within a Designated Public Place Order, which evoked standard permit condition 15, which stated that " If the area to be licensed is contained within a Designated Public Places Order Zone then the area shall be clearly delineated by the use of barriers of a suitable nature to be agreed with the Licensing Authority".

A few days before the Sub-committee meeting, the applicant submitted two alternative seating plans (Options 1 and 2) and during the Sub-committee meeting two additional alternatives (Options 3 and 4) were submitted.

The Sub-committee considered in detail the written materials presented to it in the agenda and the photos and alternative seating plans presented to it at the meeting as well as the oral representations made. The Sub-committee had concerns over the flow of pedestrian traffic along the shop fronts, a point brought up in the objections from the neighbouring businesses. However, the Sub-committee was satisfied that Option 2 with tables away from the shop front and arranged around the fenced tree dealt with all the legitimate concerns from objectors. This option allowed for pedestrian flow along the shop fronts and would keep any cigarette smoke well away from neighbouring businesses.

The Sub-committee therefore resolved to grant the application based on the plan submitted as Option 2 (attached for information).

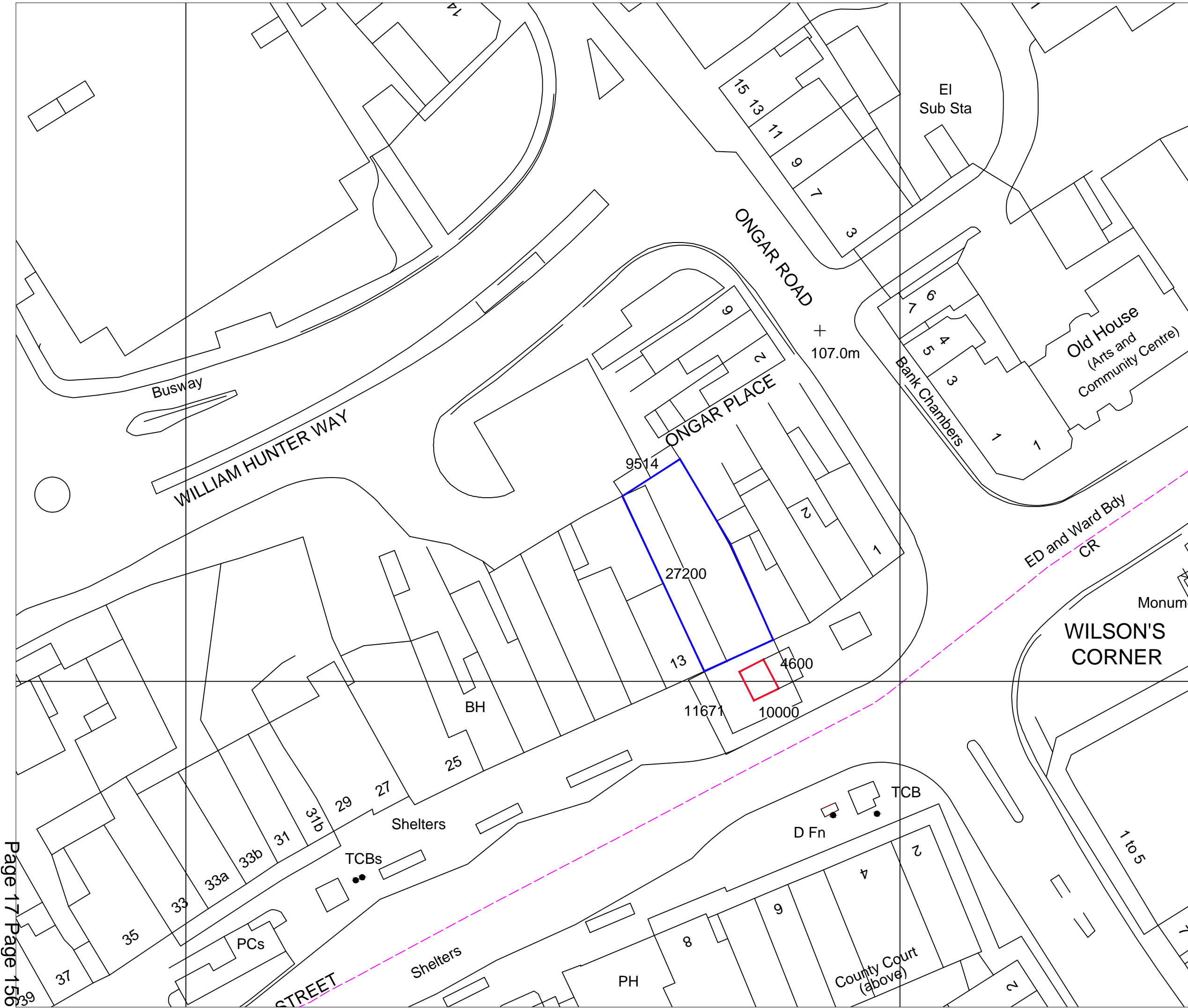
177. Determination of an application for Hackney Carriage & Private Hire Driver's Licence

The Sub-committee considered this matter in private session by virtue of Part 1 of Schedule 12 Local Government Act because it contained information relating to an individual.

An application had been received for a combined Hackney Carriage and Private Hire Drivers Licence. The application fell outside the Council's Pre-Licensing Conditions as the applicant had not held a DVLA Licence for longer than three years.

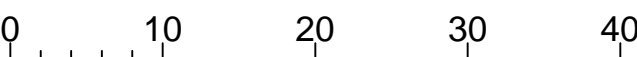
The Sub-committee considered in detail the written and oral information available to it. As a licensing authority, the Sub-committee recognised its position in ensuring the safety of residents when taking a taxi. Speeding offences were relevant to this consideration and might lead to a review of a

licence with further offences. However the Sub-committee decided to exercise its discretion and resolved to grant this application as applied for.

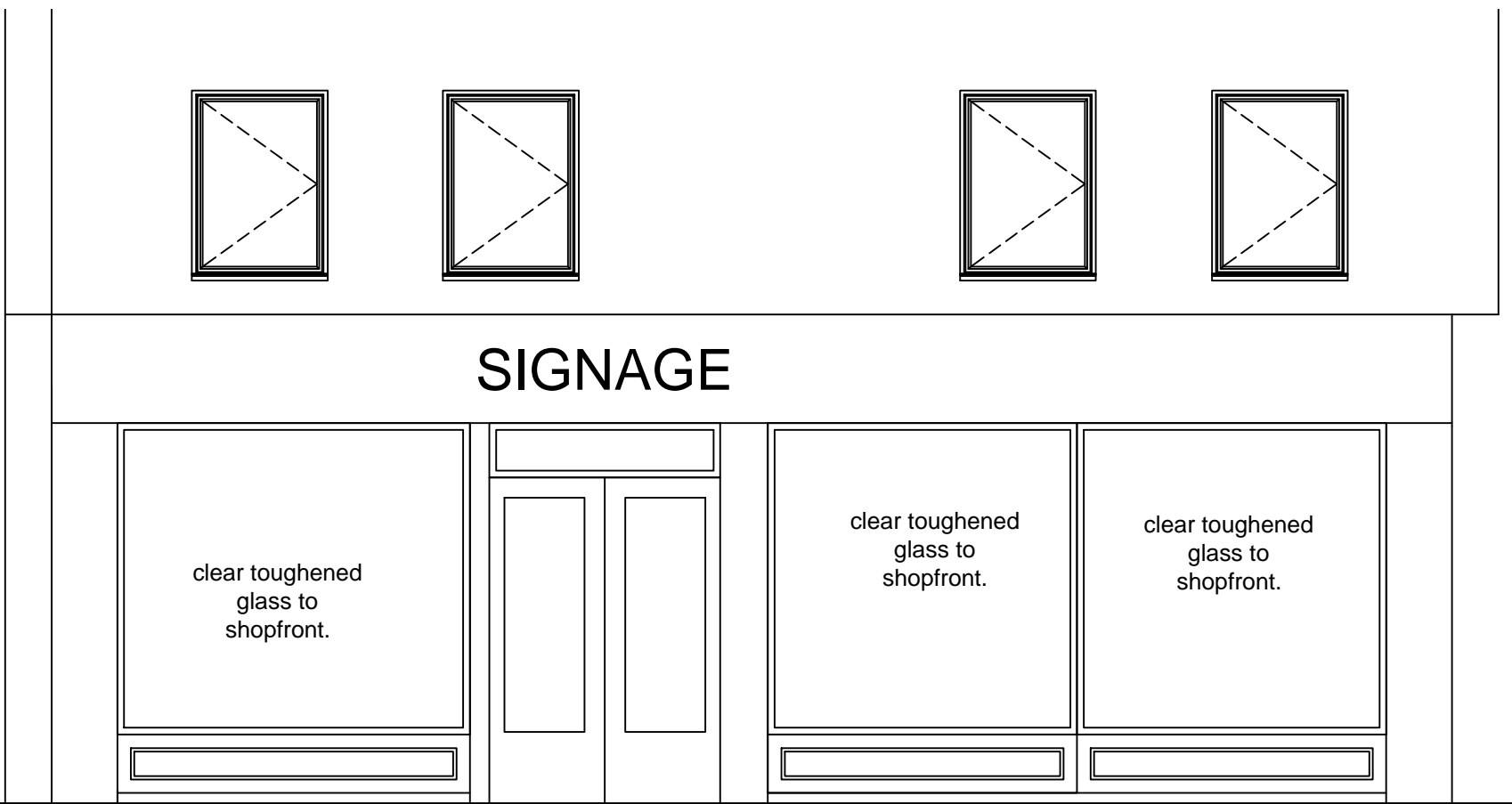


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SITE LOCATION PLAN 1:500 @A1



KEY	
	PROPOSED NEW AREA - EXACT LOCATION ON THE HIGHWAY
	ADJOINING LAND OWNED BY APPLICANT

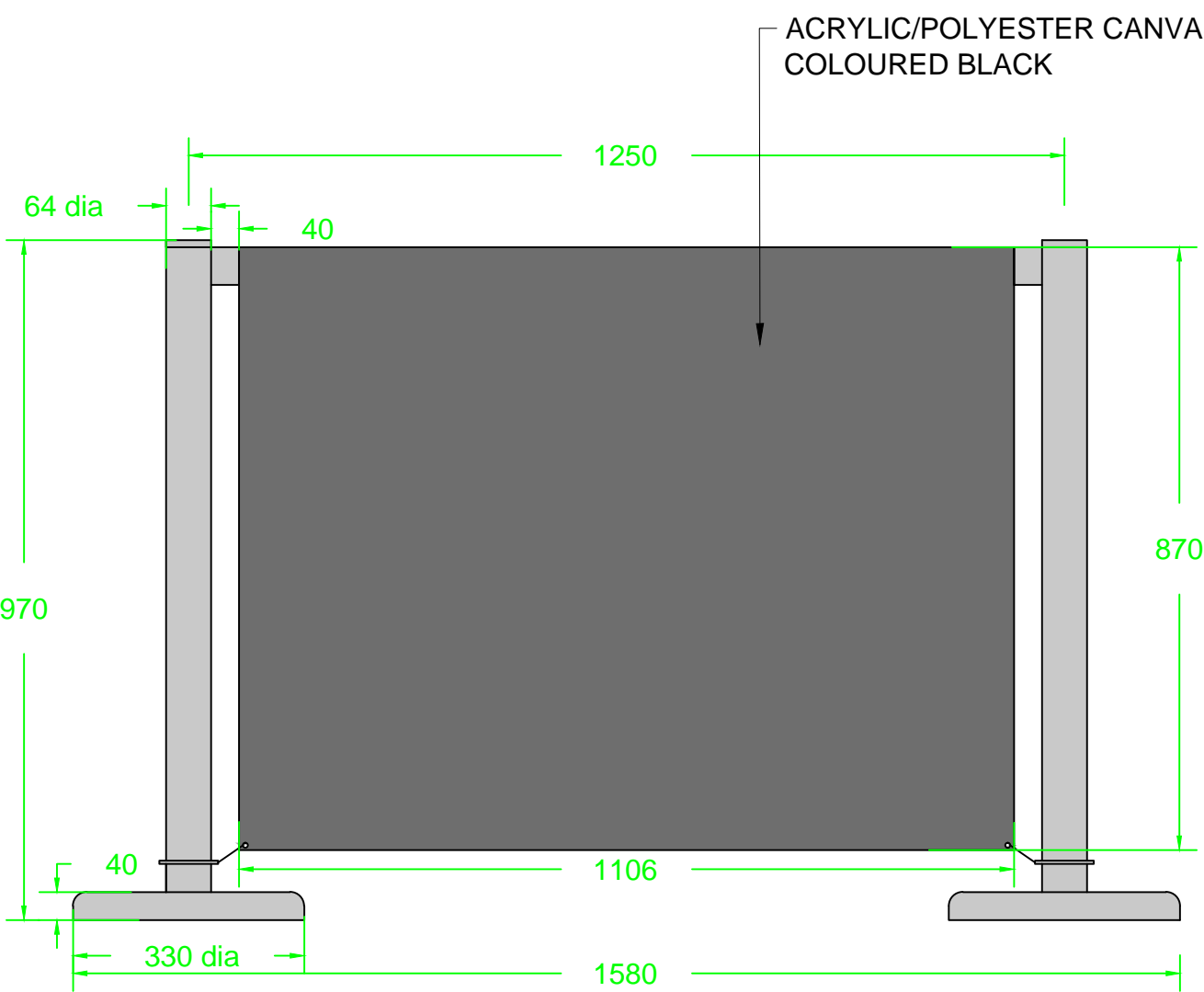


PROPOSED SHOP-FRONT



scale = 1:50@A1
FOR PLANNING PURPOSES

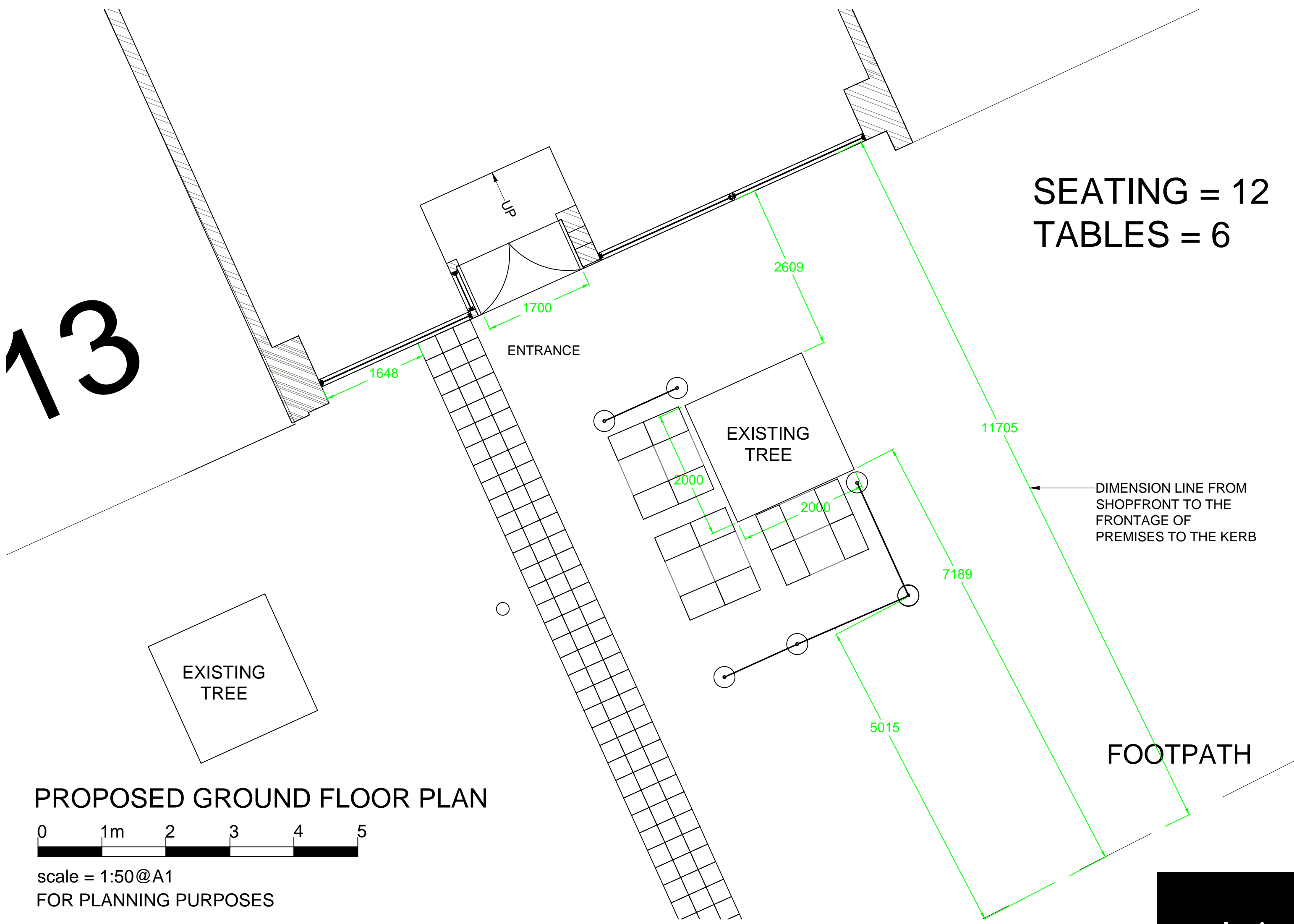
KEY	
	AREA FOR NEW EXTERNAL SEATING - 2M (D) X 10M (W)
	WINDBREAKS
	CHAIR: ROUND SIDE CHAIR, COLOUR ANTHRACITE . (H) 810 X (W) 620 X (D) 580MM
	CAMBI 600 X 600MM SQUARE TABLE IN BLACK POWDER COATED STEEL



ELEVATION
SCALE 1.10 @ A1



PLAN VIEW
SCALE 1.10 @ A1



PROPOSED GROUND FLOOR PLAN



scale = 1:50@A1
FOR PLANNING PURPOSES

Client: WILDWOOD	Project: BRENTWOOD	Title: OUTDOOR SEATING PROPOSAL 2	Drawing No: PL09	Scale: VARIES @ A1	Drawn: CM	Status: PL	Revision: C	Date: 13/10/16	DESIGN COMMAND
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Minutes

Licensing/Appeals Sub-Committee Tuesday, 18th October, 2016

Attendance

Cllr McCheyne
Cllr Mrs Middlehurst

Cllr Newberry

Officers Present

Paul Adams	-	Principal Licensing Officer
David Carter	-	Environmental Health Manager
Dave Leonard	-	Licensing Officer
Chris Pickering	-	Principal Solicitor
Jean Sharp	-	Governance and Member Support Officer
Heather Ziervogel	-	Environmental Health Officer

178. Appointment of Chair

The Sub-committee resolved that Cllr McCheyne should chair the meeting.

179. Administrative Function

Members were respectfully reminded that, in determining the matters listed below, they were exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter would be determined on the facts before the Sub-committee and the rules of natural justice would apply.

180. Declarations of Interest

There were no declarations of interest.

181. Licensing Act 2003 - Application for a Premises Licence: 236 Hutton Road, Shenfield, CM15 8PA

The report before Members provided information of an application for a new premises license in respect of **236 Hutton Road, Shenfield CM15 8PA**.

Members were requested to determine the application having regard to the operating schedule, the representations received, the Council's Statement of Licensing Policy and the four Licensing objectives.

This application was received on 23 August 2016 from Mr Kinnear in respect of 236 Hutton Road, Shenfield CM15 8PA.

The applicant described the premises as a restaurant and bar which was located in a high street style shopping parade with occupied residential flats above and was directly opposite Shenfield Railway Station.

The applicant sought a premises licence for the provision of the following licensable activities for the following hours;

Sale of alcohol;

08:00hrs-23:30hrs Sunday-Thursday and
08:00hrs-01:00hrs Friday & Saturday.

Live Music & Recorded Music, Performance of Dance & Anything Similar;

12:00hrs-00:00hrs Monday-Saturday and
12:00hrs-23:00hrs Sunday

Late Night Refreshment

23:00hrs-23:30hrs Sunday-Thursday and
23:00hrs-01:00hrs Friday & Saturday

Seasonal Variations

On the following days the permitted hours might be extended for an additional hour; Thursday, Friday, Saturday & Sunday of the Easter weekend. Friday, Saturday & Sunday of both May Bank Holidays & the August Bank Holiday, Christmas Eve & Boxing Day. Burns Night, Valentine's Day, St David's Day, St Patrick's Day, St George's Day, St Andrew's Day & Halloween provided that day is not followed by a normal working day. On New Year's Eve from the end of permitted hours until the start of permitted hours on the following day.

Opening Hours

08:00hrs-00:00hrs Sunday-Thursday
08:00hrs-01.30hrs Friday & Saturday

A set of conditions was proposed by the applicant in the operating schedule. The application was brought before the licensing sub-committee for determination following representations by responsible authorities (Essex Police and the Council's Environmental Health department) and following representations by local residents. Following discussions with the Police prior to the hearing, the Police withdrew their representation due to the acceptance

by the applicant of a condition relating to operation of a Challenge 25 age verification policy.

The sub-committee first heard from the licensing officer who outlined his report. The sub-committee then heard from the Council's Environmental Health (noise control) officer who outlined concerns regarding the running of a bar run by the applicant which was situated immediately next door to the applicant business. The sub-committee was informed that the neighbouring business was currently being prosecuted for breach of noise abatement notices but was informed by the applicant's solicitor, Mr Dadds, that this prosecution was being defended with vigour.

The sub-committee then heard from an objector, Mrs Holland. Following questioning from Mr Dadds, Mrs Holland informed the sub-committee that she was related to the landlord of the neighbouring business, Hollands Wine Bar, and she accepted that the Holland family had fallen out with the applicant over the running of that business. Mr Dadds submitted that the Holland family opposition to the current application related to disagreements relating to the landlord relationship with the applicant from the neighbouring business rather than anything to do with the applicant business.

The sub-committee then heard from Mr Dadds on behalf of the applicant. Mr Dadds quickly summarised the written documents contained in the agenda documents and responded to the other objections to the application. Mr Dadds highlighted the fact that this was a new application and as such it should be considered on its own merits. Mr Dadds drew the sub-committee's attention to para 1.17 of the Home Office's s182 guidance in support of this submission.

Mr Dadds submitted that there could not be crime and disorder concerns as the police had withdrawn their representation after discussions with the applicant. He also submitted that Hollands Wine Bar was a low crime establishment which was "not on the police's radar".

The sub-committee asked questions of the parties throughout the hearing and after offering all parties the opportunity to sum up their respective positions the sub-committee then retired to consider their decision and returned a short while later to deliver it.

Sub-committee members considered in detail the written and oral submissions and evidence put before them. The sub-committee noted that while this was a new application, it noted the detailed information presented to it by the Council's Environmental Health officer regarding the adjacent business which was controlled and run by the applicant. The sub-committee noted in particular the concerns regarding noise from the adjacent business and the submissions from Environmental Health regarding an earlier closing times for the applicant premises as a result.

The sub-committee noted the applicant's solicitor's submissions and volunteered conditions to deal with any potential issues and these were accepted by the sub-committee. The sub-committee still had concerns regarding the potential for noise nuisance as highlighted by environmental health however. The sub-committee resolved to grant the application with the

addition of the 'Challenge 25' age verification policy to conditions as listed on page 31 of the agenda (set out below) with the following variations:

- Para 8 shall be amended to include a condition that the removal of tables and chairs from the outdoor area and the closure of the outdoor area shall be included in the 22:00 deadline for the closure of the front of the premises (provided that the applicant is granted a pavement permit from the Council's licensing team). This condition was volunteered by Mr Dadds as a way to control potential noise emanating from the premises
- A para 10 shall be added with a requirement to install double entrance doors and for these doors to be closed from 22:00. Those doors shall be fitted with automatic closure devices. This condition was also volunteered by Mr Dadds as a way of lessening the noise emission from the front of the premises
- To alleviate any concerns regarding potential noise issues and to provide for a staggered closing time from the adjacent premises, the sub-committee decided to make minor amendments to the operating hours of the business as follows:

Sale of alcohol, live music, performance of dance and late night refreshment:

08:00 – 23:00 Sunday to Thursday

08:00 – 00:00 (midnight) Friday & Saturday

Opening Hours:

08:00 – 23:30 Sunday to Thursday

08:00 – 00:30 Friday & Saturday

The seasonal variations submitted on page 7 of the agenda were accepted by the sub-committee.

Listed conditions:

1. The Premises Licence holder shall ensure that a digital CCTV system shall be installed, operated and maintained at the premises. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The system shall continually record in real time at all times whilst the premises are open for licensable activities and customers are present.
2. The Premises Licence holder shall ensure that a staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when open to the public. This staff member must be able to show the police or other Responsible Authority recent data or footage with the absolute minimum of delay.
3. The Premises Licence holder shall ensure that all recordings made by the CCTV system shall be kept securely stored for a minimum of 31 days.

Recordings shall be made available to an authorised officer or a police officer upon lawful request (subject to the Data Protection Act 1998).

4. The Premises Licence holder shall ensure that a log book for all incidents, accidents and emergencies shall be maintained. This book shall include the following information and will be available upon lawful request to the police or other Responsible Authority;

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) All refusals of service
- d) Any complaints received
- e) Seizures of drugs or offensive weapons
- f) The full name of any person who has been involved in dealing with any of the above matters.

5. The Premises Licence holder shall ensure that when licensable activities are permitted beyond 00:00, SIA registered door supervisors shall be deployed from 21:00. When so employed, a door supervisors register shall be kept in which door staff shall sign to record their start and finish times along with their full name and SIA badge number.

6. The Premises licence holder shall ensure that staff engaged outside the entrance to the premises shall wear high visibility jackets or vests.

7. The Premises Licence holder shall ensure that, except for ingress and egress, the front door, back door and opening frontage of the licensed premises shall remain closed during the performance of licensed entertainment.

8. The Premises Licence holder shall ensure that The opening frontage of the licensed premises shall be closed and remain so from 22:00 until the beginning of licensable activities the following day.

9. The Premises Licence holder shall ensure that alcohol shall be served in toughened glasses where appropriate.

10. The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce will result in service being refused. Acceptable forms of photographic identification include:

- a) Passport,
- b) Photocard Driving Licence,
- c) Photographic ID bearing the 'PASS' hologram.

13 December 2016

Planning and Licensing Committee

Response to Highways England M25 Junction 28 Improvement Scheme Consultation

Report of: *Phil Drane – Planning Policy Team Leader*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 Highways England is consulting on proposals for improvements to Junction 28 of the M25 (Brook Street roundabout, Brentwood). Proposals relate to anti-clockwise traffic connecting with the A12 eastbound towards Chelmsford/Colchester/Ipswich. Views are being sought on three potential options.
- 1.2 In response to the consultation, a proposed response is set out with this report (see Appendix A). As a major national infrastructure project with implications for the Borough, it is important that the Council respond and further consider issues through the Local Development Plan and Duty to Cooperate processes.

2. Recommendation

- 2.1 To approve the response to the Highways England M25 Junction 28 improvement scheme consultation as set out in Appendix A.**

3. Introduction and Background

- 3.1 Highways England is consulting on proposals for improvements to Junction 28 of the M25 that connects with the A12. The improvements are needed to increase capacity and reduce congestion and delays.
- 3.2 Junction 28 plays a vital role connecting the M25 with the A12, as well as providing local access to Brentwood via the A1023 (Brook Street). It's a heavily used junction which features a roundabout mainly controlled by traffic lights. Up to 7,500 vehicles per hour currently travel through the roundabout at peak times. It is already operating at capacity; motorists regularly experience congestion and delays. Queuing from delays has an adverse impact on air quality.

- 3.3 A number of issues have been identified at this junction that impact the local and regional economies and their ability to achieve full potential.

These include:

- a) Congestion and delay disrupting journeys on the trunk road network and local roads;
 - b) Actual and significant perceived safety concerns connected to driver movements on the roundabout;
 - c) Resilience to incidents is poor, resulting in significant disruption and unreliable journey times; and
 - d) Poor air quality.
- 3.4 Research by Highways England shows that traffic in the area is expected to increase by up to 30% by 2037, with more than 9,000 vehicles per hour travelling through the roundabout at peak times.
- 3.5 Highways England state that without intervention, there will be further deterioration in traffic conditions with delays being at least five times greater and average speeds reduced by 25%.
- 3.6 Although this scheme is not directly focused on Brook Street, the proposed improvements to Junction 28 will deliver some benefits for those using the A1023.
- 3.7 If no improvements are made to Junction 28 by 2037 there will be:
- a) Increased congestion and lengthy queues, at least five times worse than at present;
 - b) A 25% reduction in average speeds through the junction (excluding mainline M25 and A12);
 - c) Widespread disruption following incidents;
 - d) Constraints on future development and growth opportunities; and
 - e) Local air quality issues to deteriorate further.
- 3.8 Construction on the project is due to begin by March 2020.

4. Issue, Options and Analysis of Options

- 4.1 Junction 28 of the M25 was reviewed by Highways England in the London Orbital and M23 to Gatwick Route Strategy Evidence Report. The M25 Junction 28 scheme was included in the March 2015 Road Investment Strategy. In response to this a delivery plan was developed which outlines the next steps for taking the scheme forward. These include:
- a) Develop and assess a range of options to inform consultation with key stakeholders;
 - b) Engage more widely with local stakeholders;

- c) Further develop proposals and assess traffic and environmental impacts; and
 - d) Make recommendations on the preferred route.
- 4.2 A shortlist of three options has been drawn up by Highways England to solve identified junction issues that will worsen over time if not resolved. All options will divert traffic away from the roundabout, with a new dedicated loop road between the M25 (anti-clockwise) and A12 (eastbound towards Chelmsford/Colchester/Ipswich). However, each option requires a different approach to achieve this. All the proposed options involve construction work taking place to the west of the M25, which is within the London Borough of Havering.
- 4.3 The traffic modelling does not include the proposed widening of the A12, which is not yet an approved scheme, but the options for construction work enable such a scheme to be carried out without a need to revisit the Junction 28 construction works.
- 4.4 Maps of each shortlisted option proposed by Highways England (5B, 5C and 5F) are set out in Appendix B.
- 4.5 **Option 5B:** Single lane loop road, widening of existing M25 bridge over Junction 28 (Brook Street roundabout). This option involves the following components:
- a) Creating a new single lane loop road, with hard shoulder for traffic travelling from M25 anti-clockwise to A12 eastbound;
 - b) Providing an overbridge at A12 eastbound exit road to allow the proposed loop road to join the A12 eastbound carriageway;
 - c) Works on A12 eastbound to maintain existing access to Maylands Golf Course;
 - d) Rearranging the A12 road markings to allow the new loop road to join the A12 and accommodate two lanes through the junction; and
 - e) Widen the M25 overbridge to accommodate a new exit road.
- 4.6 **Option 5C:** Single lane loop road, widening of short section of M25. This option involves the following components:
- a) Providing a bridge over the M25 anti-clockwise entry road to facilitate the new loop road;
 - b) Creating a new single lane loop road with hard shoulder, for traffic travelling from M25 anti-clockwise to A12 eastbound;
 - c) Providing an overbridge at A12 eastbound exit road to allow the proposed loop road to join the A12 eastbound carriageway;
 - d) Works on A12 eastbound to maintain existing access to Maylands Golf Course;
 - e) Rearrange A12 road markings, including entry road, to allow the new loop road to join the A12 and accommodate two lanes through the junction; and

- f) Use existing hard shoulder on M25 anti-clockwise carriageway to provide proposed exit road.
- 4.7 **Option 5F:** Two lane loop road, widening of short section of M25, reconfiguration of A12. This option involves the following components:
- a) Creating a new 2 lane loop road with hard shoulder for traffic travelling from M25 anti-clockwise to A12 eastbound;
 - b) Works on A12 eastbound to maintain existing access to Maylands Golf Course;
 - c) Providing an overbridge at A12 eastbound exit road to allow the proposed loop road to join the A12 eastbound carriageway;
 - d) Reconfiguring A12 to accommodate two lanes joining the A12 eastbound from the proposed loop road;
 - e) Widening M25 anti-clockwise carriageway to provide proposed exit road; and
 - f) Providing a bridge over M25 anti-clockwise entry road to facilitate new loop road.
- 4.8 The construction duration for all three options is estimated at two years and three months.
- 4.9 The estimated project cost ranges from:
- a) £61.3m for Option 5B;
 - b) £72m for option 5C; and
 - c) £79.5m for Option 5F.
- 4.10 In terms of benefit to cost ratio Option 5C performs the best, followed by Option 5F then Option 5B. If Option 5B is chosen there would be a clear opportunity for a dense tree belt planting scheme which could mitigate adverse impacts on air quality.
- 4.11 The average expected improvement in journey time through Junction 28 is the same for all options, 1 minute 5 seconds at AM peak, 2 minutes 25 seconds at PM peak, and 10 seconds off-peak.
- 4.12 The impacts of all three options are considered to be broadly the same and are set out below:
- a) **Air Quality:** Could lead to a potential reduction in air pollution levels at properties near the existing slip roads but an increase at properties near the new loop road, this will need to be investigated further. Traffic using the roundabout should be able to move more freely reducing the number of stationary vehicles and lead to improved air quality. Queuing of stationary vehicles is inevitable with traffic lights. Tree planting enables some of the pollutants to be absorbed.
 - b) **Landscapes:** People living and working in nearby areas are likely to see changes to views of the local landscape. The consultation paper states “Any potential impacts will be mitigated, for example through tree planting”, but no landscape proposals are shown and will be

reserved for later stages. As noted above, Option 5B entails the acquisition of Grove Farm, which would then provide the opportunity for planting a dense tree belt with environmental enhancement benefits.

- c) **Heritage and Historic Environment:** No effects anticipated on designated heritage assets, investigations will take place for potential effects on buried archaeology.
- d) **Nature Conservation:** Potential impact on habitats and protected species (great crested newts and dormouse) within the Ingrebourne Valley Site of Importance for Nature Conservation. Aim to avoid areas of ecological importance but if this is not possible it will be replaced or enhanced.
- e) **Water Environment and Drainage:** Potential impact on Weald Brook, River Ingrebourne and the streams that feed into them. These will be mitigated throughout the design process.
- f) **People and Communities:** During construction, any effect on people's access between communities is expected to be minimal with all existing routes maintained. Some minor alterations to the access of Maylands Golf Course may be required. There may also be loss of some private land. Option 5B necessitates the acquisition of the whole of Grove Farm whereas the other two options have less land take.

5. Reasons for Recommendation

- 5.1 Brentwood Borough Council's proposed response to the consultation is set out at Appendix A. The response broadly supports the need for improvements to M25 Junction 28.
- 5.2 The response supports the schemes intention to take M25 traffic travelling anti-clockwise onto the A12 eastbound carriageway, thereby relieving Brook Street roundabout somewhat and creating capacity. However, concerns are highlighted that queuing traffic originating from Brook Street A1023 backing up onto the roundabout and then the A12 and M25, does not appear to be addressed directly as part of these proposals.
- 5.3 The response emphasises the importance of the scheme addressing the potential impacts on Green Belt. This area serves as an important separation between the edge of the Brentwood urban area and Greater London, specifically Harold Park at the edge of the London Borough of Havering. The level of growth being planned in the emerging Brentwood Local Plan is also raised, which is likely to have an impact on Junction 28. Highways England has been encouraged to take into account the emerging highways modelling evidence being produced to support the Local Plan, as well as evidence from other plans being prepared by local authorities in the wider area.

6. Consultation

- 6.1 Highways England is undertaking public consultation between 14 November 2016 and 6 January 2017. Responses will be analysed and incorporated into a consultation report. A second public consultation is due to take place once detailed designs are complete, although a date has yet to be set.
- 6.2 Copies of consultation materials, maps and questionnaires are available to view at a number of deposit locations during the consultation period, including Brentwood Library. In addition, a series of Public Information Events have been arranged across the local area including one event at South Weald Parish Hall on 9 December 2016 and two at the Holiday Inn on Brook Street on the 4 & 5 January 2017.

7. References to Vision for Brentwood 2016-19

- 7.1 The proposed improvements to the M25 Junction 28 represent a scheme with impacts on one of the major routes into Brentwood. Although there is no direct reference made in the Council's 'Vision for Brentwood' Corporate Plan 2016-2019, the project has implications for the Local Development Plan and other Council priorities, including supporting economic growth.

8. Implications

Financial Implications

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- 8.1 There are no direct costs relating to the Council apart from officer time and this will be contained within existing budgets. The potential economic benefits of the improvements to M25 Junction 28 will benefit Brentwood businesses and contribute to unlocking growth opportunities in the Brentwood area, as proposed in the Brentwood Draft Local Plan.

Legal Implications

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- 8.2 This is a major national infrastructure project with implications for the Borough, it is important that the Council respond. There will be a further consultation on the details of the selected option. Further issues will also have to be considered through the Local Development Plan process. Engagement in this way is consistent with the Duty to Cooperate and the Council's adopted Statement of Community Involvement.

- 8.3 The Consultation papers do not include landscaping proposals, although asserting that tree planning will mitigate any potential impacts. On the consultation drawings, it seems that only Option 5B involving the acquisition of Grove Farm will allow significant new tree planting opportunities.

9. Background Papers

- a) M25 Junction 28 improvement scheme consultation brochure (November 2016) (available to view at:
<http://roads.highways.gov.uk/projects/m25-junction-28-improvements/>)

10. Appendices to this report

Appendix A - Brentwood Borough Council response to the M25 Junction 28 Improvement Scheme Consultation

Appendix B - Maps of Highways England M25 Junction 28 Improvement Options 5B, 5C and 5F

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Brentwood Borough Council response to M25 Junction 28 Improvement Scheme consultation | November 2016 – January 2017

Principle

1. The Council supports the need for improvements to M25 Junction 28 (Brook Street roundabout). Evidence and extensive local experience shows that this junction is heavily congested. This not only delays journeys but also has a negative impact on the local and national economy.

Need for junction improvements

2. The Council notes evidence that Highways England have provided regarding the existing situation at M25 junction and the need for improvements to capacity. It is understood that the need for the scheme was identified as part of the Road Investment Strategy (RIS) and the capacity issues are attributed to:
 - a) High volumes of traffic on movements between the M25 and the A12 towards Essex passing through the roundabout section;
 - b) The relatively high volumes of traffic to and from Brentwood via the A1023 Brook Street, accessed via an uncontrolled intersection on the roundabout; and
 - c) Limited capacity on the roundabout section due to the high traffic levels and the capacity of the signalised intersections.
3. The options that are presented in the consultation brochure look to address the capacity issues through the creation of a loop road that provides a direct link for traffic travelling anti-clockwise on the M25 onto the eastbound carriageway of the A12.

Junction improvement options

4. The Council has the following comments which apply to all three options that have been presented as part of the consultation.
5. It appears that the scheme for a loop road will serve to increase capacity of the junction by removing traffic travelling from the M25 anti-clockwise onto the eastbound A12 carriageway. However, it does not appear that any works are proposed to address the issue of queuing traffic originating from the A1023, Brook Street. The consultation brochure acknowledges that when the signalised junctions at Mascalls Lane and Nags Head Lane operate over capacity during peak times this causes queues onto Junction 28 and then the A12 and M25. The Council has the view that if this is not addressed as part of the scheme the problem will continue to persist as the same levels of traffic will continue to want to access Brook Street via this junction. This queuing traffic will also continue to

add to the existing air pollution at the junction. It is acknowledged that the A1023 is not within the control of Highways England and further work with Essex County Council (local highway authority) will be required to decide on an appropriate solution. It is not clear from the consultation material whether signalling the Brook Street arm of the roundabout would be the most suitable option.

6. While it is acknowledged that a solution is required to address vehicle congestion the junction is also the location for a Byway which crosses the southern end of the A1023, runs south of The Poplars and then crosses the M25 slip-road onwards to Putwell Bridge Farm and Oak Farm, to the south of the M25. The Council is working with Essex County Council on improving the Borough's cycling networks and looking at solutions to overcome major road and infrastructure barriers to connect to wider cycling / walking networks across Essex. These types of considerations will also need to be taken into account when looking at improvements to the Brook Street junction, as part of a more comprehensive scheme.
7. The Council is pleased to note that on page 19 of the Technical Appraisal Report that the Brentwood Local Plan 2005 and emerging Local Plan were considered as part of developing the options. We would emphasise the importance of the Green Belt designation in this area which provides separation between the edge of the Brentwood urban area and Greater London, specifically Harold Park, which is part of the London Borough of Havering. Whilst there is already an existing road structure the addition of a large loop road presents a new incursion into the Green Belt which could particularly impact on the openness due to its scale and height. As the scheme advances the Council would be keen to ensure that this is properly addressed and justified.
8. The Brentwood Draft Local Plan February 2016 did not identify any housing or employment allocations on land nearby to Junction 28. However, it is important to note that there is a significant level of growth proposed in the Borough with a large amount focused in and around the Brentwood urban area. It is likely that this growth will impact on Junction 28 through increased car journeys made by new residents. Work on the highway modeling evidence to accompany the Local Plan is ongoing and we would be keen to ensure that the outputs of this work are taken into account where possible. As part of a more comprehensive approach to traffic modelling the Council is also keen to better understand the Highways England research information on traffic forecasts for this junction. It is hoped that technical information can be shared and discussed as part of ongoing dialogues with Highways England on the Brentwood Borough Traffic Model.
9. In time a more comprehensive solution is required to deal with the traffic travelling westbound on the A12 onto the M25 on either a clockwise or anti-clockwise direction. Whilst this may not be appropriate to address as part of this scheme it is something the Council feel should be considered for the long term. This is particularly relevant when considering the future levels of housing and employment growth being planned along the A12 corridor throughout Essex and Suffolk – a significant proportion of which is likely to access M25 Junction 28 if accessing Greater London of wider transport network connected to the M25.

Future Engagement

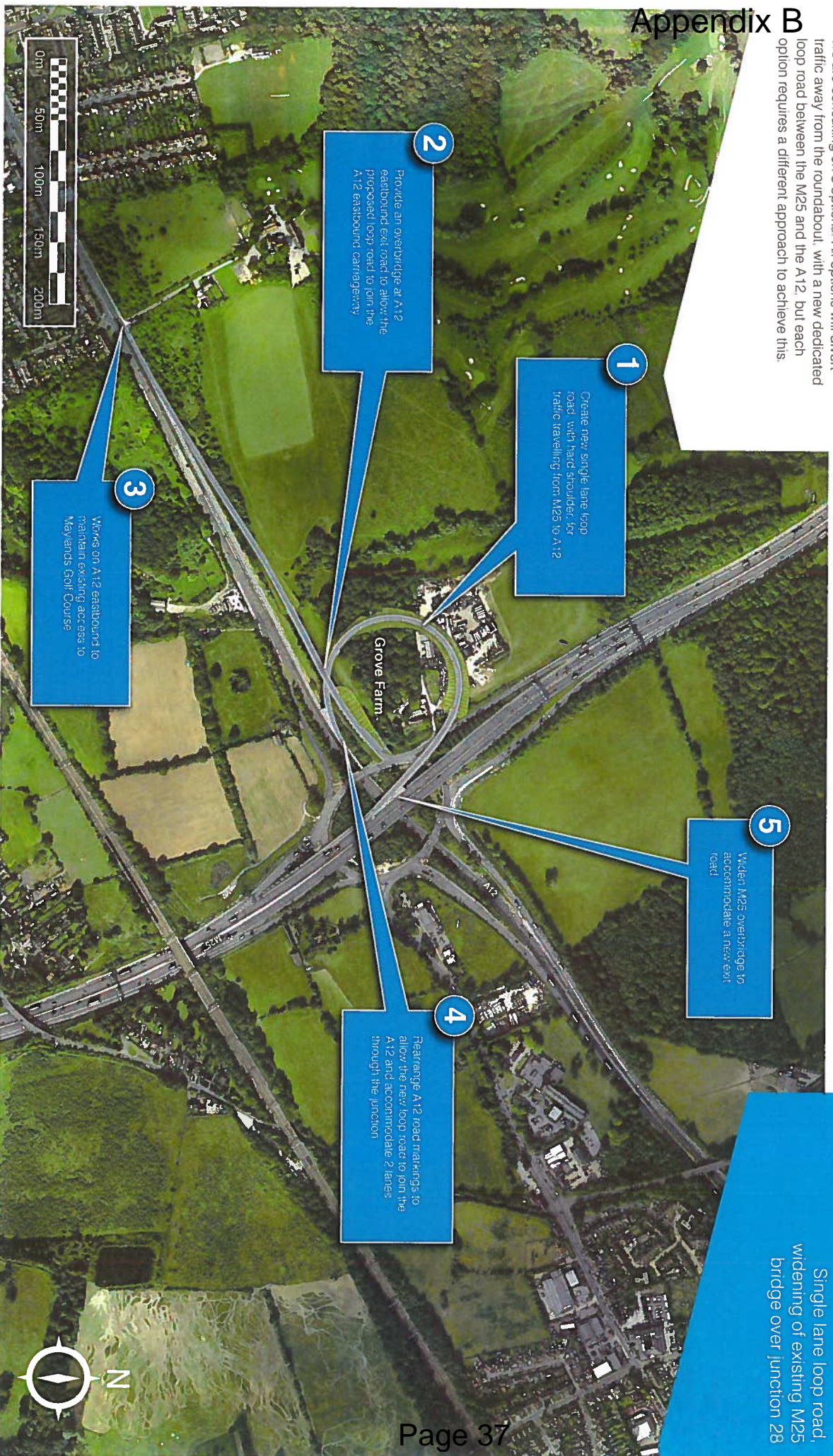
10. We thank Highways England for involving the Council in this key public consultation and note the effort that has gone into preparing consultation material and holding public information events. The Council looks forward to continued dialogue on the subject.

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Options we are considering

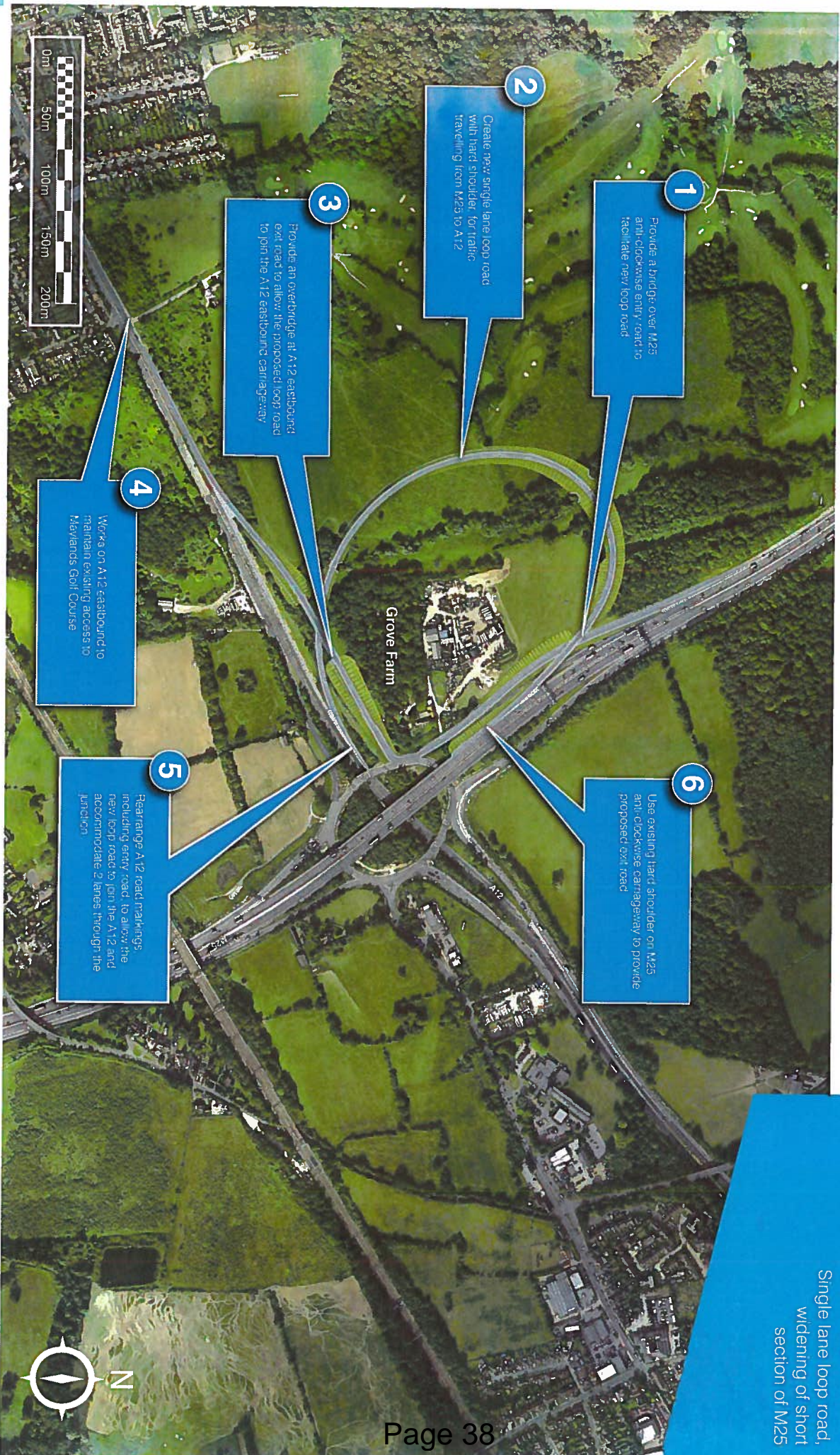
We are consulting on 3 options. All options will divert traffic away from the roundabout, with a new dedicated loop road between the M25 and the A12, but each option requires a different approach to achieve this.

Appendix B



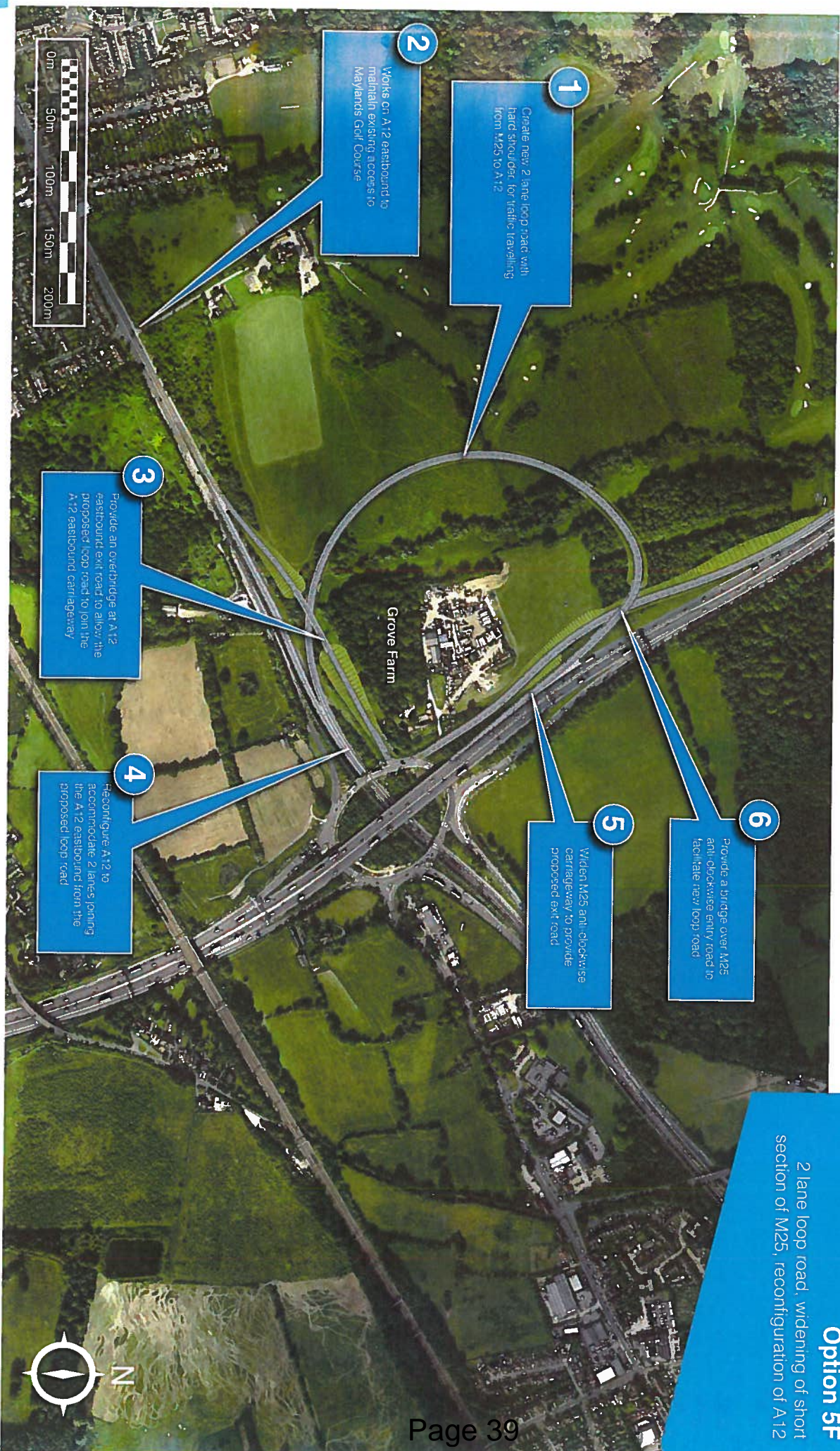
Option 5C

Single lane loop road,
widening of short
section of M25



Option 5F

2 lane loop road, widening of short section of M25, reconfiguration of A12



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13 December 2016

Planning and Licensing Committee

Response to Epping Forest Draft Local Plan

Report of: *Phil Drane – Planning Policy Team Leader*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 This report seeks Members approval on a formal response to Epping Forest District Council's Draft Local Plan consultation (October 2016). An early response was submitted to comply with the consultation deadline, subject to the approval of the Council's Planning and Licensing Committee.
- 1.2 The Council's response sets out general support for the Epping Forest Draft Local Plan's strategic objectives and vision, with some concern expressed over the longer term allocation of housing sites within the sub-regional housing market area.
- 1.3 Both Council's have a "duty to cooperate" on strategic priorities, such as planning issues that cross administrative boundaries. These priorities include housing and Gypsy, Traveller and Showpeople site allocation, conservation of the natural environment and Green infrastructure. Work is ongoing between the two Councils to continue development of their respective Local Plans.

2. Recommendation

- 2.1 To approve the response to the Epping Forest Draft Local (October 2016), as set out in Appendix A.**

3. Introduction and Background

- 3.1 Epping Forest District Council held a public consultation on a Draft Local Plan for the statutory minimum of six weeks from Monday 31 October to Monday 12 December 2016. The Local Plan is at an early stage of the

plan-making process (Regulation 18), which details strategic overview of development; site specific proposals for housing, employment and Travellers; as well as draft policies that manage development within Epping Forest District. In time this will replace combined policies of the Epping Forest District Local Plan (1998) and Alterations (2006).

- 3.2 Brentwood Borough Council is duty bound to undergo the duty to cooperate with neighbouring authorities on preparation of their Local Plans. The Council's response has been limited to comments on high level strategic issues that impact directly on Brentwood Borough.

4. Issue, Options and Analysis of Options

- 4.1 The National Planning Policy Framework (NPPF) requires each local planning authority to produce a local plan. This should set out strategic priorities for the area and plan positively for development and infrastructure needs, in line with national policy and guidance.

- 4.2 Local plans should include strategic policies to deliver:

- a) Homes and jobs needed in the area;
- b) Provision of retail, leisure, and other commercial development;
- c) Provision of infrastructure for transport, telecommunications, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- d) Provision of health, security, community and cultural infrastructure and other local facilities; and
- e) Climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.

- 4.3 Epping Forest District Council's vision for the district's development over the plan period are:

Environment and Design

- a) To protect the Metropolitan Green Belt within its revised boundary, and to encourage the re-use of previously developed land;
- b) To protect Epping Forest and its setting, including the buffer lands;
- c) To protect, and encourage appropriate management of other designated wildlife sites in the district, including the Lee Valley Special Protection Area, Sites of Special Scientific Interest, Local Nature Reserves and Local Wildlife Sites;

- d) To protect and encourage the enhancement of heritage resources including Scheduled Monuments, statutorily and locally listed buildings, Registered Parks and Gardens, and Conservation Areas;
- e) To ensure that the design, density, layout and landscaping of new development is sensitive to the character of the surrounding area, is of a high quality and is designed so as to reduce opportunities for crime and anti-social behaviour; and
- f) To ensure new development takes full account of, and mitigates where necessary, potential problems from air pollution, land contamination and noise.

Housing

- g) To make provision for objectively assessed market and affordable housing needs within the district, to the extent that this is compatible with national planning policy;
- h) To ensure that new homes provide an appropriate mix of sizes, types, forms and tenures to meet local needs and create balanced, mixed and well-integrated communities. This includes supported housing for elderly people and other groups with special needs; and
- i) To make provision for the identified needs of the Travellers and Travelling Showpeople.

Economic Development

- j) To meet the objectively assessed economic and town centre needs in the district to the extent that this is compatible with national planning policy;
- k) To diversify the district's two town centres (Epping and Loughton High Road) and four district centres (Loughton Broadway, Ongar, Waltham Abbey and Buckhurst Hill) to support their future vitality and viability by encouraging other forms of town centre uses including residential, cultural, leisure, tourist and commercial activities appropriate to their roles;
- l) To encourage the growth of local businesses and start-ups, through supporting home-working, provision of a range of flexible and affordable business facilities and the provision of high-speed broadband across the district;
- m) To support the diversification of the agricultural economy, including the expansion of the glasshouse horticulture industry, subject to appropriate environmental considerations; and
- n) To support the expansion of tourism in the district through the promotion of, and improving access to, a wide range of existing attractions including Epping Forest; Lee Valley Regional Park; Royal Gunpowder Mills; historic towns; village centres; and countryside, and through the provision of new visitor accommodation.

- 4.4 The proposed approach in the Draft Local Plan also features appropriate sections for:
- a) Proposals for delivery including a Draft Infrastructure Delivery Plan (IDP) to demonstrate the infrastructure requirements necessary to support the site allocations and other proposals; and
 - b) Proposals to monitor the plan.
- 4.5 Epping Forest District shares a housing market area with three other districts (East Herts, Harlow and Uttlesford). The Draft Local Plan states that together these four districts have identified a need for 51,000 new homes. Epping Forest District Council are proposing to meet the need for 11,400 over the Plan period 2011-2033 (provision for the objectively assessed market and affordable housing need within the district), and to make provision for the identified need for sites for Gypsies, Travellers and Travelling Showpeople.
- 4.6 Epping Forest District Council has proposed that a majority of this development will take place around Harlow as urban extensions (approx 3,900 new homes within Epping Forest District), as well as infilling around the central transport corridor of the urban areas of Epping and Loughton. There are also a number of smaller extensions to villages within the district, including Chipping Ongar and High Ongar close to the northern Brentwood Borough boundary.
- 4.7 Development proposed in the eastern part of Epping Forest District in Chipping Ongar and High Ongar, is 599 new homes and 10 new homes respectively. Therefore, whilst it is acknowledged that this is a significant increased proportion of new homes proposed, it is considered that any direct impact on Brentwood Borough is likely to be minimal.
- 4.8 The plan proposes a minimum of 40% affordable homes on sites of 11 or more units. Of these, 20% are likely to be starter homes which aim to be in-line with the expected new regulations. The loss of bungalows will be resisted as they provide a supply of accessible accommodation.
- 4.9 Where there is evidence of unmet need, and where there is already appropriate infrastructure and larger scale new development, the plan requires development to incorporate specially designed/specialist accommodation for people with support needs (including older people) and for self-build/custom build schemes.

- 4.10 The Epping Forest District Gypsy and Traveller Accommodation Assessment (September 2016) considers that there is a need for an additional 18 new pitches and one new Travelling Showpeople yard over the life of the Plan (2011-2033).
- 4.11 The proposed strategic housing allocations around Harlow are considered potential locations for additional Traveller sites of up to five pitches each, to a maximum of 0.5ha to accommodate the future needs of Travellers.
- 4.12 Brentwood Borough Council note the stated identified need for 46,100 new homes to be delivered within the Strategic Housing Market Assessment (SHMA) area, updated to 54,600, and that this is in order to meet NPPF requirements over the period 2011 to 2033. Brentwood Borough Council further note that it is recognised by Epping Forest District Council that 11,400 homes will need to be provided on sites identified in the Epping Forest District Draft Local Plan, requiring a small extent of the Green Belt to be amended (reduction by 1.5%).
- 4.13 However, the SHMA area local authorities consider that with constraints, the 2016 maximum amount of growth for the plan period is “around” 51,100. Therefore, it is considered appropriate that Brentwood Borough Council expresses concern that Epping Forest District Council has not formally finalised the Memorandum of Understanding with the other partners of their housing market area for the exact allocation of the considered maximum growth of 51,100, or agreed to meet the identified objectively assessed housing need of 54,600.

5. Reasons for Recommendation

- 5.1 It is not considered necessary to object to the Epping Forest District Draft Local Plan consultation on the basis of likely minimal impacts for Brentwood Borough. However, the four districts (Epping Forest, East Herts, Harlow and Uttlesford) within this housing market area have not finalised their agreement for meeting local housing need the target, with a Memorandum of Understanding still in draft form. There is a risk of a greater number of homes being required within Epping Forest District. Brentwood Borough Council should therefore take a precautionary approach under the duty to cooperate.
- 5.2 Specific mention is made to the way in which development is planned around Chipping Ongar and High Ongar, so as to minimise potential impacts on the north of Brentwood Borough and to ensure the benefits of new development are shared across the wider area and local communities.

- 5.3 It is considered appropriate that Brentwood Borough Council express general support for the way in which the Epping Forest Draft Local Plan looks to move forward with challenging development needs, and commit to continued collaboration through the duty to cooperate on strategic issues that affect our two areas.

6. Consultation

- 6.1 The Epping Forest Draft Local Plan was available for public consultation between 31 October and 12 December 2016.
- 6.2 Officers have responded to the consultation in order to meet the deadline. This response was submitted subject to the approval of Members at the next available Planning & Licensing Committee.

7. References to Vision for Brentwood 2016-19

- 7.1 The new Epping Forest Draft Local Plan will have a close relationship with the emerging Brentwood Local Development Plan, the production of which is a key priority in the Council's Corporate Plan.

8. Implications

Financial Implications

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- 8.1 None directly arising from this report.

Legal Implications

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- 8.2 The Localism Act 2011 placed a legal duty on local planning authorities and other defined local bodies including highway authorities to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. It is not a duty to agree, but local planning authorities must make every effort to secure the necessary cooperation before they submit their Local Plan for examination. The cooperation should produce effective and deliverable policies on strategic cross boundary issues.

9. Background Papers

Epping District Council Draft Local Plan (October 2016)

10. Appendices to this report

Appendix A Brentwood Borough Council response to the Epping
Forest Draft Local Plan Consultation

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Brentwood Borough Council response to the Epping Forest Draft Local Plan consultation | December 2016

Principle

1. Thank you for inviting Brentwood Borough Council to provide comments as part of Epping Forest District Council's consultation on its draft Local Plan consultation document. Brentwood Borough Council is a neighbouring local planning authority and there are a number of strategic issues, such as housing and infrastructure, which can be considered at levels greater than a single local planning authority area and which concern both Council areas. It is important that such issues are addressed through collaborative working and meaningful discussions in accordance with legislation, the National Planning Policy Framework (NPPF), and Planning Practice Guidance.
2. Please note that we have limited comments to high level strategic issues that potentially impact directly on Brentwood Borough. The comments on the plan are provided below.

Objectives and Vision

3. Generally, Brentwood Borough Council supports the draft plan, the strategic objectives and the high aspiration of the draft vision. The commitment to allocating locations for homes, employment and Traveller pitches, as well as the commitment to continue conservation of key strategic natural environmental locations and Green Infrastructure is welcomed and supported.

Housing Need and Delivery of Sites

4. Brentwood Borough Council notes the West Essex and East Hertfordshire Strategic Housing Market Area, Functional Economic Market Area, and Draft Memorandum of Understanding with respect to the distribution of objectively assessed needs across the area.
5. We have concerns regarding the long term allocation of sites for housing within the greater West Essex and East Hertfordshire Strategic Housing Market Area. We note the stated identified need for 46,100 homes to be delivered within the housing market area, updated to 54,600 (2016) and that this is in order to meet the requirement of the NPPF in the period from 2011 to 2033. We further note that it is recognised by Epping Forest District Council that 11,400 homes will need to be provided on sites identified in the Epping Forest Draft Local Plan, requiring an extent of the Green Belt to be amended. However, it is noted that local planning authorities within the housing market area take the view that when constraints are considered, the maximum amount of growth that could be

accommodated in the plan period is “around” 51,100 (for the entire housing market area). Therefore, we express concern that because Epping Forest District Council has not formally finalised the Memorandum of Understanding with other partners in housing market area, the exact allocation of the considered maximum growth of 51,100 new homes has not been set, nor is there agreement on where the shortfall can be met when constrained growth (51,100) is compared with identified objectively assessed housing need (54,600).

6. Brentwood Borough is in a similar position to Epping Forest District; a high proportion of the areas are within Green Belt and challenging development needs are to be met. On that basis, considering Brentwood Borough Council is doing all it can to meet local development needs, we are not in a position to meet any additional needs from adjoining areas. Subject to further consultation as the plan-making process progresses in Epping Forest and in other local authorities within the housing market area, Brentwood Borough Council reserves its right to object to the Epping Forest Local Plan if commitment to meet all identified development need is not made within the housing market area.

Travellers Need and Delivery of Pitches

7. Brentwood Borough Council notes that recent work on the evidence base relating to future needs for Gypsies, Travellers, and Travelling Showpeople has been assessed to be an additional eighteen pitches and one yard over the Local Plan period of 2011-2033 within Epping Forest District. We support the Draft Local Plan aims to address the full identified Gypsy, Traveller and Showpeople need over the life of the Plan. It is noted that the change in definition made through the Government’s Planning Policy for Traveller Sites may reduce overall need for travelling Travellers, but need will remain for those who are not travelling. As with overall housing needs, due to Brentwood Borough’s high proportion of Green Belt (over 89%), it is severely restricted in suitable and available sites for new pitches or transit site provision, and so is unable to meet the need of other areas.

Ongar

8. We note the proposals to expand Chipping Ongar and High Ongar, a short distance from the administrative boundary between Epping Forest District and Brentwood Borough. It is acknowledged that this is a significant increased proportion of new homes proposed for the village(s)/area(s) within the context of meeting challenging development needs in the most sustainable locations. We consider that growth in this area should be brought forward in a sympathetic manner, consistent with local character. The character of the north of Brentwood Borough is one of a series of connected villages, separated by countryside within the London Metropolitan Green Belt. This character is also true of this part of Epping Forest District, and so we are keen this is maintained, despite the need to grow. Brentwood Borough Council’s Draft Local Plan considered transport corridors, where development would be in close proximity to road and rail connections, to be the most sustainable locations for growth. The north of Brentwood Borough and its villages were not considered to be well connected enough to facilitate large amounts of growth. It is noted that Chipping Ongar is higher up in the settlement hierarchy for Epping Forest District than when

compared with Brentwood Borough's equivalent, in terms of existing size, range of local services, plus the A414 road linking to Chelmsford (to the east) and Harlow (to the west). It is noted that there is no nearby connected rail stations.

9. The arrival of a new Academy School in Ongar has also been the subject of ongoing conversations regarding the movement of people between Epping Forest District and Brentwood Borough (and vice-versa) for the purposes of travelling to school. We are keen that this situation continues to be monitored and that the subject remains a point of strategic cross-boundary importance for discussion.

Duty to Cooperate

10. Brentwood Borough Council welcomes the opportunity to continue to work with Epping Forest District Council in progressing the plan-making process of both areas on an ongoing basis in line with the requirements of the duty to cooperate.

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13 December 2016

Planning and Licensing Committee

Brentwood Monitoring Report: Housing Delivery & Five Year Housing Supply

Report of: *Phil Drane – Planning Policy Team Leader*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 The Council regularly monitors how planning policies are being implemented in regards to the decision-taking process, as well as progress on the plan-making process for preparation of documents set out in the Local Development Scheme.
- 1.2 As agreed at Planning and Licensing Committee on 1 December 2015, as soon as monitoring data becomes available the information is collated for publication into a series of monitoring updates, each reporting on different monitoring issues, which together form the Council's Authority Monitoring Reports (AMR). For clarity these have been branded "Brentwood Monitoring Reports" to be consistent with the emerging Brentwood Local Development Plan (LDP) and other supporting documents.
- 1.3 Two monitoring updates have been prepared for publication, the first of which contains information relating to housing delivery (for the period 1 April 2015 to 31 March 2016), and the second provides an update on five year housing land supply (as at 1 April 2016 to 31 March 2021).

2. Recommendation

2.1 To approve publication of the following Brentwood Monitoring Reports:

- a) **Housing Delivery 2015/16, as set out in Appendix A; and**
- b) **Five Year Housing Supply 2016-2021, as set out in Appendix B.**

3. Introduction and Background

- 3.1 The Localism Act 2011 and 2012 Regulations set out changes to the Council's monitoring responsibilities, giving local planning authorities more flexibility as to how and when they prepare their monitoring reports. As agreed at Planning and Licensing Committee on the 1 December 2015, and in accordance with the Council's commitment to sharing public data, available monitoring data on specific themes will be published as soon as possible
- 3.2 This report provides an overview of the following monitoring updates, each one forming a series of downloadable reports and spreadsheets:
- a) Housing Delivery 2015/16 - a review of key residential indicators
 - b) Brentwood Borough's five year housing land supply as at April 2016.

a) Housing Delivery 2015/16

- 3.3 The indicators used to monitor the Local Plan are in the process of being updated as the Council prepares a new Local Development Plan for the Borough. Once adopted the new Plan will establish targets and indicators that will be used to monitor the effectiveness of its policies over time.
- 3.4 Prior to the adoption of the new Plan this Housing Delivery chapter provides an update of key residential indicators and detailed information on residential completions in the Borough.

b) Five Year Housing Supply 2016 to 2021

- 3.5 The National Planning Policy Framework (NPPF) requires local planning authorities to assess whether they have a supply of specific, deliverable sites which is sufficient to meet their identified housing requirement over a five year period.
- 3.6 Whether or not the Council can demonstrate a five year supply of 'deliverable' housing sites is important as this needs to be considered when planning applications for new housing are determined.

4. Issue, Options and Analysis of Options

4.1 The full monitoring report for Housing Delivery 2015/16 is set out in Appendix A. Key findings from Housing Delivery monitoring include:

- a) Housing Completions: A total of 111 (net) homes were completed during 2015/16, 85.6% of which were on previously developed land. Completions are slightly reduced from the previous monitoring year and the total falls short of the Borough's annual objectively assessed housing need (362 dwellings per year) by 251 dwellings.
- b) Prior Approvals: Over recent years the Government has revised 'permitted development rights' to allow changes of use of certain retail units, office and agricultural buildings to be converted to residential use without planning permission, via a prior approval application made to the Council. In 2015/16, 162 residential properties were given prior approval.
- c) Affordable Housing: A total of 16 affordable homes were completed in 2015/16, contributing 14.4% of total residential completions in the monitoring year.
- d) Windfall: The Borough has seen an average net windfall completion rate of 36 dwellings per annum over the past seven years. When taken as a percentage of total completions, windfalls account for 20%, with brownfield windfalls comprising the majority (94%) of all windfall completions.

4.2 The full monitoring report for Five Year Housing Land Supply 2016-2021 is set out in Appendix B. Key findings from Five Year Supply monitoring are:

- a) Housing Requirement: The Borough's five year housing requirement is based on the most up-to-date assessment of objectively assessed need, calculated to be 362 new homes per year. Over five years this equates to 1,810 new homes, plus appropriate buffer (additional 5% = 126) and any undersupply from previous years (709). When adding these elements the five year requirement totals 2,645 new homes.

- b) Housing Supply: The Borough has an identifiable and deliverable supply of 1,414 homes over the next five years. When measured against the requirement, supply is 1,231 short. This equates to a housing land supply of 2.67 years, as set out in Table 1.

Table 1: Summary of housing supply, 1 April 2016 to 31 March 2021

Calculated five year requirement plus buffer of 5% & shortfall	2,645 homes
Annual average requirement	529 homes
Total identifiable five year supply	1,414 homes
Annual average supply	282.8 homes
How many years housing supply?	2.67 years

- 4.3 The Government has instructed local authorities to take a proactive stance to publishing information, making sure that it is easy to find and understand. Guidance states that data must be published without restriction. Public data should be released in an "open format" that is reusable, available to everyone to be exploited for social and/or commercial purposes.
- 4.4 To this end the Council has committed to the DataShare service, available to view on our website under "Open Data". This service makes it easier for everyone to access and inspect data, and simpler for those who need to use data in their applications, websites and widgets.
- 4.5 Planning and related data published as part of the AMR is included for viewing on DataShare. This supports the Council's commitment to transparency, involvement and innovation, making public data (that is not sensitive or personal) freely available to view and download in a variety of formats. The Council's DataShare site can be accessed at opendata.brentwood.gov.uk

5. Reasons for Recommendation

- 5.1 It is important that the Council publishes monitoring information in order to share performance and achievements with the local community as information becomes available. It also meets the monitoring requirements set out in the NPPF and Town and Country Planning Regulations 2012, as amended by the Localism Act 2011.

- 5.2 In addition to publishing monitoring information in usual formats, such as a PDF document on the Planning pages of the Council's website, use of the DataShare site will help meet the Council's commitment to being open and transparent. AMR data will be freely available to view and download in a variety of formats.

6. Consultation

- 6.1 AMRs are not subject to public consultation, they report factual data published for the purposes of openness and transparency. Documents that the reports monitor will be available for public consultation (i.e. Local Development Plan, Community Infrastructure Levy, and Neighbourhood Plans), as well as planning applications that have statutory consultation periods applied.

7. References to Vision for Brentwood 2016-19

- 7.1 AMRs monitor the performance of planning policies, including those in the existing development plan and emerging Brentwood LDP, preparation of which is an identified priority in the Council's Corporate Plan (2015) Vision for Brentwood 2016-19 (Planning & Licensing).

8. Implications

Financial Implications

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- 8.1 The cost of monitoring data, both as part of preparing a new Local Development Plan for the Borough and the statutory requirements of regularly publishing information, has been accounted for within the Planning Policy budget.

Legal Implications

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- 8.2 The requirement to regularly publish monitoring data related to Local Development Plan progress and policy implementation is set out in the Localism Act 2011 (Section 113) and Town and Country Planning Regulations 2012 (Regulation 34).

9. Background Papers

None

10. Appendices to this report

Appendix A	Brentwood Monitoring Report, Housing Delivery 2015/16
Appendix B	Brentwood Monitoring Report, Five Year Housing Supply 2016-2021

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BRENTWOOD MONITORING REPORT

HOUSING DELIVERY



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Published November 2016

Brentwood Borough Council

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The Council is committed to being open and transparent. Government guidance states that data must be published without restriction. Public data should be released in an “open format” that is reusable, available to everyone to be exploited for social and/or commercial purposes. DataShare is being developed as a way to make accessing and inspecting data easier for everyone; as well as simpler for developers wishing to use the data in their applications, web sites and widgets. Data from Authority Monitoring Reports is also available in accessible formats on the Council’s DataShare site. Brentwood’s DataShare can be found at **opendata.brentwood.gov.uk**

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INTRODUCTION

1. The introduction of the Localism Act (2011) and updates to the Town and Country Planning Regulations 2012 removed the requirement for local authorities to send an Annual Monitoring Report to the Secretary of State. However, the act retains the overall duty to monitor the implementation of the Local Development Scheme and the extent to which policy targets are being achieved in the Local Plan.
2. The Act allowed for more flexibility when monitoring and amended the name Annual Monitoring Report to "Authorities Monitoring Reports", reflecting the fact that information can be published as and when it becomes available.
3. Indicators used to monitor the Local Plan are in the process of being updated as the Council prepares a new Local Development Plan for the Borough. Once adopted the new Plan will establish targets and indicators that will be used to monitor the effectiveness of policies over time.
4. Prior to the adoption of the new Plan this report provides an update of key residential indicators. It forms one of a series of monitoring reports on separate themes, all with accompanying data available in multiple formats to view or download through the Council's DataShare.
5. Publishing information online in accessible formats meets the Council's commitment to sharing public data in an "open format" that is reusable and available to everyone for social and/or commercial purposes. Available data on specific themes will be published as soon as possible in order to share information on the performance and achievements of the planning service with the local community.
6. This monitoring report for themes related to housing delivery is for the period 1 April 2015 to 31 March 2016. Published in November 2016, data available after March 2016 is included where appropriate.

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HOUSING COMPLETIONS

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Annual Completions

- 7. Table 1 shows the number of homes completed in Brentwood Borough since 2001.
- 8. During 2015/16 a total of 111 net additional dwellings were completed. The net figures comprise of additions to housing stock from new build, change of use and conversions minus any losses as a result of demolitions, changes of use and conversions.

Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.

- 10. As can be seen from Table 1, the Borough has consistently achieved high proportions of residential development on previously developed land since 2001. In the monitoring year 85.6% of completions were on previously developed land. There has been a slight decline in the levels of completions on previously developed land over recent years, perhaps as a result of economic circumstances but almost certainly because of the change in the definition of previously developed land in 2010 to no longer include residential gardens.

Completions on Previously Developed Land

- 9. Key to the achievement of sustainable development is making best use of previously developed land (PDL). Previously developed land is often referred to as brownfield whilst undeveloped land is often called greenfield. The National Planning Policy

Completions by Dwelling Size

- 11. Table 1 shows housing completions by number of bedrooms. Figure 1 also

maps these completions over the past 15 years to better understand trends. There has been a continuing general proportion of 4+ bedroom completions decline in both the number and proportion since 2001 with an observed emphasis on 2 bedroom homes. However, there has been a slight increase in the proportion of 4+ bedroom homes completed in 2015/16,

which is significant given new evidence regarding local need for more of a mix and less emphasis on 2 bedroom delivery (Strategic Housing Market Assessment, SHMA 2016).

12. Table 1 shows that in 2015/16 a total of 72 homes completed were one and two bedroom dwellings, representing 65% percent of all net completions.

Year	Net Dwelling Completions						Gross Dwelling Completions		
	1 bed	2 bed	3 bed	4 bed	Not known	Total	Total	No. PDL	% PDL
2015/16	41	31	28	19	-8	111	125	107	85.60%
2014/15	55	79	26	15	-16	159	178	147	82.60%
2013/14	20	55	33	14	-15	107	122	97	79.50%
2012/13	42	117	50	21	-18	211	239	212	88.70%
2011/12	6	55	32	43	-4	132	148	131	88.50%
2010/11	78	249	25	46	-4	394	416	413	99.30%
2009/10	70	82	13	10	-9	166	188	188	100%
2008/09	67	109	12	19	44	251	273	267	97.80%
2007/08	67	127	39	22	-14	241	262	262	100%
2006/07	59	154	8	23	-26	218	256	256	100%
2005/06	41	31	10	283	11	116	140	139	99.30%
2004/05	25	85	18	28	-5	151	175	175	100%
2003/04	28	100	43	58	-20	209	231	229	99.10%
2002/03	34	128	75	47	-20	264	284	268	94.40%
2001/02	53	60	57	27	-16	181	199	196	98.50%

Table 1: Housing completions by dwelling size and previously developed land (PDL) 2001 to 2016

Note: Not known column – 2001/02: 2 unknown completions and 18 unknown losses. 2002/03: 20 unknown losses. 2003/04: 2 unknown completions and 22 unknown losses. 2004/05: 19 unknown completions and 24 unknown losses. 2005/06: 8 unknown completions and 18 unknown losses. 2006/07: 12 unknown completions and 38 unknown losses. 2007/08: 7 unknown completions and 21 unknown losses. 2008/09: 51 unknown completions and 7 unknown losses. 2009/10: 9 unknown losses. 2010/11: 4 unknown losses. 2011/12: 4 unknown losses. 2012/13: 18 unknown losses. 2013/14: 14 unknown completions. 2014/15: 16 unknown losses. 2015/16: 3 unknown completions & 11 unknown losses.

Source: Brentwood Residential Land Monitor

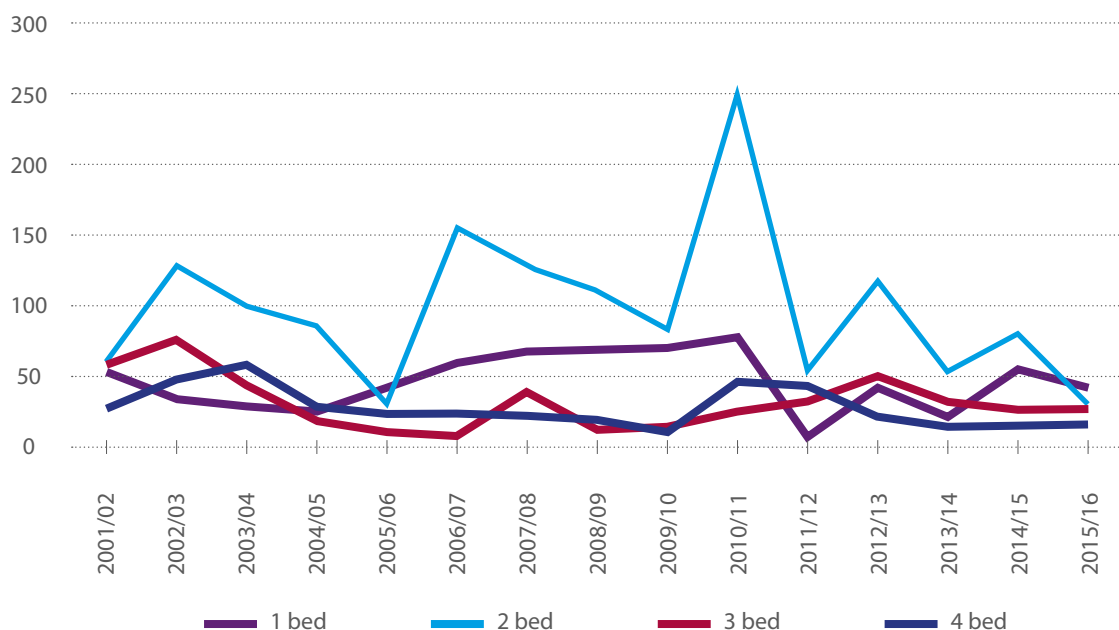


Figure 1: Net Completions by dwelling size 2001 to 2016

Source: Brentwood Residential Land Monitor

Changes in Dwelling Stock

13. Figure 2 shows the changes in dwelling stock in Brentwood Borough over the monitoring period 2015/16, according to new build, conversion, change of use, and demolitions.
14. Changes of use refers to the number of dwellings created through the change of use from non-residential buildings and the number of dwellings lost through changes to non-residential use. Over recent years the Government has revised 'permitted development rights' to allow change of use of certain retail units, office and agricultural buildings to be converted into residential use without planning permission, via a prior approval application made to the Council.
15. During the monitoring year 10 residential properties given prior approval, from office to residential, have been completed and are listed below:
- Craven Gate, Lorne Road, Warley (15/00400/PNJ56) - Change of use of office space (B1(a)) to 8 residential flats (C3 use class)
 - 92 Hutton Road, Shenfield (15/00680/PNCOU) - Change of use of first floor office space (B1(a)) to residential flat (C3 use class)
 - 98 Hutton Road, Shenfield (15/00682/PNCOU) - Change of use of first floor office space (B1(a)) to residential flat (C3 use class)

16. A further 152 residential properties were given prior approval through permitted development rights during the monitoring year and remain

unimplemented as at 31 March 2016 (not started or started but not completed). Figure 3 sets out prior approvals to residential use by location.

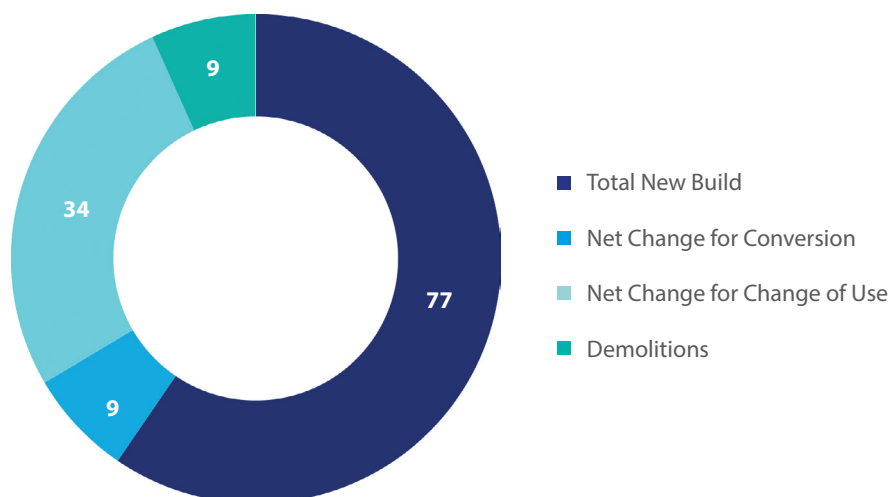


Figure 2: Changes in dwelling stock 2015/16 - additions and losses

Source: Brentwood Residential Land Monitor



Figure 3: Prior approvals to residential use as of March 2016

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AFFORDABLE HOUSING

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17. Delivery of sufficient affordable homes is an important issue within the Borough, with house prices significantly higher than average prices for England. Whilst local wages are above the national average, house prices and rental levels are well above what many households can afford.
- Local Plan (20 units and above or 0.66 hectares or more within the Brentwood Urban Area and 5 units and above or 0.16 hectares or more within defined settlements elsewhere in the Borough). This is an issue for review in the Council’s emerging Local Development Plan.
18. The annual estimate of affordable housing need in Brentwood is calculated as 107 households per year, as set out in the Strategic Housing Market Assessment Part 2 (SHMA, 2016). This represents 30.6% of the annual projected household growth in the Borough between 2016 and 2033.
19. Affordable housing supply through new build is severely constrained by the Borough’s Green Belt location, restricted supply of development land, and lack of development finance and public subsidy. In addition, much of Brentwood’s housing is provided on small sites below adopted thresholds set out in Policy H9 of the Replacement
20. The supply of affordable housing is variable from one year to another, as shown in Table 2. A total of 16 affordable housing completions took place in the monitoring year, this contributes to 14.4% of all homes completed in 2015/16. There is a total of 155 affordable housing units with extant planning permission yet to be completed.

Year	Affordable Housing Units Completed	% of Total Housing Completions
2015/16	16	14.4%
2014/15	19	10.7%
2013/14	0	0.0%
2012/13	20	16.4%
2011/12	51	34.5%
2010/11	4	1.0%
2009/10	67	35.6%
2008/09	78	27.4%
2007/08	82	34.0%
2006/07	39	17.9%
2005/06	21	18.1%
2004/05	2	1.3%
2003/04	0	0.0%
2002/03	14	5.3%
2001/02	81	44.8%

Table 2: Affordable housing completions 2001 to 2016

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SPECIALIST HOUSING

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21. Housing for older people and people with disabilities can fall within the C2, C3 or sui generis land use class.
- 'C2' is defined as "residential institutions - residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres"
 - 'C3' is defined as "dwellinghouses, formed of three parts:
 - a. A single person or by people to be regarded as forming a single household;
 - b. Not more than six residents living together as a single household where care is provided for residents; or
 - c. Not more than six residents living together as a single household where no care is provided to residents (other than use within Class C4 'Houses in multiple occupation').
 - 'Sui generis' is defined as "uses which do not fall within any use class. Such uses include larger houses in multiple occupation and hostels providing no significant element of care".
22. The Brentwood SHMA Part 2 (2016) addresses current and future growth in the numbers of specialist housing across all tenures in terms of their related care and support needs. In terms of specialist accommodation for older people; it identifies a need for 123 affordable and 372 market and extra care houses to be provided between 2013-2033.
23. Both specialist housing (that has been specifically designed to meet the needs of people with particular needs) and extra care housing (designed with the needs of frailer older people in mind and with varying levels of care and support available on site) form part of the Borough's overall housing need and tend to fall within use class C3.

24. The SHMA Part 2 identifies a separate requirement for an additional 424 spaces within Registered Care to be provided between 2013-2033. This is housing for people living in registered care homes which are managed and run by a care provider who is responsible for all aspects of their daily needs and wellbeing. Such housing is not self-contained and is often referred to as either residential or nursing care. This type of housing relates principally

to a C2 use class and does not form part of the Borough's overall housing need.

25. Once the new Local Development Plan is sufficiently advanced, a detailed housing trajectory will be prepared and specialist housing indicators monitored. In the interim, development is likely to continue to come forward through the delivery of windfall sites which will continue to be reported, as shown in Table 3.

Site Name (Planning Reference)	Accommodation type	Net gain
Completions: C3 Specialist Accommodation		
Marillac Hospital, Warley (11/00149/FUL)	Independent Living	3
25 St Georges Court, Brentwood (13/00967/BBC)	Sheltered accommodation	2
Total		5
Completions: C2 Residential Institutions		
1 - 4 The Beeches, Brentwood (11/00089/FUL)	Residential Care Home	99
Howard Lodge, Navestock (10/00724/FUL)	Residential Care Home	20
Total		119
Extant Permissions: C3 Specialist Accommodation		
43-57 Ingrave Road, Brentwood (12/00725/FUL)	Retirement Apartments	51
Total		51
Extant permissions: C2 Residential Institutions		
Quiet Waters, West Horndon (15/01018/FUL)	Supported Living Units	2
Total		2

Table 3: Planning permissions and completions for specialist housing 2013 to 2016



WINDFALL



Windfall Data

26. A windfall site is one that has not been specifically identified as available through the Local Plan process. They usually comprise previously developed sites that have unexpectedly become available and could not have been anticipated when the Local Plan was in preparation, or smaller sites not previously identified. Windfall sites can comprise the development of infill sites; conversion of existing buildings to residential use; redevelopment of residential land to provide a net gain in new units; the net gain in units from the sub-division of existing residential units; or the bringing back into use empty or derelict buildings or sites. Occasionally, unused ‘greenfield’ land is developed for housing and this is also classed as a windfall if not allocated.
27. To ensure there is no double counting in the projected housing figures for Brentwood Borough, no sites within this windfall assessment are:

- Allocated sites within the adopted Development Plan;
- Within the SHLAA; or
- Already granted planning permission for residential use through an existing planning permission. Any permissions which supersede others have not been included.

28. To be consistent with the NPPF the monitoring data has been reassessed and updated to exclude completions involving the development of garden land.

Historic Windfall Completions

29. Table 4 shows an analysis of net housing completions on windfall sites within the Borough over the last seven years (1 April 2009 to 31 March 2016). This period provides a long-term view of trends, covering periods of economic growth and decline.

	Year						
	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	2014 /15	2015 /16
Total net completions	166	394	132	211	107	159	111
Total net windfall completions	39	57	9	25	33	57	34
% Windfall	23.5%	14.5%	6.8%	11.8%	30.8%	35.8%	30.6%
GROSS windfalls	46	65	13	31	34	67	43
LOSSES on windfall sites	7	8	4	6	1	10	9

Table 4: Total windfall completions 2009 to 2016

30. The Borough has seen an average net windfall completion rate of 36 dwellings per annum over the last seven years.

31. Year on year the number of completions on windfall sites has varied. From a peak of 57 net completions in 2010/11 and 2014/15

to 9 net completions in 2011/12. When taken as a percentage of total completions, windfalls account for 20% of net completions between 2009 and 2016, with brownfield windfalls comprising the majority (94%) of all windfall completions, as shown in Figure 4.

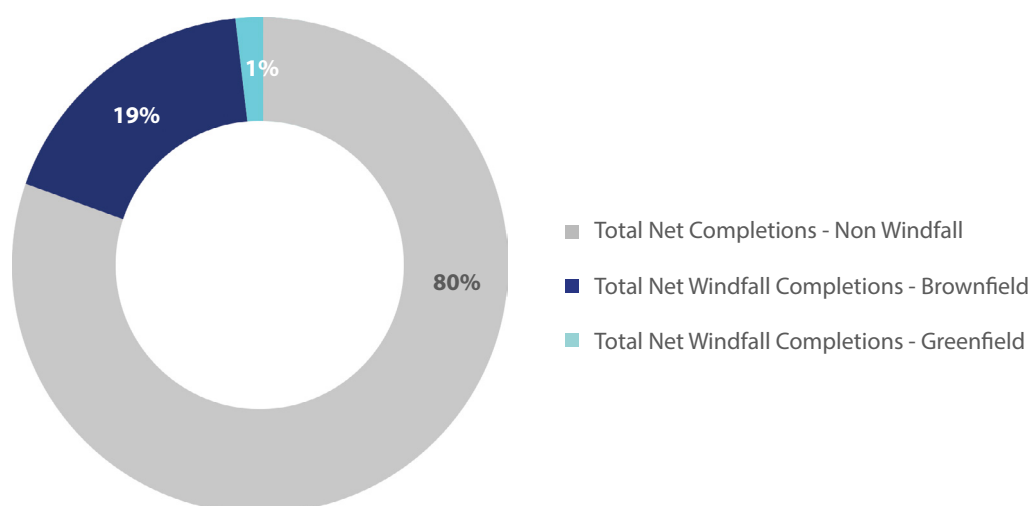


Figure 4: Percentage of completions by windfall 2009 to 2016

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SELF & CUSTOM BUILD

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32. From 1 April 2016 the Self Build and Custom House Building Act 2015 placed a duty on local authorities to keep a register of people who express an interest in developing land for self-build and custom-built projects.

33. In accordance with national legislation the Council has set up a register and interested parties can complete an online application form from the Council's website. This register helps inform the Council of the level of demand for self build and custom build plots in the Borough and forms a key part of the Council's evidence base informing future local plan preparation.

34. The AMR seeks to monitor the indicators as set out in Table 5, these indicators will be kept under review. Coinciding with the introduction of legislation, the data extracted is for the period 1 April 2016 to 1 November 2016. This will be adjusted in subsequent AMR's to reflect the monitoring year.
35. Inclusion on the register does not entitle a registered person or organisation to a plot and any planning application will need to be in accordance with the policies in the Council's Local plan.

36. Data collected so far suggests a modest level of interest in Self and Custom Build, as set out in Table 5. 14 individuals have registered and the majority aspire to living in a 3-4+ bedroom detached house or bungalow. There is mixed preference for location between urban and rural areas.

Indicators	Number
Number of individuals registered	14
Number of associations of individuals registered	0
Preference for type of house	
Detached House / Detached Bungalow	13
Semi detached	0
Terrace	1
Preference for the number of bedrooms	
1 bed	0
2 bed	0
3 bed	7
4 + bed	7
Preference for general location	
Town	2
Village	5
Rural	6
Other	1

Table 5: Headline data on demand for self-build and custom house building (November 2016)

GYPSY AND TRAVELLER ACCOMMODATION

Local Need, Delivery and Supply

37. National policy is clear that Brentwood Borough Council has a duty to identify land to meet the local needs of Gypsies and Travellers. The Council is required to update annually a supply of specific deliverable sites sufficient to maintain a five year supply of deliverable land for traveller accommodation.
38. There is currently no up to date adopted Gypsy, Traveller and Travelling Showpeople requirement for Brentwood. However, the Essex Gypsy, Traveller and Travelling Showpeople Assessment (GTAA, 2014) identifies a need for 84 Gypsy and Traveller pitches to be provided within Brentwood Borough between 2013 and 2033, with a recommended five year new pitch provision of 59 between 2013-2018.
39. Once the new Local Development Plan is sufficiently advanced, a detailed Gypsy and Traveller pitch trajectory will be prepared and monitored. In the interim, development is likely to continue to come forward through the delivery of windfall sites which can be monitored.
40. Historically, windfall sites have been the main source of Gypsy and Traveller pitch delivery in the Borough as demonstrated by the number of personal, temporary and permanent permissions set out in Table 6.
41. There have been no permissions for Travelling Showpeople sites in the Borough and no local need has been identified in the GTAA (2014).
42. There are currently no transit sites in the Borough although the GTAA (2014) recommends that at least two publicly provided transit sites are delivered in Essex County with at least 10 pitches. The GTAA does not recommend a location for such sites and advises this will have to be determined by discussions between local authorities and Essex County Council.

Temporary Permissions			
Site Names	Address	Tenure Type	Pitches
The Willows	Place Farm Lane, Kelvedon Hatch	Private	2
Hope Farm ²	Hope Farm, Horsemanside Navestock	Private	3
Orchard View ³	Horsemanside, Navestock	Private	4

² : Temporary Permission Expired

³ : Temporary Permission Expired

Total 9

Personal permission for duration of occupation			
Site Names	Address	Tenure Type	Pitches
Cottage Garden	Beads Hall Lane, Pilgrims Hatch	Private	1
Lilliputs	Chelmsford Road, Blackmore	Private	2
Meadow View	Ingatestone Road, Blackmore	Private	3 (approx)
Pond End	Clapgate Estate, Kelvedon Hatch	Private	2 (approx)
Ponderosa	Place Farm Lane, Kelvedon Hatch	Private	1
Poplar Farm	Roman Road, Ingatestone	Private	2 (approx)
Warren Lane	Warren Lane, Doddinghurst	Private	1
Wenlock Meadow	Wenlocks Lane, Blackmore	Private	1
Roman Triangle	Roman Road, Mountnessing	Private	5
Deep Dell Park (Willow Farm)	Stock Road, Ingatestone	Private	6
Total			24

Unauthorised			
Site Names	Address	Tenure Type	Pitches
Oaktree Farm (Greenacres)	Plot 3, Chelmsford Road, Blackmore	Private	6
Hunters Green	Albyns Lane, Navestock	Private	1
Lizvale Farm	Goatswood Lane, Navestock	Private	6
Total			13

Table 6: Overview of Gypsy and Traveller pitches and status of sites (November 2016)

Caravan Counts

43. Local authorities carry out a count of Gypsy and Traveller caravans twice a year, in January and July, providing a snapshot of caravan numbers on the day of the count. This is then complied by Government and published. Table 6 provides counts for Brentwood Borough since July 2002.

44. As the caravan count data is only representative of caravan numbers at one point in time it should not be relied upon to provide estimates of actual need. Instead, data collected in the Council's GTAA should be used to guide future pitch provision. It is also important to note that a caravan and a pitch are not the same, and so the two are not comparable or related.

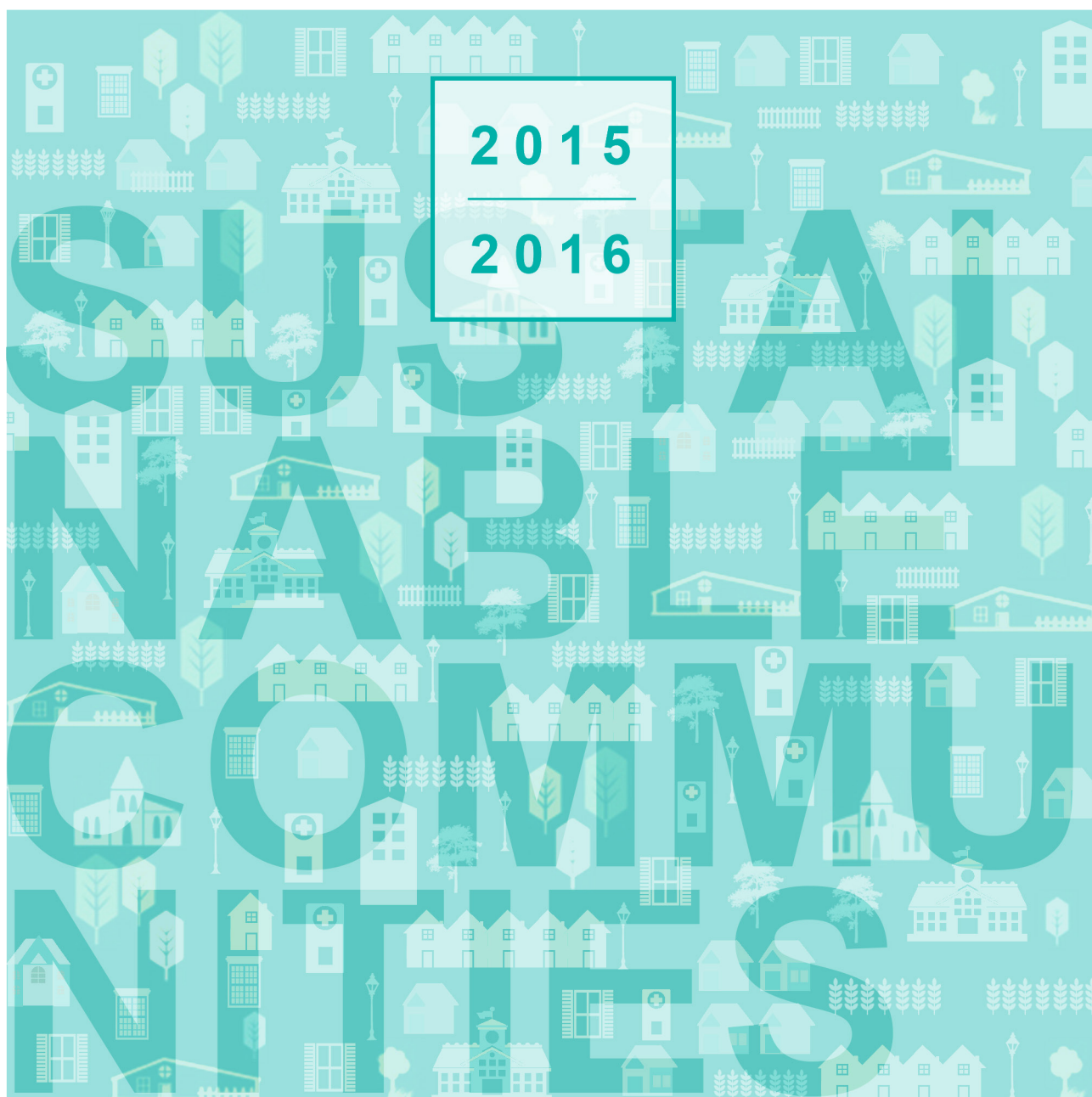
Date	Total Caravans	Unauthorised Caravans	Authorised Caravans: Council Sites	Authorised Caravans: Private Sites
January 2016	117	44	0	73
July 2015	122	50	0	72
January 2015	98	33	0	65
July 2014	97	35	0	62
January 2014	101	37	0	64
July 2013	103	34	0	69
January 2013	99	38	0	61
July 2012	96	36	0	60
January 2012	97	41	0	56
July 2011	98	35	0	63
January 2011	101	50	0	51
July 2010	90	34	0	56
January 2010	93	32	0	61
July 2009	96	26	0	70
January 2009	76	17	0	59
July 2008	85	33	0	52
January 2008	66	37	0	29
July 2007	57	38	0	19
January 2007	34	20	0	14
July 2006	38	17	0	21
January 2006	37	19	0	18
July 2005	39	21	0	18
January 2005	31	18	0	13
July 2004	31	18	0	13
January 2004	31	18	0	13
July 2003	30	18	0	12
January 2003	16	6	0	10
July 2002	14	4	0	10

Table 7: Gypsy and Traveller caravan counts Brentwood Borough 2002 to 2016

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BRENTWOOD MONITORING REPORT

FIVE YEAR HOUSING SUPPLY



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Published November 2016

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INTRODUCTION

Authority Monitoring Report

1. The introduction of the Localism Act (2011) and updates to the Town and Country Planning Regulations 2012 removed the requirement for local authorities to send an Annual Monitoring Report to the Secretary of State. However, the act retains the overall duty to monitor the implementation of the Local Development Scheme and the extent to which policy targets are being achieved in the Local Plan.
2. The Act allowed for more flexibility when monitoring and amended the name Annual Monitoring Report to "Authorities Monitoring Reports", reflecting the fact that information can be published as and when it becomes available.
3. Indicators used to monitor the Local Plan are in the process of being updated as the Council prepares a new Local Development Plan for the Borough. Once adopted the new Plan will establish targets and indicators that will be used to monitor the effectiveness of policies over time.
4. Prior to the adoption of the new Plan this report provides an update on a specific residential indicator. It forms one of a series of monitoring reports on separate themes, all with accompanying data available in multiple formats to view or download through the Council's DataShare.
5. Publishing information online in accessible formats meets the Council's commitment to sharing public data in an "open format" that is reusable and available to everyone for social and/or commercial purposes. Available data on specific themes will be published as soon as possible in order to share information on the performance and achievements of the planning service with the local community.

6. This report focuses on the requirement to monitor future housing supply, and specifically to ensure a five year land supply is identified. Several issues explored within this report are considered in more detail in the Council's accompanying Housing Monitoring Report (November 2016).
7. National Planning Practice Guidance on Housing and Economic Land Availability Assessment, stipulates that deliverable sites can include those that are allocated in the development plan as well as those with planning permission, and that sites without planning permission or a plan allocation can also be considered deliverable if there are no significant constraints to overcome.

Housing Delivery Requirement

7. The National Planning Policy Framework (NPPF) requires that local authorities boost significantly the supply of housing in their local areas. NPPF Paragraph 47 sets out the requirements to "identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land."
8. NPPF Paragraph 47 also stipulates that where there has been a record of persistent housing under delivery, the buffer should increase to 20%.
9. To be considered deliverable, a site should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Particular emphasis is placed on whether development of the site is viable.
11. This assessment will inform the assessment and determination of planning applications for housing development. Housing applications should be considered in the context of the presumption in favor of sustainable development. Where local authorities cannot demonstrate a five year supply, planning applications for housing will be considered favourably in light of national policy.

PLANNING FOR NEW HOMES

Housing Need

12. Planning practice guidance advises that housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply.
13. Until January 2013, the housing target for Brentwood Borough was set by the East of England Plan Regional Spatial Strategy (RSS). It specified the annual average rate of housing provision for Brentwood Borough as 175 dwellings per year, or 3,500 dwellings between 2001 and 2021. The East of England Plan was revoked on 3 January 2013, after which it no longer formed part of the development plan.
14. In the absence of an up-to-date adopted Local Plan, planning practice guidance advises that “information provided in the latest full assessment of housing needs should be considered. But weight given to these assessments should take account of the fact they

have not been tested or moderated against relevant constraints. Where there is no robust recent assessment of full housing needs, the household projections published by the Department of Communities and Local Government should be used as the starting point”.

Housing Delivery

15. The delivery of new homes can be measured against the housing targets or requirements in place at the time. For the purposes of monitoring, houses are considered to have been delivered at the point of completion. The Council monitors housing completions each year as part of its land monitor, data from which is then published in the relevant authority monitoring report.
16. Table 1 sets out gross and net housing completions in the Borough between 2001 and 2016. Table 2 sets out this information in more detail compared with the housing target/requirement.

Year	DWELLING COMPLETIONS	
	GROSS	NET
2015/16	125	111
2014/15	178	159
2013/14	122	107
2012/13	239	211
2011/12	148	132
2010/11	416	394
2009/10	188	166
2008/09	273	251
2007/08	262	241
2006/07	256	218
2005/06	140	116
2004/05	175	151
2003/04	231	209
2002/03	284	264
2001/02	199	181

Table 1: Brentwood Borough housing completions 2001 to 2016

Housing Requirement

17. At present there is no adopted housing requirement for the Borough. The emerging Local Development Plan is to cover the period 2013-2033 and has been through several stages of public consultation. Most recently the Council published a Draft Local Plan for consultation in January 2016, which included proposals for objectives, spatial strategy, and planning policies to meet local housing needs.
18. The starting point for any new local housing target or assessment of 'objectively assessed needs' (OAN) is an assessment of the number of new homes needed to satisfy market demand and affordable housing needs.

19. The Council has made an objective assessment of its housing need in line with planning practice guidance¹. This technical work concludes that the Borough has a range of housing needs to consider depending on projections and historic delivery rates. The Draft Local Plan 2013-2033 identifies the borough's objectively assessed housing need as 362 dwellings a year (7,240 dwellings over the plan period).
20. In the absence of an up-to-date adopted Local Plan, the Borough's interim five year housing requirement is based on the top end of the objectively assessed needs range, a figure of 362 dwellings per year.

The Borough's
five year housing
requirement is
based on 362
dwellings per
annum

This equates to
a total of 7,240
dwellings over
the plan period
2013 - 2033.

¹ SHMA Part 1 - Objectively Assessed Housing Needs for Brentwood (December 2014)

FIVE YEAR HOUSING LAND REQUIREMENT

Applying the 5% or 20% Buffer

21. The NPPF states that an additional buffer of 5% of sites, moved forward from later in the plan period, should be added to the five year requirement in order to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, the NPPF requires local planning authorities to increase the buffer to 20%.
22. It can be assumed that the delivery of housing is measured against the housing targets or requirements in place at the time. Brentwood Borough's consistent over delivery of its housing requirement between 2001 and 2013 is demonstrated in Table 2. The East of England Plan was revoked on 3 January 2013 and so the final monitoring year measured against its housing target for Brentwood Borough is 2012/13. Between 2001 and 2013 the East of England Plan housing target was exceeded in the majority of years and cumulatively by 433 dwellings.
23. Housing completion figures are now measured against objectively assessed needs (OAN) for the area, which are assessed regularly as part of Local Development Plan evidence base. So far this need has been significantly higher than the East of England Plan target. Since 2001 there has only been one year where more homes were completed than the now objectively assessed need annual figure of 362 new homes per year (2010/11, 394 net homes completed).
24. Since April 2013 the number of net housing completions has totalled 377 dwellings against the cumulative requirement of 1,086 dwellings, resulting in a deficit/shortfall of 709 dwellings, as shown in Table 2. In calculating the total five year requirement, this shortfall has been included and necessary buffer applied (see Table 3).

25. When considering these issues it is accepted that there has been an under-delivery of housing against requirements in recent years. However, this does not amount to persistent under delivery when considering longer term delivery against previous targets, and there is no suggestion that current requirements need to be

retro-fitted to previous years. This also highlights the difficulty in meeting a significantly increased target/need when this is introduced overnight. On this basis the assessment uses the 5% buffer plus the shortfall in housing delivery since 2013. However, a calculation has been made for the 20% buffer for the sake of comparison.

OAN HOUSING REQUIREMENT					
	Total completions (net)	Total cumulative completions (net)	OAN annual completion rate	OAN cumulative completion rate	Surplus/ Deficit compared to OAN
2015/16	111	377	362	1,086	- 709
2014/15	159	266	362	724	- 458
2013/14	107	107	362	362	- 255
RSS HOUSING TARGET					
	Total completions (net)	Total cumulative completions (net)	RSS annual completion rate	RSS cumulative completion rate	Surplus/ Deficit compared to RSS
2012/13	212	2,533	175	2,100	+ 433
2011/12	132	2,321	175	1,925	+ 396
2010/11	394	2,189	175	1,750	+ 439
2009/10	166	1,795	175	1,575	+ 220
2008/09	251	1,629	175	1,400	+ 229
2007/08	244	1,378	175	1,225	+ 153
2006/07	218	1,134	175	1,050	+ 84
2005/06	116	916	175	875	+ 41
2004/05	151	800	175	700	+100
2003/04	204	649	175	525	+ 124
2002/03	263	445	175	350	+ 95
2001/02	182	182	175	175	+ 7

Table 2: Brentwood Borough cumulative housing completions 2001-2016

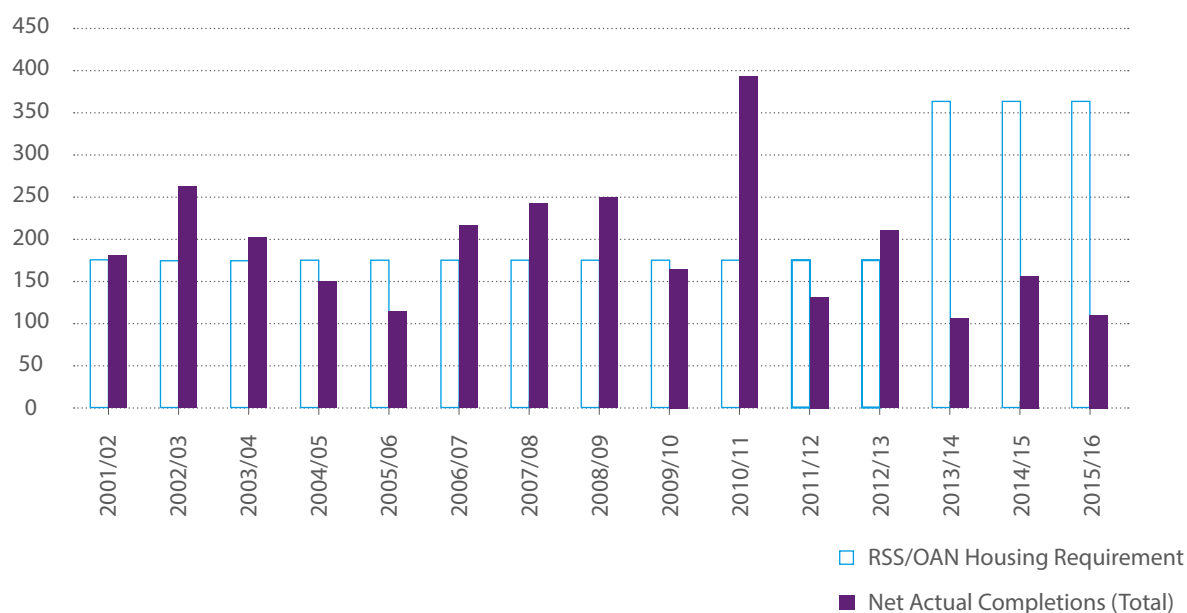


Figure 1: Brentwood's historic housing delivery and requirement

Calculating the Five Year Requirement

	Dwellings
OAN Annual Requirement	362
Five Year Requirement to 2021 (5 years beyond 2016) (362 x 5)	1,810
Plus Shortfall	+709
Five Year Requirement including Shortfall (1,810 + 709)	2,519
Plus Buffer of 5% (5% of 2,519)	+126
Five Year Requirement including Buffer of 5% and Shortfall (1,810 + 709 + 126)	2,645
Plus Buffer of 20% (20% of 2,519)	+504
Five Year Requirement including Buffer of 20% and Shortfall (1,810 + 709 + 504)	3,023

Table 3: Five Year Housing Land Supply Requirement 2016-2021

+ +
 The five year
 requirement
 including Buffer
 of 5% is
 2,645 dwellings
 + +

FIVE YEAR HOUSING LAND SUPPLY

Demonstrating a Deliverable Supply

26. This report assesses whether or not there is a five year supply of deliverable housing land within Brentwood Borough from April 2016 to March 2021.
27. Specific sites are identified that the Council considers likely to contribute to the delivery of five years housing provision. These sites, set out in detail in Appendix 1, include:
 - Sites with planning permission or prior approval and under construction but not yet complete
 - Sites with planning permission or prior approval but where building work has yet to commence
 - Deliverable sites forecast to be completed and proposed to be allocated in the Draft Local Plan 2013-2033
28. The information set out in Appendix 1 is a “snapshot” of sites with permission or prior approval at 31 March 2016.
29. Sites included within Appendix 1, have all been assessed as having a reasonable prospect of delivery within the five year period; this includes those sites with outline permission or those subject to a Section 106 agreement. It is considered all sites included within Appendix 1 are not subject to any constraints that would jeopardise their development by 2021.
30. The five year supply can include an allowance for windfalls where there is evidence such sites have consistently become available and will continue to provide a reasonable source of supply (see Paragraphs 35 to 39 and Table 4).

Draft Plan Allocations

31. Comprehensive assessment of potential sites has been carried out by the Council, independent technical specialists and

other bodies. The Council's Strategic Housing Land Availability Assessment (SHLAA, 2010) has provided the starting point for considering sites as part of the plan-making process, which has then been supplemented by other sources and more up to date information where possible.

32. To determine which land to allocate in the Draft Local Plan a sequential approach to sustainable land use has been applied. In addition, sites have been assessed against criteria, including (but not limited to) the following:

- Ability to deliver the overall spatial strategy and vision;
- Whether sites are suitable for housing;
- Accessibility – to public transport, services and facilities;
- Infrastructure provision;
- Impact on the Green Belt, landscape, visual amenity, heritage, transport and environmental quality including wildlife, flood-risk, air and water pollution;
- Impact on highways; and
- Whether the site is likely to come forward over the plan period.

33. A Sustainability Appraisal carried out for each site, together with technical analysis and modelling, has enabled the Council to reach an informed judgement on site selection.

34. The issue of development viability is one of increasing importance. As part of the Local Plan process, the 'Brentwood Borough Council Whole Plan & CIL Viability Assessment' (May 2016) has been undertaken to inform the setting of a charging schedule. The report provides an appraisal of the viability of Brentwood's Draft Local Plan in terms of the impact of its policies on the economic viability of development proposed to be delivered by the Plan and the potential for development to yield Community Infrastructure Levy (CIL).

Windfall Sites

35. To eliminate the risk of double counting sites with extant planning permissions, no allowance for windfall sites has been made in the calculation of the interim five year supply. However, paragraph 48 of the NPPF indicates that local planning authorities may make an allowance for windfalls in the five year supply if they have compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. Any allowance should be realistic and based on historic windfall delivery rates and expected future trends, and should not include residential gardens.
36. Table 4 shows windfall sites have provided a continuous supply of new homes in the Borough for a number of

years. Appendix 1 shows new housing development permitted in 2015/16 not identified in previous years. When considering the continuing trends of windfall completions and new permissions each year, it can be concluded that windfalls will contribute additional housing supply in future.

37. When taken as a percentage of total completions, windfalls have accounted for approximately 20% of net completions between 2009 to 2016. Brownfield development has comprised the majority of all windfall completions in this period (94%).
38. It should be noted that Brentwood Borough Council has not been granted any exemption in the temporary permitted development rights recently introduced for the change of office to residential use without the need for planning permission (introduced 30 May 2013). Therefore, it is anticipated that a greater level of windfall development will come forward from

this source through the relaxation of permitted development rights. Since the government amended permitted development rights there has been a total of 173 new dwellings given prior approval, showing a considerable contribution towards housing supply, despite the loss of employment floorspace. So far 10 units have been completed from this amount (2015/16 monitoring year).

39. Due to the number of small sites with planning permission included in the Borough's future housing supply (see Appendix 1), an allowance for windfall has not been made within the shorter-term five year period. However, taking the above into account it is likely that the five year supply of housing will be further increased by additional windfall permissions to be granted. In the longer-term Local Development Plan period up to 2033 a strong case can be made that windfall development will make a meaningful contribution to overall housing supply.

	Year						
	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	2014 /15	2015 /16
Total net completions	166	394	132	211	107	159	111
Total net windfall completions	39	57	9	25	33	57	34
% Windfall	23.5%	14.5%	6.8%	11.8%	30.8%	35.8%	30.6%
GROSS windfalls	46	65	13	31	34	67	43
LOSSES on windfall sites	7	8	4	6	1	10	9

Table 4: Total windfall completions 2009 to 2016

Calculating the Five Year Supply of Housing Land

40. The five year period is taken as the period beginning 1 April for the forthcoming year at the time of the assessment. The five year period for this assessment is 1 April 2016 to 31 March 2021. Table 5 sets out the calculation for this time period informed by considerations discussed within this report.

	Dwellings
Sites with Planning Permission subject to section 106	299
Extant Planning Permissions on Unallocated Large Sites	116
Extant Planning Permissions on Small Sites	153
Prior Approval (Residential)	163
Allocations in Brentwood Draft Local Plan	683
Total	1,414

Table 5: Brentwood Five Year Housing Land Supply 2016-2021



HOW MANY YEARS DELIVERABLE LAND?

41. Brentwood Borough has an identifiable and deliverable housing land supply for 1,414 homes over the next five years. That is 1,231 homes under the calculated five year requirement and equates to a housing land supply of 2.67 years as set out in Table 6.
42. In conclusion, the assessment provided in this report shows that the Borough cannot demonstrate a five year deliverable supply of housing.

	Dwellings
Calculated five year requirement plus buffer of 5% & shortfall	2,645 homes
Annual average requirement	529 homes
Total identifiable five year supply	1,414 homes
Annual average supply	282.8 homes
How many years housing supply?	2.67 years

**Table 6: Summary of five year housing supply with 5% buffer included –
1 April 2016 to 31 March 2021**

.....

APPENDIX 1

.....

Schedule of Identified Housing Sites (April 2016)

2020/21
2019/20
2018/19
2017/18
2016/17
Residual completions expected in five year period from 1 April 2016
Total net residual dwellings under construction or not started at 1 April 2016
Net completions as at 1 April 2016
Potential losses
Total number of dwellings with planning permission /site capacity
Windfall
Greenfield/Brownfield
Site size
Grid Reference (X/Y)
Ward
Site name/address
Type of permission (full, outline, reserved matters, allocation)
Planning application ref

Sites with planning permission subject to section 106												
14/01261/F UL	Full	35 High Street, Brentwood	Brentwood North	559589 193872	0.08	B	N	13	1	0	12	12
15/01284/F UL	Full	73 High Street, Brentwood	Brentwood North	559425 193789	0.07	B	Y	18	2	0	16	16
11/01195/F UL	Full	Brunei House, St James Rd	Brentwood West	559177 193129	0.14	B	N	24	0	0	24	24
15/00155/F UL (Affordable Housing element)	Full	The White House Ongar Rd	Brizes & Doddinghurst	557161 198660	0.34	B	N	5	0	0	5	5
15/00155/F UL (Market Housing element)	Full	The White House Ongar Rd	Brizes & Doddinghurst	557161 198660	0.34	B	N	9	1	0	8	8
15/00267/F UL	Full	The Surgery Site	Brizes & Doddinghurst	558644 199583	0.29	B	N	8	0	0	8	8
11/00009/E XT (Affordable Housing element)	Outline	Land rear of Sylvia Avenue	Hutton Central	562201 193544	0.84	B	N	13	0	0	13	13
11/00009/E XT (Market Housing element)	Outline	Land rear of Sylvia Avenue	Hutton Central	562201 193544	0.84	B	N	20	1	0	19	19

Extant Planning Permissions on Unallocated Large Sites																
		Rockys Fun House, William Hunter Way														
14/01495/F UL	Full		Brentwood North	559460 193834	0.09	B	Y	10	0	0	10	10				
12/00725/F UL	Full	43 -57 Ingrave Rd, Brentwood South	Brentwood South	560181 193482	0.44	B	N	51	4	0	47	47		47		
14/00439/ OUT	Outline	Brescia House and 5 & 7 Eastfield Rd	Brentwood South	559689 193529	0.2	B	Y	12	1	0	11	11		5	6	
15/01403/F UL	Full	Adj 1 Fairfield Road, Brentwood West	Brentwood West	559278 193221	0.05	B	N	11	0	0	11	11				
14/00608/F UL	Full	Land at 141 to 147 High Street West	Brentwood West	559141 193674	0.05	B	N	17	0	0	17	17		17		
14/00793/F UL	Full	Westwood Avenue 16	Brentwood West	558476 192999	0.2	G	N	12	1	0	11	11	5	6		
14/00387/F UL	Full	St Nimian Alexander Lane	Hutton North	561611 195211	0.1	B	N	10	1	0	9	9				
										Sub Total:		123	7	0	116	116
												47	53	0	0	0

Extant Planning Permissions on Small Sites																
		Ld Adj 41 Warescot Rd														
14/00072/F UL	Full		Brentwood North	558849 194781	0.06	G	N	1	0	0	1	1		1		
14/00719/F UL	Full	71 Ongar Road	Brentwood North	559563 194112	0.01	B	N	1	0	0	1	1		1		
15/00916/F UL	Full	68 - 70 Ongar Road	Brentwood North	559547 194083	0.02	B	Y	2	0	0	2	2	2			
14/00048/F UL	Full	Ld Adj 16 Thrift Green	Brentwood South	561220 193156	0.05	G	N	1	0	0	1	1		1		

13/00124/F UL	Rose Bank, Rose Valley	Brentwood South	559568 193294	0.05	G	N	1				0	0	1	1	1				
14/00168/F UL	Land Adjacent To 14 Leasway	Brentwood South	559569 193220	0.03	B	Y	1				0	0	1	1	1				
12/00431/F UL	96 Queens Rd	Brentwood South	559714 193659	0.04	G	N	4				0	3	1	1	1				
13/00630/F UL	21-23 Eastfield Rd	Brentwood South	559755 193555	0.04	B	N	4				2	0	2	2	1			1	
12/00841/F UL	24 High Street	Brentwood South	559610 193818	0.02	B	Y	1				0	0	1	1	1				
13/00875/1 3	76 High Street	Brentwood South	559363 193718	0.04	B	Y	7				0	0	7	7				7	
15/00194/F UL	34 Eastham Crescent	Brentwood South	561307 193037	0.03	G	N	1				0	0	1	1	1				
15/00589/F UL	61 Pondfield Lane	Brentwood South	561466 193136	0.04	G	N	1				0	0	1	1	1				
15/01026/F UL	Land At 124 Kings Rd	Brentwood South	559331 193192	0.01	B	Y	1				0	0	1	1	1			1	
15/01045/F UL	Knight Court 47 Crown Street	Brentwood South	559394 193578	0.06	B	Y	3				0	0	3	3				3	
15/01073/F UL	Knights Way Community Centre	Brentwood South	561050 193007	0.12	B	N	3				0	0	3	3				3	
15/01076/F UL	7 Rose Valley	Brentwood South	559462 193388	0.05	G	N	1				0	0	1	1	1				
15/01118/F UL	48 Shenfield Crescent	Brentwood South	560451 193446	0.06	B	Y	2				1	0	1	1				1	
15/01225/F UL	Land Adj. 68 Pondfield Lane	Brentwood South	561483 193180	0.02	G	N	1				0	0	1	1				1	
15/01317/F UL	Garages Saxon Close	Brentwood South	561388 193217	0.03	B	N	1				0	0	1	1	1			1	

14/00529/F	Full	100 Vaughan	Brentwood West	558564	192165	0.07	B	N	1	0	0	1	1	1	1				
UL																			
14/00885/F	Full	134 High Street	Brentwood West	559066	193588	0.07	B	N	6	1	0	5	5	5	5				
UL																			
15/01280/F	Full	25 St James Rd	Brentwood West	559169	193168	0.02	B	Y	2	1	0	1	1	1	1				
UL																			
16/00061/F	Full	26 Crescent Rd	Brentwood West	559192	192879	0.03	B	Y	2	1	0	1	1	1	1				
UL																			
14/00277/F	Full	The Paddocks	Brizes & Doddinghur st	557927	197310	0.42	G	N	1	0	0	1	1	1	1				
UL																			
13/00398/F	Outline	1 All Saints Close	Brizes & Doddinghur st	558941	199055	0.04	G	N	1	0	0	1	1	1	1				
UL																			
13/00681/F	Full	Watons Farm	Brizes & Doddinghur st	553096	195212	0.14	G	Y	1	0	0	1	1	1	1				
UL																			
15/00605/F	Full	34 Glovers Field	Brizes & Doddinghur st	557729	198719	0.03	G	N	1	0	0	1	1	1	1				
UL																			
15/00927/R	Reserved Matters	Land Adj Heathlands School	Brizes & Doddinghur st	557373	198992	0.1	G	Y	1	0	0	1	1	1	1				
EM																			
15/01657/F	Full	Emblems Farm, Doddinghur st	Brizes & Doddinghur st	560477	198514	0.02	G	Y	1	0	0	1	1	1	1				
UL																			
14/00428/F	Full	Button Farm, Herongate	Herongate, Ingrave & WH	563296	190694	0.06	G	Y	1	0	0	1	1	1	1				
UL																			
11/00853/F	Full	8 Brentwood Rd	Herongate, Ingrave & WH	561776	192433	0.02	B	N	2	0	0	2	2	2	2				
UL																			
14/00996/F	Full	Garth Cottage, Herongate	Herongate, Ingrave & WH	562800	191394	0.07	G	N	1	0	0	1	1	1	1				
UL																			
13/1172/F	Full	9 Thorndon Ave	Herongate, Ingrave & WH	562366	189111	0.34	B	N	4	1	0	3	3	3	3				
UL																			
15/01018/F	Full	8 Thorndon Ave	Herongate, Ingrave & WH	562432	189127	0.21	G	N	2	0	0	2	2	2	2				
UL																			
14/00065/F	Full	2 Rayleigh Rd	Hutton Central	561470	195103	0.07	G	N	5	0	0	5	5	5	5				
UL																			

13/00779/F UL	Full	Eversley Kingsley Rd	Hutton Central	562724 194634	0.05	B	N	2	1	0	1	1						1		
15/01376/F UL	Full	Garages, Wainwright Ave	Hutton Central	562824 195176	0.18	B	Y	4	0	0	4	4						2		2
14/00179/F UL	Full	46 Boundary Drive	Hutton East	563396 194598	0.02	G	N	1	0	0	1	1					1			
13/01028/F UL	Full	LD Adj to Stable Nook	Hutton East	563396 194598	0.41	G	Y	1	0	0	1	1					1			
14/01376/F UL	Full	R/O 5 Willingale Close	Hutton East	563040 195102	0.03	G	N	1	0	0	1	1					1			
15/01375/F UL	Full	Land Adj 12 Magdalen Gardens	Hutton East	563331 195025	0.1	B	Y	3	0	0	3	3						1		2
15/01444/F UL	Full	Adj Rosneath Hunters Chase	Hutton East	565067 194419	0.05	G	N	1	0	0	1	1					1			
15/01594/F UL	Full	Hutton Parish Hall	Hutton East	562800 195290	0.07	B	Y	6	0	0	6	6			6					
13/00711/F UL	Full	10 Alexander Lane	Hutton North	561571 195249	0.03	B	Y	2	1	0	1	1			1					
08/00897/F UL	Full	Land rear of St Ninian	Hutton North	561669 195211	0.1	G	N	2	0	0	2	2			2					
13/00899/F UL	Full	R/O 17 Oakland Gardens	Hutton North	562234 195915	0.03	G	N	1	0	0	1	1						1		
15/00980/F UL	Full	Garages Adj 10 Alexander Ln	Hutton North	561571 195240	0.01	B	Y	1	0	0	1	1						1		
13/00134/E XT	Full	LD R/O Netherton	Hutton South	561279 194535	0.7	B	N	5	2	0	3	3						1		2
13/00283/F UL	Full	38 Ridgeway Hutton	Hutton South	561736 194237	0.28	G	N	1	0	0	1	1					1			
15/01491/F UL	Full	Bermans Close	Hutton South	561891 193757	0.28	G	N	3	0	0	3	3					1			2

14/00991/F UL	Full	St Annes Rd, Mounthessing	Ingateson e, Fryerning & Mounthessing	562195 197540	0.12	B	N	1	0	0	1	1	1	1				
13/01044/F UL	Full	Holbrook Farm Barns	Ingateson e, Fryerning & Mounthessing	562489 197990	0.09	G	Y	1	0	0	1	1			1			
12/01132/F UL	Full	Ground Floor, Fryerning Place	Ingateson e, Fryerning & Mounthessing	565065 199691	0.02	B	Y	1	0	0	1	1						
15/00432/F UL	Full	First Floor, Fryerning Place	Ingateson e, Fryerning & Mounthessing	565065 199691	0.02	B	Y	1	0	0	1	1						
15/00535/ OUT	Outline	28 - 30 Pine Drive	Ingateson e, Fryerning & Mounthessing	565449 199678	0.07	G	N	1	0	0	1	1					1	
15/00716/F UL	Full	The Barns, Blackmore Rd	Ingateson e, Fryerning & Mounthessing	561972 200851	0.08	B	Y	1	0	0	1	1				1		
15/00851/F UL	Full	The Crown	Ingateson e, Fryerning & Mounthessing	564901 199447	0.2	B	Y	7	1	0	6	6				6		
15/00956/F UL	Full	309 - 311 Roman Rd	Ingateson e, Fryerning & Mounthessing	562783 197475	0.08	B	N	6	0	0	6	6				6		

Prior Approval (Residential)																
Prior Approval	14/00172/P NJ56	109A High Street	Brentwood North	559284 193729	0.01	B	N	3		0	0	3	3			
Prior Approval	15/00760/P NCOU	125 - 127 High Street	Brentwood North	559224 193704	0.05	B	Y	8		0	0	8	8			
Prior Approval	13/00975/P NJ56	114 - 122 Kings Rd	Brentwood South	559328 193203	0.05	B	Y	8		0	0	8	8			
Prior Approval	15/00274/P NJ56	Knight Court 47 Crown St	Brentwood South	559394 193578	0.1	B	Y	11		0	0	11	11			
Prior Approval	15/00393/P NJ56	Regent House	Brentwood West	558709 193313	1.3	B	Y	104		0	0	104	104			104
Prior Approval	15/00584/P NJ56	141 Kings Rd	Brentwood West	559293 193245	0.13	B	Y	16		0	0	16	16			16
Prior Approval	15/00850/P NCOU	149 - 157 Kings Road	Brentwood West	559284 193194	0.05	B	Y	5		0	0	5	5			5

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Published November 2016 by Brentwood Borough Council
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COMMITTEE REPORT

Reference: 16/01411/BBC	Site: Brentwood Borough Council Transport Depot The Drive Great Warley Essex CM13 3BH
Ward: Warley	Proposal: Enclosed dry recycling facility
Parish:	

Plan Number(s):

BBC/WHF/01, BBC/WHF/02, BBC/WHF/03

Applicant: Mr Darren Laver	Validated: 13 October 2016 Date of expiry: 8 December 2016 Extension of time (if applicable): 14 December 2016
Case Officer: Mr Nick Howard	

1.0 DESCRIPTION OF PROPOSAL

The proposal is for a dry recycling facility which will hold waste items such as plastic bottles, cardboard, paper etc within a 'cage structure'. The structure will be 30 metres in length and 28 metres in width and formed by a base of timber railway sleepers. The base will be 2.5 metres high. Between the sleepers vertical posts of steel will be inserted which will form the support structure of the netted enclosure. The enclosure will reach an overall height of approximately 10 metres and would have an angled roof to ensure that the whole perimeter is enclosed by steel mesh to prevent items blown outside the enclosure. The enclosure will be lit by hooded lights and comprise of one entrance.

2.0 SITE DESCRIPTION

The site comprises the rear south east corner of the Council depot. At present this part of the site is used for outside storage. To the north and west is the host depot. To the south is the Fords car park and to the east is dense woodland. The land is flat and is enclosed by metal fencing along its eastern and southern boundaries.

3.0 RELEVANT HISTORY

None relevant

4.0 SUMMARY OF CONSULTATION RESPONSES

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

Environmental Health- No objections

Tree Officer- Awaited

5.0 SUMMARY OF NEIGHBOUR COMMENTS

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby.

Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

Members of the Great Warley Conservation Soc have no objection to this proposal as it would appear to be of some benefit to the community.

6.0 POLICY CONTEXT

The starting point for determining an application is the development plan, in this instance, the Brentwood Replacement Local Plan (RLP) 2005. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the following RLP policies, the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance (NPPG) 2014.

RLP Policies: E4 & E5

NPPF Sections: Section 17 Core Principles

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in early 2017. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in late 2017 or early 2018.

7.0 ASSESSMENT

The assessment below covers the following areas:

Principle of the Development (Conformity with Planning Policies)

The site forms part of the Council depot which is allocated for general industry. Policy E4 identifies an allocation for additional employment land on land adjacent to the Council Depot. Policy E5 states the allocated site is approximately one hectare and is located immediately to the east of the Council's Highways Depot and consists largely of an area of scrubland used for the deposit of road sweeping spoil. The supporting text for Policy E5 states that any development would clearly need to take into account both Barrack Wood, a County Wildlife Site, along the eastern boundary, and the Marillac Hospital, immediately to the south of the site, and in particular there would need to be a substantial planting screen along this boundary. In this regard, development for Class B2 and B8 uses are considered inappropriate.

However the application site only forms less than 10% of the allocated area and although located to the east of the Council depot it is situated some distance to the north from the

Marrillac Hospital, with the existing Fords car park between the two areas and forming part of the allocation. Therefore the need for a substantial planted boundary is not required in this instance, however consideration of the impact on Barrack Wood to the east is required and is discussed later in the report. Overall the proposal complies with the policies within the BRLP

Traffic Impact, Access and Car Parking

The proposal would involve a slight increase in vehicles visiting the site but insignificant compared to the level of traffic that enters and leaves the depot. The increase is due to vehicles visiting a central recycling facility rather than visiting other smaller storage areas located throughout the Borough.

Impact Upon Ecology and Biodiversity

The site abuts Barrack Wood on its eastern boundary. The woodland is dense in nature. The proposal is to place railway sleepers on the ground to form the base of the structure. Therefore no foundations will be required to be dug in close proximity to the trees. Consequently the proposal will have little impact on the adjacent woodland. A tree officer comment is sought and any additional conditions if required will be reported to members at the committee.

Design and Layout

The structure is of a significant size and covers approximately 0.1 ha. Although the lower part of the structure will be enclosed by railway sleepers, the upper part and the majority of the structure will consist of steel poles and mesh, therefore views through the structure (assuming it is not full) will be achievable. The site is situated at the rear of the Council depot and therefore not visible from any public vantage point. Therefore given its location within the depot and the context of the character of the area, it is not considered the proposal's visual appearance will be detrimental to the character and appearance of the area.

Energy and Sustainability

The proposal will involve an improvement in the processing of recycling materials. The purpose of the structure is to have a central storage area for all dry recyclable materials, which will improve the capacity of recycling material and lead to a more efficient process in dealing with such material. Overall the sustainability credentials of the proposal are high and are a significant material consideration in the determination of this planning application.

8.0 CONCLUSION

The site is located within the Council depot on land allocated for its potential expansion. The proposal accords with the Council's policies in the BRLP, it is a large structure of which

the majority is 'open' in appearance and will provide a significant improvement in dealing with dry recyclable material.

9.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:

1. 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.

- 2 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.

Informative(s):

1 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.

2 The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: E4 & E5 the National Planning Policy Framework 2012 and NPPG 2014.

3 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.brentwood.gov.uk/planning

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Appendix A



Title : Brentwood Borough Council Transport Depot, The Drive, Warley

16/01411/BBC

Scale at A4 : 1:1250

Date : 13th December 2016

Brentwood Borough Council
Town Hall, Ingrave Road
Brentwood, CM15 8AY
Tel.: (01277) 312500



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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Planning and Licensing Committee

Planning

(a) Town and Country Planning Act 1990 and any related legislation including:-

- (i) determination of planning applications;
- (ii) enforcement of planning control;
- (iii) waste land notices, purchase notices, etc.

(b) Listed Buildings and Conservation Areas Act 1990

- (i) determination of applications for Listed Buildings and Conservation Area consent;
- (ii) enforcement of Listed Building and Conservation Area legislation.

(c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

(a) To guide the Council in setting its policy objectives and priorities.

(b) To carry out the duties and powers of the Council under current legislation;

(c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.

(d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

(e) To consider and approve relevant service plans;

(f) To comply with the standing orders and financial regulations of the Council;

(g) To operate within the budget allocated to the committee by the Council.

(h) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning.

Licensing

(a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.

(b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.

(c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.

(d) To exercise all other functions relating to licensing and registration including

i. Trading Requirements.

ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators.

- iii. Animal Welfare and Security.
- iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing.
- v. Sex establishments (including Sex Entertainment Venues (SEV)).
- vi. Pavement Permits.
- vii. Charitable Collections.
- viii. Camping, Caravan Sites and Mobile Homes.
- ix. Scrap Metal.
- x. Game Dealers.
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.
- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.