



Agenda

Planning and Licensing Committee

Tuesday, 21 March 2017 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 Minutes to follow.		5 - 8
3.	Leverton Hall, Dark Lane, Warley, Essex CM14 5LL Applications Nos: 16/00999/FUL and 16/01000/LBC Description 1) Change of use, conversion and extension of existing building to provide 13 residential apartments; demolition of secure wing, other structures and buildings; construction of 8 detached family dwellings, parking and garaging; attenuation pond and hard and soft landscape works Description 2) Conversion and extension of existing building to provide 13 residential apartments; demolition of secure wing, other structures and buildings.	Warley	9 - 30
4.	Thrushes, 15 Highland Avenue, Brentwood, Essex Application No. 16/01398/FUL Demolition of existing bungalow and construction of 2 No. x 4 bedroom semi-detached dwellings.	Brentwood North	31 - 42

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|----|---|-----------------------|---------|
| 5. | Crown Corner, Ongar Road, Kelvedon Hatch, Brentwood, Essex Application No. 16/01733/FUL
Construction of building for the storage of hay and straw products in connection with the adjacent retail use | Brizes & Doddinghurst | 43 - 52 |
| 6. | Highways England A12 Chelmsford to A120 Widening Scheme Consultation
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| 7. | Urgent Business | | |



Head of Paid Service

Town Hall
Brentwood, Essex
13.03.2017

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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

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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

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Minutes

Planning and Licensing Committee Wednesday, 8th March, 2017

Attendance

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

Apologies

Substitute Present

Also Present

Cllr Cloke	
Cllr Mrs Pound	
Cllr Mrs Hones	
Cllr Day	Ingatestone & Fryerning Parish Council
Cllr Foan	West Horndon Parish Council
Cllr Jeater	Ingatestone & Fryerning Parish Council
Cllr Lockhart	Blackmore, Hook End and Wyatts Green Parish Council

Officers Present

Philip Drane	-	Planning Policy Team Leader
Caroline McCaffrey	-	Development Management Team Leader
Claire Mayhew	-	Governance and Member Support Officer
Sonia Sharp	-	Planning Solicitor
Nick Howard	-	Senior Planner

301. Apologies for Absence

No apologies were received.

302. Minutes of the Previous Meeting

The minutes from the Planning and Licensing Committee held on 24th January 2017 were approved and signed as a true record.

303. Minutes of the Licensing Appeals Sub Committee

The minutes from the Licensing Sub Committee held on 21st February 2017 were approved and signed as a true record.

304. Parklands, Rockwood, Magdalen, Longmeads, The Leylands and Woodfield, 1 to 6 Woodfield Cottages, South East of High Street, High Street, Ingatestone, Essex Application No. 16/01809/OUT

Ms Heales was present and addressed the committee in objection to the application.

Mr Rowe, the Agent was also present and addressed the committee in support of the application.

Cllr Day, Ingatestone and Fryerning Parish Council was also present and addressed the committee in objection to the application. Concerns were expressed about GB1 and GB2 and, relating to special landscaping area, NPPF and Green Belt Policy. Also the impact on the local infrastructure; health care, education and parking.

Cllr Hones, Ward Councillor spoke in objection to the application. She thanked the officer for a very detailed report and she drew the committee's attention to the NPPF, in which it states that no development should be on green belt unless there are very special circumstance exists. A development of this scale should also demonstrate sustainability, this development is not sustainable and will add extra pressure, educational, medical, traffic and pollution on the environment.

Cllr Cloke, Ward Councillor also spoke in objection to the application and expressed his concern on the loss of good quality agricultural land, the additional traffic movement and the poor sight line to the north of the site.

After a full discussion, a motion was **MOVED** by Cllr Mynott and **SECONDED** by Cllr Bridge to refuse the application.

A vote was taken by a show of hands.

FOR: Cllrs Bridge, Faragher, Mrs Hubbard, Keeble, McCheyne, Mrs Middlehurst, Morrissey, Mrs Murphy, Mynott, Newberry, Ms Rowlands and Ms Sanders (12)

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that the application is **REFUSED** for the following reasons:

1. The proposal would be inappropriate development in the Green Belt in that it would materially detract from openness, it would represent an encroachment of development into the countryside, it would result in an unrestricted sprawl of a large built up area and it would represent a reduction in the gap between Ingatestone and Margaretting. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 and the objectives of the Framework as regards development in the Green Belt.

2. Other matters that may weigh in favour of the proposal have been considered individually and collectively and they do not clearly outweigh the harm to the Green Belt or the other harms identified. Therefore, very special circumstances to justify inappropriate development in the Green Belt do not exist.

3. The proposed development would be harmful to the setting of the adjacent Grade II listed building 'Rays' and its curtilage listed buildings, by reason of its close proximity to the listed building and its curtilage structures. The proposed harm to the setting of the Listed Building outweighs the public benefit that would be derived from the scheme. The proposal is therefore contrary to Policy C16 of the Brentwood Replacement Local Plan and the provisions of the Framework.

(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of her working for an on-line Estate Agent).

305. Land adjacent to Landings, Outings Lane, Doddinghurst, Essex Application No. 16/00727/OUT

This item was withdrawn as the applicant wishes to concentrate on another scheme for the same site.

306. 1 Floral Bungalow, Hunters Chase, Hutton, Essex CM13 1SN Application No. 16/01820/FUL

Miss Cook, the applicant was present and addressed the committee in support of the application.

Cllr Sanders read out a letter of support from the Ward Councillor, Cllr Hossack.

After a full discussion, a motion was **MOVED** by Cllr Sanders and **SECONDED** by Cllr Faragher to approve the application due to the fact that the footprint and scale does not represent inappropriate development, but rather is modest development which will not be harmful to the neighbour.

A vote was taken by a show of hands.

FOR: Cllrs Faragher, McCheyne, Mrs Middlehurst, Mrs Murphy, Ms Rowlands and Ms Sanders (6)

AGAINST: Cllrs Hubbard, Keeble, Morrissey and Mynott (4)

ABSTAIN: Cllrs Bridge and Newberry (2)

RESOLVED that the application is **APPROVED** subject to the following conditions:-

- Development to commence within 3 years from the date of the decision
- Development to be built in accordance with the submitted drawings
- No other permitted development extensions to be built prior to the commencement of this development
- Details of the colour of any render to be submitted to and agreed in writing by the Council prior to that render taking place.

(Cllr Morrissey declared a non-pecuniary interest under the Council's Code of Conduct by virtue of her working for an on-line Estate Agent).

307. Urgent Business

There were no items of Urgent Business.

The meeting concluded at 20.15pm



SITE PLAN ATTACHED

Committee Report

APPLICATION NOs: 1)16/00999/FUL & 2)16/01000/LBC

Leverton Hall Dark Lane Great Warley Essex CM14 5LL

Description 1) Change of use, conversion and extension of existing building to provide 13 residential apartments; demolition of secure wing, other structures and buildings; construction of 8 detached family dwellings, parking and garaging; attenuation pond and hard and soft landscape works

Description 2) Conversion and extension of existing building to provide 13 residential apartments; demolition of secure wing, other structures and buildings.

WARD	Warley	13 WEEK DATE	20.10.2016
PARISH			
CASE OFFICER	Mr Mike Ovenden	01277 312500	
Drawing no(s) relevant to this decision:	PL 01B, PL 02A, PL 03A, PL 002A, PL 003D, PL 004D, PL 005C, PL 006C, PL 007C, PL 008C, PL 009D, PL 010D, PL 011B, PL 017, PL 016, PL 100B, PL 102B, PL 103E, PL 104C, PL 105C, PL 106C, PL 107D, PL 301A, PL 302A, PL 303A, PL 304A, PL 305A, PL 310A, PL 311A, PL 320A, 13797 GA, 03 A, 822 04.		

1. Proposals

The main building on the site is a grade II listed building dating from the 1770s. It was formerly known as Boyles Court. It is currently unoccupied and has endured a series of interventions, both internally and externally during its most recent use as a secure unit for children/young adults. This includes the construction of a large secure wing attached to the host listed building. At that time the premises was renamed Leverton Hall. It is understood that the developer proposes to return to using the name Boyles Court as suggested by local residents although this is not a planning matter.

The proposal involves the demolition of this large secure wing which is approximately rectangular in footprint with three enclosed open air courtyards covering a distance of

approximately 155 metres by 85 metres. The listed building would be converted into 13 units including flats and duplexes.

A small walled yard to the side of the main building would be partially in filled to form Plot 1. In the listed building there would be:

- 10 x 2 bedroom apartments
- 3 x 3 bedroom apartments

i.e. 13 units in all.

Following the demolition of the secure wing, a development of eight dwellings would be erected on its site and on that of the adjacent lightly landscaped parking area (measuring approximately 200 metres by 65 metres). The new dwellings comprise the following accommodation.

- 1 x 4 bedroom house
- 5 x 5 bedroom houses
- 2 x 6 bedroom houses

The redevelopment of the site would also include the provision of 58 associated car parking spaces and landscaping.

The works described above require planning permission and listed building consent and this report addresses both applications.

2. Policy Context

Brentwood Replacement Local Plan (BRLP):

CP1 General Development Criteria

H6 Small unit accommodation

H9 Affordable Housing on larger sites

T2 New development and highway considerations

T5 Parking – general

GB1 New Development

GB2 Development Criteria

GB16 Residential conversions

GB17 Conversion or change of use of listed buildings

C5 Retention and provision of landscaping and natural features in development

C10 Protected lanes

C15 Demolition, alteration or extension of listed buildings

C16 Development within the vicinity of a listed building

C17 Change of use of a listed building

Other policy documents:

National Planning Policy Framework (NPPF)

Local Development Plan:

The emerging Local Development Plan is currently at the Draft Stage (Regulation 18) and has outstanding objections to be resolved. As the plan advances and objections become resolved, more weight can be applied to the policies within it. A further round of consultation will take place later in 2017 with submission to the Secretary of State for an Examination in Public at a later date. At this time only very limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework.

3. Relevant History

- CC/BRW/6/95 Erection of secure unit and adaption of existing building
- CC/BRW/4 & 9/97 Amendments to above scheme
- 05/00012/LBC: Installation of A 0.3m Diameter Dish Aerial On Roof -Application Refused
- 05/00028/LBC: Installation of A 0.3m Diameter Dish Aerial On Roof -Application Permitted
- 06/00061/LBC: Reduction In Height Of Wall -Application Permitted
- 09/00051/LBC: Installation of Anti-Climb Devices And 1 No Fence Panel - Application Permitted
- 09/00784/FUL: Installation of Anti-Climb Devices And 1 No Fence Panel - Application Permitted
- 13/01131/TPO: T1 Sycamore to be felled, T2 Norway Pine to be removed to ground level, T3 Oak remove large branch lodged in crown and remove dead wood, T4 Birch to be removed to 1.5 metres high from ground level, T5 Beech to be felled to ground level, T7 and T8 Mature Oaks to remove the major deadwood, T9 Acer to remove to ground level. -Application Permitted
- 14/00471/ESS: Erection of an external vertical ladder and access door. Leverton Hall, Dark Lane, great Warley, Brentwood, Essex CM14 5LL -No Objections

4. Neighbour Responses

The application were publicised by neighbour letter, site notices and a press advertisement. Twelve comments have been received. The full version of each response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

- Objection to passing plays on grounds of land ownership
- Increase in ground level
- New building should be subservient to Boyles Court
- Affect openness of greenbelt
- Increased traffic in Dark Lane
- No protection for trees in new gardens once in private ownership
- Do not agree to passing places on Dark Lane

- Concern over potential flooding which would need to be addressed by planning condition
- Inadequate parking proposed
- Planning permission should prohibit right turns onto Dark Lane
- Upgrading passing places to the north of the access
- No change to the lane south of the access
- Site lies in unsustainable location – poor access to services and most travel likely to be by private car

Great Warley Conservation Society

At meeting in May 2016 there was general acceptance of proposal, subject to concerns

- Concerns about traffic/highway safety
- Should be left turn only from access
- Should be width restrictions to the south of Dark lane

5. Consultation Responses

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/>

County Archaeologist:

The conversion of the existing buildings and construction of 8 detached family dwellings does not require any archaeological work. However the proposed highway improvement work to Dark Lane does cause some concern.

The Protected Lane status of Dark Lane was assessed in 2015 and it was found that the lane scored well above the cut off score within the system used across the County. The lane retained much of its historic integrity; there were very limited highway improvements and very limited damage to the road or its associated verges. The suggested creation or formalisation of passing places within the lane will increase the level of damage, especially to the historic integrity of the lane.

Works to formalise the existing passing places along the length of Dark Lane as part of the development proposal, would be unacceptable as it would cause significant damage to the historic lane and would potentially reduce the lanes importance.

Highway Authority:

The proposals are expected to generate considerably less trips than the existing lawful use of the site. The Highway Authority raises no objections subject to conditions on the following matters:

- provision and implementation of a Residential Travel Information Pack

- the public's rights of passage over Bridleway no 184 (ref PROW 272_184) shall be maintained free and unobstructed at all times.
- provision of 3 visitor parking spaces prior to occupation (each space shall have minimum dimensions of 2.9 metres x 5.5 metres).
- Cycle parking for the proposed apartments shall be provided in accordance with EPOA Parking Standards.
- The provision of vehicle passing places on Dark Lane should be established in a position and to a specification to be agreed with the Local Planning Authority and the Highway Authority prior to occupation.
- Construction Method Statement

ECC SUDS (Local Lead Flood Authority):

No objection subject to conditions on the following matters

- Submission of detailed surface water drainage scheme for the site
- Submission of scheme to minimise off site flood risks during construction
- Submission of a surface water drainage system maintenance plan (to include yearly maintenance logs)

Anglian Water Services Ltd:

- None received

Essex & Suffolk Water:

- Our existing apparatus does not appear to be affected by the proposed development. We have no objection to this development subject to compliance with our requirements

Historic Buildings and Conservation Officer:

- Planning application 16/00999/FUL

The listed building is currently unoccupied and has endured a series of interventions, both internally and externally during its most recent use. This includes the construction of a secure wing adjoining the host listed building (W.S Atkins 1997). The building is not 'at risk' but requires a high quantum of repair and restoration.

Principle

In terms of the principle of the proposed subdivision of the listed building into residential units, this can be accepted in Conservation terms, subject to elements of detail. The removal of the secure wing is supported by Conservation along with the construction of a new two storey range at the rear.

In terms of proposals to construct detached dwellings within the curtilage of the grade II listed building. The proposals illustrate a courtyard style layout which relates to the axis of the listed building but is off set in line with the curtilage.

The most important considerations are the setting of the listed buildings and how they would be affected by the development. In particular the new two storey rear wing; and the legibility of the host form must not be encroached upon by the proposed residential development.

While the removal of the extensive secure wing should result in a positive enhancement to the setting of the listed building, particular attention should be paid to some of the Plots immediately adjacent to the listed building and their projections.

In terms of the architectural language and the proposals for an 'Arts and Crafts' narrative, I advise the approach of using red brick with stone dressings as 'pavilions' to the host listed building with the addition of the courtyard garden is achievable and can be acceptable subject to design development.

In respect of the protected lane which contributes to the character of the location and feeds into the Great Warley Conservation Area, I raise concern for any increased vehicular movement from the site to the south (towards the village) by the implementation of additional passing places, these may result in further signage at the junction with Warley Street which falls within the Great Warley Conservation Area. My concern has been highlighted to the ECC highways Consultee.

- Listed building application 16/01000/LBC

I note the justification for the spiral staircase but request this matter is discussed further through liaison with myself and Building Control should LBC be granted. Should the spiral staircases be required as a means of escape, detailed design would be required by Condition.

Detail of the abutment of this new two storey range with the listed building should be required by condition.

In terms of other areas where refinement was required, fenestration within the attic has been amended and the iron gates are proposed to be repaired.

I maintain the position of advising that clerestory windows within the buttery are repairable and do not require removal as proposed within the submission. Windows at the Front Range Ground Floor are also cited for removal and replacement but form part of the buildings' legibility.

I recommend conditions on the following matters:

- Use of appropriately qualified professional specialising in conservation work to supervise with prior written agreement of the LPA

- details to secure and protect the interior and exterior features during the building work
- details to secure and protect windows during the building work
- Approval of Fire Safety Strategy and Method Statement
- All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent unless otherwise approved
- new facing brickwork shall match the existing brickwork adjacent in respect of dimensions, colour, texture, face bond, and pointing
- agreement of details of the abutment of the two storey rear range to the host listed building
- new joinery work to match the existing joinery adjacent in respect of materials, dimensions and profiles
- schedule of retention/re-use of door/doorcases/windows fireplaces and surrounds, decorative plaster work, panelling, windows/doors (linings and architrave) /skirting/cornice/ironmongery
- Control over method of cleaning masonry

Natural England:

- Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.
- We have not assessed this application and associated documents for impacts on protected species and direct the Council towards Standing Advice on protected species.

Essex Wildlife Trust: No comments received

National Grid: No comments received

Schools, Children Families Directorate: To be reported

Essex Badger Protection Group:

- I am not aware of badgers living close to this proposed development; therefore a survey of the area should be carried out to confirm this.

Bat specialist: No comments received

6. Summary of Issues

Greenbelt

The site is outside the built up area and within an area defined as greenbelt. Both national and local policy seeks to protect the greenbelt from inappropriate development. The reuse of existing permanent and substantial buildings is not inappropriate. In greenbelt terms the conversion of the existing building is therefore acceptable in principle.

Under the NPPF, the redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is acceptable. The following table compares the existing and proposed built form:

	Existing	Proposed
Volume	19, 600 m ³	19,410 m ³
Building Footprint	2,830 m ²	2,800 m ²
Hardstanding	7,848 m ²	5,171 m ²
Total Footprint (inc. hardstanding)	10,678 m ²	7,971 m ²
Max. Ridge Height Original listed building	14.3 m	14.3 m
Secure wing	9 m - 11.1 m to be demolished	n/a
Detached dwellings	n/a	8.9 m – 10.8 m

From the above measures it is considered that the quantum of development proposed is less than currently on the site. While the proposed new dwellings and courtyard would span a wider area than the existing secure wing it would introduce space within the grouping currently not provided in the existing built form. In total it is considered that the proposed development would not have a greater impact on the openness of the Green Belt and is therefore acceptable in green belt terms. The proposal complies with Policies GB1, GB2, GB16 and NPPF Chapter 9 'Protecting Green Belt land'.

Listed building and heritage matters

The listed building is currently unoccupied and has endured a series of interventions, both internally and externally during its most recent use including the construction of a secure wing adjoining the host listed building. The building is not 'at risk' but requires a high quantum of repair and restoration.

In accordance with advice in the NNPf officers have come to the view that it is desirable to sustain and enhance the listed building and putting it to viable uses consistent with its conservation. Conservation can make a contribution to sustainable communities including their economic vitality.

The principle of the proposed subdivision of the listed building into residential units is accepted in Conservation terms, subject to elements of detail. The removal of the secure wing along with the construction of a new two storey range at the rear is seen as a significant benefit and supported by the Conservation Officer.

The conversion works have been discussed during the pre application stage and while broadly supported, there are some matters of detail that would be required by condition in the event of permission being granted. The proposed internal spiral staircase has been discussed further through liaison with the Conservation Officer and Building Control and should the spiral staircases be required as a means of escape, detailed design would be required by condition. Detail of the abutment of this new two storey range with the listed building should be required by condition. In terms of other areas where refinement was required, fenestration within the attic has been amended and the iron gates are proposed to be repaired.

Conservation Officer has advised that clerestory windows within the buttery are repairable and do not require removal as proposed within the submission. Windows at the Front Range Ground Floor are also cited for removal and replacement but form part of the buildings' legibility. The conditions requested by the Conservation Officer are recommended to be part of the planning permission and listed building consent. Subject to these conditions it is considered that the proposal complies with the requirements of Policies C15 and C17.

New build

In addition to the conversion works, the proposal includes the construction of eight detached dwellings within the curtilage of the grade II listed building. The most important considerations are the setting of the listed buildings and how they would be affected by the development. In particular the new two storey rear wing; and the legibility of the host form must not be encroached upon by the proposed residential development. The proposals illustrate a courtyard style layout which relates to the axis of the listed building but is off set in line with the curtilage. On the approach to the development the listed building would retain its pre-eminence, due to its height (the main element is four storeys with three storey and lower elements. In contrast the new dwellings would be two storey with lower elements, apart from plot 18 furthest away from the listed building which would be three storeys tall. The eight new dwellings would be to the side and rear, pulled back from the principal elevation

While the removal of the extensive secure wing was always welcomed for the positive enhancement it would bring about for the setting of the listed building, particular attention was paid in discussions to the Plots immediately adjacent to the listed building and their projections. In the final iteration of the drawings Plots 14 and 21 have been scaled back to lessen their impact on the listed building.

In terms of the architectural language and the proposals for an 'Arts and Crafts' style, the Conservation Officer advises the approach of using red brick with stone dressings as 'pavilions' to the host listed building with the addition of the courtyard garden is achievable and can be acceptable subject to design conditions. To protect the setting of the listed building and the qualities of the greenbelt conditions are proposed to control further additions and outbuildings. Subject to these conditions it is considered that the proposal complies with the requirements of Policies CP1 and C16.

Highways

The applicant has provided information on the traffic that could be generated by the proposal given the existing lawful use of the site. This may represent a greater level of traffic movements than occurred in the past but is a level that could occur without a further planning permission. Data submitted with the application has been considered by the highways authority and agrees that the proposal is expected to generate considerably less trips than the existing lawful use of the site. On this basis the Highway Authority raises no objections subject to conditions.

Concerns have been expressed that Dark Lane, particularly to the south of its junction with the site entrance, is not capable of supporting increased levels of traffic movements. Notwithstanding the issue of lawful use above, the applicant has sought to mitigate this possible greater use by proposing passing spaces on Dark Lane. While acceptable to the highways department (subject to a maintenance payment) they were not considered necessary. The Archaeological team at the County Council does not support the formalising of these passing places as they would change the character of this Protected Lane (A status based on an assessment of biodiversity, historic and aesthetic value). Therefore the provision of these passing places is not recommended. The applicant has responded to local concerns about use of Dark Lane but recognises that it is not possible to control use of the public highway in the planning system. However by angling the exit from the site, a modest degree of persuasion to turn north along Dark Lane would be achieved, even though travel southwards could not be prevented. The proposal complies with policies T2, T5 and C10.

Affordable housing

Policy H9 indicates that the Council will seek affordable housing on suitable development sites of 20 units or more. When assessing this proposal, the detail of the conversion would make it problematic to provide affordable and market housing within the listed building for operational reasons. Furthermore the applicant has submitted financial information which has been assessed by an independent assessor which indicates that the development would not generate sufficient funds for affordable housing, even by way of an off site payment. Indeed in scaling back the development

for green belt and heritage reasons - the small surplus originally projected has been lost. Consequently this development does not support the on site provision of affordable units or monies for off site provision elsewhere. Given the evidence supplied, the advice from the Council appointed independent assessor and the improvements to the scheme to meet design and greenbelt concerns, this position is supported by policy H9 and is accepted by officers.

Other matters

The proposal would provide a significant proportion of two bedroom properties 10 units (48%). Under Policy H6 on this scale of development 50% of units should be for one and two bed properties. Given that the need for housing in the borough is now for larger properties – a change from when the local plan was adopted in 2005 - this minimal shortfall under the 50% required is not considered material. All properties – except plot 8 - meet the national space standards. Plot 8 is proposed in the first and second floor of the converted listed building and is 75 rather than 79sqm. However given the limitations inherent in a conversion, this minimal shortfall in one unit is acceptable. It is also the case that these space standards have not been adopted by the Council and therefore have limited weight in decision making.

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites. The Council cannot demonstrate a 5-year supply of deliverable housing sites. This lends further support to the development.

The site lies in attractive parkland with established trees and other planting. Discussions have taken place with regard to general and detailed landscaping matters, for example the position of car parking, and the retention and protection of trees and new planting can be controlled by planning conditions. The small area of parking proposed at the front of the listed building has been relocated to address the design officers comments.

Drainage issues associated with the development have been considered by the County Council drainage team and found to be acceptable subject to conditions.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

16/00999/FUL Planning permission

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. 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.

3. DEM01 Demolition of buildings on site (green belt)

The existing building(s) or parts of buildings on the site indicated on the approved drawings and/or specifications for demolition shall be demolished and all materials arising shall permanently be removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason - In the interests of maintaining the openness of the Green Belt.

4. No Permitted Development (new dwellings)

Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, G or H of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged without the prior grant of specific planning permission by the local planning authority.

Reasons: To prevent a proliferation of buildings that would conflict with the policies of restraint within the Green Belt and affect the setting of the listed building

5. RESL06 No Permitted Development for outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no development falling within Schedule 2, Part 1, Class E of that Order (e.g. buildings, enclosures, swimming or other pools) shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reasons: To prevent a proliferation of buildings that would conflict with the policies of restraint within the Green Belt and affect the setting of the listed building.

6. No Permitted Development for gates, walls or fences

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no development falling within Schedule 2, Part 2 Class A of that Order (e.g. gates, wall and fences) shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reasons: To prevent the erection of gates, walls or fences that would conflict with the policies of restraint within the Green Belt and affect the setting of the listed building.

7. No meter cupboards shall be provided on the exterior of any of the dwellings unless details of the position and design of the cupboards have previously been submitted to and approved in writing by the local planning authority.

Reason: To protect the setting of the listed building.

8. Materials

Notwithstanding the details indicated in the application, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted, together with details of the bond and pointing of the brickwork, windows (which shall be constructed from timber) and rainwater goods 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.

9. MAT04 Surfacing materials

Details of the surfacing materials of driveways and parking areas shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby approved and construction shall be in strict accordance therewith.

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

10. Landscaping

Prior to the commencement of the development hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels and all fencing or walls. 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 to be 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.

11. LAN06 Protection of Trees

All trees and hedges to be retained, including trees outside the site whose canopies overhang the site, shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: In order to protect trees and hedges of importance to safeguard the character and appearance of the area.

12. LAN05 Retention of existing Trees, Shrubs and Hedges

All existing trees, shrubs and hedgerows on the site indicated for retention on the approved drawings shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. If prior to the commencement of the development or within five years of the completion of the development, any such trees, shrubs or hedges are removed without such consent, or become severely damaged or diseased, they shall be replaced with others of a species, number, size and in positions to be agreed in writing with the local planning authority. The replacement shall be carried out within the first planting season after the Council's written agreement. Any works to existing trees, shrubs and hedgerows which may prove necessary shall be carried out in strict accordance with a written scheme to be approved in writing with the local planning authority prior to the carrying out of those works.

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

13. Phasing

None of the new build dwellings (plots 14 to 21) shall be occupied until the works to the listed building (approved under reference 16/01000/LBC) have been completed.

Reason: To ensure that the renovation/restoration of the listed building which is a significant benefit that weighs in favour of the overall development is carried out.

14. Residential Travel Information Pack

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport as approved by Essex County Council.

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

15. Parking provision

The proposed development shall not be occupied until such time as a minimum of 3 visitor parking spaces for the proposed apartments have been hard surfaced, sealed and marked out in parking bays. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

16. CON1 Construction Method Statement

No development shall take place, including any works of demolition, 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 route of construction vehicles to and from the site
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- ix. 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.

15. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- Groundwater testing and infiltration testing in line with BRE 365. If infiltration is found to be unviable, run-off from the site should be restricted to 1l/s.
- Attenuation storage for the 1 in 100 inclusive of climate change (40%) storm event and 'urban creep'.
- An appropriate amount of treatment in line with the CIRIA SuDS Manual C753.
- Final detailed modelling of the whole drainage network on site.

- A drainage plan highlighting final conveyance and exceedance routes, location and sizing of storage features, level of outfall/s and discharge rates from the site.

Reason: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

16. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.

Reason: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

17. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. This maintenance plan shall include yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation of flood risk.

16/01000/LBC Listed Building Consent

1. TIM05 Standard Time - Listed Building Consent

The works hereby granted consent shall be begun on or before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 1990.

2. 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.

Conservation details

3. Before work begins it shall be agreed in writing with the Local Planning Authority the appropriately qualified professional specialising in conservation work who will supervise the hereby approved works of alteration or demolition. Any proposed changes to the agreed supervision arrangements shall be subject to the prior written agreement of the LPA.

Reason: To protect the architectural and historic qualities of this listed building.

4. Before work begins, details shall be approved in writing by the Local Planning Authority to ensure that precautions are taken to secure and protect the interior [and exterior] features during the building work. The agreed measures shall be carried out in full. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or without the prior approval in writing of the Local Planning Authority. Particular regard should be given to the following item(s): chimney-pieces; cast guttering and hopper-heads; staircases, balusters and handrails; windows containing historic window glass; wattle and daub infill panels; vulnerable surfaces and finishes.

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

5. Before the work begins, a Fire Safety Strategy and Method Statement shall be approved by the Local Planning Authority, and the works carried out in full according to such a Statement.

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

6. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

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

7. The new facing brickwork shall match the existing brickwork adjacent in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

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

8. Details of the abutment of the two storey rear range to the host listed building should be submitted and must be agreed prior to the commencement of any works including below ground work.

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

9. The new joinery work shall match the existing joinery adjacent in respect of materials, dimensions and profiles, unless otherwise agreed in writing by the Local Planning Authority.

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

10. Before work begins, details shall be approved in writing by the Local Planning Authority to ensure that precautions are taken to secure and protect the windows during the building work, particularly the historic window glass. The agreed measures shall be carried out in full. No such features shall be disturbed or damaged or removed temporarily or permanently to facilitate protection except as indicated on the approved drawings or with prior approval in writing. Any intact historic window glass damaged during the building work shall be reported to the Local Planning Authority and shall be replaced like-for-like from a suitable approved source. (Note: conventional polished plate glass will not be acceptable).

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

11. Before work begins, a schedule showing the retention/re-use of door/doorcases/windows fireplaces and surrounds, decorative plaster work, panelling, windows/doors (linings and architrave) /skirting/cornice/ironmongery and so forth, shall be approved in writing by the Local Planning Authority.

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

12. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority. (Informative LBI 05).

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

Informative(s)

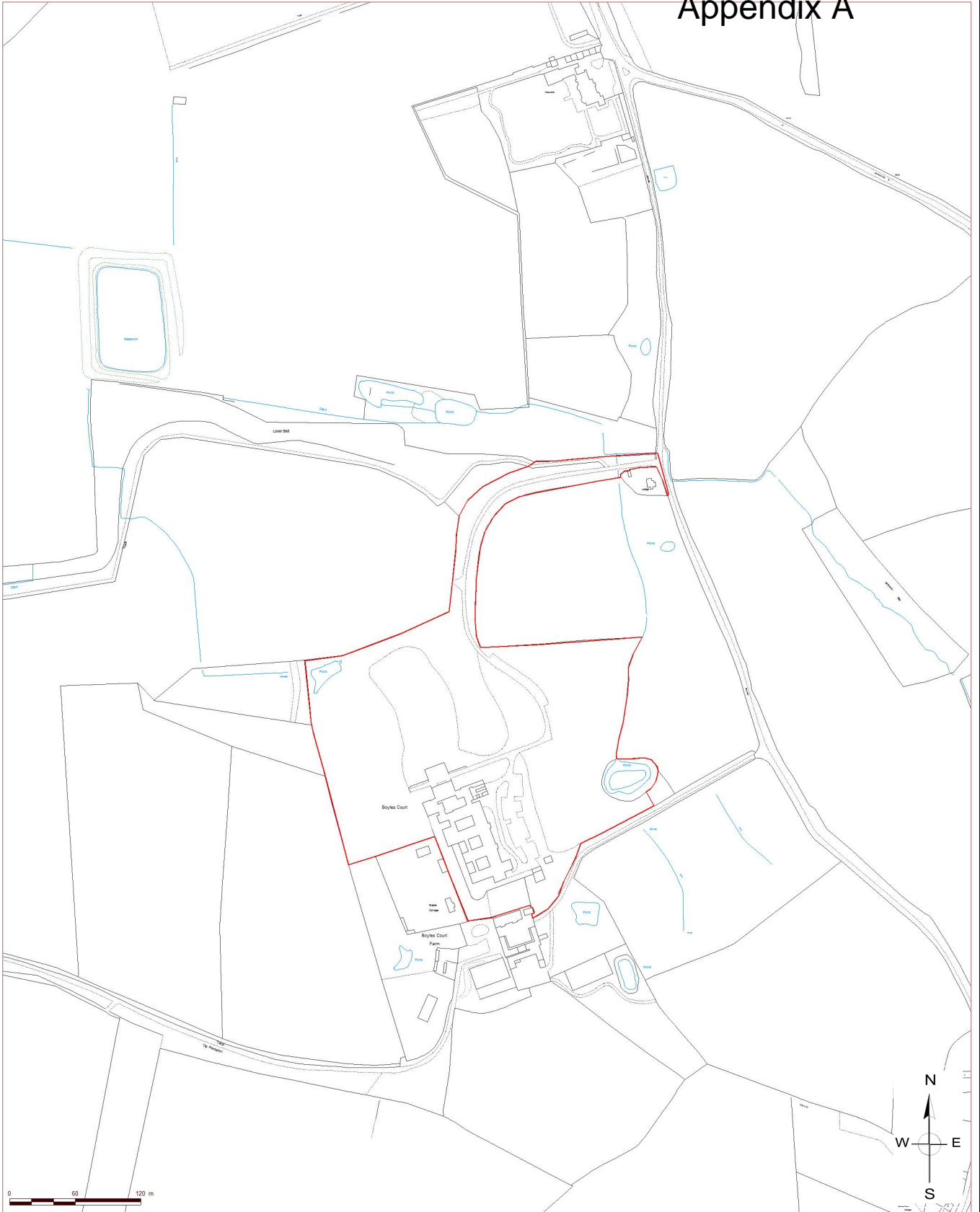
The public's rights of passage over Bridleway no 184 (ref PROW 272_184) shall be maintained free and unobstructed at all times.

BACKGROUND DOCUMENTS

DECIDED:

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Appendix A



Title : Leverton Hall, Dark Lane, Great Warley

**16/00999/FUL and
16/01000/LBC**

Scale at A4 : 1:5000

Date : 21st March 2017

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



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COMMITTEE REPORT

Reference:
16/01398/FUL

Site:
Thrushes
15 Highland Avenue
Brentwood
Essex
CM15 9DD

Ward:
Brentwood North

Proposal:
Demolition of existing bungalow and construction of 2 No. x 4 bedroom semi-detached dwellings.

Parish:

Plan Number(s):

DESIGN AND ACCESS STATEMENT; 1447/01; BRICK PHOTO; PERSPECTIVE VIEW; 1447/02B; 1447/03B; PERSPECTIVE VIEWS

Applicant:
Mrs J Finch-Hutchins

Cllr Fulcher has referred the application on the grounds of ambiguity over the proposed boundary, excavation next to the boundary for the basements and drainage issues.

Case Officer: Mr Nick Howard

1.0 DESCRIPTION OF PROPOSAL

The proposal is to replace the bungalow with a pair of semi-detached dwellings. Each property would comprise a basement area, which would accommodate a kitchen/dining area. The ground floor would accommodate a study and a lounge at the rear. The first and second floor would include two bedrooms on each floor, comprising a total of four bedrooms for each house. To the rear of each house there would be a patio area leading out onto the garden. In front of each house there would be parking provision for two spaces.

2.0 SITE DESCRIPTION

The site comprises 15 Highland Avenue, which is a detached dormer bungalow. The property is located within a residential street approximately halfway along Highland Avenue and on its northern side. To the west is a pair of large townhouses and to the east is a detached dwelling. Opposite the site is a pair of semi-detached properties. The site is situated relatively close to Brentwood town centre.

3.0 RELEVANT HISTORY

- None

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/>

- **Highway Authority-**

Given that the proposed dwellings comply with Brentwood Borough Council's adopted parking standards, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to conditions;

- **Design Officer-**

Further to our Design Review of this current application I advise there are no objections on Design grounds to the proposed scheme as the design has improved significantly since originally submitted; the Project Architect has responded to my earlier concerns regarding the bulk and incongruous approach initially taken.

I advise details for fenestration and surface materials including a brick sample panel should be conditioned, these details are important to retain the design intent.

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. 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/>

12 objections have been received and can be summarised as follows:

- Size is too big for the small plot and results in it being too close to neighbouring properties.
- The loss of garden space
- Loss of light will decrease natural light to my neighbours property damaging plants shrubs and wildlife
- Development beyond the rear building line,
- Provision of a basement,
- The design of the properties and overlooking
- Plan requires deep excavation for foundations this would have a significant impact on drainage to the gardens and grounds of the surrounding properties, structural integrity of adjacent properties, roots of the trees on the street and surrounding properties.
- Potential for the creation of a balcony on the flat roof element
- The dwellings could easily be converted into flats or new bedrooms placing pressure on parking in and around the site.
- Disruption to access to all properties on road during construction stage.

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 Policy:

CP1- General Development Criteria

H7 – Single storey dwellings

T2 – New development and highway considerations

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 main issues to consider are:

- Principle of development
- Effect of new development on the Character and Appearance of the area
- Effect on living conditions
- Parking
- Other issues raised by neighbours

Principle:

The site is situated within the settlement boundary of Brentwood town in a residential area as defined in the Brentwood Replacement Local Plan (BRLP). Therefore, the principle of residential development in this location is acceptable.

Policy H7 refers to single storey dwellings and states the redevelopment of sites of existing single storey residential properties will only be permitted where there is no net loss in the number of single storey dwellings on the site. Although the existing dwelling is a bungalow, it is not a 'true bungalow' as there appears to be a restricted upper floor within the dwelling as evidenced by a small dormer on the front of the existing dwelling. Therefore, in this case Policy H7 is not relevant.

Effect on character and appearance (design):

Local Plan Policy CP1 (General Development Criteria) is supportive of development proposals provided they protect the character and appearance of the surrounding area, protect the amenities of neighbours, are of a high standard of design and have satisfactory access and parking and can be accommodated by local highway infrastructure.

Policy CP1(i) requires that the proposal would not have an unacceptable detrimental impact on visual amenity, or the character and appearance of the surrounding area.

The character of the area is a suburban residential street consisting of detached or semi-detached dwellings of varying heights, sizes and periods of construction. To the west of the site leading towards Ongar Road are two Edwardian three storey townhouses, which sit high in the streetscape, then two further dwellings, one of which is two storeys in height and its neighbour is three storeys. To the east is a two-storey detached dwelling, then a larger two storeys dwelling with a steep pitched roof and further east a pair of two storey

semi-detached properties. In assessing the immediate area, the character of the area is highly mixed with a wide range in the style of dwellings. The existing dwelling is significantly lower than most of the neighbouring properties along the street.

The proposed dwellings would have a narrow frontage; however, this is not dissimilar to the neighbouring town houses and provides an effective use of the plot. The dwellings are set in from the two side boundaries by one metre, which provides some space around the properties. In terms of height the dwellings would be higher than the property to the east, although this is a low-profile dwelling, compared to other properties in the street. When compared to the properties to the west, the proposed dwellings would be significantly lower. The principle of three storeys is considered acceptable, given the adjacent townhouses are of a similar form. Overall the proposal is not considered to be harmful to the character and appearance of the area and accords with the first criterion of Policy CP1.

Policy CP1 (iii) requires that the proposal should be of a high standard of design and layout and should be compatible with its location and any surrounding development (and, in the case of alterations and extensions, with the existing building), in terms of size, siting, scale, style, design and materials.

Regarding the design of the properties, the applicant has stated in the Design and Access Statement that the proposal uses some of the design cues from the neighbouring properties, in particular the town houses to the west of the site. In that regard they would be constructed predominantly in brick with the fenestration providing a vertical emphasis, the entrance door set within a recess and the dwellings would have a steep pitched roof. These are features that can be found on the neighbouring properties within the street and are compatible with its location and the surrounding development. The proposal therefore accords with the third criterion of Policy CP1.

Effect on living conditions of nearby residents:

Policy CP1 (ii) requires that the proposal would not have an unacceptable detrimental impact on the general amenities of nearby occupiers or the occupiers of the proposed development by way of overlooking, lack of privacy, overbearing effect or general disturbance.

The proposed dwellings have a number of windows along their respective side elevations, however most these would serve en-suites and would be constructed in obscure glass, which can be secured by condition. The ground floor side windows would be secondary windows that would serve the rear lounge. These would also be constructed in obscure glass, which again can be secured by condition. Therefore, there would be no direct overlooking from the proposed dwellings into neighbouring properties. With regard to the rear first and second floor windows these would overlook the rear gardens of the handed dwelling, and also result in the ability to look into the rear gardens of neighbouring properties. However, given the urban nature of the site and surrounding areas, this is to be expected and already occurs elsewhere along the road.

In terms of overbearing, the dwellings would be higher than the adjacent dwelling to the east of the site 'The Croft'. However, the dwellings would be set in from the boundary by one metre and this would provide a gap between the properties of about 2.5 metres, which is considered acceptable and would not result in an overbearing impact on the neighbouring property. The proposal therefore accords with the second criterion of Policy CP1.

Access and Parking arrangements:

With regards to Policy CP1 (iv), this requires the means of access to the site for vehicles and pedestrians and parking and servicing arrangements are satisfactory. The proposal would provide two car parking spaces for each dwelling. Furthermore, the site is situated in a highly sustainable location, in that it is within walking distance of Brentwood town centre. The parking provision is considered acceptable and therefore accords with the fourth criterion of Policy CP1 and the policy in the round.

Other issues including neighbour concerns:

Regarding neighbour concerns, their main issues are the proximity of the building to the side boundaries, the scale of the dwellings, the loss of garden space, loss of light, the rear building line, provision of a basement, the design of the properties and overlooking, damage to the neighbouring properties, creation of a balcony and potential to use the development to accommodate flats.

The original submission showed the properties close to the side boundaries. The revised plans have set the proposed dwellings in from the side boundaries by one metre to provide sufficient space for construction, maintenance and side access. The neighbours consider most the properties in the area are two storeys. However, there are three storey properties along the street, also the dwelling to the east of the adjacent property 'The Croft' comprises two storeys but is of a similar height to the proposed dwellings due to its steep roof. Officers consider the principle of three storey dwellings in this area would not be out of keeping with the surrounding style of development.

In terms of the resultant garden area, the basement area would extend beyond the rear of the proposed dwellings. However, above the basement areas the proposal includes the provision of a patio area which would form part of the future occupier's amenity space. Furthermore, from the submitted plans the resultant garden area, not including the patio area would extend to about 123 square metres for each dwelling. The Council requirement is a minimum of 100 square metres. Therefore, the resultant garden area comfortably meets the Council's requirements. Regarding the front area, the proposal will include a hedge between the two properties and parking area. Although this may be out of keeping with other front areas in the street, the applicant could remove the boundary wall to the existing dwelling and provide several parking spaces in place of the garden area.

The neighbouring resident has indicated there will be a loss of light to his property because of the proposal. He indicates that along the left-hand wall of the property there are several windows serving a garage, kitchen, landing, bathroom and a toilet. None of these rooms are main habitable rooms and therefore although there would be a partial loss of light to these rooms, they are not considered to be rooms where a significant amount of living time would occur and therefore the proposal would not cause significant harm to the living conditions of these neighbouring residents. Furthermore, the distance between the properties will be about 2.5 metres, which is a suitable distance which would lessen the loss of light to these rooms.

The neighbour is concerned that the proposal which includes a projecting single storey element will project beyond the rear of their dwelling. The Ordnance Survey plan does show a small overhang on the neighbour's property. Therefore, the projection of the rear of the proposed dwelling would be about two metres and the proposal would be set one metre off the boundary. Accordingly, it is considered the proposal rear projection to the dwelling would not result in a loss of outlook to the neighbouring residents.

Regarding the proposed basement, it will require the removal of a significant amount of soil, which will result in several traffic movements. However, this issue is not a material planning issue and is a matter between the applicant and the neighbours. The onus is on the applicant to be neighbourly and reduce the level of disruption during the construction period. The imposition of a Construction Management Plan will overcome several of these issues.

The design of the proposed dwellings has been dealt with above. The proposal includes bedroom windows that overlook the garden areas. There would be an element of overlooking between neighbouring gardens, however this would be an oblique angle and would not directly overlook their gardens. Regarding the potential damage of neighbouring properties this would be a civil matter between the applicant and the neighbours and is not a material planning consideration.

Concern has been expressed that the flat roof element which accommodates part of the living area could be used as a balcony, which could overlook into neighbouring gardens. The imposition of a condition will prevent this. Several residents consider the dwelling will be converted into flats. This would require a fresh planning application, which would then be assessed on its merits by the Local Planning Authority.

Overall officers consider that the residents' concerns have been overcome particularly with the submission of revised plans.

8.0 CONCLUSION

The proposed development is within the settlement boundary of Brentwood town and therefore the principle of development is acceptable subject to the criteria set out in Policy CP1. The proposal is in keeping with the character of the area, given it is highly mixed with different types of dwellings along Highland Avenue. The proposal would not cause a significant harmful impact on the living conditions of neighbouring residents and overall the proposal accords with Policy CP1 of the BRLP. The recommendation is therefore to approve

9.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

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 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.

3 BOU05 Boundary treatment - (to be retained as shown on drawings)

A fence or wall of a height of not less than 1.8m shall be permanently retained and maintained in the position indicated on the approved drawings.

Reason: To safeguard the living conditions of adjacent occupiers.

4 MAT01 Samples (details acceptable)

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.

5 U15728

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwelling hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

6 No development shall take place, including any works of demolition, 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 including decorative displays and facilities for public viewing, where appropriate
- 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 demolition and 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.

7. Prior to first occupation of the dwellings, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of each vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety

8. 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.

9. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for both new dwellings, as approved by Essex County Council.

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

10. The proposed flat roof element at the rear of the proposed development shall not be enclosed or used as a balcony unless agreed otherwise in writing by the Local Planning Authority.

Reason: To prevent overlooking into the neighbouring gardens in accordance with Policy CP1 of the BRLP.

11. The windows on both side elevations of the proposed development shall be a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

Informative(s):

1. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H7; the National Planning Policy Framework 2012 and NPPG 2014.

2. 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.

3. 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.

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

Appendix A



Title : Thrushes, 15 Highland Avenue

16/01398/FUL

Scale at A4 : 1:1250

Date : 21st March 2017

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



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COMMITTEE REPORT

Reference:
16/01733/FUL

Site:
Crown Corner
Ongar Road
Kelvedon Hatch
Essex
CM14 5TB

Ward: Brizes & Doddinghurst
Proposal: Construction of building for the storage of hay and straw products in connection with the adjacent retail use

Parish:
Kelvedon Hatch

Plan Number(s):

DESIGN AND ACCESS STATEMENT;
SITE PLAN;
BLOCK PLAN;
01;
02;

Applicant:
Mr S Bird

Case Officer: Mr Nick Howard

Application referred by Cllr Parker on the grounds 'the site needs a purpose building to do away with the ramshackle array of sheds that are being used at the moment'

1.0 DESCRIPTION OF PROPOSAL

The proposal is to erect a steel portal-framed building with a floor area of 221 square metres to be used for the storage of hay and straw for sale from the adjacent retail use.

2.0 SITE DESCRIPTION

The site comprises part of a field adjacent to an animal feed shop. Access is off Crown Road close to the junction with Ongar Road, Kelvedon Hatch. The rear western boundary comprises mature trees and the frontage of the site, adjacent to Ongar Road, is open with a low post and rail fence, marking the boundary of the site.

3.0 RELEVANT HISTORY

- 07/00004/S191: Section 191 Application For Certificate Of Lawfulness In Respect Of A1 Use. -Application Permitted

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/>

- **Parish Council-**

The Planning Committee of Kelvedon Hatch Parish Council has considered the proposal number 16/01733/FUL with regard to the new building at Crown Corner animal food stuffs shop and would like to register our objections. We think that the proposed use, although for storage of hay and straw etc. is, in fact storage for the use of the retail business already existing at the premises. and therefore not an agricultural building, If one's imaginings could stretch to allowing that it might be considered an agricultural building then there are no permitted development rights for new agricultural buildings on a holding of less than 5 hectares (GB14 and para 7.48). Produce sold at farm shops should be grown on the holding not on the farm at South Weald (GB19 and para 7.70). GB19 also states new buildings for retail will not be permitted. The siting of the proposed building would be highly visible from the Ongar Road no matter what finishes are used. The numbers in parenthesis are the relevant references from the Adopted Plan 2005.

- **Environmental Health & Enforcement Manager-**

No comments in respect of this application.

- **Highway Authority-**

From a highway and transportation perspective the Highway Authority has no comments to make on this proposal; given the proposal will not intensify use, and the area available

for parking within the site which complies with Brentwood Borough Council's adopted parking standards remains unchanged.

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. 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/>

One letter of objection summarised as follows:

- Application is not in keeping with permitted development on Green Belt land
- Will be an eyesore on the perimeter of Crown Corner.
- The site has had so much development it resembles an industrial park and this will add to it.

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.

Relevant RLP Policy:

GB1- New Development (in the Green Belt)

GB2 - Development Criteria (in the Green Belt)

GB19 – Farm Shops and retailing

CP1 – General Development Criteria

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 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 Key Issues for Consideration:

- Is the development appropriate for the Green Belt?
- Is there any harm to the openness of the Green Belt?
- If so, what considerations, if any, would amount to very special circumstances to clearly outweigh that harm?
- Impact on character and appearance of the area
- Any other issues

Background:

The site comprises a collection of buildings with an open storage to the rear and an adjacent field to the south of the buildings located on Crown Corner where the Ongar Road meets Crown Road.

The buildings, yard area and the open storage area to the rear was subject to a Lawful Development Certificate in 2007 which allowed a retail use within this area. This consent was for an open A1 retail use and the applicant sells animal feed from the site.

To the south of the site is an adjacent field. The proposal is for a storage building to be used in storing straw and hay in association with the retail use. The building is to be sited outside the lawful retail use area and is for storage purposes in connection with the retail use.

It should be noted that this use and the associated building and open storage was not granted specific permission by the Council but became lawful through the passage of time, it becoming immune from Enforcement Action.

Green Belt:

The site is situated in the Green Belt. Policy GB19 of the Brentwood Replacement Local Plan (BRLP) refers to farm shops and retailing. The policy purely relates to a change of use of existing buildings for retail use within the Green Belt. It states proposals involving the construction of new buildings will not be allowed. The proposal is therefore contrary to Policy GB19.

Paragraph 89 of the Framework states that the construction of new buildings is inappropriate in the Green Belt and lists a number of exceptions, one of which is buildings

for agriculture and forestry. Although the applicant states the building is for the storage of an agricultural produce, i.e. hay and straw, officers consider the building is not for agricultural purposes. The building is to be used in connection with the adjacent retail use and not for agricultural purposes. Therefore, the proposed building is inappropriate development in the Green Belt and as Paragraph 87 states inappropriate development is by definition harmful to the Green Belt, permission should not be granted unless there are very special circumstances that clearly outweigh this harm.

Harm to Openness:

The building would be of a significant size and highly visible from the Ongar Road. The building is to be placed adjacent to the retail premises and within the field. The building would extend to 24 metres with a width of 9 metres and an eaves height of 4.25 metres and an overall ridge height of 5.4 metres. The applicant has stated that the building would be situated to the rear of the retail business and would provide a shield to the external storage area. From the Ongar Road travelling north, the outside storage area would be concealed, however the building would be highly visible in the rural location, given its size and close proximity to the road. The building would also be visible from Green Lane, together with the open storage area. The proposal represents a significant reduction in the openness of the Green Belt and would result in an encroachment into the countryside which is one of the purposes of the Green Belt as set out in Paragraph 80 of the Framework. It is therefore in conflict with Local Plan Policies GB1, GB2 and Chapter 9 of the NPPF.

Other considerations:

In line with government policy, planning permission should only be granted if it can be clearly demonstrated that very special circumstances exist to outweigh the harm identified. The applicant owns 600 acres of farmland in the Brentwood area. He operates the retail premises as a diversification to his main farming income. The applicant states that the proposal would support his agricultural business and the retail business. Furthermore the proposal is required to enable significant cost savings by creating less movement between the farm business and the site. The proposal would enable one or two movements at harvest time compared to smaller loads throughout the year.

Officers consider that fewer movements of straw and hay between the farm and the site, which it is accepted would save costs, are matters of convenience and efficiency in the running of the two businesses rather than an essential need for the building. No viability information was submitted with the application. Therefore it is not considered there are very special circumstances in support of the proposal.

Impact on the Character and Appearance of the Area;

The utilitarian design of the building is considered acceptable, per se. Although the proposed siting and large scale of the building would be at odds with the smaller scale of the adjacent buildings, overall the building would not be harmful to the character and appearance of the area.

Other matters:

Based on the comments from the Highway Authority it is not considered that the proposal would give rise to any highway safety issues.

The matters raised by the neighbour consultation response are covered in this report.

Ward Member Councillor Parker has referred the application on the grounds the proposal would result in replacing existing buildings and tidying the site up in general. However the existing buildings and the outside storage area are retained and the proposal adds to the existing retail site.

8.0 CONCLUSION

The proposed storage building would be an ancillary building to the adjacent retail use, it would represent inappropriate development in the Green Belt and have a significant impact on the openness of the Green belt. The details submitted by the applicant do not constitute very special circumstances. The proposal is therefore contrary to Policies GB1, GB2 and GB19 of the Local Plan and the Framework.

9.0 RECOMMENDATION

The Application be REFUSED for the following reasons:-

- 1.The proposal would be inappropriate development in the Green Belt that would materially detract from openness and would represent an encroachment of development into the countryside. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1, GB2 and GB19 and the objectives of the Framework as regards development in the Green Belt.
2. Other matters that may weigh in favour of the proposal have been considered but collectively they do not clearly outweigh the harm to the Green Belt or the other harms identified. Therefore very special circumstances to justify inappropriate development in the Green Belt do not exist.

Informative(s)

- 1 INF05 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2 & GB19 , the National Planning Policy Framework 2012 and NPPG 2014.

2 INF20 Drawing Numbers (Refusal)

The drawing numbers listed above are relevant to this decision

3. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly identifying within the grounds of refusal either the defective principle of development or the significant and demonstrable harm it would cause. The issues identified are so fundamental to the proposal that based on the information submitted with the application, the Local Planning Authority do not consider a negotiable position is possible at this time.

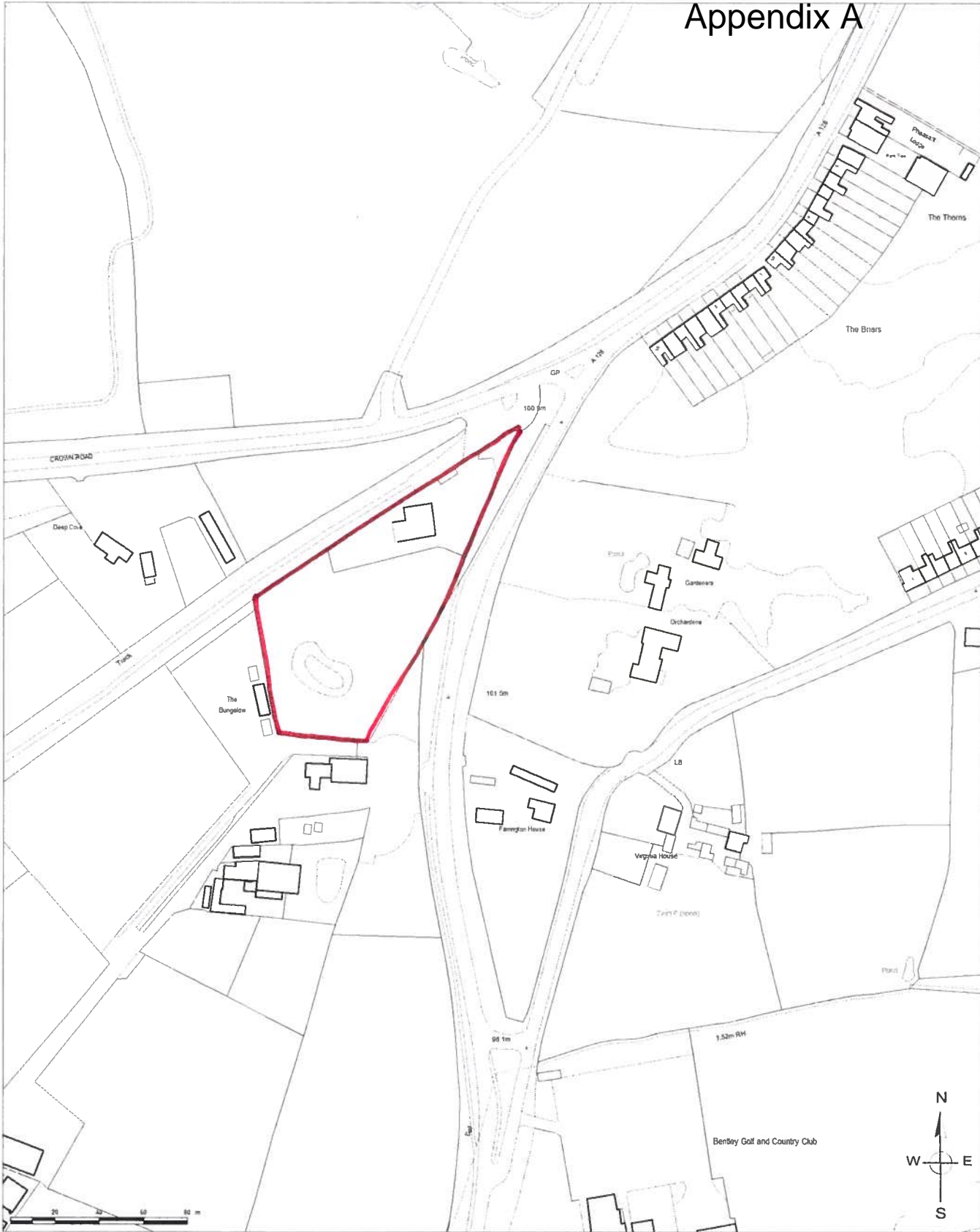
Documents:

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 : Crown Corner, Ongar Road, Kelvedon Hatch

16/01733/FUL

Scale at A4 : 1:2500

Date : 21st March 2017

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



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21 March 2017

Planning and Licensing Committee

Response to Highways England A12 Chelmsford to A120 Widening Scheme Consultation

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

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 Highways England has consulted on options for widening the A12 between Junction 19 (Boreham interchange north of Chelmsford) and Junction 25 (Marks Tey interchange with the A120). Proposals relate to widening a number of lanes and possibly building new sections of road. Views have been sought on four potential options.
- 1.2 In response to the consultation, a holding response has been made on behalf of the Council and is provided with this report for approval (see Appendix A). Although the proposals related to this consultation do not directly impact on Brentwood, it is one part of several major national infrastructure projects to invest in the A12. There are wider implications for the Borough when considering outcomes from these proposals plus other future A12 projects. It is important that the Council express a view about the wider strategic importance of A12 investment projects to expand capacity and relieve congestion.

2. Recommendation

- 2.1 **To approve the response to the Highways England A12 Chelmsford to A120 widening scheme consultation as set out in Appendix A.**

3. Introduction and Background

- 3.1 Highways England consulted on options for widening the A12 between Junction 19 (Boreham interchange north of Chelmsford) and Junction 25 (Marks Tey interchange with the A120). The improvements aim to reduce congestion and increase safety along with economic growth.

- 3.2 Up to 90,000 vehicles travel between Junction 19 and 25 every day. Forecasts reveal that the traffic on the A12 will exceed capacity by 2038. Due to congestion, motorists regularly experience delays during peak times. There are also safety concerns. In the past five years, the junctions along this stretch of the A12 have experienced three fatal collisions and 12 serious accidents.
- 3.3 Although this scheme does not directly involve stretches of the A12 through Brentwood Borough, the proposed options may have an impact on future infrastructure improvements and how they are considered. This consultation to invest in improvements north of Chelmsford is one part of required intervention across the A12. In addition to this consultation there are two other projects with confirmed allocated budget from Government; A12 widening south of Chelmsford to the M25 (partly through Brentwood Borough), and improvements to M25 junction 28 at Brook Street, Brentwood. It is important that these separate projects are planned and undertaken in unison to avoid disruption, deliver economic growth, and provide necessary improvements for the wider area.
- 3.4 A response has been submitted on behalf of Brentwood Borough Council to meet the Highways England consultation deadline. This is now subject to the recommended approval of Planning & Licensing Committee.

4. Options

- 4.1 The Government announced its decision to improve the capacity in the stretch between Junction 19 and Junction 25 of the A12 in the Roads Investment Strategy 2015. After local engagement, a number of options have been developed to improve safety and reduce journey times.
- 4.2 A shortlist of four options has been drawn up by Highways England to solve identified capacity issues that will worsen over time if not resolved. The options look at either widening the A12 to three lanes in each direction across the entire section, or widening part of the A12 and building new sections of road at key points.
- 4.3 Maps of each shortlisted option proposed by Highways England (Option 1, 2, 3 and 4) are set out in Appendix B.
- a) **Option 1:** Widens the A12 between junctions 19-25 (Boreham to Marks Tey/A120) by using the existing highway boundary or adjacent land.

- b) **Option 2:** Widens the road along the existing A12 except where widening could have a high local impact. Two new bypasses would take traffic off the A12 and onto a newly created A12 between junctions 22-23 (Colemans to Kelvedon South) and junctions 24-25 (Kelvedon North to Marks Tey/A120).
- c) **Option 3:** The same as Option 2, but with one new bypass between junctions 22-23 (Colemans to Kelvedon South).
- d) **Option 4:** The same as Option 2 but with one new bypass between junctions 24-25 (Kelvedon North to Marks Tey/A120).

5. Reasons for Recommendation

- 5.1 Brentwood Borough Council's proposed response to the consultation is set out at Appendix A. The response asks Highways England to consider the wider infrastructure implications that any option would have on the entire A12 Corridor and surrounding areas as a whole.
- 5.2 The Council has a specific interest in the stretch of A12 south of Chelmsford, which flows through Brentwood Borough before reaching the M25 junction 28 (Brook Street). As the Council is at an important stage in the plan-making process, which includes meeting challenging development and infrastructure needs, it is important that congestion is reduced between the A12 and M25 in order to facilitate economic growth in Essex.
- 5.3 Brentwood Borough Council is not directly impacted by the proposals north of Chelmsford and so no preference is expressed with regard to the four options. However, the response sets out support for the need to create additional capacity along this section of the A12, and asks that Highways England does so while also considering the need to improve capacity and junction safety on the rest of the A12. It is critical that development proposals are mindful of the need for future works south of Chelmsford as well as proposals at M25 junction 28.

6. Consultation

- 6.1 Highways England undertook public consultation between 23 January and 3 March 2017. Responses will be analysed and incorporated into a consultation report before confirmation of a selected option.

- 6.2 Copies of consultation materials, maps and questionnaires are available to view online at <https://highwaysengland.citizenspace.com/he/a12-chelmsford-to-a120-widening-scheme/>

7. References to Vision for Brentwood 2016-19

- 7.1 The proposed improvements to the A12 represent a scheme with impacts on one of the major routes into, out of, and through Brentwood Borough. 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

Name/Title: Ramesh Prashar, Financial Services Manager

Tel/Email: 01277 312513 / ramesh.prashar@brentwood.gov.uk

- 8.1 There are no financial implications for the Council arising from this Highways England consultation.

Legal Implications

Name/Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

Tel/Email: 01277 312860 /daniel.toohey@brentwood.gov.uk

- 8.2 There are no legal implications for the Council arising from this Highways England consultation.

9. Background Papers

- a) A12 Chelmsford to A120 widening scheme brochure (January 2017) (available to view at: https://highwaysengland.citizenspace.com/he/a12-chelmsford-to-a120-widening-scheme/supporting_documents/S1600566%20A12%20Execuative%20Summary%20Report.pdf/)

10. Appendices to this report

Appendix A -Brentwood Borough Council response to the A12 Chelmsford to A120 Widening Scheme Consultation

Appendix B -Maps of Highways England A12 Chelmsford to A120
Widening Options 1, 2, 3 and 4

Report Author Contact Details:

Name: Emily Pearlman, Economic Development Assistant

Telephone: 01277 312739

E-mail: emily.pearlman@brentwood.gov.uk

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Brentwood Borough Council response to the A12 Chelmsford to A120 Widening Scheme Consultation | March 2017

Question 7

Please indicate your preferred route option:

1. None of the above.

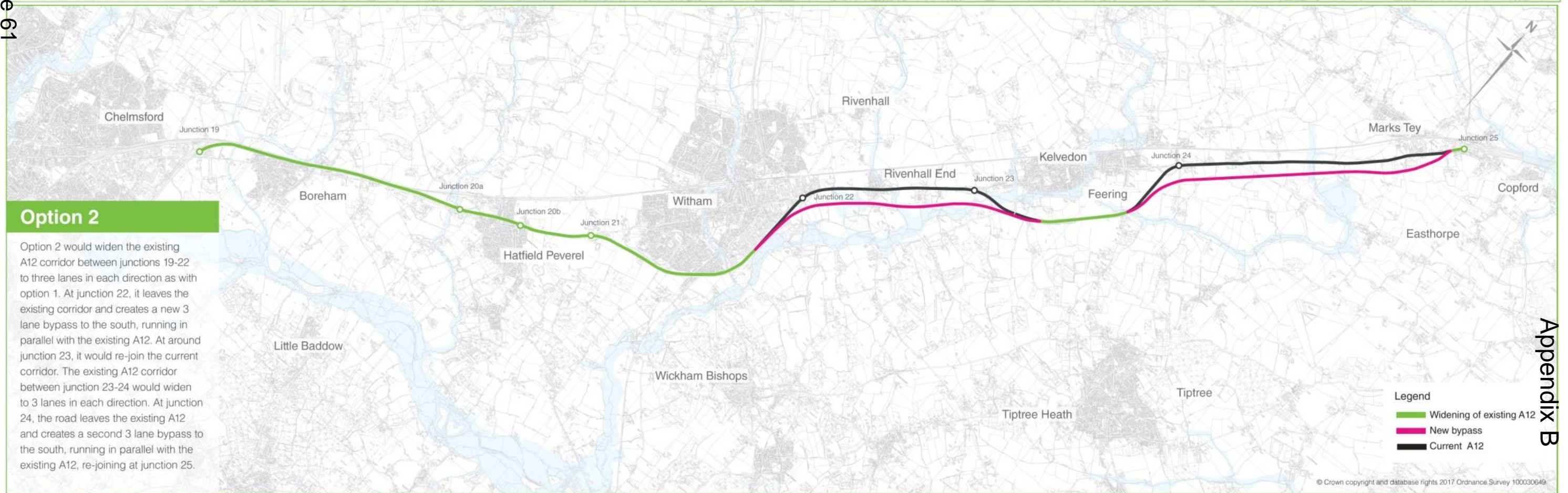
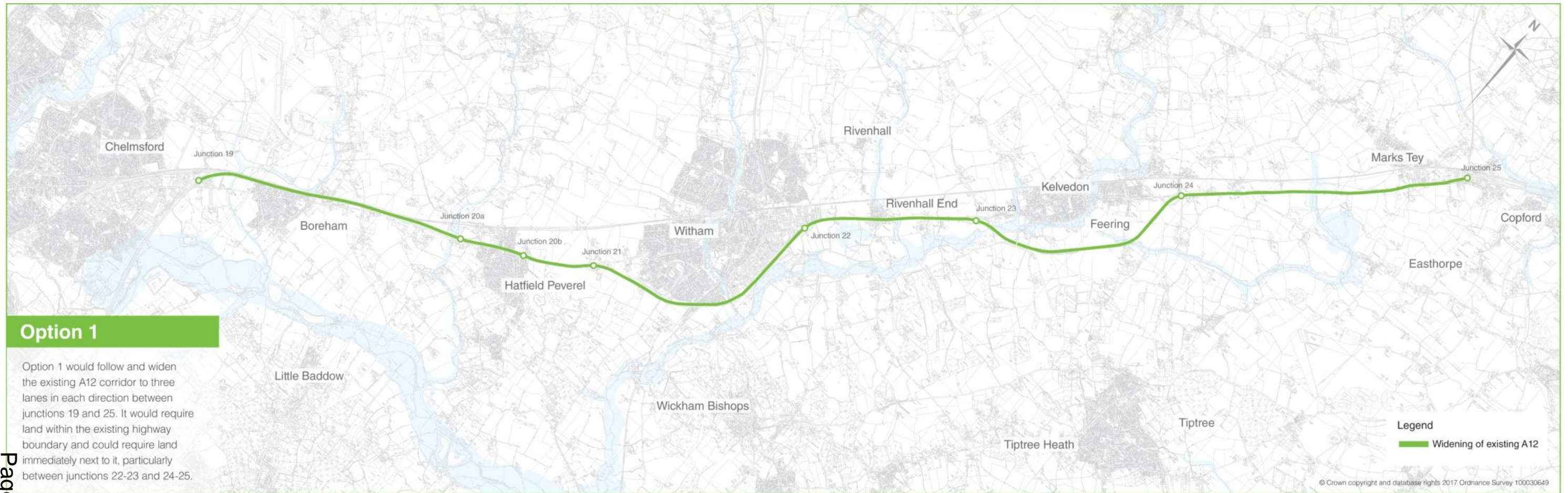
Please explain the reason for your response:

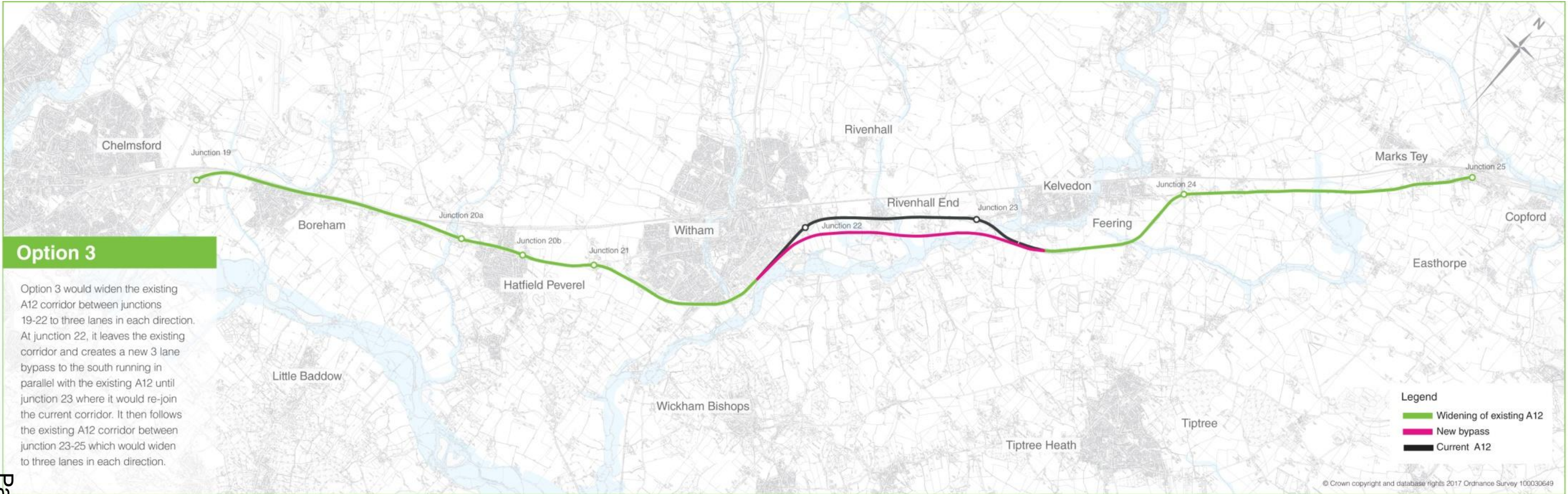
2. Brentwood Borough Council is not directly impacted by these proposals and so has no preference; however the Council wishes to make comments about the wider implications to the entire A12 Corridor. The answer to question 7 of the consultation ("please indicate your preferred route option") is "none of the above" to indicate no preference rather than oppose all options. The Council agrees with the need to create additional capacity along the A12, including this section north of Chelmsford to the A120. between junction 19 (Boreham interchange) and junction 25 (Marks Tey interchange).
3. It is important that these proposals are considered along with the wider need to improve capacity and junction safety on the rest of the A12. Brentwood Borough Council has a specific interest in the stretch of A12 south of Chelmsford, which moving southwards bypasses Ingatestone and Brentwood before reaching the M25 junction 28 at Brook Street (i.e. through Brentwood Borough). Much of the total traffic using the section between A12 junctions 19 (Boreham interchange) and 25 (Marks Tey interchange) will access the M25. It is critical that development proposals are mindful of the need for future works to the south as well as proposals at M25 junction 28. Proposals at M25 junction 28 should be considered, as well as the Council's response to the recent consultation on junction options. It is important that congestion is reduced between the A12 and M25 in order to facilitate economic growth in Essex, through Brentwood and other local authority areas along the A12 corridor.
4. Brentwood Borough Council is at an important stage in the plan-making process, which includes meeting challenging development needs and contributing to significant growth that will take place in Essex over future years. It will be useful to understand more about the delivery schedule and

development requirements linked to improvements for the A12 south of Chelmsford and relationship to the M25 Junction 28 works. We understand these are due to enter feasibility and options stages. It is important that Highways England acknowledges that the improvement of the wider A12 is vital to the success of the corridor as a whole and will help contribute to the growth and connectivity agendas.

Submitted on 2017-03-02 17:54:05

Maps of Highways England A12 Chelmsford to A120 Widening, Options 1, 2, 3 and 4





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.