



Agenda

Planning and Licensing Committee

Tuesday, 13 June 2017 at 7.00 pm
Council Chamber - Town Hall

Membership (Quorum – 4)

Cllrs Ms Sanders (Chair), Faragher (Vice-Chair), Bridge, Chilvers, Mrs Middlehurst, Morrissey, Mrs Murphy, Mynott, Newberry, Reed, Mrs Slade and Wiles

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 16
3.	Land to the rear of Hatch Road, Pilgrims Hatch, Brentwood, Essex Application Number: 17/00057/OUT	Pilgrims Hatch	17 - 30
	Outline Application for the demolition of existing commercial units, former vehicular garages, and clearance of site previously used for garden nursery, and construction of 49 dwellings, new commercial premises, doctor's surgery and associated parking, creation of public open space, new vehicular access, and associated landscaping. (Appearance, Landscaping, Layout and Scale reserved matters).		
4.	Navestock Village Hall, Navestock Side, Navestock, Essex Application Number: 17/00432/FUL	Brizes & Doddinghurst	31 - 42
	Construction of indoor sports facility and pavilion including changing rooms for the outdoor sports using the field to complement the existing village hall.		

5. **The Old Pump Works, Great Warley Street, Great Warley, Essex Application Number: 16/01764/FUL** Warley 43 - 52
- Conversion of LCC House and Waterworks House; single storey extension and conversion to The Reservoir Building and redevelopment of The Pump Room and Former Coal Shed to provide 18 no. Class C3 residential dwellinghouses; associated landscaping, amenity space, a green roof, parking and refuse storage.
6. **Brentwood Borough Council Transport Depot, The Drive, Great Warley, Brentwood, Essex Application Number: 07/00317/FUL** Warley 53 - 60
- Proposed building to form enclosed dry recycling facility
7. **Response to Chelmsford City Council Draft Local Plan Preferred Options Consultation** All Wards 61 - 68
8. **Urgent Business**



Head of Paid Service

Town Hall
Brentwood, Essex
05.06.2017

Information for Members

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Rights to Attend and Speak

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

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

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

Point of Order/ Personal explanation/ Point of Information

Point of Order

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

Personal Explanation

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

Point of Information or clarification

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

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

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

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



Minutes

Planning and Licensing Committee Tuesday, 25th April, 2017

Attendance

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

Apologies

Substitute Present

Also Present

Cllr McCheyne	
Cllr Russell	
Cllr Chilvers	
Cllr Foan	West Horndon Parish Council
Cllr Parker	
Cllr Poppy	
Cllr Potter	Doddinghurst Parish Council

Officers Present

Philip Drane	-	Planning Policy Team Leader
Claire Mayhew	-	Governance and Member Support Officer
Nick Howard	-	Senior Planner
Paulette McAllister	-	Design & Conservation Officer
Sonia Sharp	-	Planning Solicitor

348. Apologies for Absence

No apologies were received.

349. Minutes of the Previous Meeting

The minutes of the Planning and Licensing Committee held on 21 March 2017 were approved and signed as a true record.

350. Minutes of the Licensing Appeals Sub Committee

The minutes of the Licensing Sub-Committee held on 13 April 2017 were approved and signed as a true record.

351. Essex Police & La Plata House Ref 16/01805/OUT

Mr Mikolajczyk was present and addressed the committee as an objector to the application.

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

Cllr Russell was present as a Ward Member and expressed concerns relating to the size of the proposed development and increase in traffic onto London Road. Local residents have requested that no access either by pedestrian/cycle or vehicles be permitted into Westbury Drive.

Cllr Chilvers, as also present as a Ward Member expressed concerns relating to over development for the area and the increase in traffic movement.

Cllr Newberry, a committee member and Ward Member, agreed with the comments made by his fellow ward members. He indicated a wish for the historical features of La Plata House be retained during the development. He expressed concerns relating to the height of the proposed development, and overbearing to the neighbours in Westbury Drive.

After a full discussion, a motion was **MOVED** by Cllr Mynott and **SECONDED** by Cllr Newberry to **REFUSE** the application on the grounds of breaching Replacement Local Plan policy CP1 paragraphs one and two.

A vote was taken by a show of hands:

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

AGAINST: Cllrs Faragher, Ms Sanders, Mrs Murphy, Mrs Middlehurst, Bridge, Ms Rowlands, McCheyne (7)

ABSTAIN: (0)

The motion was **LOST**.

A motion was **MOVED** by Cllr Bridge and **SECONDED** by Cllr Faragher to **APPROVE** the outline application, subject to the conditions within the report.

A vote was taken by a show of hands:

FOR: Cllrs Faragher, Ms Sanders, Mrs Murphy, Mrs Middlehurst, Bridge, Ms Rowlands, McCheyne (7)

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

ABSTAIN: (0)

RESOLVED that application is **APPROVED** subject to a S106 agreement and the following conditions:-

1. Approval of the details of the scale, layout and appearance of the buildings, the means of access and the landscaping of the site that are reserved for later approval (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority before the development is commenced and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. 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.

5. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i) The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 35% of housing units;
- ii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing.
- iii) The arrangements for the transfer of the affordable housing to an affordable housing provider, or the management of the affordable housing if no Registered Social landlord involved;
- iv) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to secure affordable housing in compliance with Policy H9 of the Brentwood Replacement Local Plan.

6. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority of measures to enhance and if necessary, protect the habitat of the site for badgers, and the development shall then be carried out in accordance with those approved details.

Reason: To protect any badgers during the construction phase of development.

7. Development shall not commence until a drainage strategy detailing any on and/off site drainage works, has been submitted to and approved by the Local Planning Authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the approved strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

8. No development shall take place, including any ground works or 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:

- 9.
- 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) Wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought onto the highway in the interests of highway safety.

10. Prior to first occupation, existing vehicle accesses onto Westbury Drive shall be suitably and permanently closed with only pedestrian /cycle access to remain.

Reason: to ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interest of highway safety.

11. The proposed development shall not be occupied until such time as the vehicle parking area, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the local planning authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided.

12. Each vehicular parking space shall have dimensions of 2.9 metres x 5.5 metres.

Reason: To prevent on-street parking, in the interests of highway safety.

13. Prior to the first occupation of the development, cycle parking shall be provided, details of which should be submitted to and approved by the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

14. Prior to first occupation, the existing bus stops on both sides of the A1023 London Road to the east of the site shall be improved to provide raised and dropped kerbs to facilitate pedestrian and wheelchair access. A Real Time Passenger Information facility shall be provided at the westbound carriageway bus stop.

Reason: To encourage trips by public transport in the interest of accessibility.

15. Prior to the first occupation of the proposed development, the Developer shall be responsible for the provision of a Residential Travel Information Pack for sustainable transport for each dwelling and to include six one day travel vouchers for use with the relevant local public transport operator.

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

16. Prior to commencement of development, a levels plan showing existing ground levels and proposed levels shall be submitted to and approved by the Local planning Authority. The approved levels plan shall be implemented in full.

Reason: In order to assess the development against the neighbouring residential properties, in accordance with Policy CP1 of the Brentwood Replacement Local Plan.

17. 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.

18. 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.

19. Before development commences a full Level 2 recording, as identified in a Guide to Good Recording Practice (English Heritage 2006), of the air raid

shelter shall be carried out and submitted to and approved by the Local Planning Authority.

Reason: In order to record the historic character of the air raid shelter.

(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.

Cllr Newberry declared a non-pecuniary interest under the Council's Code of Conduct by virtue as a retired Police Officer and once living in La Plata Grove.

Cllr Chilvers declared a non-pecuniary interest under the Council's Code of Conduct by virtue that her client is an Estate Agent).

352. Land Adjacent To Landings Ref 17/00167/FUL

Mr Rothery was present and addressed the committee as an objector to the application.

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

Cllr Potter, Doddinghurst Parish Council was present and spoke in objection to the application.

After a full discussion, a motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Bridge to **REFUSE** the application due to proposed impact on the neighbouring listed building.

A vote was taken by a show of hands:

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

AGAINST: (0)

ABSTAIN: (0)

RESOLVED UNANIMOUSLY that application is **REFUSED** for the following reasons, subject to the amendment of condition 3.

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 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 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.

The proposed development, by reason its massing, design and close proximity to the listed building and its curtilage structures, would be harmful to the heritage asset and setting of the adjacent Grade ii listed building 'Barfield Farmhouse'. 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.

3. The proposal does not provide any provision for affordable housing as part of the proposed scheme. The lack of affordable housing does not contribute to the significant need for affordable housing in the Borough and is therefore contrary to Policy H9 of the Brentwood Replacement Local Plan and the provisions of the Framework.

Informative(s)

1. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2, C16 and T2; the National Planning Policy Framework 2012 and NPPG 2014.
2. 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.

(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).

353. Bentley Stables Ref 17/00198/FUL

Mr Keane, the applicant, was present and addressed the committee in support of the application.

Cllr Poppy & Cllr Parker, Ward Members were present and addressed the committee in support of the application subject to condition on the removal of permitted development rights for the property.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Rowlands to **APPROVE** the application, subject to a condition of the removal of permitted development rights.

A vote was taken by a show of hands:

FOR: Cllrs Ms Sanders, Ms Rowlands and McCheyne (3)

AGAINST: Cllrs Faragher, Mrs Middlehurst, Bridge, Mynott, Newberry, Morrissey, Mrs Hubbard and Keeble (8)

ABSTAIN: Cllr Mrs Murphy (1)

The motion was **LOST**.

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 Faragher, Mrs Middlehurst, Bridge, Mynott, Newberry, Morrissey, Mrs Hubbard and Keeble (8)

AGAINST: Cllrs Ms Sanders, Ms Rowlands and McCheyne (3)

ABSTAIN: Cllr Mrs Murphy (1)

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

1. The site is situated within the Metropolitan Green Belt and the replacement of the existing mobile home with a permanent dwelling is inappropriate development and therefore harmful to the Green Belt. The proposal therefore does not accord with Policies GB1, GB2 and GB6 of the Brentwood Replacement Local Plan and the National Planning Policy Framework.

2. Other matters that may weigh in favour of the proposal have been considered individually and 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. The following development plan policies contained in Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2 & GB6; the National Planning Policy Framework 2012 and NPPG 2014.

2. 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.

354. Development Management Performance 2016-17

The report presented an update on the performance of the Development Management Team, including enforcement, in the last financial year. It provided a summary of performance over a range of measures. It showed that against a range of metrics the team's performance had improved in comparison to previous years.

Changes to processes established within the department over the last 12 months had made a considerable impact on the delivery of swifter and more consistent responses and decision making. The overall outcome is that developers and those wishing to extend their homes had certainty about what would be allowed where and when. In turn, this provided support to the local economy, boosts housebuilding while continuing to give local communities and residents a say in their neighbourhood.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Rowlands to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

1. That the Improvement in performance achieved is noted.

Reason for recommendation

To keep the committee informed about the improving performance of the Development Management Team for the last year and the plans for continued performance improvement next year.

355. Local Land Charges Fees update

The report set out a change to the Local Land Charge fees and charges, following notification of a change in fee for the Essex Highways element on a CON29 Local Land Charges search.

A motion was **MOVED** by Cllr McCheyne and **SECONDED** by Cllr Rowlands to approve the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY** that:

1. To agree the change increase in fee introduced by Essex highways relating to the Highway element on a CON29 Local Land Charge search from 1 May 2017.

Reason for recommendation

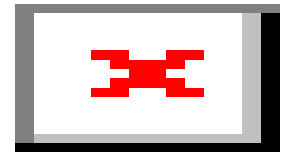
The change in fee is to take account for the proposed change of fee charged by Essex Highways to Brentwood Borough Council for this service.

356. Urgent Business

There was no urgent business to discuss.

The meeting ended at 21:20.

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ITEM 03

COMMITTEE REPORT

Reference:
17/00057/OUT

Site:
Land To The Rear Of Hatch Road
Hatch Road
Pilgrims Hatch
Essex

Ward:
Pilgrims Hatch

Parish:

Proposal:
Outline Application for the demolition of existing commercial units, former vehicular garages, and clearance of site previously used for garden nursery, and construction of 49 dwellings, new commercial premises, doctor's surgery and associated parking, creation of public open space, new vehicular access, and associated landscaping. (Appearance, Landscaping, Layout and Scale reserved matters).

The application is a major development of strategic importance to the Borough and therefore the application has been referred to the Planning and Licencing Committee for determination.

Plan Number(s):

01; 03; 04; 05; DAS 01; DAS 02; DAS 03; DAS 04; DAS 05; DAS 06; DAS 07; DAS 08; DAS 09; DAS 10; DAS 11; DAS 12; DAS 13; DAS 14; DAS 15; 4991-D; BADGER SURVEY; DESIGN AND ACCESS STATEMENT; EIA SCREENING OPINION; PLANNING STATEMENT;

Applicant:
M.C.C. Developments Ltd

Case Officer: Mr Nick Howard

1.0 DESCRIPTION OF PROPOSAL

Outline planning permission is sought for the erection of 49 residential dwellings with means of access to be approved at the outline stage. The vehicular and pedestrian access into the site would be from Hatch Road. Matters relating to design, scale, layout, and landscaping are reserved for future approval as part of a Reserved Matters application.

Of the extent of the site available for housing, the density of development is approximately 30dph. The proposed buildings would not exceed two-storeys in height, except for a proposed apartment block which would be a mix of two and three storey in height. Of the 49 dwellings proposed, 35% will take the form of affordable housing which equates to 17 units.

Part of the proposal is to demolish the existing buildings that comprise hairdressers, convenience store, butchers, and two residential units. These would allow for a new, building to be provided accommodating these or other such uses falling with Use Class A1 and A2 of the Use Classes Order. It is also proposed to provide part of the top floor of this building for a doctor's surgery (D1).

The indicative layout shows the retention of a small wooded area of the site to the east. This area of woodland will provide a designated walkway and nature trail around its grounds. Within the proposed development two attenuation storage areas are proposed. One in the form of a tank (located to the west) and the other in the form of an open attenuation basin (pond) to the east, within the area of public open space.

2.0 SITE DESCRIPTION

The application site comprises an irregular shaped rectangular parcel of land measuring approximately 2.60 ha set behind a row of housing that fronts Hatch Road. The site is accessed via a parcel of land currently containing commercial premises and former vehicular garaging. The commercial units comprise a detached property that forms a dwelling with the front occupied by a hairdresser, and a two-storey building occupied by a convenience store and butchers.

To the south of the site are properties fronting onto Hatch Road. These dwellings are predominantly two-storey, with some bungalows, and comprise the northern edge of Pilgrims Hatch. To the east is an agricultural smallholding / paddocks accessed via Beads Hall Lane. To the north, the land comprises paddocks. Along the entire northern boundary, the site is lined with mature and semi-mature trees and hedgerows. To the west, the site partially abuts the two-storey residential dwellings that comprise Lascelles Close. Beyond this are maintained paddocks

3.0 RELEVANT HISTORY

- None

4.0 SUMMARY OF CONSULTATION RESPONSES

Detailed below is a summary of the 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 Essex Historic Environment Record (EHER) shows that the area is of potential archaeological interest as the proposed development is located to the west of the former Bawd's Hall (EHER 555), which on the historic maps had extensive grounds surrounding the house. The 1st edition OS maps also show that a lane or green is located to the west, possibly leading towards the proposed development site. While the historic maps do not record features within the development site there is good potential for below ground archaeological deposits to be present on the site. Any surviving below ground non-designated heritage assets with archaeological interest would be damaged or destroyed by the proposed development.

Recommendation: Full conditions

- **Planning Policy-**

Object- Their comments included in the assessment section of the report.

- **Highway Authority-**

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

- **Environmental Health & Enforcement Manager-**

A Phase 1 Geoenvironmental Assessment has been submitted by Green Earth Management Co Ltd detailing potential contamination risks from the site.

The methodology used is acceptable and the recommendations on Page 19 of the report detail further steps to be taken in regard to this site. Therefore, recommendations should be attached as a condition to any permission granted.

Noise

A Noise report shall be submitted prior to any development,

Construction

A site-specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work.

Air Quality

An assessment of the likely impact of the development on air quality should be undertaken and submitted.

Waste storage facilities

Suitable and sufficient waste storage facilities shall be made for the safe and secure on site storage of waste derived from the business/flats between collections to ensure that no detriment to amenity from smell, flies or vermin arises.

- **Essex & Suffolk Water-**

No objection

- **Anglian Water Services Ltd-**

WASTEWATER SERVICES

Wastewater Treatment

The foul drainage from this development is in the catchment of a Thames Water Recycling Centre. Anglian Water can confirm that there is capacity to receive the foul discharge in the existing network,

Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Trade Effluent

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent.

- **Essex Wildlife Trust-**

Essex Wildlife Trust objects to this application.

The application site comprises semi natural habitats that may potentially support protected species. No ecological surveys have been undertaken in relation to this application. Therefore, there is insufficient information provided to enable the planning authority to come to a decision based on evidence.

- **Essex Badger Protection Group-**

It is noted at the outset that the developers have taken the unusual approach of seeking planner's approval to waive a full Environmental Impact Assessment ("EIA") as part of their submission rather than follow the standard screening process and consult with planners prior to the application being prepared. Whatever their reasons for this, we feel that there are no supportable grounds on which the requirement for a full EIA should be waived. Whilst the application seeks to argue that the site does not have any natural habitat sensitivity, we would strongly refute this. Indeed, it will not have missed the council planners' attentions that the site photographs which accompany the application are largely confined to the current street scene and the shops to be relocated. There are no photographs giving the true context of the application in terms of current woodland habitat which will be lost or the impact on the various species which reside within it. It is our view that any proper consultation on this scheme needs to be informed by a full EIA and that its absence alone ought to be sufficient grounds for the application to be refused.

The Phase 1 Habitat Report (the "Report") prepared by Practical Ecology Limited ("PEL") as part of the application incorporates a standard "desk study" for protected species in the area. PEL states in section 7.1.1.1 that no records of badgers within 500m of the area under consideration (the "Site") were returned as part of this process. The Essex Badger Protection Group ("EBPG") was not contacted by PEL as part of this desk study but can confirm there is badger activity within the target area.

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/>

52 letters of objection have been received, and can be summarised as follows:

- Unacceptable development on Green Belt land
- Considerable increase in volume of traffic on Hatch Road and further pressure on highway network
- Amount of parking is inadequate
- Precedent for further development on Green Belt land,
- Loss of protected habitat and trees
- Three storey dwellings and the scale of development is out of character with the area, will have a detrimental effect on the character, environment and aesthetics of the area
- Noise and disturbance during construction

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:GB1, GB2 & CP1

NPPF Sections: Paragraphs 89 and 90

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 2018. 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 2018/9.

7.0 ASSESSMENT

Green Belt – is the proposed development inappropriate within the Green Belt?

The site is in the Green Belt and is therefore subject to the local and national policies that apply in the Green Belt. The National Policy for Green Belts appears in Chapter 9 "Protecting Green Belt Land" of the National Planning Policy Framework. This post-dates the policies in the Brentwood Replacement Local Plan (RLP) and should be given significant weight. The Framework indicates that openness is one of the essential characteristics of Green Belts and paragraph 80 sets out the five purposes of the Green Belt.

The Framework indicates that within Green Belts inappropriate development is harmful and should not be approved except in very special circumstances. With a few exceptions the construction of new buildings in the Green Belt is inappropriate development. These exceptions are set out in Paragraph 89 of the Framework and paragraph 90. In terms of exception to new buildings in the Green Belt, bullet point 6 of paragraph 89 states:

“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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”.

The Framework definition of "previously developed land" (PDL) includes land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. If the view was taken that the proposal amounted to the redevelopment of PDL consideration must be given to its effect on the Green Belt.

The Green Belt boundary for this part of Pilgrims Hatch runs along the rear boundaries of the properties facing onto Hatch Road and Lascelles Close. A small portion of the site which includes the retail unit and the garages to the rear is within the urban area of Brentwood. The Green Belt boundary runs along the rear of the garages. Overall the application site abuts the Green Belt boundary around Pilgrims Hatch.

With regard to the previous use of the site the applicant considers it was previously used as a commercial nursery. The applicant contends that the site contained a large number of brick and timber structures, most of which took the form of glass houses. Following the sites closure, these buildings were not removed and were allowed to fall into a state of disrepair. Annex 2 of the Framework describes previously developed land but specifically excludes 'land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time'. From the site inspection, there are some brick foundations visible on part of the site, however officers consider that the previous buildings have blended into the landscape and the site is not considered to fall within the definition of previously developed land.

In any event, the proposed 49 dwellings and the garages proposed would be of materially greater overall bulk than any existing or previous structures, it would materially detract from openness and would represent an encroachment of residential development into the Green Belt. It would thereby conflict with the purposes of including land in the Green Belt.

Are there any very special circumstances that would clearly outweigh the identified harm?

The applicant states that Brentwood Borough Council cannot demonstrate a five-year supply. They state that within Paragraph 49 of the Framework that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply. It is acknowledged that the Council cannot demonstrate a five-year supply. The applicant correctly states that the presumption in favour of sustainable development, as set out in paragraph 14 of the Framework, does not apply to Green Belt sites because the Framework indicates that development should be restricted in such locations. The lack of a five-year supply is not in itself considered to be a very special circumstance. Paragraph 34 of the Government's Planning Practice Guidance (PPG) advises that unmet housing need is unlikely to outweigh the harm to the Green belt and other harm to constitute the 'very special circumstances' justifying inappropriate development on a site within the Green Belt.

The applicant states the following:

The site may be considered as a Greenfield urban extension sites in Green Belt. However, the land has previously contained commercial buildings, the remains of which are still on site in the foundations and the sever contamination of glass. The application site in question is currently being promoted through the Local Plan process for site allocation. However, in light of this lack of a five-year housing land supply, combined with the Councils acceptance of need to release Green Belt land as identified above, this development proposal in prematurity of the local plans adopted is considered to represent a form of sustainable development. Importantly it is considered the development proposal complies with the development plan approach and represents very special circumstances that outweigh the harm.

Officer comment:

The site on land to the rear of Hatch Road, Pilgrims Hatch (Site Refs: 053A & 053B) was originally submitted for consideration as a potential housing site in the emerging Local Plan before the Preferred Options consultation took place in July 2013. The site represents a greenfield site in the Green Belt and was not selected as a housing land allocation in Policy 7.4 of the Draft Local Plan due to the site not comprising clear physical boundaries that would avoid further sprawl.

The applicant considers that the proposal represents sustainable development in that it meets the economic, social and environmental roles as set out in the Framework.

Officer comment:

With regard to the economic benefits the applicant contends that proposed development would replace the existing commercial buildings with new purpose built design to ensure survival of A1 and A2 uses in the immediate area, the ability to provide a D1 use in the form of a doctor's surgery and would result in significant employment opportunities during construction. Officers consider that the existing commercial buildings could be replaced on the existing footprint and the garage area to the rear which is within the settlement boundary of Pilgrims Hatch, without the need to build in the Green Belt.

However, the proposal would provide benefits to the local labour force and therefore it is considered this element weighs in favour of the development.

Turning to the social benefits the proposal would provide a significant level of affordable housing, and would create a new area of public open space. However, officers consider that although the provision of 17 affordable houses is a significant benefit, the provision of public open spaces is a mitigation measure. The provision of affordable housing weighs in favour of the proposal.

Turning to the environmental role the applicant contends that the proposal will facilitate a comprehensive decontamination of land, provide management and enhancement of the woodland to the east of the site and the proposal represents a logical extension adjacent to existing settlement limits. Officers consider the decontamination of the land is only required by its redevelopment, although it will potentially increase its biodiversity. However, this represents only a minor benefit from the development. The management and enhancement of the woodland to the east is considered to be a mitigation measure that would be required from the development. Furthermore, officers disagree with the applicant in that the proposal would not represent a logical extension to the settlement form but would result in urban sprawl.

Other Matters

Highways:

The proposed access is to be taken from Hatch Road, opposite No's No's 143/145, which is where the existing shop is at present. The proposed access point would provide a visibility splay of 2.4 metres by 43 metres. Overall the Highway Authority accept the proposed access arrangements subject to standard conditions.

Ecology:

The Essex Wildlife Trust object to the proposal on the grounds that the proposal would result in a significant loss of habitat. The applicant has responded to their concerns by not disputing that a significant portion of the site is proposed for development, however the land to the east was recognised as being a site of higher ecology value that has the opportunity to be significantly enhanced, which the development proposal can facilitate. The proposal although indicative allows for the retention of an extensive landscape belt along the perimeter, as well as proposing the retention of trees.

With regard to the wooded area of land to the east, the applicant has stated this will be enhanced and comprise an area of public open space to be suitably managed and provide a designated public footpath with litter bins. Furthermore, they consider that as a number of properties abut the site already, the Trust's comments regarding increased predation by cats are without any foundation.

With regard to the presence of badgers within the vicinity of the site a condition protecting badger habitats could be imposed if officers were minded to recommend approval of the application.

Neighbour comments:

Most of the areas of concern raised in neighbour objections have been addressed in the report. With regard to noise during construction, this would be a transitory issue and not considered a reason to withhold permission. The scale and layout of the development would be subject to details submitted at a later stage.

8.0 CONCLUSION

The proposed development represents inappropriate development and therefore the applicant has to demonstrate very special circumstances. Although the Council does not have a five-year housing supply, the site is in a sustainable location adjacent to a settlement and the proposal would provide a number of benefits including the provision of significant level of market and affordable dwellings, retail and community facilities and economic benefits to the local labour force, they are individually and collectively not considered to outweigh the harm to the openness of the Green belt. For the above reasons the recommendation is to refuse.

9.0 RECOMMENDATION

The Application be REFUSED for the following reasons:-

1. The proposal would be inappropriate development in the Green Belt in that would materially detract from openness, it would represent an encroachment of development into the countryside and it would result in an unrestricted sprawl of a large built up area. 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 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. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2,& CP1; the National Planning Policy Framework 2012 and NPPG 2014.

2. 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.
3. The drawing numbers listed above are relevant to this decision

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 : Land to the rear of Hatch Road, Pilgrims Hatch

17/00057/OUT

Scale at A4 : 1:2500

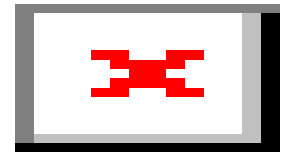
Date : 13th June 2017

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



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ITEM 04

COMMITTEE REPORT

Reference:
17/00432/FUL

Site:
Navestock Village Hall
Navestock Side
Navestock
Essex
CM14 5SD

Ward:
Brizes & Doddinghurst

Proposal:
Construction of indoor sports facility and pavilion including changing rooms for the outdoor sports using the field to complement the existing village hall.

Parish:
Navestock

Plan Number(s):
35036; SITE PLAN; 35038; 35037;

Applicant:
Mr C Kitlay (Clerk)

Case Officer: Mr Nick Howard

The application has been called in by Councillor Parker on the grounds the facility will give considerable benefit to the village and the younger generation and as the field it is on is already a sports facility.

1.0 DESCRIPTION OF PROPOSAL

The proposal is for an indoor sports building and would have the appearance of a portal framed industrial style building. The building would be 37 metres by 18 metres with a ridge height of 7.3 metres. The building would be clad composite roof panels with the roof finished in terracotta and the walls in slate blue. No indication is shown on the drawing to indicate the access or parking provision. However, the village hall with its associated parking is adjacent to the site.

2.0 SITE DESCRIPTION

The site comprises an existing sports field located between Navestock Side, Royds lane and Green Lane. The application site for the proposed building is in the southern corner of the sports field to the north of the existing village hall. The plan shows the building to be about 7 metres from the belt of trees alongside Green lane, about 10 metres north of the village hall and about 75 metres from Navestock Side which is the main road through the hamlet.

3.0 RELEVANT HISTORY

- 16/00972/FUL: Construction of indoor sports facility and pavilion including changing rooms for the outdoor sports using the field to complement the existing village hall. -Application Refused

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/>

- **Sport England-**

Summary: Sport England raises no objection to this application which is considered to meet exception E5 of our adopted Playing Fields Policy. A condition is requested to be imposed on any planning permission relating to the design specifications for the proposed sports facility. Sport England is supportive of the principle of the new sports facility as a non-statutory consultee.

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. 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/>

41 letters of objection have been received on the grounds:

- The proposal is inappropriate development in the green belt
- Site is in an unsustainable location
- No consultation has been carried out
- Building is very large,
- Lack of car parking
- Site not a cricket pitch
- Poor access and site floods.

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.
GB1 & GB2 development in the Green Belt

NPPF Sections: Paragraph 89

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 2018.

7.0 ASSESSMENT

The applicant has submitted supporting information to indicate that the building would provide facilities to train and play during off-seasons. Attention is drawn to the demand for cricket clubs for indoor facilities and that the proposed building would be able to accommodate three nets. It is indicated that the building would be used for a spectrum of sports including cycling, badminton, netball, hockey for the able-bodied and those with disabilities. It is indicated that local school facilities are oversubscribed and that the proposed facility would go some way to fulfilling a local need. The proposed building would also provide a function space for events that are too large for the adjacent village hall.

The application is supported by pro-forma and individual letters which the Parish Council indicates have been signed by the occupiers of 132 of the 158 households in the Parish. A further 50 are indicated to have been signed by residents of surrounding areas who support the facility.

In response to the planning application: - There are 41 letters of objection on the grounds the proposal is inappropriate development in the green belt, site is in an unsustainable location, no consultation, building is very large, lack of car parking, site not a cricket pitch, poor access and site floods.

The site lies in the Green Belt and the main issues are the principle of the development in the Green Belt and its effect on the character and appearance of the area.

Green Belt - inappropriate development

The National Policy for Green Belts appears in Part 9 "Protecting Green Belt Land" of the National Planning Policy Framework. The Framework indicates that openness is one of the essential characteristics of Green Belts and paragraph 80 sets out the five purposes of the Green Belt. The Framework indicates that local planning authorities should plan positively to enhance the beneficial uses of the Green Belt such as looking for opportunities for outdoor sport and recreation.

The Framework indicates that within Green Belts inappropriate development is harmful and should not be approved except in very special circumstances. With a few exceptions, the construction of new buildings in the Green Belt is inappropriate development. These exceptions are set out in Paragraph 89 of the Framework. The second bullet point in Paragraph 89 of the Framework indicates that the provision of appropriate facilities for outdoor sport and recreation is not "inappropriate development" as long as the openness of the Green Belt is preserved and that the proposal does not conflict with the purposes of including land within the Green Belt.

Although adopted some years before the Framework the aims of the general Green Belt Policies (GB1 and GB2) within the Brentwood Replacement Local Plan (RLP) are consistent with those of the Framework and therefore they still carry significant weight.

The changing rooms and the machine store may support the use of the playing fields for outdoor sport and recreation, however that function does not require the provision of the sports hall. It is considered that a building of this size cannot be regarded as necessary to provide appropriate facilities for outdoor sport and recreation. The building would have a very significant adverse effect on the openness of the Green Belt and would be an encroachment of development into the countryside. The proposal would therefore not accord with the criteria of the second bullet point of paragraph 89 of the Framework.

The proposal would be inappropriate development in the Green Belt that would materially detract from openness and conflict with one of the purposes of the Green Belt. Therefore very special circumstances need to be demonstrated. The applicant's supporting notes collectively do not form very special circumstances.

Other harm

The application site lies in partly-wooded countryside clearly beyond the built-up part of the village. The countryside in this area performs an important role in containing the urban areas and maintaining an attractive environment around those areas. The area is crossed by narrow lanes which are mostly bordered by hedges and trees, but these do not prevent views through to the land beyond, especially for the half of the year when the deciduous trees are not in leaf.

In the landscape character assessment for Brentwood (Chris Blandford Associates 2006) (the LCA) the application site is within the F15 Weald Wooded Farmland. The key characteristics are identified as relatively open commons, wooded rolling hills and slopes and narrow, tree-lined roads. The suggested landscape planning guidelines are "Conserve and enhance the landscape setting of small settlements. Ensure that any appropriate new development responds to historic settlement pattern and uses materials, which are appropriate to local landscape character. Such development should be well integrated with the surrounding landscape. Conserve the mostly rural character of the area". The character of the immediate area within which the development is proposed resonates with the LCA and whilst the LCA cannot be afforded great weight in the decision-making process it is helpful in identifying the key issues for the countryside in this area.

The proposal is referred to by the applicant as a "small local indoor sports facility". The term "small" is a matter of judgment and opinion, but it is considered that in the context of a rural area such as Navestock a building of 40m in length by 24m wide with a height of 7.5m cannot reasonably be described as "small". The proposed building would have the appearance of an industrial unit and would have no affinity with the design, scale or appearance of nearby buildings. The building would represent a significant encroachment of built development into the countryside. It would be clearly visible from Navestockside and Green Lane and from the nearby playing fields and parking area associated with the village hall. The proposal is not accompanied by a specific landscape character assessment but based on the size of the building and its location at the top of rising land it is likely to be visible in more distant views from the west/north west including the footpaths alongside and across the fields to the west.

In summary, it is considered that the building would be an intrusive and incongruous presence in the countryside that would materially detract from the character and appearance of the area.

The proposal would conflict with RLP Policy CP1 (i) and one of the core planning principles set out in the Framework which indicates that planning should take account of the different roles and characters of different areas and that the intrinsic character and beauty of the countryside should be recognised. Paragraph 109 of the Framework indicates that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The Framework does not define "valued" but given that paragraph 115 refers to nationally designated land it is considered that the value of local environment (as referred to in paragraph 109) is a matter for local people and their representatives to determine. The application site lies within an area defined as a Special Landscape Area in the RLP. This designation in itself now carries limited weight; however, it is indicative of this being a valued landscape which should be afforded some protection.

Sustainability of location

The underlying objective of the Framework is the promotion of sustainable development. Paragraph 35 of the Framework indicates that developments should be located to give priority to pedestrian and cycle movements and should have access to high quality public transport facilities. It is accepted that some facilities need to be located in rural areas where access to them is likely to be difficult to be achieved by public transport and where for any but the shortest distances the highway network is not conducive to walking and cycling.

The application is not accompanied by any assessment of its effects on traffic in the area. However, the proposed building would serve a larger area than the village resulting in additional traffic on the nearby road network which includes narrow, winding and unlit lanes. It is considered that it would be likely to attract users from settlements nearby which are locationally more sustainable. It is considered undesirable to develop a facility that would potentially attract significant numbers of people to this unsustainable location. Furthermore, Navestock Side is not a defined village/settlement in the Local Plan.

Access and parking

The application provides no information about the access to the proposal and it is therefore assumed that vehicles would use the existing access to the partly-metalled access way from Navestockside. This access has limited visibility to the north when exiting the site, however the highways authority raised no objection on the previous application and on that basis, it is considered that a refusal of permission on highway safety grounds cannot be justified.

The application form indicates that parking space is available for 120 cars but there is no indication of the basis for this figure. The gravel parking area at the front of the village hall is about 70m by 20m which, based on standard parking spaces, could accommodate two rows of 24 spaces - 48 in total. The area is unmarked and alternative configurations would be likely to create more spaces it is therefore likely that the area would accommodate more than 50 spaces. However, it would not provide 120 spaces. In order to achieve the numbers indicated by the applicant it would be necessary to park on the grassed areas of the sports fields.

The adopted standard for sports halls indicates a need for a maximum of one space for every 10 sq m of public area. In this location, it is considered that a relatively small proportion of users would employ public transport and that 1 space for 10 sq m would be a reasonable requirement. Excluding the small lobby the proposed building would have an area of about 890 sq m which would generate a need for 89 spaces.

Those spaces could not be accommodated within the existing parking area at the front of the village hall and it should be born in mind that use of the village hall and playing pitches would generate additional demands for parking. It is accepted that the grassed areas could provide space for a considerable amount of overspill parking however the application provides no indication of how this would be achieved or managed.

Had this report recommended the granting of permission it would have been necessary for the full implications of the provision of adequate parking to have been demonstrated and the effects of that provision to have been considered.

Living conditions

The proposal would result in a concentration of activity in the vicinity of the sports hall/village hall including an increase in activity into the evenings with associated increases in vehicle-related noise and disturbance. However, the sports hall would be remote from residential properties and it is considered that the living conditions of residents would not be unacceptably harmed by the proposal.

Sport England

Sport England support the proposal, however this support has to be set against the issues raised above and are discussed below.

Other considerations and Green Belt Balance

As indicated above the Framework encourages local planning authorities to look for opportunities for outdoor sport and recreation in Green Belts but this encouragement does not extend to the development of buildings in the Green Belt for indoor recreation.

Any sports hall would create opportunities for additional participation in sport and in that respect encouragement should be given to the principle of additional facilities. The applicant indicates that there is a need for additional facilities in the area but there is no evidence to support the need for a facility of this size in this location. Even if such a need was demonstrated it is questionable whether the application site would be the most appropriate and sustainable location for its provision. Sport England support the proposal; however, the proposal would be inappropriate development that would significantly detract from openness and represent an encroachment of development into the countryside. The proposal would be in an unsustainable location. It would fail to reflect the role of this area and would detract from the intrinsic character and beauty of the countryside. The proposal would therefore conflict with RLP Policies CP1, GB1 and GB2 and the objectives of the Framework as regards development in the Green Belt and the protection of the countryside.

The benefits of having a facility of the nature proposed are acknowledged; however, it is considered that those benefits would not be sufficient clearly to outweigh the substantial weight that must be given to the harm to the Green Belt by reason of inappropriateness and the other harms identified.

The applicant indicates that consideration has been given to pursuing the proposal under the provisions of the "Community Right to Build" in the Localism Act 2011. This came into force on 6 April 2012 and allows local communities to propose small-scale, site-specific, community-led developments. Appendix 1 of the DCLG Policy Paper (updated 8 May 2015) indicates that to get the go-ahead, a proposal must meet some minimum requirements (for example, it should generally be in line with national planning policies and strategic elements of the local plan). It is not the purpose of this report to comment on the merits of a possible Right to Build proposal but the conflict with national and local planning policies inherent in the proposed development may exclude it from that procedure.

8.0 CONCLUSION

The proposal would be inappropriate development in the Green Belt and would detract from the role and intrinsic character and beauty of the countryside. The proposal would be likely to attract users from settlements nearby which are locationally more sustainable. It is considered undesirable to develop a facility that would potentially attract significant numbers of people to this unsustainable location which would result in a high dependency on private cars with limited opportunities for alternative means of transport. The proposal would therefore not satisfy the fundamental Framework objective of locationally sustainable development.

The other matters considered above, including those advanced by the applicant in support of the proposal, have been considered but it is concluded that collectively they do not clearly outweigh the substantial harm caused to the Green Belt by inappropriate development and the other harms identified. Therefore, very special circumstances to justify inappropriate development in the Green Belt do not exist.

For all of these reasons the proposal would be fundamentally at odds with the Framework and the benefits arising from it would be significantly outweighed by adverse impacts. It is therefore recommended that the application should be refused.

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 RLP Policies GB1 and GB2 and the objectives of the Framework as regards development in the Green Belt.
2. As a result of the size, design and appearance of the proposed building the proposal would unacceptably detract from the role and intrinsic character and beauty of the countryside. It would conflict with RLP Policy CP1 and with one of the core planning principles of the Framework which indicates that planning should take account of the different roles and character of different areas and recognize the intrinsic character and beauty of the countryside.
3. The proposed sports hall would be likely to attract users from settlements nearby which are locationally more sustainable. It is considered undesirable to develop a facility that would potentially attract significant numbers of people to this unsustainable location which would result in a high dependency on private cars with limited opportunities for alternative means of transport. The proposal would therefore not satisfy the underlying objective of the Framework as regards sustainable development.
4. 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. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2,& CP1; the National Planning Policy Framework 2012 and NPPG 2014.

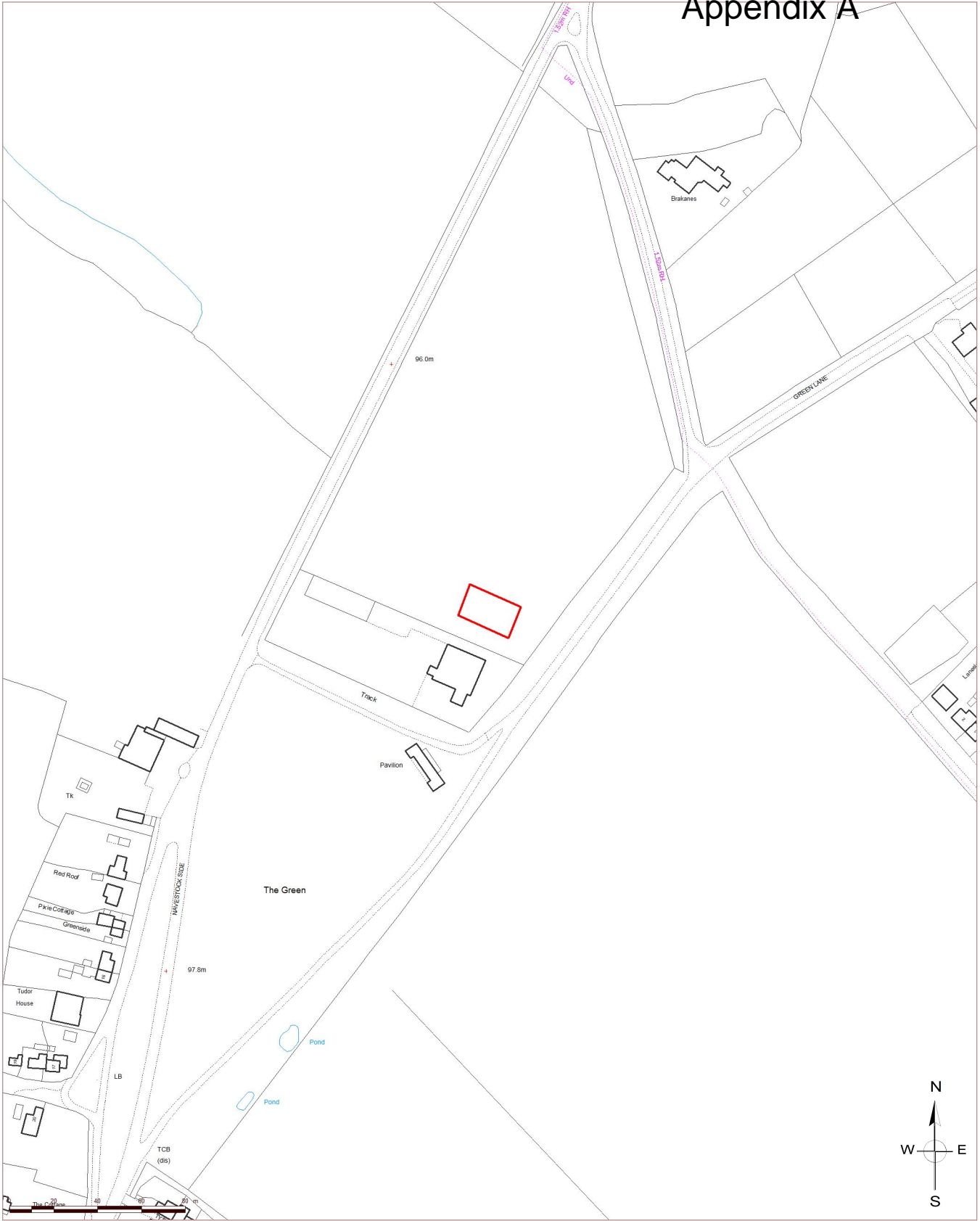
2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly identifying within the grounds of refusal either the defective principle of development or the significant and demonstrable harm it would 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.
3. The drawing numbers listed above are relevant to this decision

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 : Navestock Village Hall, Navestock Side

17/00432/FUL

Scale at A4 : 1:2500

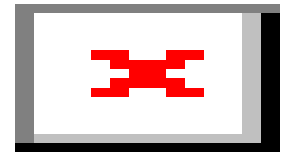
Date : 13th June 2017

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ITEM 05

COMMITTEE REPORT

Reference:
16/01764/FUL

Site:
The Old Pump Works
Great Warley Street
Great Warley
Essex
CM13 3JR

Ward:
Warley

Parish:

Proposal:
Conversion of LCC House and Waterworks House; single storey extension and conversion to The Reservoir Building and redevelopment of The Pump Room and Former Coal Shed to provide 18 no. Class C3 residential dwellinghouses; associated landscaping, amenity space, a green roof, parking and refuse storage.

Plan Number(s):

01/A; 05/D; 06/D; 07/B; 08/A; 09/D; 11/A; 13/C; 14/B; 15/B; 16/A; 18/A;

Applicant:
Mr Paul Smith

Case Officer: Mr Mike Ovenden

This application was referred by Cllr Hubbard for consideration by the Committee. The reason(s) are as follows:

“In my view very special circumstances, including the uniquely designed green roof mitigating the effect of the redesign of the reservoir, and the very high design specification, which respects the heritage of the building, means this application should come before Planning Committee for a full discussion before a final decision is made.”

1.0 RELEVANT HISTORY

- 16/00464/FUL: Conversion of LCC House and Waterworks House Single storey extension and conversion to The Reservoir Building and re-development of The Pump Room and Former Coal Shed to provide 18 no Class C3 residential dwellinghouses, associated landscaping, amenity space, a green roof, parking and refuse storage -
- 16/01101/FUL: Conversion of LCC House and Waterworks House Single storey extension and conversion to The Reservoir Building and re-development of The Pump Room and Former Coal Shed to provide 18 no Class C3 residential dwellinghouses, associated landscaping, amenity space, a green roof, parking and refuse storage - Application Refused

2.0 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/>

- **ECC SUDS -**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to submit a holding objection to granting of planning permission based on the Inadequate Surface Water Drainage Strategy.

Further information has been received and the SUDS team have been asked to advise further. This will be reported at the meeting.

- **Environmental Health & Enforcement Manager** - No objection in principle. However, it is recommended that as far as possible bedrooms should not be adjacent to or below or above rooms such as living rooms or kitchens or bathrooms. Noise generated by the use of living rooms, kitchens and bathrooms may adversely affect the amenities of the occupiers of the bedrooms.
- **Essex & Suffolk Water** - We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our Company network for the new dwelling for revenue purposes.
- **Highway Authority** – No objections subject to conditions concerning:
 - Parking area to be retained for use for parking
 - Provision of cycle parking
 - Upgrading of bus stops on B186 outside the site
 - Provision of travel information pack

- **Anglian Water Services Ltd** - None received. However no objections were raised to the previous scheme subject to conditions. It is considered that no new issues arise.
- **Environment Agency** - None received. However no objections were raised to the previous scheme and it is considered that new issues arise.
- **Arboriculturalist** - None received. However no objections were raised to the previous scheme and it is considered that new issues arise.
- **Essex Wildlife Trust**- None received.
- **National Grid**- None received.
- **Essex Badger Protection Group** - None received. However no objections were raised to the previous scheme and it is considered that new issues arise.
- **Bats - Mrs S Jiggins** - None received. However no objections were raised to the previous scheme and it is considered that new issues arise.
- **Housing Services Manager** – Affordable housing provision should be on site unless there is compelling justification. The applicant has not provided compelling justification.

3.0 SUMMARY OF NEIGHBOUR COMMENTS

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

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

- generally accept the planned residential use of this site
- concerns from close residents with the future height of the buildings
- worried about the traffic accessing and leaving the site both during construction and after occupation.
- It is hoped that good sight lines and or lay byes can be provided and with good on site parking to ensure that Great Warley Street is kept clear of parked vehicles.

4.0 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.

Policy CP1 General Development Criteria.
Policy GB1 New Development
Policy GB2 Development Criteria
Policy GB18 Existing Inappropriate Development Sites
Policy H9 Affordable Housing on Larger Sites
Policy T2 New Development and Highway Considerations
Policy T5 Parking

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 2018.

5.0 ASSESSMENT

This application relates to the redevelopment of the site to provide a total of 18 dwellings.

- Waterworks House, a T-shaped group of late C19th and early C20th buildings towards the front of the site, would be converted to form three 3 bed dwellings
- LCC House, a rectangular building adjacent to the southern boundary dating from the 1930s, would be converted to form a single 4 bed dwelling
- The flat roof C20th former Pump Room would be replaced with a single storey pitched roof building of traditional design as a single 2 bed dwelling
- An additional building (on the site if a previously demolished building) referred to as the 'Coal Shed' would be erected adjacent to Waterhouse works as a single two bed dwelling of two storeys in height of contemporary design.

- The enclosed semi submerged C20th former reservoir building along the northern edge of the site would have a further storey added to it to create six units on each floor
- The car parking area within the site would be reduced from 89 to 43 spaces

This application follows the refusal of application 16/01101/FUL in November 2016 concerning fundamentally the same scheme. The planning context has not materially changed since the determination of the last application (November 2016). Those aspects which the two proposals have in common and were considered to be acceptable in November remain acceptable now. The key issue is whether this second application overcomes the reasons for refusal of that previous application. These were:

“R1 As a result of the size and scale of the new buildings and extensions the proposal would fail to accord with the exceptions set out in paragraph 89 of the National Planning Policy Framework and would be inappropriate development in the Green Belt. The proposal would also detract from the openness of the Green Belt. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 and the policies of the Framework as regards development in the Green Belt.

R2 The proposal would fail to make provision for affordable housing within the development and includes no undertaking to make provision of affordable housing elsewhere. The proposal would therefore conflict with Brentwood Replacement Local Plan Policy H9.

R3 Other matters that may weigh in favour of the proposal have been considered but they do not clearly outweigh the harm to the Green Belt or the other harm identified. Therefore very special circumstances to justify inappropriate development in the Green Belt do not exist.”

Consideration of the revised application in the context of R1 – greenbelt issues

In comparison to the refused scheme the proposal as submitted reduces the size of the new build. Above the reservoir, units 8, 9, 10 and 11 are slightly smaller (total reduction 36 sqm- 5.66%) - the links between the end units and their adjacent unit in the resultant terrace have been reduced and the height of these links has been reduced both in comparison to the last scheme; overall the roof of that block is lower/shallower by 450 mm. However these alterations would result in very little change when viewed in elevation or how it would be perceived on the ground. The existing maximum height of the building is about 3.95 metres and this proposal would take that to about 7.90 metres. The first floor of the reservoir building would be 57m long by 21 m.

The Pump Room development would be 900mm lower than previously proposed, although being close to the original buildings its impact is much less than the reservoir development.

During the consideration of the application, a revised proposal was tabled which would have reduced the number of dwellings created from 18 to 17. This involved a reduction in the volume of built form in the part of the site currently occupied by the enclosed former reservoir. However during discussions relating to affordable housing the reduction was withdrawn and the scheme reverted to that originally submitted at the time of making this second application. It is in its 'as submitted form' that the application proposal is being determined. In conclusion the current proposal is very little changed when viewed in elevation and therefore its impact on the greenbelt would be largely the same and the application does overcome the first reason for refusal which stands.

Consideration of the revised application in the context of R2 – affordable housing

In common with the refused application this application fails to make provision for affordable housing within the development and includes no undertaking to make provision of affordable housing elsewhere. However, the applicant has submitted a revised financial viability assessment (FVA). Based on the FVA the applicant has offered to make a payment to the Council of £340,000, with the suggestion that it be used by the Council's housing department to fund off site provision elsewhere. The last application inferred that £100,000 was available for similar purposes. The FVA has been assessed by an external consultant appointed by the Council and shared with the applicant. This indicated that subject to changes the scheme was capable of supporting a higher payment. In response, the applicant has offered £370,000.

This offer has been discussed with the Council's housing department, which has advised that unless clear justification can be provided, affordable housing should be provided on site as part of the development. No such clear justification has been given by the applicant. Indeed the financial valuation looks at three scenarios – No affordable housing on site but a payment of £340,000 (later increased to £370,000), 1 unit of social rent affordable housing plus payment of £110,000 for off site affordable housing provision and 3 units of shared equity affordable housing plus payment of £140,000 for off site provision. The applicant has made it clear that the proposal is for off site provision and seeks to deal with affordable housing by the payment only. The reason for this has not been made clear when the applicants FVA indicates on site provision is possible.

The provision of affordable housing as part of the development would help to achieve mixed and balanced communities and leads to decentralised distribution on development sites around the Borough. Development Plan Policy H9 indicates that affordable housing should be provided on site as part of the development. Where this would not be appropriate or possible the council may accept the affordable housing to be provided either in part or in whole on another site. The application does not demonstrate why on site provision would not be appropriate or possible – the applicants FVA indicates otherwise. The NPPF shows a clear preference for on site provision "unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified... and the agreed approach contributes to the objective of creating

mixed and balanced communities (paragraph 50). No robust justification has been provided and no explanation has been given to show how the payment would contribute to the objective of creating mixed and balanced communities.

As the applicant was proposing making a payment with regard to affordable housing, early on in the life of the application the following information was requested from the applicant:

- Have discussions been undertaken with affordable housing providers?
- What would be delivered with regard to affordable housing?
- How would payment of the sum help meet the requirements of those in housing need?
- How would the proposal comply with the requirements of the development plan and NPPF
- Which sites have been identified to use the surplus to fund affordable housing?
- Details of their proximity to the application site
- would the use of funds on the identified sites meet pooling restrictions?
- Timescales for delivery of the funded affordable housing
- Confirmation that the provision of the surplus complies with requirements for S106 agreements – how does it make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind etc

No response has been provided.

A particular difficulty in affordable housing provision is obtaining the land to build the affordable units on – to some degree obtaining funding for units is less difficult. Building land is more difficult to come by in a borough such as Brentwood where much of the land is greenbelt and subject to a greater degree of protection in national and local policy. Discussions with the housing team has not identified a scheme or site that the payment could bring forward to deliver the affordable housing units required of this development.

In conclusion, even if the developer was to provide money to avoid on site provision, there is no clear link to show how it would translate into providing affordable housing that could be occupied by people in housing need whose needs are not met by the market. This second reason for refusal has not been overcome.

Consideration of the revised application in the context of R3 – very special circumstances

Much of the application documentation is the same as with the previous application and it was considered at that time that very special circumstances had not been shown to exist. The applicant has not identified any matters as very special circumstances in order to justify granting permission for this inappropriate development in the greenbelt.

In conclusion while the proposal is not identical to the last proposal it is very similar and has not overcome the reasons for refusal of that application.

6.0 RECOMMENDATION

The Application be REFUSED for the following reasons:

- 1 As a result of the size and scale of the new buildings and extensions the proposal would fail to accord with the exceptions set out in paragraph 89 of the National Planning Policy Framework and would be inappropriate development in the Green Belt. The proposal would also detract from the openness of the Green Belt. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 and the policies of the Framework as regards development in the Green Belt.
- 2 The proposal would fail to make provision for affordable housing within the development and includes no undertaking to make provision of affordable housing elsewhere. The proposal would therefore conflict with Brentwood Replacement Local Plan Policy H9.
- 3 Other matters that may weigh in favour of the proposal have been considered but they do not clearly outweigh the harm to the Green Belt or the other harm identified. Therefore very special circumstances to justify inappropriate development in the Green Belt do not exist.

Informative(s)

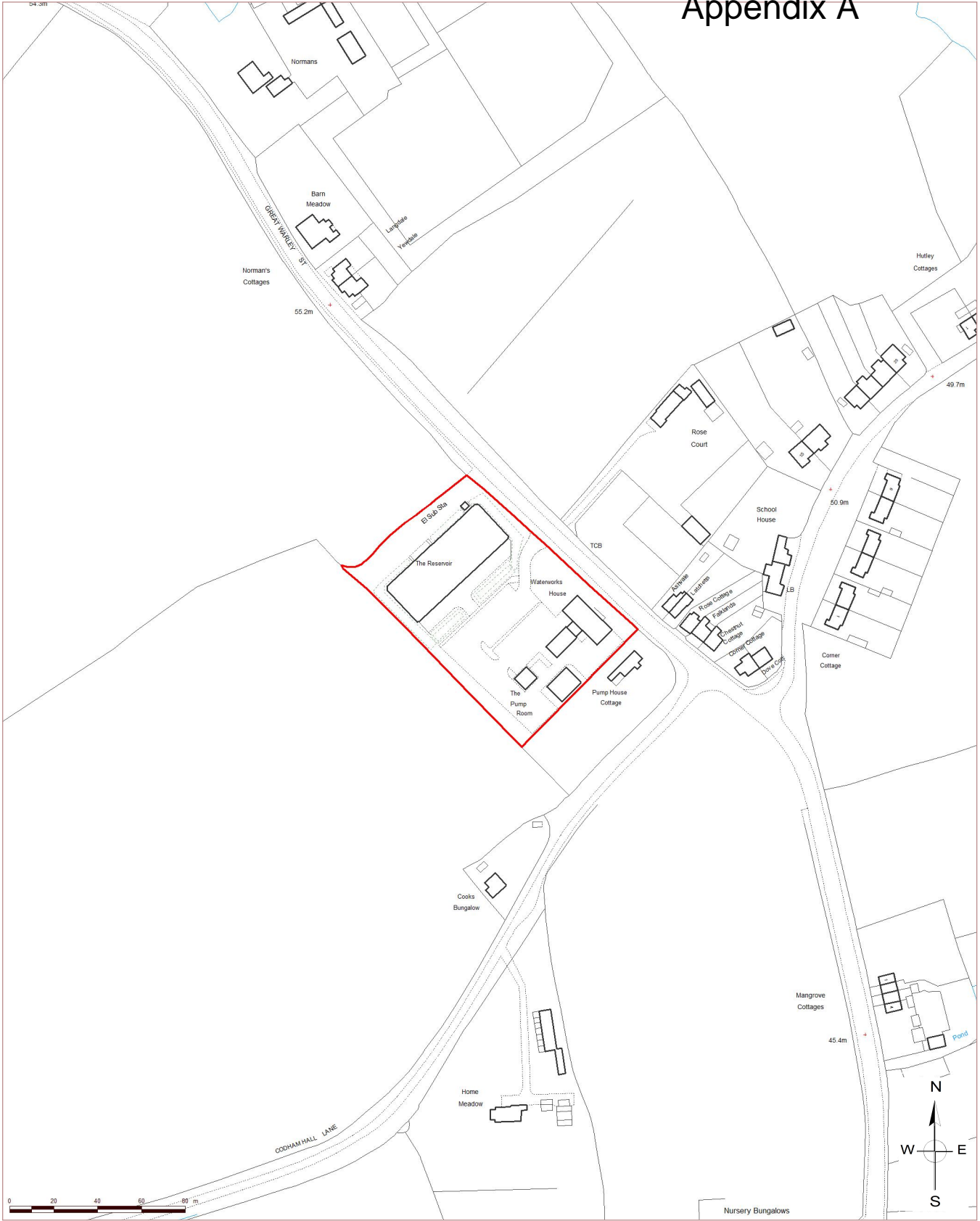
- 1 INF20 Drawing Numbers (Refusal)
The drawing numbers listed above are relevant to this decision 01/A; 05/D; 06/D; 07/B; 08/A; 09/D; 11/A; 13/C; 14/B; 15/B; 16/A; 18/A;
- 2 INF05 Policies
The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1, GB2, GB18, CP1, H9, T2, T5 the National Planning Policy Framework 2012 and NPPG 2014.

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 : The Old Pump Works, Great Warley

16/01764/FUL

Scale at A4 : 1:2500

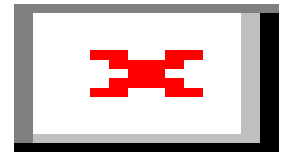
Date : 13th June 2017

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



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ITEM 06

COMMITTEE REPORT

Reference:
17/00317/FUL

Site:
Brentwood Borough Council Transport Depot
The Drive
Great Warley
Essex
CM13 3BH

Ward:
Warley

Proposal:
Proposed building to form enclosed dry recycling facility

Plan Number(s):
01; 02; 03;

Applicant:
Mr Darren Laver

Case Officer: Mr Nick Howard

1.0 DESCRIPTION OF PROPOSAL

The proposal is for a dry recycling facility which will hold waste items such as plastic bottles, cardboard, paper etc within a building. The building will be 24 metres in length and 18 metres in width and formed by a walled enclosure of concrete wall panels and a pitched roof. The enclosure will reach an overall height of approximately 6 metres to the eaves and a ridge height of 8.6 metres. The building would be totally enclosed to prevent items being blown around. The building would have two entrance points on the northern elevation facing into the depot.

2.0 SITE DESCRIPTION

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

3.0 RELEVANT HISTORY

- 16/01411/BBC- Approval of a dry recycling facility

4.0 SUMMARY OF CONSULTATION RESPONSES

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

- **Environmental Health & Enforcement Manager-**
This Service has no objections to this application.

- **Great Warley Conservation Society-**

No objection to the proposal

5.0 SUMMARY OF NEIGHBOUR COMMENTS

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

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

No representations received

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: E4 & E5

NPPF Sections:17 Core Planning Principles

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in 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 2018.

7.0 ASSESSMENT

Principle of the Development (Conformity with Planning Policies)

Members will recall granting planning permission for a dry recycling enclosure in the south-east corner of the depot. The Council now wish to site the facility along the southern boundary with a full enclosed building. Although the current proposal is on a different part of the site, the proposal replaces the extant permission for the previous structure. Notwithstanding this if members were minded to approve the current proposal, the previous structure would not be able to be accessed due to the siting of the current proposal.

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

However, the application site only forms less than 10% of the allocated area and although located to the east of the Council depot it is situated some distance to the north from the Marrillac Hospital, with the existing Fords car park between the two areas and forming part of the allocation. Therefore, the need for a substantial planted boundary is not required in this instance, however consideration of the impact on Barrack Wood to the east is required and is discussed later in the report. Overall the proposal complies with the policies within the BRLP.

Traffic Impact, Access and Car Parking

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

Impact Upon Ecology and Biodiversity

The depot abuts Barrack Wood on its eastern boundary. The woodland is dense in nature. However, the proposed building is positioned some distance from the eastern boundary and therefore there would be no impact on the adjacent woodland.

Design and Layout

The proposed building is of a significant size with an industrial appearance. However, the site is situated at the rear of the Council depot and therefore not visible from any public vantage point. Therefore, given its location within the depot and the context of the character of the area, it is not considered the proposal's visual appearance will be detrimental to the character and appearance of the area.

Energy and Sustainability

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

8.0 CONCLUSION

The site is located within the Council depot on land allocated for its potential expansion. The proposal accords with the Council's policies in the BRLP. The proposal is for a large building at the rear of the depot, however it is not visible from a public vantage point and will provide a significant improvement in dealing with dry recyclable material.

9.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

Informative(s)

1. The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.
2. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: E4 & E5 the National Planning Policy Framework 2012 and NPPG 2014.
3. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

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

www.brentwood.gov.uk/planning

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Appendix A



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

17/00317/FUL

Scale at A4 : 1:2500

Date : 13th June 2017

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



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13 June 2017

Planning and Licensing Committee

Response to Chelmsford City Council Draft Local Plan Preferred Options Consultation

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

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 This report seeks Members approval on a formal response to Chelmsford City Council's Draft Local Plan Preferred Options consultation (March 2017). A response has been submitted to comply with the consultation deadline, subject to the approval of the Council's Planning and Licensing Committee.
- 1.2 The Council's response sets out general support for the Draft Local Plan's commitment to meeting Chelmsford's identified development needs in full, and to continued collaboration through the duty to cooperate on strategic issues that affect our two areas.

2. Recommendation

- 2.1 To approve the response to Chelmsford City Council's Draft Local Plan Preferred Options (March 2017), as set out in Appendix A.**

3. Introduction and Background

- 3.1 Chelmsford City Council held a public consultation on a Draft Local Plan Preferred Options for the statutory minimum of six weeks from Thursday 30 March to Thursday 11 May 2017. The Local Plan is at an early stage of the plan-making process (Regulation 18), which details strategic overview of development; site specific proposals for housing, employment and Travellers; as well as draft policies that manage development within the wider Chelmsford area (borough). In time, this will replace policies in the City Council's current Local Development Framework.

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

4. Issue, Options and Analysis of Options

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

4.2 Local plans should include strategic policies to deliver:

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

4.3 The Chelmsford Draft Local Plan Preferred Options seeks to apply the following spatial principles to deliver the City Council's strategic priority and vision:

- a) Maximise the use of brownfield land for development;
- b) Continue the renewal of Chelmsford City Centre and urban area;
- c) Locate development at well-connected sustainable locations;
- d) Utilise garden community principles for strategic development allocations;
- e) Protect the Green Belt;
- f) Protect the character of valued landscapes, heritage and biodiversity;
- g) Respect the pattern and hierarchy of settlements;
- h) Ensure development is deliverable;
- i) Ensure development is served by necessary infrastructure;
- j) Use development to secure new infrastructure; and
- k) Plan for the longer-term.

4.4 Chelmsford City Council shares a housing market area (HMA) with three other districts (Braintree, Colchester and Tending), together they have assessed the future housing and job needs across the HMA.

- 4.5 Braintree, Colchester and Tendring Councils are preparing a shared strategic plan for the period to 2033. Due to a mismatch in timetables Chelmsford is not covered by this shared strategic plan. However, all authorities are collaborating on strategic cross-boundary issues and the alignment of strategic investment priorities in support of sustainable growth.
- 4.6 To meet the full development needs for the plan period (2013-2036) Chelmsford City Council have made provision for;
- a) **Housing:** a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per-year (provision for the objectively assessed need). In addition, to ensure flexibility of supply and to help significantly boost housing supply, as required by the NPPF, the Draft Local Plan seeks to allocate sites to provide capacity for a further 20% over the plan period.
In order to meet Chelmsford City Council's identified requirements of the Gypsy and Traveller Accommodation Assessment (GTAA) in full, provision is made for 10 Traveller pitches and 24 Traveling Showpeople plots.
 - b) **Employment & Retail:** a minimum of 55,00 sqm of business employment floorspace and 13,400 sqm of convenience retail floorspace over the plan period.
- 4.7 To accommodate this growth the Draft Local Plan directs new development to sustainable locations within three "Growth Areas":
- a) **Central and Urban Chelmsford:** This growth area will accommodate around 3,200 new homes, 9,000 sqm of office and business, and 11,500 sqm of convenience retail over the plan period. New development will be focused on previously developed land within Chelmsford. Provision is also made for five Travelling Showpeople plots.
 - b) **North Chelmsford:** This growth area will accommodate the most significant amount of new housing and employment growth in the form of attractive well-designed communities, centred around open space/leisure facilities and a new business/science park. In addition to existing commitments at Beaulieu and Channels, this includes around 5,000 new homes and 45,000 sqm of office/business floorspace over the plan period. Provision is also made for 10 Traveller pitches and 14 Travelling Showpeople plots.

- c) **South and East Chelmsford:** This growth area will accommodate over 1,000 new homes, 1,000 sqm of flexible business floorspace and 1,900 sqm of convenience retail, by concentrating development on greenfield land around the existing town of South Woodham Ferrers and at two sustainable Key Service Settlements of Danbury and Bicknacre, which are both outside the Green Belt. Provision is also made for five Travelling Showpeople plots.

4.8 The City Council's spatial strategy seeks to focus growth in the most suitable locations outside the Green Belt and as a result growth is directed to east Chelmsford, away from the shared authority boundary with Brentwood Borough. Therefore, whilst it is acknowledged the Draft Local Plan Preferred Options sets out significant growth for Chelmsford, it is considered that any direct impact on Brentwood Borough is likely to be minimal. Nevertheless, it is recognised that growth will add additional burden to major infrastructure, such as the A12. Therefore, the Council's response continues to stress the importance of this strategic cross-boundary issue for Essex and the south-east of England as a whole. Working in partnership to secure investment that will improve capacity is a priority for both authorities.

5. Reasons for Recommendation

5.1 It is considered appropriate that Brentwood Borough Council express general support for the way in which the Chelmsford City Council Draft Local Plan Preferred Options looks to meet its identified development needs in full, and commit to continued collaboration through the duty to cooperate on strategic issues that affect our two areas.

6. Consultation

6.1 The Chelmsford City Council Draft Local Plan Preferred Options was available for public consultation between 30 March and 11 May 2017.

6.2 Officers have responded to the consultation in order to meet the deadline. This response was submitted subject to the approval of Members at the next available Planning & Licensing Committee.

7. References to Vision for Brentwood 2016-19

7.1 The Chelmsford City Council Local Plan will have a close relationship with the emerging Brentwood Local Development Plan, the production of which is a key priority in the Council's Corporate Plan.

8. Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Financial Services Manager

Tel/Email: 01277 312829/jacqueline.vanmellaerts @brentwood.gov.uk

8.1 None directly arising from this report.

Legal Implications

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

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

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

9. Background Papers

- a) Chelmsford City Council Draft Local Plan Preferred Options (March 2017)

10. Appendices to this report

Appendix A: Brentwood Borough Council response to the Chelmsford City Council Draft Local Plan Preferred Options Consultation (May 2017)

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**Brentwood Borough Council response to: Chelmsford City Council
Local Plan Preferred Options Consultation
May 2017**

Thank you for inviting Brentwood Borough Council to provide comments as part of Chelmsford City Council's consultation on its Local Plan Preferred Options document. Brentwood Borough Council is a neighbouring local planning authority and there are a number of strategic issues, such as housing and infrastructure, which can be considered at levels greater than a single planning authority area and which concern both Councils. It is important that such issues are addressed through collaborative working and meaningful discussions in accordance with legislation, the National Planning Policy Framework (NPPF), and Planning Practice Guidance.

Please note that we have limited comments to high level strategic issues that potentially impact directly on Brentwood Borough. Comments on the Chelmsford Plan are provided below.

Regional Context: North and Central Essex (Heart and Haven)

1. The Council notes the 'Heart and Haven' Strategic Housing Market Area (HMA), comprising the local authorities of Chelmsford, Colchester, Braintree and Tending. Brentwood Borough Council is in general support of this approach. Whilst it is accepted that Brentwood Borough does not share a HMA with the Chelmsford City Council area, Brentwood's Strategic Housing Market Assessment evidence suggests there are strong links between our two boroughs.

Development Requirements: Strategic Policy S8

2. The Council notes the commitment to allocating locations for housing, Gypsy and Traveller accommodation, Travelling Showpeople accommodation, employment and retail. Brentwood Borough Council supports the proposed development requirements set out in Strategic Policy S8 of the Chelmsford Draft Local Plan in meeting the City Councils identified development needs in full.

Infrastructure Requirements: Strategic Policy S12

3. The Council notes the identified need to deliver '*improved road infrastructure aimed at reducing congestion and providing more reliable journey times along, for example the A12...*'. Brentwood Borough Council would like to stress the significance of this strategic cross-boundary issue for Essex and the south-east of England as a whole. The Council supports joint efforts to secure investment to improve road infrastructure.

Duty to Cooperate: Engaging with other Councils and partners

4. Brentwood Borough Council welcomes the opportunity to continue to work with Chelmsford City Council in progressing the plan-making process of both local authority areas on an ongoing basis in line with the requirements of the duty to cooperate.

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.