

SITE PLAN ATTACHED

06. PERI LTD WARLEY STREET LITTLE WARLEY ESSEX CM13 3JZ

REDEVELOPMENT OF SITE TO DEMOLISH THE EXISTING OFFICE AND WAREHOUSE AND CONSTRUCTION OF NEW OFFICE, WAREHOUSE AND SHED, TOGETHER WITH ANCILLARY BUILDINGS AND WORKS.

APPLICATION NO: 16/00152/FUL

WARD	Warley	8/13 WEEK DATE	22.04.2016
PARISH		POLICIES	NPPF NPPG E8 CP1 GB1 GB2 GB18 C16 T2
CASE OFFICER	Mrs Charlotte White	01277 312500	

Drawing no(s) relevant to this decision: JUNCTION FLOW DIAGRAM ; JUNCTION ASSESSMENT ; LINSIG INPUT AND RESULTS ; TRANSPORT STATEMENT ; JUNCTION ASSESSMENTS ; 165:14 ; MLM REBUTTAL LETTER ; 110/P21 ; 21 /B ; 5 /A01 ; 20 ; 23 ; 26 A ; 27 ; 28 ; 29 ; PLANNING STATEMENT ; APPENDICES ; WINDOWLESS SAMPLE LOG - 24/07/06 ; WINDOWLESS SAMPLE LOG - 04/03/04 ; TRIAL PIT LOGS ; SOIL SAMPLE DESCRIPTIONS ; TABLE OF RESULTS SOIL SAMPLES ; CERTIFICATE OF ANALYSIS ; ENVIRONMENTAL REVIEW ; DESIGN AND ACCESS STATEMENT ; HERITAGE NETWORK ; JPB REVIEW ENVIRONMENTAL ISSUES ; LANDSCAPE AND VISUAL APPRAISAL ; TREE SURVEY ; FLOOD RISK ASSESSMENT ; TRANSPORT STATEMENT ; SITE 1 JUNCTION COUNT ; SITE 2 JUNCTION COUNT ; SITE 3 JUNCTION COUNT ; SITE 1 QUEUE LENGTHS ; SITE 2 QUEUE LENGTHS ; SITE 3 QUEUE LENGTHS ; M25 / A127 INTERCHANGE (M25 JUNC ; B186 WARLEY RD / A127 SOUTHERN J ; B186 WARLEY RD / A127 SOUTHERN J ; B186 WARLEY RD / A127 NORTHERN J ; B186 WARLEY RD / A127 NORTHERN J ; B186_A127 WEST JCT - PM 2025 PRO ; B186_A127 WEST JCT - PM 2025 BAS ; B186_A127 WEST JCT - PM 2016 OBS ; B186_A127 WEST JCT - AM 2025 PRO ; B186_A127 WEST JCT - AM 2025 BAS ; B186_A127 WEST JCT - AM 2016 OBS ; B186_A127 EAST JCT - PM 2025 PRO ; B186_A127 EAST JCT - PM 2025 BAS ; B186_A127 EAST JCT

- PM 2016 OBS ; B186_A127 EAST JCT - AM 2025 PRO ;
B186_A127 EAST JCT - AM 2025 BAS ; B186_A127 EAST JCT
- AM 2016 OBS ; JUNCTION ASSESSMENT NOTE ; B186-
A127 JUNCTION LAYOUTS ; A127-M25 JUNCTION LAYOUTS ;
AVERAGE SITE TRIPS ; B186-A127 EXISTING LAYOUT ;
M25 EXSITING LAYOUT ; TRAVEL PLAN ; 104 ; 22 /B; 24
/B; 25 /D; 30A ;

1. Proposals

The application relates to the redevelopment of the site occupied by 'PERI Ltd' an international company who specialise in producing and supplying scaffolding and related services. A supporting statement submitted by the applicant indicates that due to the importance of the construction market in the South East of England, the redeveloped site will become Peri's Head Office, with the Head Office relocated here from Rugby.

Planning permission is sought to demolish the existing commercial buildings on the site and to construct replacement buildings in revised locations. It is proposed to construct an 'L' shaped building to the south-western corner of the site which will constitute the office, showroom, assembly area and repair and cleaning area. To the north-eastern corner will be a plywood storage building and to the south-west of the site will be a preparation area.

The existing substation on the site will be removed and repositioned to the front of the site. The main office building is up to three stories in height, with the showroom area being approximately 4 storeys in height overall to allow large vehicles to enter and internal cranes to operate. The office has a floor area of 3742 sq.m and the warehouse part of the building (comprising the showroom, assembly area and repair and cleaning area) will have a floor area of 2716 sq.m. The plywood store has a floor area of 2,131 sq.m.

The existing access into the site will be repositioned with a new entrance and a new security cabin and barriers will be provided, along with new parking areas. The new car parking area will be provided in front of the office building and to the north of the office building with new truck lanes created behind the office building. The applicant's 'Design and Access Statement' indicates that clear, precise directional and informational signage showing approved routes for staff, drivers and visitors will be provided. A total of 167 parking spaces will be provided including 9 disabled spaces along with 10 motorcycle spaces and 72 bicycle stands.

Some of the existing trees on the site will be removed but replacement landscaping is proposed and the majority of the existing perimeter bunding will be maintained.

The office building will be finished in aluminium rain screen cladding which will carry onto the showroom display hall. The windows will be powder coated aluminium. The assembly, cleaning and repair areas and plywood store have profiled cladding surmounting a low level fair faced concrete perimeter wall.

The Planning Statement submitted indicates that the majority of the site will be used for external storage of equipment as it is at present.

The development will be carried out in two phases with the second floor of the office, the assembly area and part of the plywood store to be constructed at a later date as phase 2 of the development. The application states that the size and height of the proposed buildings have been largely dictated by the ongoing operational needs and forward projection of the company, with the company currently employing 68 employees and predicting this to increase to 172 employees in 2020 and 235 employees in 2025.

The application is presented to Committee given the nature and scale of the proposal.

2. Policy Context

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPF)

Local Plan Policies; E8, CP1, GB1, GB2, GB18, C16, T2

3. Relevant History

- 15/01014/EIASO: Screening and Scoping Opinion for the redevelopment of the existing Peri Ltd site and the construction of an office, workshop and storage shed, together with the use of the yard for storage and distribution purposes, as exists at present. -Not EIA Development
- 13/00990/ADV: Non illuminated 2 no. ground standing sign boards and 3 no. 9m flag pole advertisements -Application Permitted
- 05/00275/FUL: Demolition Of Existing Building And Development Of Site As Business Park For B1(A) Offices With New Access, Car Parking, Service Areas And Landscaping - Renewal Of Planning Permission Ref. Brw/270/2002 (Outline) -Application Permitted

4. Neighbour Responses

7 neighbour letters were sent out, 2 site notices were displayed and the application was advertised in the press.

1 letter of support has been received which raises no objection to the proposal and comments that the proposal will be an improvement to the poor and scruffy appearance of the site and that the village of Great Warley will benefit from it.

A letter of representation has also been received from Cllr Hubbard which neither objects to or supports the application and makes the following comments:

- Despite the building being repositioned in an area that although not Greenfield is surrounded by Green Belt, do not object to this.
- The new building is better sited.
- The area and site will be improved.
- Trust the company to provide screening landscaping and tree planting to make this unobtrusive from Warley Road.
- Concerned that lorries leaving the site will be in direct conflict with cars coming into the office car park.
- Concerned about the safety of the entrance, car access and access and egress to the car parking spaces.
- Trust that the lighting poles will be reduced in height and directed downwards to mitigate the effect on the neighbouring properties.

Following the submission of revised plans which have altered the access arrangement to the site due to visibility concerns, a representation from The Kilns Hotel has been received which makes the following summarised comments:

- No real objections other than proposed new entrance.
- Concerns about safety of B186 including previous near misses and difficulty getting out onto the road.
- Increased traffic opposite hotel and main guest building and concerned about noise affecting guests which may affect the business.
- View of site will alter from trees to entrance and car park.
- Concerns about dust and dirt - suggest a construction statement.

Following the submission of the amended plans a letter in support of the application has been received from Cllr Hubbard which makes the following summarised comments:

- Support application but concerns about entrance/exit being shared by cars and lorries.
- Revised plan is an improvement.
- Could a barrier be installed to stop cars crossing the path of a lorry?

5. Consultation Responses

• ECC SUDS:

Subsequent comments following submission of further information:

Having reviewed the flood risk documents which accompanied the planning application, we do not object to the granting of planning permission.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the FRA and the above mentioned documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

The Lead Local Flood Authority (LLFA) therefore has suggested a number of conditions to be submitted including a surface water drainage scheme for the scheme; a scheme to minimise the risk of offsite flooding caused by water run-off and groundwater during constructions works; a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies; The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

- **Environmental Health & Enforcement Manager:**

Following revised plans the EH Dept do not have objections to this application, subject to conditions relating to contamination.

- **Essex & Suffolk Water:**

No response received.

- **Anglian Water Services Ltd:**

No response received.

- **County Archaeologist:**

The Essex Historic Environment Record (EHER) shows that the current Peri Ltd site is located on the site of a former rectory which was sited to the north of Great Warley Hall. The original medieval and post-medieval rectory was located on low ground at the bottom of the settlement (EHER 19110). Successive rectors made additions and improvements, including in 1829 the building of a water closet, servant's hall and lecture room, along with other out buildings.

The Heritage statement that has been submitted with the application has identified that there is a moderate to high overall archaeological potential for below ground archaeological deposits, as this redevelopment is in proximity to the site of this medieval rectory. These deposits may be destroyed or disturbed by the proposed development.

A recommendation that a full condition is applied to any permission requiring a full programme of archaeological work.

- **Highways England:**

Following the submission of amended plans and further information Highways England offer no objection to the proposed development.

- **Planning Policy:**

This site has been identified within the Brentwood Draft Local Plan January 2016 under Policy 8.4 Employment Land Allocations as an existing employment site not previously allocated. This is referred to as site 228, PERI site, Warley Street, Great Warley and is stated as covering a 5.36ha area.

Policy 8.4 explains that within those areas allocated for general employment and office development the Council will seek to achieve and retain a wide range of employment opportunities.

Paragraph 8.25 sets out that new employment proposals that provide new jobs and boost the local economy will be encouraged, but it is important these are in line with the spatial strategy.

Notwithstanding the above it is important to understand the level of weight that can be given to the policies within the Brentwood Draft Local Plan. Paragraph 216 of the National Planning Policy Framework sets out that the level of weight that can be given to emerging Local Plans should be according to their stage of preparation, the extent to which there are unresolved objections against relevant policies and the degree of consistency of relevant policies in the emerging plan to policies in the Framework.

On the basis that the Brentwood Draft Local Plan is at an early stage of preparation (Regulation 18) and there are likely to be outstanding objections there is limited weight that can be applied to the policies within it.

The next iteration of the Local Plan is the Pre-Submission which is due to be published in late 2016 with submission to the Secretary of State in late 2016, early 2017.

- **Economic Development Officer:**

Difficult to assess economic impact and additionally as it does not compare current jobs to forecast jobs or current number of businesses to forecast amount. Does show an increase in overall work space though which is good.

- **Design and Historic Building Consultant:**

An assessment of the impact of the redevelopment upon listed buildings which are in close proximity to the site has been undertaken, the listed buildings are situated opposite the proposed redevelopment on Warley Street, both are Grade II listed.

The BRICK HOUSE HOTEL List entry Number: 126316 dates from C17th and to the north of the Hotel is HULMER'S List entry Number: 1250605 dates from C18th. I advise the proposals within this application would not impact negatively upon the setting of these Listed buildings provided the landscaping proposed to frame the car park is considered and fully retained to soften the boundary which provides a buffer to the expanse of hard standing proposed as the car park area. This

thoroughfare of Warley Street leads to the hamlet of Great Warley; the retention of the verdant quality here is integral to the character and appearance of the location and the setting of the listed buildings. Car park lighting and external signage should be kept to a minimum level.

Looking at the design proposed for the new buildings; these are clearly functional forms with a utilitarian language, footprints are retained as orthogonal but sited closer to the principle thoroughfare of Warley Street - I raise no objections to this approach should the principle of planning be acceptable but I would like to see samples of the external materials and details of fenestration; pre-application advice from Design stated the importance of high quality materials and engineering to successfully implement the design intent.

Following the submission of amended plans, the Design and Historic Buildings Consultant has commented:

The revised positioning of the access into the development site are not ideal from a Historic Buildings perspective. The entrance is now being proposed to be located immediately opposite the principle frontage of The Kilns, a Grade II Listed Building (List entry Number: 126316) which dates from C17th.

I understand from our conversations this has been submitted following serious highways concerns for the existing access/egress but in terms of conserving the setting of the listed building this would cause material harm. The site presently is buffered by mature hedging opposite and whilst the landscaping scheme can address to a certain extent new provision for planting - the proposed new access into the site is on an axial line from the principle elevation.

In the interests of preserving the setting of the Grade II listed building I am unable to support this application due to this relocation of the site access. If there are any further discussions which I can assist with in respect of Highways and the development please do contact me.

- **Highway Authority:**

Following the submission of amended plans and further information, the Highway Authority provided the following comments:

The Highway Authority has considered in detail both the Transport Statement and subsequent further information submitted by the applicant. The Highway Authority does not agree with some of the junction assessment data provided (most notably at the B186 / A127 junction) however, and given historical traffic flows and the history of the site, considers that, with proposed upgrades to the highway network, there would be sufficient capacity to accommodate the likely moderate increase in trip generation resulting from the proposal during peak periods. The new site access also provides a notable improvement in visibility.

Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions:

- Submission and agreement of a construction method statement;
- The vehicular access to be constructed at 90 degrees to the B186 carriageway;
- Acceptable visibility splays to be achieved;
- Removal of existing site access and full height footway/kerbing provided;
- Vehicle parking area as indicated to be constructed as agreed;
- Parking bay sizes as approved;
- Cycle parking facilities as approved;
- Provision of a 2 metre wide footway access to be provided at the new site access;
- The existing bus stops on both sides of the B186 to the north of the site shall be improved, include raised kerbs at the bus stops, dropped kerbs to facilitate pedestrian and wheelchair access, a hard-standing area on the eastern side of the carriageway and poles, flags and timetables at both stops.
- No discharge of surface water onto the highway.
- Prior to first beneficial use of the proposal, the submitted Travel Plan shall be implemented and a £3,000 Travel Plan monitoring fee (index-linked) paid to Essex County Council.
- Prior to first beneficial use, the developer shall pay for the necessary Traffic Regulation Order together with provision of the associated signing to extend the existing 40 mph speed limit to beyond the proposed new site access.

6. Summary of Issues

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise: the Brentwood Replacement Local Plan 2005. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are material considerations in planning decisions.

Site Description

The application site is 'L' shaped and is approximately 6.3 hectares. The site is located to the east of Warley Street (B186), with pedestrian and vehicular access to the site provided from Warley Street. To the south of the site is the A127 and the site is located in close proximity to the road junction between the A127 and Great Warley. The site is located in relatively close proximity to the junction of the A127 with the M25.

To the immediate north of the site is a residential dwelling; Old Rectory Cottage. To the north of the site there is also an existing building that appears to be a modern agricultural building. Opposite the site are residential and commercial premises, including a hotel. There are two Listed Buildings opposite the site; Hulmers, Warley Street which is a Grade II Listed Building and The Kilns Hotel, Warley Street (previously called Brick House Hotel) which is a Grade II Listed Building. The land

to the east of the site is undeveloped and to the south of the site, between the site and the A127 is a tree belt.

The site comprises a centrally located building which includes the offices and main warehouse/industrial building serving the commercial premises. The applicant calculates that the existing office and warehouse building has an overall floor area of 4,324 sq.m. Surrounding this building the site is mainly hardsurfaced, with an area of hard-core. There is a car park on the northern side of the site, a small detached substation in the middle of the site and a vast amount of external storage of products is evident throughout the site. There are earth bunds and vegetation to the peripheries of the site.

The site is located within the Green Belt and a Special Landscape Area and there are listed buildings opposite the site. As such the main considerations in the determination of this proposal include; Green Belt considerations, sustainability, design and impact on adjoining heritage assets, residential amenity, parking and highways, drainage and flood risk and tree and landscaping considerations and economic benefits of the proposal.

History

The site has an extensive planning history but the most relevant to this scheme is the granting of a certificate of lawfulness to use the site for the storage and distribution of framework and falsework products with ancillary checking, cleaning and refurbishment of equipment and ancillary offices (Class B8). (ref. 07/00029/S192).

Outline planning permission was granted to demolish the existing building on the site and to develop the site as a business park (class B1(a) offices) (ref. 05/00275/FUL). This development included the repositioning of the access, car parking and service areas and landscaping; a new roundabout, a new site access, further south accessed from the new roundabout and 5 commercial buildings totalling 13, 936 sq. m of floor area with car parking. This permission was never implemented and is no longer extant.

Principle of the development

Green Belt

Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Local Plan Policy GB18 states that the expansion or intensification of existing inappropriate development within the Green Belt will be refused but the reasonable replacement of existing buildings may be allowed subject to among other criteria, the impact on the openness of the Green Belt. This policy is considered to partially comply with the NPPF and therefore carries some weight.

Is the proposal inappropriate development in the Green Belt:

The NPPF states at paragraph 89 that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with some exceptions including:

- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- Limited infilling or the partial or complete redevelopment of previously development sites (brownfield sites), 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 purposes of including land within it than the existing development.

With regard to the first bullet point above, it is evident that the redevelopment of this site seeks to retain the site for the current purpose and the replacement buildings are in the same use as the existing buildings on the site but will be materially larger than the existing.

The applicant agrees with this assessment.

In terms of the second exception to inappropriate development in the Green Belt, the site has an established, permanent building on the site, is largely hardsurfaced and has a lawful commercial use. Officers consider that the site therefore constitutes previously developed land (PDL).

However, to satisfy the second exception to inappropriate development the proposed development must not have a greater impact on the openness of the Green Belt or the purposes of including land within the Green Belt than the existing development.

Openness and purposes of including land in the Green Belt

This proposal seeks to significantly increase the built form on the site with the proposed replacement buildings more than doubling the floor area of the existing buildings on the site. The proposed replacement buildings are materially larger than the existing buildings on the site. The proposed buildings are of a significant height and size and would result in the further spread of permanent, built form across the site and would therefore result in material harm to the openness of the Green Belt and would also result in further sprawl and encroachment across the site in the Green Belt. Whilst it is noted that there is a high degree of external storage currently, this will continue as a result of this development and even given its temporary and transient nature this does not overcome the harm to the openness as a result of this development.

The identified harm to the openness is recognised by the applicant within the planning submission, but goes on to state that the site will be well screened.

In terms of the local plan policy GB18, the redevelopment of this site would not detrimentally impact on peoples enjoyment of the countryside, however as discussed above, the replacement building will have a greater visual mass than the existing building on the site and the proposal would lead to the expansion and intensification of activity on the site, contrary to the aims and objectives of this policy.

Taking all of the above into account, the proposal constitutes inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm to the Green Belt is clearly outweighed by other considerations.

Current Lawful Use:

The site has a lawful use for storage (B8) use, and local plan policy E8 is relevant. Any new development would need to satisfy a range of criteria to ensure that the replacement employment use is (i) appropriate in scale and its nature, (ii) is accessible by public transport, walking or cycling; (iii) Road access will avoid narrow residential streets and country lanes and avoid significant traffic movements in rural areas; (iv) Appropriate landscaping and screening shall be provided.

Issues relating to the scale of the development, accessibility, highway issues, and landscaping will be considered below.

It should be noted that whilst the draft Local Plan currently holds very limited weight, it does propose to allocate this site for employment purposes.

Sustainability

The NPPF requires new development generating significant traffic movement to be located where the need to travel is minimized and sustainable transport modes can be maximized.

While the site is ideally located for the business, i.e. very close to the A127 and M25 which will enable deliveries and supply lorries to access the south east region generally, there is little in the way of public transport servicing the site (nearest bus routes on Warley Street to the north). The scheme is proposing to provide cycle parking facilities at the site and a travel plan has been submitted which includes proposals to encourage sustainable transport for workers, including measures to promote walking, cycling and car sharing as well as maximising the public transport available. Although not ideal, it is considered that the site is so remote from public transport or alternatives to the private car that a reason for refusal on this basis could not be fully justified.

Design and impact on adjoining Listed Buildings

S66(1) of the Planning and Listed Building and Conservation Areas Act 1990 makes it clear that a Local Planning Authority (LPA) should have special regard to the desirability of preserving Listed Buildings and their settings or any features of special architectural or historic interest which it possess.

The NPPF states that the impact of development on the historic environment should be assessed according to the level of significance of any heritage asset; the design of new development should also be undertaken in a sustainable way and contribute positively to in design terms.

There are two Grade II Listed Buildings opposite the site. The Heritage Statement (HS) submitted with this application comments that Brick House (now The Kilns Hotel) will be screened from the proposed development by enhanced planting along the western boundary and Hulmers which is located opposite the site access will benefit from additional planting to the north and south of the existing access.

The HS asserts that the development is unlikely to have any more impact on the setting of these heritage assets than the existing depot has had since the 1960s; and that the proposal would not have any direct impact on the historic buildings and the indirect impact on the setting of the nearby Listed Buildings is negligible.

However, the revised plans now relocate the access to opposite the Grade II Listed Kilns Hotel and the Council's HBC now assesses that the revised proposal will cause material harm to the setting of the Kiln Hotel.

The NPPF and NPPG provide some guidance on assessing harm to heritage assets and how that harm should be balanced against potential benefit brought about by a development.

It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting (Paragraph 017 of the NPPG).

Given the nature of this proposal, the harm identified by the HBC and the advice contained in the NPPG, it is concluded that this harm would be less than substantial.

Paragraph 134 of the NPPF states that when development proposals will lead to less than substantial harm to the significance of a designed heritage asset, this harm should be weighed against the public benefit of the proposal, including its optimum viable use.

This development would result in substantial public benefits, as discussed below; including significant economic benefits, sustainability benefits, and the repositioned access will provide significant improvements to highway safety in terms of visibility. As such, it is considered that in this instance there are public benefits as a result of this development that outweigh the less than substantial harm to the setting of the Grade II Listed Building at The Kilns.

Based on the comments of the Design and Historic Buildings Consultant, no objections are raised to the overall design or layout to the development, subject to conditions requiring samples of materials and fenestration details.

Effect on Character and Appearance of the Area

The key landscape features within the site would be retained and there would be no significant effects on the character of the wider local landscape character area. Although the main office and warehouse building will be larger than the existing building, its location in the corner of the site with mature trees to two sides assist in reducing its visual impact.

The location of the proposed plywood store in the corner of the site close to an existing agricultural building reduces its potential impact in the wider landscape.

The landscape and visual appraisal submitted with the application suggests that the landscape and visual effects of the development are of low magnitude and would be acceptable in landscape and visual terms.

Based on the comments from the Council's Design and Historic Buildings Consultant, the proposal is considered to be of an acceptable design, and that subject to conditions relating to materials, landscaping, lighting and fenestration details would have no adverse impact on the character and appearance of the area.

Residential amenity

In terms of dominance, an overbearing impact, loss of light and outlook and overlooking and loss of privacy, given the distance between the proposed buildings and the adjoining, nearby residential dwellings, it is considered that the proposal would have no material harm in this regard.

In terms of noise and disturbance, the site is already, lawfully used for commercial purposes. It is noted that this application seeks to increase the number of staff at the site, however, given the existing use of the site, it is not considered that this proposal would result in any material harm to the residential amenity of the adjoining residents in terms of noise and disturbance over and above the existing situation. It is also noted that the Environmental Health Officer has raised no objection to the proposal.

With regard to contamination, the application has been submitted with some investigation information and a review of geo-environmental issues. In this regard, the EHO has recommended conditions related to contamination, with a remediation scheme required. Subject to the conditions recommended by the EHO, no objection is therefore raised on this basis.

Economic Development

NPPF encourages the planning system to support a strong and competitive economy, encourage jobs and prosperity and support economic growth by delivering sustainable development.

Paragraph 20 of the NPPF states that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

The information submitted with this application indicates that this development would provide a number of additional jobs, with the planning statement indicating that it is anticipated that the current proposal will provide for 167 additional full-time jobs at the site (104 by 2020 and a further 63 by 2025). Roles would include sales engineers, design engineers, operatives, administrators, finance and marketing and Peri would continue to recruit from the local community.

Officers consider that the level of investment intended to redevelop the site would contribute to the creation of additional jobs which will benefit the local economy and will enhance economic growth. Peri Ltd is an international company that supplies and manufacturers formwork and scaffolding systems throughout the world and benefits the construction company and has been involved in some large construction projects in the UK, such as the Queen Elizabeth II Bridge. Encouraging the growth of such companies within the Borough can only benefit the local economy. In accordance with the NPPF, this significant economic benefit as a result of this development must be given significant weight in the determination of this application.

Parking and highway considerations

This proposal seeks to alter the existing access to the site; with the amended plans now relocating the access further south. The parking arrangements are also being altered at the site, with 167 parking spaces; including 9 accessible parking spaces and 10 motorcycle parking spaces and cycle parking for 72 bikes to be provided.

In this regard, both Highways England and the Highway Authority raised some initial concerns and requested further information in this regard. Following submission of additional information, Highways England have raised no objection to the proposed development and the Highway Authority has raised no objection to the proposal subject to conditions.

The majority of the conditions recommended by the Highway Authority are necessary and reasonably related to the development. The Highway Authority required a £3000 fee to be paid to Essex County Council for monitoring of the Travel Plan. However, the applicant's agent has confirmed that, as outlined in the Travel Plan, monitoring will be undertaken by the site's Travel Plan co-ordinator. As such a monitoring fee is not required and a condition can be imposed requiring compliance with the Travel Plan and for monitoring records to be undertaken and reviews and report to be submitted to the local planning authority as regular intervals.

The Highway Authority further required the developer to pay for a Traffic Regulation Order and for additional signage to extend the existing 40mph speed limit to beyond the new access proposed. However, this requirement can be achieved under the Highway Authority's own powers and as such does not need to be attached to this consent. National guidance makes it clear that conditions should not be imposed that are covered by other legislation.

Trees, landscaping and ecology

The Arboricultural Officer considers that the details submitted relating to works to trees and general approach to landscaping to be acceptable, subject to the submission of a landscaping condition.

In terms of ecology, the application has not been submitted with an ecological report. However, given the existing nature of the site which is already developed and mainly hardsurfaced it is considered that this proposal would be very unlikely to adversely impact any protected species. It is also noted that the grant of any planning permission does not negate the need for the developer to adhere to ecology legislation should any protected species be discovered during the course of the development.

Drainage and Flood Risk

This application has been submitted with a Flood Risk Assessment and SuDS Drainage Strategy.

Following initial objections by Essex County Council Lead Local Flood Authority (ECC LLFA) the applicant submitted further information and ECC LLFA has subsequently raised no objection to the proposal, subject to conditions. Subject to such conditions no objection is therefore raised on this basis.

Green Belt Balance:

It has been established that this development constitutes inappropriate development in the Green Belt by definition and that it would materially harm the openness of the Green Belt and would conflict with the purposes of including land in the Green Belt. Permission should only be granted if very special circumstances exist to clearly outweigh that harm.

The applicant sets out a number of considerations that they consider amount to 'very special circumstances':

- They refer to an appeal allowed in 2002 on the site for office buildings;
- It is stated that there is a need for the development as the existing buildings on the site are in poor condition, are not suitable for refurbishment and their layout is wrong.
- The applicant contends that the location, close to the M25 and existing transport network will promote sustainable travel patterns and furthermore, identifies the site as being the most suitable for its needs, having undertaken a sequential assessment of alternative sites within a 25 mile radius of Brentwood.
- The applicant draws attention to the local economic benefits that the redevelopment of the site will bring.
- They consider that the visual impact of the redeveloped site will be no greater than the existing situation and the landscaping will enhance and improve the character and appearance of the Green Belt.
- The inclusion of the site within the draft local plan which suggests that the site be allocated for employment purposes.

Taken individually, these considerations are not justification for the significant harm to the Green Belt that has been identified. However, the clear thrust of government advice is that the planning system should do everything it can to support sustainable economic growth and that significant weight should be placed on the need to support this growth. Officers consider that the sustainability benefits with the redevelopment of this site, i.e. reducing haulage requirements, and the absence of any appropriate alternative sites within the borough, should be given significant weight. When taken together, it is therefore considered that these considerations would amount to very special circumstances that would clearly outweigh the harm to the Green Belt.

Other matters

The majority of the issues raised within the letters of representation received have already been considered in this report, including design, Green Belt, landscaping, highway safety and the impact on the Listed Building opposite. In terms of Cllr Hubbard's query regarding the lighting poles, a condition can be imposed requiring no further lighting without the further formal consent of the local planning authority. It is not considered that the revised access will cause material additional noise and disturbance to the guests of The Kilns over and above that of the existing development. A construction method statement can be required through a condition. Barriers are proposed to front of the site and into the rear part of the site that lorries access.

Conclusion

Whilst the revised access into the site would result in material harm to the setting of the Grade II Listed Building opposite the site, this harm would be less substantial, as defined by the NPPF and NPPG and in this instance the significant public benefits as a result of this development, including economic, sustainability and highway safety benefits would outweigh this less than substantial harm.

The proposed development constitutes inappropriate development in the Green Belt, which would harm the openness of the Green Belt and would conflict with the purposes of including land in the Green Belt. However, in combination the very special circumstances put forward including the significant economic benefits, sustainability benefits with a reduction in haulage requirements and the absence of any alternative sites do outweigh the harm identified to the Green Belt. In this instance these other considerations outweigh the Green Belt harm.

Subject to conditions the proposal is therefore recommended for approval.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

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

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

2 DRA01A Development in accordance with drawings

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

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

3 U13589

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

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

4 U13590

No development above ground level shall take place until additional drawings that show details of proposed new windows and doors to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in strict accordance with the approved details.

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

5 U13591

No development above ground level shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted and those areas to be grassed and/or paved. The landscaping scheme shall include details of all hard-surfacing materials to be utilised. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning

authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

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

6 U13592

Notwithstanding the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any subsequent re-enacting Acts or Orders) no additional floodlighting or any other form of external lighting shall be provided on the site without the further formal consent of the local planning authority.

Reason: To safeguard the living conditions of nearby residents.

7 U13593

No development above ground level shall take place until additional drawings that show full details of proposed barriers, sliding access gate and substation have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area and the setting of the adjoining Listed Buildings.

8 BOU09 No walls or fences - except as approved
Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

Reason: In the interests of safeguarding the character and appearance of the area.

9 U13594

The existing building(s) or parts of buildings on the site indicated on the approved drawings and/or specifications for demolition shall be demolished and all materials arising shall permanently removed from the site within 6 months of the first occupation of any part of the development hereby permitted.

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

10U13595

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation.

The scheme shall include:

- Groundwater testing and infiltration testing in line with BRE 365. If infiltration is found not to be viable, run-off should be restricted to the 1 in 1 greenfield rate
- Attenuation storage for the 1 in 100 inclusive of climate change storm event.
- An appropriate amount of treatment in line with the CIRIA SuDS Manual C53.
- A drainage plan highlighting final exceedance and conveyance routes, location and sizing of storage features, discharge/infiltration rates and outfall/s from the site.

Reason:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

11U13596

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

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

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of top soils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

12U13597

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

13U13598

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

14U13599

A remediation scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to the Local Planning Authority for approval prior to the commencement of any development of the site. The agreed remediation scheme will be implemented prior to the commencement of any other part of this planning permission (unless the scheme or parts of it require commencement of other parts of the permission). Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

Reason: In the interests of the occupiers of the site. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

15U13600

Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

Reason: In the interests of the occupiers of the site.

16U13601

The developer shall notify the Local Planning Authority in writing of impending completion of the remediation works within one month of the completion of the said works. Within four weeks of completion of such works a validation report undertaken by competent persons in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers related to the agreed remediation measures shall be submitted to the Local Planning Authority for approval. There shall be no residential occupation of the site or beneficial occupation of the office building hereby permitted until the Local Planning Authority has approved the validation report in writing. Furthermore, prior to occupation of any property hereby permitted, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the conditions above.

Reason: In the interests of the occupiers of the site.

17U13602

No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority'.

Reason: To enable archaeological records to be made if necessary on a site that lies within an area of known archaeological interest. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters

before the commencement of the development it would have been necessary to refuse planning permission.

18U13603

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:

- 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 out onto the highway in the interests of highway safety. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

19U13604

The vehicular access, as shown in drawing no 165:14, shall be at ninety degrees to the B186 carriageway.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

20U13605

The new site access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 120 metres to the compass point in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the site access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety.

21U13606

The existing site access shall be removed and full height footway / kerbing provided immediately the new site access is brought into first beneficial use.

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

22U13607

The vehicle parking area as indicated in the approved plans shall be hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. 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 interests of highway safety and that appropriate parking is provided.

23U13608

Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres with a 6 metre aisle between rows.

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

24U13609

The cycle parking facilities as shown on the approved plans shall be covered and secured, and are to be provided prior to the first occupation of the development and retained at all times.

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

25U13610

Prior to first beneficial use of the proposal, a minimum 2 metre wide footway access shall be provided at the new site access together with dropped kerbs and tactile paving on both sides of the B186 as shown in drawing no 165:14.

Reason: To facilitate pedestrian movements to / from the site in the interest of highway safety and accessibility.

26U13611

Prior to first beneficial use of the proposal, the existing bus stops on both sides of the B186 to the north of the site shall be improved. Improvements shall include raised kerbs at the bus stops, dropped kerbs to facilitate pedestrian and wheelchair access, a hard-standing area on the eastern side of the carriageway and poles, flags and timetables at both stops. N.B. Due to the presence of drainage, the northbound stop will need to be relocated further north, i.e. closer to the southbound stop.

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

27U13612

There shall be no discharge of surface water onto the highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

28U13613

The travel plan as approved shall be monitored and reviewed at the end of years 1, 3 and 5 and a copy of that review and action plan arising shall be submitted to the Local Planning Authority. The means described in the action plan shall be implemented in the time period identified.

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

Informative(s)

1 INF04

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 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: E8, CP1, GB1, GB2, GB18, C16, T2 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF22

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U03136

Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding.. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.

5 U03137

Prior to first beneficial use, the developer shall pay for the necessary Traffic Regulation Order together with provision of the associated signing to extend the existing 40 mph speed limit to beyond the proposed new site access.

6 U03138

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

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex CM13 3HD.

BACKGROUND DOCUMENTS

DECIDED: