

Reference:
16/01805/OUT

Site:
Essex Police & La Plata House
London Road
Brentwood
Essex
CM14 4QJ

Ward:
Brentwood West

Proposal:
Outline application for demolition of existing police station buildings, conversion of La Plata House to residential use and development of up to 70 new residential dwellings (All matters reserved)

Plan Number(s):
5148401-ATK-L-0012/B; TRANSPORT STATEMENT Revised; 5148401-ATK-L-0001/Revised; 5148401-ATK-L-0002/Revised; 5148401-ATK-L-0011/A; Site Photos/Revised;

Applicant:
Mr S Curling

Case Officer: Mr Nick Howard

The application is a major development of strategic importance to the Borough and therefore the application has been referred to members for a decision. The application was subsequently referred by Cllr Russell on the grounds he seeks a clear indication that there would be no access from the site onto Westbury Drive.

1.0 DESCRIPTION OF PROPOSAL

The planning application is for outline planning permission with all matters reserved. An Illustrative Masterplan has been provided to support the application and shows a development of up to 70 dwellings. The Masterplan is illustrative only and provides information on how the site could be developed. Details in relation to access, layout, appearance, scale and landscaping would have to be determined at the subsequent Reserved Matters stage, should the Committee grant outline planning permission.

The proposal involves the demolition of four existing buildings/structures within the site, as well as the removal of existing hardstanding. Existing buildings/structures that are proposed to be demolished are as follows:

Main Police Station Building – currently partly in use as offices. Located in the centre of the Site;

Detached house – located in the north area of the Site;

Garages and open shelters – currently unused. Located along the east boundary of the Site;

Single garage – located in the north area of the Site adjacent to the south of the Detached House; and

Disused air-raid shelter – located in the north area of the Site adjacent to the north east of the Detached House.

The Illustrative Masterplan shows 70 dwellings through the provision of new apartments. In addition to new build apartment buildings (3 are indicated), the proposal includes the conversion of La Plata House, which is located in the south area of the site, to residential use. The proposed development would include for the provision of 35% affordable housing on the site. To accommodate 70 residential units, the proposed apartment buildings would be between 2 and 4 floors in height.

Although access is a reserved matter, it is expected that vehicle access to the site will continue from London Road to the north. No vehicular access is to be taken from Westbury Drive.

The Illustrative Masterplan also shows car parking provision for 71 vehicles. Furthermore, the indicative layout shows the retention of most of the existing trees and hedgerows along the site boundary.

2.0 SITE DESCRIPTION

The site comprises the premises of Brentwood Police Station and has an approximate area of 1.11 hectares. The site comprises a number of buildings and hardstanding associated with Brentwood Police Station. The police station is made up of the main three-storey station building positioned in the centre of the site, a smaller two-storey building at the south (La Plata House), a small garage and shelter building situated against the eastern boundary and a two-storey detached building within the north area of the site. In addition to the existing buildings, the site also comprises areas of hardstanding used for car parking.

A number of mature trees are located within the site and along the application boundary. Small areas of woodland are positioned on both sides of the site access from London Road to the north of the station buildings. The site currently benefits from an existing access point from London Road to the north, which accommodates all vehicle movements associated with the operation of the police station.

3.0 RELEVANT HISTORY

- None

4.0 SUMMARY OF CONSULTATION RESPONSES

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

- **Highway Authority-**

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

- **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.

- **Arboriculturalist-**

No objections subject to conditions

- **Schools, Children Families Directorate-**

Letter submitted 26/01/2017. The content of the letter is set out in the assessment section of the report.

- **Design Officer-**

In Conservation terms, it is positive to retain the original host building which is of architectural merit and set in well landscaped grounds. This application is not objected to in principle. In terms of the air raid shelter reference is made to this in the assessment section of the report.

- **Essex Badger Protection Group-**

We note the comments made by Atkins Limited in their report dated December 2016, and acknowledge that no evidence of badger activity was found by that firm in the course of their investigation.

The Essex Badger Protection Group has not been afforded access to the site in question but has no record of any setts on the land itself. We cannot therefore contradict any of the commentary given in the habitat survey report. Badgers are nevertheless known to be present in the surrounding area and therefore the removal of the woodland proposed by this application is unwelcome. Whilst there are other foraging areas available to them in the vicinity, notably the nearby La Planta Grove Local Wildlife Site, any additional loss of habitat would nevertheless risk potential harm to the badgers due to ever increasing traffic and bring them into potential conflict with both existing and new residents of the area. We would therefore ask planners to negotiate with the

developers and seek to reduce the impact on the existing woodland by restricting the proposed development to the existing police station buildings where possible.

Given the existence of badgers in the wider area, any development work which is permitted should be conditional upon the site clearance being undertaken in a sensitive manner. Such works should be halted immediately should any entrance holes be discovered and advice from a suitably qualified ecologist should be sought. This advice should be referred to Council Planners and the Essex Badger Protection Group for comment and approval prior to the continuation of works. We would also ask planners to make any approved works conditional upon any excavations being covered overnight to prevent any danger to foraging badgers.

- **ECC SUDS-**

The applicant has submitted a revised drainage strategy. The revised comment from ECC SUDS will be reported verbally at the planning committee

- **Planning Policy-**

No objections- Their comments have been included in the assessment section of the report.

- **Thames Water Development Planning-**

No objection subject to conditions

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/>

55 letters of objection and a petition of 16 signatures on the grounds of increased noise, loss of residential amenity, overlooking, increased traffic onto Westbury Drive, no landscaping along the eastern boundary, overlooking onto La Plata Grove, increased pressure on schools and health services, overdevelopment of the site, and the building heights should be reduced.

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, H9, H14, T2 and T5

NPPF Sections:6, 7 and 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)

The proposals involve the demolition and redevelopment of the Police Station and associated buildings along with the conversion of Plata House to provide up to 70 residential dwellings. Whilst these proposals would result in the loss of the Police Station facilities it is understood that they would be replaced in another location within Brentwood.

The site is situated in the urban area of Brentwood and is not allocated for any specific purpose in the Brentwood Replacement Local Plan. This particular site has not previously been put forward for consideration in the emerging Local Plan. However, based on the strategy set out within the Draft Local Plan 2016 the site is likely to be considered favourably on the basis that it would represent the development of a brownfield site in a sustainable location. The site lies within the A12 corridor which along with the A127 corridor represent the main areas of growth identified in the Draft Local Plan.

With regards to housing need, the most recent monitoring report on five-year housing supply (November 2016) sets out that there is currently 2.67 years supply. Subject to compliance with relevant policies in the adopted Local Plan this site would assist in addressing the shortfall in five-year housing supply.

It is noted in the Design and Access Statement there is commitment to achieve 35% provision of affordable housing on site which is supported. This would be in conformity with the adopted and emerging Local Plan policies. The Council's SHMA part 2 report which was published in June 2016, sets out that the largest demand is for 3 bed homes

and the highest need is for affordable and social rent. The proposal therefore accords with Policy H9 of the BRLP. Overall the principle of residential development on the site is acceptable.

Traffic Impact, Access and Car Parking

The applicants have submitted a Transport Statement in support of the outline planning application. Whilst the Highway Authority would not agree with some of the trip generation calculations provided, it is satisfied that, when fully operational, the existing permitted use of the site would generate a higher number of daily trips to the site than the proposed development.

The revised Illustrative Masterplan identifies a single access point from London Road, with no vehicular access onto Westbury Drive. A pedestrian access could be explored at the detailed stage which would allow some residents to walk from the site to the train station rather than have to use London Road.

The indicative plan indicates a reduced parking standard has been applied. Brentwood Borough Council's adopted parking standards state that 'for main urban areas' a reduction to the vehicle parking standard may be considered, particularly for residential development. Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment." A ratio of 1 parking space per dwelling as shown in the Illustrative Masterplan is therefore considered appropriate given the type of development and the site's location, which does have good access to frequent and extensive public transport, as well as the town centre's facilities and car parks. Overall the proposal has an acceptable access point and sufficient level of car parking provision.

Impact Upon Ecology and Biodiversity

There are a number of trees along the boundaries of the site. The updated plan now shows no tree removal on site and the developable area has now been restricted to outside of all the root protection area. A public request has been received for a TPO which the council should consider, this could take the form of an area TPO, to be converted to a detailed individual order subsequent to planning approval.

Notwithstanding this no objections are raised, subject to conditions, retaining the trees that are intended to be retained and protective fencing around the trees during the construction period.

Design and Layout

The site is located in an area comprising both residential and commercial uses. The site is adjoined by residential properties to the east along Westbury Drive and south along La Plata Grove. Further residential properties are located in close proximity to the north east along London Road. To the west, the site is adjoined by senior accommodation

and care home along The Beeches. Buildings associated with this accommodation on The Beeches are five storeys in height, whilst residential properties to the east, south and north east are typically 2 ½ storey and semi-detached.

The indicative plan shows a mixture of height buildings. The proposal includes the retention of La Plata House which is two storeys in height. To the south of the building are properties on La Plata Grove set at a lower level. However, the distance between La Plata House and the neighbouring properties to the south is considerable with intervening mature landscaping, which will prevent overlooking into the neighbouring properties.

The proposed building along the eastern boundary is to comprise three storeys with a link to La Plata House. The principle of three storeys along this boundary and abutting Westbury Drive would not be out of keeping with the character of the area. However, in the detailed plans, provision would need to be made that no principle windows are inserted on the eastern elevation, which would prevent overlooking into the garden of the property situated on the other side of Westbury Drive.

Turning to the main residential block, which is roughly on the footprint of the main Police Station building, the proposal is for a four-storey building with 2 three storey elements running to the east. The principle of this building would not be out of character with the area, given the building it is replacing. Careful consideration in the detailed stage would be required to ensure that future resident's privacy is not compromised when looking across the courtyard area. The eastern elevation on the northern element of this building would need careful design as this elevation would be highly visible when travelling down Westbury Drive.

The building closest to London Road is to comprise three storeys. No indication is given on the levels across this part of the site. This is important due to the presence of a large bank adjacent to the site frontage. It is noted that The Beeches are of a considerable height and the principle of three storeys along the site frontage would be acceptable subject to the proposed level of this part of the site. However, the close proximity of the eastern part of the building to the properties on London Road and Westbury Drive would need to be addressed at the detailed stage because of potential overlooking and overbearing. Overall the building height plan is generally acceptable, however due to concerns expressed in this section, officers considered this plan cannot form part of the approval.

Viability and Planning Obligations

The proposed development would generate a need for 6.3 Early Years and Childcare, 21 primary school places and 14 secondary school places. Within Brentwood West Ward there are nine providers of early years and childcare of which there are nine unfilled places. Therefore, due to the amount of places the development will generate the Council would not be requesting a Section 106 contribution for child care provision.

Turning to primary school provision, Holly Trees Primary School is close to capacity. The proposal would generate a significant number of primary school children which cannot be accommodated in the school at present, therefore a S106 contribution would be required and would be Regulation 123 compliant.

With regard to secondary school provision, it is anticipated that the schools can expand within the existing accommodation and therefore a developer contribution to mitigate the impact of this development would not be required on this occasion.

Overall a contribution on primary school provision would be required. The level of contribution would be based on the formula outlined in the Essex County Council's Developers Guide to Infrastructure Contributions.

Archaeology and Historic Buildings

The site is not located within a conservation area, however the retention of La Plata House and the landscaped grounds around it are welcomed. In terms of the air raid shelter, which is proposed to be demolished, there is limited detail submitted in respect of it. Therefore a full Level 2 recording is required and a condition has been imposed.

Other Matters

The Council have received a number of objections to the proposed development. A number of these issues have been dealt with in the assessment section of the report. Of the others, the proposal does not show any landscaping along the eastern boundary of the site. The plan is indicative only and any detailed application would show a landscaping scheme and boundary treatment along the eastern boundary. In terms of overdevelopment the proposal is for up to 70 units on a site area of 1.11 ha which represents a density of 63 dwellings/ha which is not unusually high given its location close to a town centre. Overall officers consider the objectors concerns have been addressed.

8.0 CONCLUSION

The site is in a sustainable location suitable for residential development due to the close proximity of public transport, shops and facilities in the town centre, employment opportunities and public open space.

The proposed development would make a significant contribution towards meeting the immediate housing needs of the Borough. The availability of the site and its ability to deliver sustainable residential development in the short-term will contribute towards achieving the shortfall in the Council's five-year supply of housing.

The Illustrative Masterplan demonstrates that the site can accommodate up to 70 new residential units in the form of apartments. The proposed development will include on-site provision of 35% affordable housing, thus meeting the requirements of BRLP Policy

H9 and contributing towards meeting the affordable housing needs identified in the SHMA.

The recommendation is therefore to approve subject to a S106 agreement requiring a financial contribution for primary school provision.

9.0 RECOMMENDATION

The Application be 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/or 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:
 - 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.

9. 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 interests of highway safety.

10. 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 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.

11. 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.

12. 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

13. 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 also be provided at the westbound carriageway bus stop.

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

14. Prior to 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.

15. 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.

16. 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.

17. 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.

18. 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.

Informative(s)

1. The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H9, H14, T2 and T5; 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 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.
3. All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

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 CM13 3HD.

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