

# Public Document Pack



## Agenda Supplement 2

Dear Councillor

### PLANNING COMMITTEE - WEDNESDAY, 22ND MARCH, 2023

I am now able to enclose, for consideration at next Wednesday, 22nd March, 2023 meeting of the Planning Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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| 3. | <u>APPLICATION NO: 22/01562/FUL DE ROUGEMONT MANOR GREAT WARLEY STREET GREAT WARLEY BRENTWOOD ESSEX CM13 3JP (Pages 3 - 6)</u> |
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Addendum

Yours sincerely



Jonathan Stephenson  
Chief Executive

Encs



## ADDENDUM

**DE ROUGEMONT MANOR GREAT WARLEY STREET GREAT WARLEY  
BRENTWOOD ESSEX CM13 3JP**

**PROPOSED REDEVELOPMENT OF THE DE ROUGEMONT MANOR HOTEL AND  
GROUNDS (C1) TO CREATE 43 RESIDENTIAL DWELLINGS (C3) INCLUDING  
CONVERSION AND NEW BUILD HOMES, WITH ASSOCIATED ACCESS, PARKING  
AND LANDSCAPING**

**APPLICATION NO: 22/01562/FUL**

This is an addendum to the committee report to clarify points raised by consultees and Members.

- **Housing Manager**

Notwithstanding the advice provided by the Council's viability consultant, the Housing Manager requested that 4 share ownership units are delivered as part of the proposal, as initially offered by the applicant.

The Housing Manager also requested that a 'clawback provision' is inserted in any legal agreement for this planning application.

- **Environmental Health**

The EHO provides the following comments specifically in relation to air quality:

The site is within the Great Warley village area and the proposed play area is near to the main road through the village (B186). The traffic flow on this road is restricted to 30mph at this point and the flow is likely to be less than 11000 vehicles in both directions per day.

There are no measured exceedances of the air quality objectives throughout the Borough and the existing Air Quality Management areas in the Borough are associated with significantly higher levels of traffic in the town centre and adjacent to the A12.

It is therefore not considered that a play area in this location would be a significant concern given the low local pollutant levels and the likely exposure time for anyone using this area.

### **Affordable Housing provision**

The affordable housing provision has changed from 5no. shared ownership dwellings (20/01913/FUL), to 4no. shared ownership and 2no. affordable rent (22/00148/FUL), to no affordable housing in this application.

The Viability Report was independently reviewed, and the Council's Viability Consultant (Ark) has commented that 3no. shared ownership units should be provided on site. The applicant has agreed to provide this in line with the recommendations.

Both the Council's consultant and the Housing Manager requested that any section 106 agreement contain a 'clawback' provision to a maximum policy compliant position, should the viability prove better than expected as the works progress. The applicant has agreed to this, in principle. The exact details will be defined within the legal agreement.

### **Impact on the non-designated heritage asset (NDHA): the hotel (locally listed building)**

The Historic Buildings and Conservation Officer has no 'in principle' objection to the conversion of the Hotel to residential if this is demonstrated as the Optimum Viable Use (OVU).

The hotel was originally a residential building, therefore the proposed conversion is an appropriate use of the building, consistent with its conservation and supportive of its significance (in line with para 197). The proposed conversion would also allow the removal of the modern extensions, the refurbishment of the hotel and stable buildings, and the creation of a new, extensive area of public open space. Officers are therefore satisfied that this is the OVU for the site.

Officers (the LPA) are satisfied that the proposed development will have no harm on the significance of the non-designated heritage asset, having taken account of NPPF **paragraph 203**, using a balanced judgement.

It should be noted the works to be undertaken on the original fabric of the building are subject to detailed surveys and all works related to the historic features are implemented prior to occupation. Two related conditions have been added with regards to works to the historic features of the hotel.

### **Impact on the designated heritage asset: the conservation area**

In light of the evolution of the proposal from previous applications, the Historic Buildings and Conservation Officer has advised that the proposed new buildings will lead to a less than substantial harm to the conservation area, but harm nonetheless.

Both **paragraph 202** of the NPPF and **Section 72(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 (**the Act**) need to be engaged. Section 72(1) of the

Act requires the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Officers (the LPA) conclude that, on balance, the following considerations outweigh the harm caused to the heritage asset:

- The proposed works will preserve the significance of the hotel, an important feature in the conservation area, allowing the removal of the modern, unsympathetic additions.
- The proposed works will allow the long term preservation and viable use of the hotel, which would risk becoming vacant and falling in the disrepair, if not properly maintained.
- The proposal will deliver important community benefits in the form of a new area of public open space, opening up a substantial green area currently closed to the public.
- The proposal will deliver important community benefits in the form of a new publicly accessible play area.
- The proposal will deliver important educational benefits for the local community in the form of nature trails and a new Forest School.

Officers have given considerable importance and weight to the above (explained in detail in the main committee report) when considering the harm to the conservation area in the planning balance.

It is also noted that the site is largely self-contained by mature planting to the north, west and south. The proposed development will not have a significant impact on local views and, even where there are views into the site (by the vehicular entrance), these would still be experienced in the context of the existing housing along Great Warley Street.

### **Biodiversity**

Integrating the natural environment in development, including biodiversity enhancement, is also promoted in **Policy B14**. **Policy NE01** specifically states that all proposals should, wherever possible, incorporate measures to secure a net gain in biodiversity. However, there is no specific target set out in local policies for a minimum biodiversity net gain to be achieved by proposed developments.

### **Air Quality**

The Environmental Health Manager did not raise any concerns with regard to air quality.

### **Unsustainable location**

It is noted that the committee report for application, refused in July 2022, cited 'unsustainable locations' as one of the reasons for refusal.

The previous proposal had very little relationship with the local context and provided no benefits to the local community. There was no clear strategy or detail for the public open space design and management, no dedicated entrance for the public into the site, and no additional features that could be enjoyed by the wider community.

Instead, the proposed development will now be integrated within the village of Great Warley by the creation of:

- A new area of public open space, with a number of different features that can be enjoyed by the local community, and dedicated paths that can be used by all members of the public;
- A new play area;
- A Forest School to be used by local nurseries.
- A dedicated pedestrian and cycle access for local visitors, served by a new pavement;
- New tactile paving and dropped kerbs to facilitate pedestrian crossing;
- Improvements to the existing bus stop on the other side of Great Warley Street.

The proposal is now integrated within the wider community and this reason for refusal is not considered relevant anymore.

## **Conclusion**

The proposal represents a significant improvement on the two schemes that were refused in 2022. Nonetheless, the proposed development remains inappropriate development in the Green Belt and can only be justified by VSC.

Aside from Green Belt considerations, the proposed development is policy compliant. The Historic Buildings and Conservation Officer has advised that the proposal is considered contrary to Section 72(1) of the Act, as it leads to a less than substantial harm to the conservation area. On balance, Officers have concluded that this is outweighed by a number of considerations and is recommended for approval.