



Agenda

Planning and Licensing Committee

Tuesday, 12 December 2017 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,
Brentwood CM14 4JF

Membership (Quorum – 4)

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

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 10
3.	Licensing - Fees and Charges	All Wards	11 - 22
4.	Taxis - Fees and Charges Report to follow.	All Wards	
5.	The Brave Nelson, 138 Woodman Road, Warley, Essex CM14 5AL Application Number: 17/01442/FUL	Warley	23 - 40
6.	Sawyers Church, Sawyers Hall Lane, Brentwood, Essex CM15 9BN Application No: 17/01499/FUL	Brentwood North	41 - 68

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| 7. | The Crown, High Street, Ingatestone, Essex CM4 0AT
Application No(s): 17/01578/FUL and 17/01577/LBC | Ingatestone,
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and
Mountrising | 69 - 78 |
| 8. | 67 High Street, Ingatestone, Essex. CM4 0AT. Application
Nos. 17/01579/FUL and 17/01580/LBC | Ingatestone,
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and
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| 9. | Planning and Building Control - Fees and Charges
Report to follow. | All Wards | |
| 10. | Brentwood Monitoring Report: Housing Delivery 2016/17 | All Wards | 87 - 116 |
| 11. | Urgent Business | | |

Chief Executive

Town Hall
Brentwood, Essex
04.12.2017

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

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

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

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

Point of Order/ Personal explanation/ Point of Information

Point of Order

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

Personal Explanation

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

Point of Information or clarification

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

Information for Members of the Public

Access to Information and Meetings

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Dates of the meetings are available at www.brentwood.gov.uk.

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The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

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

Private Session

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

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Access

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Evacuation Procedures

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



Minutes

Planning and Licensing Committee Wednesday, 11th October, 2017

Attendance

Cllr Ms Sanders (Chair)	Cllr Mrs Murphy
Cllr Faragher (Vice-Chair)	Cllr Mynott
Cllr Bridge	Cllr Newberry
Cllr Mrs Middlehurst	Cllr Reed
Cllr Morrissey	Cllr Mrs Slade

Apologies

Cllr Chilvers	Cllr Wiles
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Substitute Present

Also Present

Cllr Cloke
Cllr Hones

Officers Present

Philip Drane	-	Planning Policy Team Leader
Claire Mayhew	-	Governance and Member Support Officer
Surinder Atkar	-	Planning Solicitor
Nick Howard	-	Senior Planner
Paul Adams	-	Principal Licensing Officer
Tessa Outram	-	Graduate Planner
Lorne Spicer	-	Senior Communications Manager
Gavin Dennett	-	Environmental Officer

131. Apologies for Absence

Apologies were received by Cllr Wiles and Cllr Chilvers, no substitutes were present.

Cllr Slade was not present at the start of the meeting.

132. Minutes of the Previous Meeting

The minutes of the previous Planning & Licensing Committee held on 25 July 2017 were approved as a true record.

133. Variation of the agenda

RESOLVED, that item 4, 1 Ardleigh Gardens, Hutton Application No.14/00920/FUL be debated after Item 3.

134. 1 Ardleigh Garden, Hutton, Brentwood, Essex CM13 1QR Application No. 17/00920/FUL

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

Cllr Bridge read out a statement from Cllr Hossack showing his support of the application.

Concerns were raised about the overcrowding of this suburban **area** and change of the character of the estate and refers to CP1 and NPPF Chapter 7.

Cllr Newberry, a slightly smaller development would have been more suitable to the area.

After a full discussion, Cllr Mynott **MOVED** and Cllr Newberry **SECONDED** to **REFUSE** the application 17/00920/FUL - 1 Ardleigh Garden, Hutton, Brentwood CM13 1QR for the reasons set out in the report.

A vote was taken by a show of hands.

FOR: Cllrs Newberry, Morrissey and Mynott (3)

AGAINST: Cllrs Reed, Mrs Murphy, Ms Middlehurst, Bridge, Faragher and Ms Sanders (6)

ABSTAIN: (0)

The Motion was **LOST**.

Cllr Faragher, support with the recommendation set by Officers, he feels that applicant has made necessary alterations to reduce the size and bulk of the development. Another much larger application has been approved in the area.

Cllr Sanders **MOVED** and Cllr Faragher **SECONDED** to approve application 17/00920/FUL - 1 Ardleigh Garden, Hutton, Brentwood CM13 1QR for the following reasons:

Given the other precedents that have been approved at other corner plot sites within the estate the application would still be in keeping with the surrounding area and not harmful to the character of the estate. The proposal has been reduced from the previously refused scheme and contributes to the housing supply. Conditions relating to CP1 to NPPF Chapter 7 enforced relating to the specification of the drawings, standard time limit to commence development, materials, forecourt parking and additional details of site levels and boundary treatments.

A vote was taken by a show of hands.

FOR: Cllrs Reed, Mrs Murphy, Ms Middlehurst, Bridge, Faragher and Ms Sanders (6)

AGAINST: Cllrs Newberry, Morrissey and Mynott (3)

ABSTAIN: (0)

The Motion was **CARRIED**.

(Cllr Slade arrived during the debate and therefore was not entitled to vote on this item).

135. Setting of Hackney Carriage and Private Hire Driver Licence Fees for 2017/18

The report was to agree fees and charges associated with Hackney Carriage and Private Hire Driver License applications for 2017/18 period, for recommendations to Council for setting.

Cllr Mynott, requested that the TTCG were able to speak on this item, this was accepted by the chair.

Mr Smith from the TTCG was present and expressed his concerns to the lack of response to the items highlighted in Appendix C, particularly in relation to the £41,716 surplus, which is now indicated as a £40,000 deficit and the request to view the Time Monitoring Records, which has not accessible.

Mr Adams, confirmed that a response has been drafted clarifying the points, brought to his attention through the TTCG and was at present been circulating between officer before being issued.

After a full discussion, Cllr Bridge voiced his concerns relating to item 4 on page 31, £40,000 deficit and request a full response to points made in Appendix C be sent to TTGS before the Setting of Hackney Carriage and Private Hire Driver Licence Fees for 2017/2018 is brought to this committee for approval.

Cllr Bridge **MOVED** and Cllr Faragher **SECONDED** the report be **DEFERRED** until the next Planning and Licencing Committee on 13th November and that a full response is sent to the TTCG, be sent as a matter of urgency.

A vote was taken on a show of hands and it was:

RESOLVED UNANIMOUSLY that the item be **DEFERRED** until the next Planning and Licensing Committee on 13th November 2017 and the copy of the response letter to the TTCG is presented to the committee at that meeting.

136. Ingatestone & Fryerning Parish Neighbourhood Plan Area Designation

In August 2017 the Council received an application from Ingatestone and Fryerning Parish Council to formally designate the entirety of Ingatestone and Fryerning Parish Council as a 'Neighbourhood Area'; the designation of a neighbourhood area being the first step in the process of preparing a Neighbourhood Development Plan.

The report set out the process of designating the neighbourhood area, which was a requirement on the Council and neighbourhood plan preparation, in relation to which the Council had a duty to provide support.

Ward Members, Mrs Hones and Cloke were present and spoke in support of the recommendation.

Cllr Bridge **MOVED** and Cllr Mynott **SECONDED** the recommendation in the report and a vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY

To confirm the designation of Ingatestone and Fryerning Parish as a Neighbourhood Area under Section 61G of the Town and Country Planning Act 1990 (as amended).

Reason for recommendation

The Ingatestone and Fryerning Area application had triggered the obligation, in accordance with Regulation 5A(2) of The Neighbourhood Planning (General) Regulations 2012, for the Council to designate the parish of Ingatestone and Fryerning as a Neighbourhood Area. As such, it was recommended that the area of Ingatestone and Fryerning Parish was designated as a Neighbourhood Area in accordance with Section 61G of the Town and Country Planning Act 1990, as amended.

137. Response to the London Borough of Havering Draft Local Plan Regulation 19 consultation

The London Borough of Havering had consulted on the Havering Local Plan Proposed Submission Version 2016-2031. As a neighbouring borough,

Brentwood has had on-going discussions regarding key strategic issues to concern to both boroughs under the Duty to cooperate.

The report highlighted the key strategic issues and considered how they were approached by Havering and potential impacts of their Draft Local Plan.

Cllr Ms Sanders **MOVED** and Cllr Faragher **SECONDED** the recommendation in the report and a vote was taken on a show of hands and it was

RESOLVED UNANIMOUSLY

To approve the draft Brentwood Borough Council response to the London Borough of Havering Local Plan Proposed Submission Version 2016-2031.

Reasons for recommendation

LB Havering had not approached Brentwood Borough Council to request that Brentwood Borough Council takes any housing or any Gypsy and Traveller sites from LB Havering. Therefore, Brentwood Borough council did not object to the LB Havering Draft Local Plan 2017.

Should the request be made it must be acknowledged that as a borough entirely within the London Metropolitan Green Belt, it was not possible for Brentwood to release Green Belt to meet the need for other Planning Authorities.

138. Urgent Business

There were no items of urgent business.

The meeting concluded at 20.15

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12 December 2017

Planning and Licensing Committee

Setting of Licence Fees for 2018/19

Report of: *Paul Adams, Principal Licensing Officer*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1 This report is to agree fees and charges associated with licence applications for the 2018/19 period, for recommendation to Council for setting.

2. Recommendation(s)

- 2.1 **To recommend to Council the adoption of the licence fees as detailed in Appendix A.**

3. Introduction and Background

- 3.1 Most licence applications attract a fee, different licensing regimes have different ways in which the fees are set, which generally is by one of three ways.
- A statutory set fee.
 - A locally set reasonable fee that has by statute, a capped maximum amount.
 - A locally set reasonable fee with no maximum cap.
- 3.2 With the exception of the statutory set fees, any fee charged must be based on cost recovery, no profit can be made on the licence fee income.
- 3.3 Fees that are set by statute, cannot be varied and must be charged as they are set within the legislation, this relates to all licences under the Licensing Act 2003 (Alcohol and Entertainment) and some of the Gambling Act 2005 Fees.

- 3.4 Fees that can be set locally with a capped maximum must be set on a cost recovery basis up to the cap. If the cost recovery is less than the capped amount then less than the cap should be charged, if it is higher than the cap then a loss will need to be made. This relates to most fees under the Gambling Act 2005.
- 3.5 Fees that can be set locally without a cap, must be set on a cost recovery basis only, they cannot be used to generate an income to perform other functions of the Council. This relates to Taxis, Sex Establishments, Scrap Metal Dealers, Massage and Special Treatments, Street Trading and all Animal Welfare Licences.
- 3.6 Guidance does exist in relation to fee setting in the form of:
- Home Office Guidance on setting Scrap Metal Dealers Act 2013 Fees,
 - LGA Guidance on Locally Set Fees,
 - Welsh Technical Panel templates,
 - Case law.
- 3.7 Generally, fees cannot make a profit, case law has established that any surplus must be carried forward, and any deficit can also be carried forward and recouped.
- 3.8 Benchmarking of fees could be used only as a comparison, and should not be used as a fee matching exercise. Each authority will have different costs, structures and processes which could create differences in fees.
- 3.9 Brentwood Council last set its local fees in 2017.

4. Issue, Options and Analysis of Options

- 4.1 A Schedule of proposed fees for the 2018/19 period are attached as Appendix A.
- 4.2 It is intended that the fees will come into effect from 1 April 2018, subject to approval by Council.

Animal Welfare Licences

- 4.3 Animal welfare licences for the purpose of this report applies to:
- Boarding Establishment Premises (Animal Boarding Establishments Act 1963)
 - Dangerous Wild Animals (Dangerous Wild Animals Act 1976)
 - Dog Breeding Establishments (Breeding of Dogs Act 1973)
 - Pet Shops (Pet Animal Act 1951)
 - Riding Establishments (Riding Establishments Act 1964)
 - Zoos (Zoo Licensing Act 1981)
- 4.4 In addition to the fee the applicant will also continue to be invoiced for the fee charged to Brentwood Council for the Vet inspection of the premises. The Vet fee will vary from premises to premises.
- 4.5 There is a proposal to increase this fee by 3% which is in line with the council's adjustments for inflation, which will maintain the cost recovery basis.

Hackney Carriage and Private Hire

Private Hire Operators Licences

- 4.6 There is a deficit on this area of licensing, however it is proposed not to increase the fee at this stage. The situation will be monitored and will be reviewed during this year once changes to the Licensing Team structure and process have fully imbedded and a review of time monitoring has taken place.
- 4.7 If this fee is to be varied, then the statutory consultation process would need to be followed.

Vehicle/Proprietors Licences

- 4.8 Vehicle licensing is in deficit from previous years, which will be carried forward into next year. Current predictions based on keeping the fee at the same level will reduce the deficit in the next 3 years. The situation will be monitored and will be during this year once changes to the Licensing Team structure and process have fully imbedded and a review of time monitoring has taken place.
- 4.9 If this fee is to be varied, then the statutory consultation process would need to be followed.

Hackney Carriage and Private Hire Drivers Licences

- 4.10 All Hackney Carriage or Private Hire Drivers Licence fees are subject to a separate report, the fee for 18/19 will remain the same as agreed by that report.

Sex Establishments

- 4.11 Sex establishments for this purpose are to include Sex Shops, Sex Cinema's and Sexual Entertainment Venues.
- 4.12 There is a proposal to increase this fee by 3% which is in line with the councils adjustments for inflation, which will maintain the cost recovery basis.

Licensing Act 2003

- 4.13 These fees are currently set by legislation, although there is a proposal that these are to be set locally, a change to the legislation is not expected this year.

Gambling Act 2005

- 4.14 There is no proposal to change the fee charged for 2018/19.
- 4.15 The maxim fee is currently charged.

Scrap Metal Dealers Act 2013

- 4.16 These fees were reviewed last year, and are for a three-year licence.
- 4.17 There is no proposal to change the fees charged for 2018/19.

Table and Chair Licensing

- 4.18 There is a proposal to increase this fee by 3% which is in line with the council's adjustments for inflation, which will maintain the cost recovery basis.

Street Trading

- 4.19 There is no proposal to change the fee charged for 2018/19
- 4.20 A review of the current provisions and extent of the scheme will take place this year and any variation to the fees charged will be reviewed at that time.

Special Treatments

- 4.21 There is a proposal to increase this fee by 3% which is in line with the council's adjustments for inflation, which will maintain the cost recovery basis.

Road closures

- 4.22 There is no proposal to change the fee charged for 2018/19.

5. Reasons for Recommendation

- 5.1 The fees and charges have to be agreed by Council and cannot be set by this committee. The fees proposed are on a cost recovery basis where possible.

6. Consultation

- 6.1 There is no consultation required under legislation relating to any of the discretionary fees outlined in this report that are subject to change. However, these will be published on the Council's website and are in all cases open to challenge by way of Judicial Review should they be inappropriately set.
- 6.2 If changes to the Hackney carriage or Private Hire Vehicle fees, or the Private Hire Operator fees, are considered then public consultation must be carried out in accordance with the requirements contained within Section 65, Local Government (Miscellaneous Provisions) Act 1976.

7. References to Corporate Plan

- 7.1 None

8. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts

Tel & Email: 01277 312 513 /

jacquelinevanmellaerts@brentwood.gov.uk

- 8.1 The fees referred to in this report will inform the 2018/19 budget setting process.

Legal Implications

Name & Title: Surinder Atkar, Planning Solicitor

Tel & Email: 01277 312860 /surinder.atkar@brentwood.gov.uk

- 8.2 There are no additional legal implications other than those already mentioned above and particularly in section 3.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

9.1 Local Government (Miscellaneous Provisions) Act 1976.

10. Appendices to this report

Appendix A - Proposed 18/19 Licensing Fees and Charges

Report Author Contact Details:

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Appendix A

PLANNING AND LICENSING FEES & CHARGES SCHEDULE FROM 1 APRIL 2018

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2017-March 2018		CHARGES April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees

Street Trading

Independent Permanent Stall - Annual	O	D	350.00	350.00	350.00	350.00
Independent 'One Off Stalls'	O	D	85.00	85.00	85.00	85.00
Lighting Up Brentwood	O	D	30.00	30.00	30.00	30.00

Scrap Metal

Site Application - New	O	D	495.00	495.00	495.00	495.00
Collector Application - New	O	D	280.00	280.00	280.00	280.00
Variation	O	D	89.00	89.00	89.00	89.00
Site Renewal Application	O	D	445.00	445.00	445.00	445.00
Collector Renewal Application	O	D	230.00	230.00	230.00	230.00

Skin Piercing

Premises Registration	O	D	250.00	250.00	257.50	257.50
Practitioner Registration	O	D	89.00	89.00	91.50	91.50

Animals

* Please note vet costs are in addition to these fees

Pet Shops - 1 year	O	D	250.00	250.00	257.50	257.50
Boarding Kennels - 1 year	O	D	250.00	250.00	257.50	257.50
Dog Breeders - 1 year	O	D	250.00	250.00	257.50	257.50
Riding Establishments - 1 year	O	D	250.00	250.00	257.50	257.50
Dangerous Wild Animals - 2 years	O	D	250.00	250.00	257.50	257.50
Zoo Premises New - 6 years	O	D	900.00	900.00	927.00	927.00
Zoo Premises Renewal - 4 years	O	D	550.00	550.00	566.50	566.50

Sex Establishment Licensing

Premises Application	O	D	2,255.00	2,255.00	2,322.50	2,322.50
Premises Renewal	O	D	1,537.50	1,537.50	1,583.50	1,583.50
Premises Variation	O	D	512.50	512.50	528.00	528.00

Pavement Permit

New application Tables and Chairs 1-2 tables	O	D	250.00	250.00	257.50	257.50
New Application Tables and Chairs 3-6 tables	O	D	450.00	450.00	463.50	463.50
New Application Tables and Chairs over 6 tables.	O	D	650.00	650.00	669.50	669.50
Renewal application Tables and Chairs 1-2 tables	O	D	150.00	150.00	154.50	154.50
Renewal Application Tables and Chairs 3-6 tables	O	D	350.00	350.00	360.50	360.50
Renewal Application Tables and Chairs over 6 tables.	O	D	550.00	550.00	566.50	566.50

Road Closure

Application to close road with 0 - 499 people attending	O	D	200.00	200.00	200.00	200.00
Application to close road with 500 - 1999 people attending	O	D	360.00	360.00	360.00	360.00
Application to close road with 2000+ people attending	O	D	680.00	680.00	680.00	680.00

**PLANNING AND LICENSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018**

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2017-March 2018		CHARGES April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees

Gambling Act 2005

Bingo Clubs

New Application	O D	3,500.00	3,500.00	3,500.00	3,500.00
Annual Fee	O D	1,000.00	1,000.00	1,000.00	1,000.00
Application to Vary	O D	1,750.00	1,750.00	1,750.00	1,750.00
Application to Transfer	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application to Re-instatement	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application for Provisional Statement	O D	3,500.00	3,500.00	3,500.00	3,500.00
Licence Application (Provisional Statement Holders)	O D	1,200.00	1,200.00	1,200.00	1,200.00

Betting Premises

New Application	O D	3,000.00	3,000.00	3,000.00	3,000.00
Annual Fee	O D	600.00	600.00	600.00	600.00
Application to Vary	O D	1,500.00	1,500.00	1,500.00	1,500.00
Application to Transfer	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application to Re-instatement	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application for Provisional Statement	O D	3,000.00	3,000.00	3,000.00	3,000.00
Licence Application (Provisional Statement Holders)	O D	1,200.00	1,200.00	1,200.00	1,200.00

Tracks

New Application	O D	2,500.00	2,500.00	2,500.00	2,500.00
Annual Fee	O D	1,000.00	1,000.00	1,000.00	1,000.00
Application to Vary	O D	1,250.00	1,250.00	1,250.00	1,250.00
Application to Transfer	O D	950.00	950.00	950.00	950.00
Application to Re-instatement	O D	950.00	950.00	950.00	950.00
Application for Provisional Statement	O D	2,500.00	2,500.00	2,500.00	2,500.00
Licence Application (Provisional Statement Holders)	O D	950.00	950.00	950.00	950.00

Family Entertainment Centres

New Application	O D	2,000.00	2,000.00	2,000.00	2,000.00
Annual Fee	O D	750.00	750.00	750.00	750.00
Application to Vary	O D	1,000.00	1,000.00	1,000.00	1,000.00
Application to Transfer	O D	950.00	950.00	950.00	950.00
Application to Re-instatement	O D	950.00	950.00	950.00	950.00
Application for Provisional Statement	O D	2,500.00	2,500.00	2,500.00	2,500.00
Licence Application (Provisional Statement Holders)	O D	950.00	950.00	950.00	950.00

Adult Gaming Centres

New Application	O D	2,000.00	2,000.00	2,000.00	2,000.00
Annual Fee	O D	1,000.00	1,000.00	1,000.00	1,000.00
Application to Vary	O D	1,000.00	1,000.00	1,000.00	1,000.00
Application to Transfer	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application to Re-instatement	O D	1,200.00	1,200.00	1,200.00	1,200.00
Application for Provisional Statement	O D	2,000.00	2,000.00	2,000.00	2,000.00
Licence Application (Provisional Statement Holders)	O D	1,200.00	1,200.00	1,200.00	1,200.00

Prize Gaming Permit and Family Entertainment Centre Gaming Machine Permit

Permit Application (New)	O S	300.00	300.00	300.00	300.00
Permit Application (Existing Operator)	O S	100.00	100.00	100.00	100.00
Renewal of Permit	O S	300.00	300.00	300.00	300.00
Change of Name on Permit	O S	25.00	25.00	25.00	25.00
Copy of Permit	O S	15.00	15.00	15.00	15.00

Club Gaming or Machine Permit

Permit Application (New)	O S	200.00	200.00	200.00	200.00
Permit Application (Existing Holder)	O S	100.00	100.00	100.00	100.00
Permit Application (Holder of club premises certificate under Licensing Act 2003)	O S	100.00	100.00	100.00	100.00
Renewal of Permit	O S	200.00	200.00	200.00	200.00
Annual Fee for Permit	O S	50.00	50.00	50.00	50.00
Application to Vary Club Permit	O S	100.00	100.00	100.00	100.00
Copy of Permit	O S	15.00	15.00	15.00	15.00

Other

Temporary Use Notice (TUN)	O S	0.00	0.00	0.00	0.00
Occasional Use Notice (OUN)	O S	0.00	0.00	0.00	0.00
Copy of Premises Licence	O S	25.00	25.00	25.00	25.00
Notification of Change of Circumstances for Premises Licence	O S	50.00	50.00	50.00	50.00

**PLANNING AND LICENSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018**

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018 Excl VAT	Inc VAT	April 2018-March 2019 Excl VAT	Inc VAT

SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees

Licensing Act 2003

Premises - Band A (None to £4,300)

Premises Licences - New Application and Variation	O	S	100.00	100.00	100.00	100.00
Premises Licences - Annual Charge	O	S	70.00	70.00	70.00	70.00
Club Premises Certificates - New Application and Variation	O	S	100.00	100.00	100.00	100.00
Club Premises Certificates - Annual Charge	O	S	70.00	70.00	70.00	70.00

Premises - Band B (£4,301 to £33,000)

Premises Licences - New Application and Variation	O	S	190.00	190.00	190.00	190.00
Premises Licences - Annual Charge	O	S	180.00	180.00	180.00	180.00
Club Premises Certificates - New Application and Variation	O	S	190.00	190.00	190.00	190.00
Club Premises Certificates - Annual Charge	O	S	180.00	180.00	180.00	180.00

Premises - Band C (£33,001 to £87,000)

Premises Licences - New Application and Variation	O	S	315.00	315.00	315.00	315.00
Premises Licences - Annual Charge	O	S	295.00	295.00	295.00	295.00
Club Premises Certificates - New Application and Variation	O	S	315.00	315.00	315.00	315.00
Club Premises Certificates - Annual Charge	O	S	295.00	295.00	295.00	295.00

Premises - Band D (£87,001 to £125,000)

Premises Licences - New Application and Variation	O	S	450.00	450.00	450.00	450.00
Premises Licences - Annual Charge	O	S	320.00	320.00	320.00	320.00
Club Premises Certificates - New Application and Variation	O	S	450.00	450.00	450.00	450.00
Club Premises Certificates - Annual Charge	O	S	320.00	320.00	320.00	320.00

Premises - Band E (£125,001 plus)

Premises Licences - New Application and Variation	O	S	635.00	635.00	635.00	635.00
Premises Licences - Annual Charge	O	S	350.00	350.00	350.00	350.00
Club Premises Certificates - New Application and Variation	O	S	635.00	635.00	635.00	635.00
Club Premises Certificates - Annual Charge	O	S	350.00	350.00	350.00	350.00

Additional Fees (based on number in attendance at any one time)

Additional Premises Licence Fee:

5,000 to 9,999	O	S	1,000.00	1,000.00	1,000.00	1,000.00
10,000 to 14,999	O	S	2,000.00	2,000.00	2,000.00	2,000.00
15,000 to 19,999	O	S	4,000.00	4,000.00	4,000.00	4,000.00
20,000 to 29,999	O	S	8,000.00	8,000.00	8,000.00	8,000.00
30,000 to 39,999	O	S	16,000.00	16,000.00	16,000.00	16,000.00
40,000 to 49,999	O	S	24,000.00	24,000.00	24,000.00	24,000.00
50,000 to 59,999	O	S	32,000.00	32,000.00	32,000.00	32,000.00
60,000 to 69,999	O	S	40,000.00	40,000.00	40,000.00	40,000.00
70,000 to 79,999	O	S	48,000.00	48,000.00	48,000.00	48,000.00
80,000 to 89,999	O	S	56,000.00	56,000.00	56,000.00	56,000.00
90,000 and over	O	S	64,000.00	64,000.00	64,000.00	64,000.00

Additional Annual Fee Payable (if applicable):

5,000 to 9,999	O	S	500.00	500.00	500.00	500.00
10,000 to 14,999	O	S	1,000.00	1,000.00	1,000.00	1,000.00
15,000 to 19,999	O	S	2,000.00	2,000.00	2,000.00	2,000.00
20,000 to 29,999	O	S	4,000.00	4,000.00	4,000.00	4,000.00
30,000 to 39,999	O	S	8,000.00	8,000.00	8,000.00	8,000.00
40,000 to 49,999	O	S	12,000.00	12,000.00	12,000.00	12,000.00
50,000 to 59,999	O	S	16,000.00	16,000.00	16,000.00	16,000.00
60,000 to 69,999	O	S	20,000.00	20,000.00	20,000.00	20,000.00
70,000 to 79,999	O	S	24,000.00	24,000.00	24,000.00	24,000.00
80,000 to 89,999	O	S	28,000.00	28,000.00	28,000.00	28,000.00
90,000 and over	O	S	32,000.00	32,000.00	32,000.00	32,000.00

**PLANNING AND LICENSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018**

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2017-March 2018		CHARGES April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees

Licensing Act 2003 (cont.)

Other Fees

Application for the grant or renewal of a personal licence	O	S	37.00	37.00	37.00	37.00
Temporary event notice	O	S	21.00	21.00	21.00	21.00
Theft, loss etc of premises licence or summary	O	S	10.50	10.50	10.50	10.50
Application for a provisional statement where premises being built etc	O	S	315.00	315.00	315.00	315.00
Notification of change of name or address	O	S	10.50	10.50	10.50	10.50
Application to vary licence to specify individual as premises supervisor	O	S	23.00	23.00	23.00	23.00
Application for transfer of premises licence	O	S	23.00	23.00	23.00	23.00
Interim authority notice following death etc.of licence holder	O	S	23.00	23.00	23.00	23.00
Theft, loss etc.of certificate or summary	O	S	10.50	10.50	10.50	10.50
Notification of change of name or alteration of rules of club	O	S	10.50	10.50	10.50	10.50
Change of relevant registered address of club	O	S	10.50	10.50	10.50	10.50
Theft, loss etc.of temporary event notice	O	S	10.50	10.50	10.50	10.50
Theft, loss etc.of personal licence	O	S	10.50	10.50	10.50	10.50
Duty to notify change of name or address	O	S	10.50	10.50	10.50	10.50
Right of freeholder etc.to be notified of licensing matters	O	S	21.00	21.00	21.00	21.00
Application to vary premises licence at community premises to include alternative licence condition	O	S	23.00	23.00	23.00	23.00
Application for minor variation	O	S	89.00	89.00	89.00	89.00

**PLANNING AND LICENSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018**

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2017-March 2018		CHARGES April 2018-March 2019	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees

Taxi

Vehicle Licence - Hackney Carriage

Vehicle Licence - including Plate	O	S	243.00	243.00	243.00	243.00
Vehicle Replacement	O	S	75.00	75.00	75.00	75.00

Vehicle Licence - Private Hire

Vehicle Licence - including Plate	O	S	225.00	225.00	225.00	225.00
Vehicle Replacement	O	S	75.00	75.00	75.00	75.00

Vehicle Inspections - Hackney Carriage and Private Hire

Vehicle Inspection	O	S	47.00	47.00	47.00	47.00
Trailer Inspections - Non Braked	O	S	15.00	15.00	15.00	15.00
Trailer Inspections - Braked	O	S	23.00	23.00	23.00	23.00
Re-Inspection	O	S	12.50	12.50	12.50	12.50
Re-Inspection 2	O	S	47.00	47.00	47.00	47.00

Drivers Licence - Hackney Carriage and Private Hire

Combined Driver New - 3 years	O	S	300.00	300.00	456.00	456.00
Combined Driver Renewal - 3 years	O	S	240.00	240.00	406.00	406.00
Re-Test - Knowledge Test	O	S	35.00	35.00	35.00	35.00
Disclosure and Barring Service (DBS) Check	O	S	44.00	44.00	52.00	52.00
Driver and Vehicle Licensing Agency (DVLA) Check	O	S	5.00	5.00	5.00	5.00

Replacements

ID	O	S	6.00	6.00	6.00	6.00
PHV Cards	O	S	6.00	6.00	6.00	6.00
Tariff Cards	O	S	6.00	6.00	6.00	6.00
Replacement Plates	O	S	12.00	12.00	12.00	12.00
Replacement Door Signs (pair)	O	S	15.00	15.00	15.00	15.00
Plate Platforms (optional)	O	S	6.00	6.00	6.00	6.00

Private Hire Operators

Single Vehicle Operators Licence - 5 years	O	S	325.00	325.00	325.00	325.00
Operator Licence - 2 to 5 Vehicles - 5 years	O	S	1,085.00	1,085.00	1,085.00	1,085.00
Operator Licence - more than 5 Vehicles - 5 years	O	S	1,345.00	1,345.00	1,345.00	1,345.00

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DELEGATED REPORT

DATE LIST EXPIRES: 3 November 2017

OVERALL CONSULTATION EXPIRY DATE: 18 October 2017

Reference:
17/01442/FUL

Site:
The Brave Nelson
138 Woodman Road
Warley
Essex
CM14 5AL

Ward:
Warley

Proposal:
Single storey rear extension to create kitchen and restaurant with entrance onto car park, internal alterations to layout and convert first floor from C2 Residential use to ancillary W.Cs, Office and bedsit, alter, car park layout and widen vehicular access.

Parish:

Plan Number(s):
S01; S02; S03; L01; L02; 3D06; STATEMENT; 3D01;

Applicant:
Mr Duley

Validated:
15 September 2017
Date of expiry:
10 November 2017

Extension of time (if applicable):

Case Officer: Mrs Charlotte White

1.0 RELEVANT HISTORY

- 17/00551/FUL: Change of use to first floor area from C2 residential to A3 restaurant, construction of a single storey side and rear extension to create a new bar area -Application Refused
- 14/00630/FUL: Construction of a pair of semi-detached dwellings. Creation of a new vehicular access. -Application Refused

2.0 SUMMARY OF CONSULTATION RESPONSES

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

- **Highway Authority-**

The Highway Authority would not wish to raise an objection to the above application, given the proposed and existing use and provision of additional off-street car parking as shown on the planning drawing 2395 LO1, therefore;

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions including compliance with the Authority's requirements for vehicular access.

- **Great Warley Conservation Society-**

No response received.

- **Environmental Health & Enforcement Manager-**

The applicant has not submitted any details of the extraction system. If you are minded to approve this application, it is recommended that full details for mechanical ventilation are approved. It is noted that the EH Manager considers the potential of noise disturbance caused by customers is minimal. In fact, the premises are better suited for a restaurant where the focus is on food rather than drinking and music. In this respect the Environmental Health Department support this application.

3.0 SUMMARY OF NEIGHBOUR COMMENTS

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

Detailed below is a summary of the neighbour comments 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/>

24 letters of objection have been received the relevant planning issues are summarised below:

- Inappropriate to have a noise generating business surrounded by residential properties. Traffic, parking and highway concerns. Existing congestion problems occur along Woodman and the development will compound these problems if not make them worse.
- Extension to business will create further annoyance and noise to residents especially from beer garden.
- Residential amenity concerns; intrusion on privacy and quality of life. Overlooking due to changes in levels from steps and new windows.
- Noise from building work.
- Application better suited to a High Street or busy thoroughfare.
- Concerns relating to bin store behind garden causing smells and health hazard, potentially attracting rodents. Increase vermin in area.
- Car park exaggerated in size on plans.
- In 2013 Brave Nelson as granted Community Asset status – recent renovations have been detrimental to the pub with noise from garden and events including firework displays occur causing havoc to Woodman Road. Proposal goes against 2013 Community Asset award. Was meant to protect pub from re-development. ACV is a building to further social wellbeing and interests of local community – there are lots of restaurants in area and therefore local community does not need another restaurant.
- Object to removal of trees and hedgerows which will impact wildlife.
- Is not materially different from previous refused application. New application does not address previous concerns raised.
- Excessive development for a small pub. Is a substantial enlargement which will increase the number of customers and allow bigger events to be hosted here causing more noise and disruption.
- Unsustainable location: Modern and out of character with area. Wider entrance and open car park would also be out of keeping with residential road.
- Loss of a view.
- Large glazing areas cause loss of privacy and impact private life and is not a good noise barrier.
- Smells from extractor fans all year round. And rubbish smells and attracting rodents, foxes, badgers and flies.

3 letters of support have been received which make the following summarised comments:

- Business needs investment, a new identity and direction.
- Application to secure Brave Nelson's future should be welcomed and pursued.
- Pub already brings deliveries and traffic along Woodman Road – differences in traffic volumes from bar/restaurant are tolerable.
- Would increase accommodation inside rather than worsening locals' privacy and disturbance from noise.
- Other examples of pubs that are better with restaurants e.g. Masons, Fat Turk and The Headley.
- Is a local amenity and development would improve amenities for local residents.
- Would welcome any redevelopment whether it an overhaul or renovation of pub or investment in a quality restaurant.
- Something well-kept and run would enhance the area and be an asset to the local community.

4.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Policy CP1 General Development Criteria

Policy PC4 Noise

Policy T2 New Development and Highway Considerations

5.0 ASSESSMENT

The site comprises an existing public house set within a residential area. The building is of some architectural merit and is listed as a community asset (an asset of community value ACV). The proposal is to extend to the rear of the property to provide a restaurant creating approximately 44 covers, a kitchen, a larger bar, new toilet facilities and seeks to change the use of the upper floor to provide a small bedsit and new toilet and office facilities. It is also proposed to alter the parking arrangements and widen the vehicular access to the site.

History

Most recently planning permission was refused for the construction of a side extension to provide a restaurant for two reasons (17/00551/FUL).

1. The proposed development by reason of its size, siting and design would be harmful to the character and appearance of the host building and the surrounding area. The proposal is contrary to Policy CP1 (i) & (iii) and the provisions of the Framework.
2. The proposed development by reason of its siting and design would create a significant degree of overlooking to the neighbouring residents situated opposite the site, which would be harmful to their living conditions. The proposal would be contrary to Policy CP1 (ii) and the provisions of the Framework.

Principle

The site is located in a residential area; however, the public house use is clearly established, and the site has been used as a public house for a significant length of time. The Brave Nelson is also designated as an asset of community value. The NPPF states that to help achieved economic growth, local planning authorities should plan proactively to meet the development needs of businesses (paragraph 20) and planning decisions should ensure established facilities and services are able to develop and modernize in a way that is sustainable and retained for the benefit of the community (paragraph 70). The principle of expanding the building to provide larger facilities for the public house and a restaurant is therefore considered acceptable.

Asset of Community Value

The Brave Nelson is a designated Asset of Community Value (ACV). However, the proposal seeks to retain the Brave Nelson as an asset for the local community to use albeit a public house and restaurant rather than just a public house.

Design and character of the area

The proposed extension is located to the rear of the site and whilst it would be visible from the street, it is considered that the design and size would be in keeping with the existing building. The side elevation facing east which is open to public views across the car park would not appear unusual or out of character. The rear elevation and western side elevation facing the beer garden are less visible from public view and as such the more contemporary design with large areas of glazing is not unacceptable. The proposed extension projects beyond both side elevations however, given the position of the extension and its overall design and scale, it is considered that the development would not result in any material harm to the character and appearance of the host building or the wider surrounding area.

The proposed extension is materially different from the previous refused proposal – the quality of the design is improved, and is considered ‘is of its time’ rather than being a pastiche of the existing building, enabling the evolution of the building to be interpreted.

Overall, it is considered that the effect on the character and appearance of the area is acceptable, and therefore the development complies with National and Local Planning Policy CP1(i) and CP1(iii) of the Local Plan.

Effect on residents living conditions and amenity

Concerns have been raised regarding noise emanating from the use and overlooking into private amenity areas.

Overlooking:

The design retains large windows, but the revised position of the extension to the rear of the site will result in no material harm in terms of overlooking or loss of privacy. It is therefore considered that the revised proposal has overcome the previous reason for refusal on this basis. It is not considered that the raised steps leading to the entrance from the car park would result in any material overlooking or loss of privacy.

Concerns have been raised to the development in terms of the existing use causing overlooking from, for example, children climbing trees and looking into neighbouring gardens, however, this is an existing situation which cannot be controlled by planning legislation.

The development would not result in any material dominance, overbearing impact or loss of light, overshadowing or loss of outlook to nearby residents given the significant isolation spaces provided between the proposed extension and the adjoining dwellings.

Noise and disturbance

Emanating from the existing use and concerns that any existing problems will be exacerbated by the proposed use are noted, as is the inference that licensing conditions are not being adhered to. The Environmental Health Officer (EHO) comments are reported above, and acknowledges complaints are received relating to noise from children playing outside and from music. However, this is an existing situation and it is not considered that this proposal to provide further inside facilities and a restaurant would result in any material greater harm to the adjoining residents than the existing situation.

Planning policy recognises that there is a balance to be struck between inevitable noise created from existing businesses wanting to develop in continuation of their business and the impact on health and quality of life as a result of that new development. Paragraph 123 of the NPPF indicates that business should not have unreasonable restrictions placed upon them because of changes in nearby land uses since they were established.

In this regard it is not unusual nowadays to have public houses and restaurants combined and it is apparent that the public house has been on this site for a significant length of time. The proposal would not result in any material harm in terms of noise and disturbance over and above that of the existing situation and no objection is therefore raised on this basis in terms of Paragraph 123 of the NPPF or Policy PC4 of the Local Plan.

Smells

In terms of smells, subject to the conditions recommended by the Environmental Health Officer with regards to extraction the proposal is considered acceptable.

The refuse store area would not result in any material harm if used correctly and a condition can be attached to any grant of consent requiring full details of the refuse store to ensure adequate provisions are made. There is no evidence that a refuse area in this area would unduly attract vermin, foxes or other animals. The public house will already benefit from refuse facilities.

Given the existing lawful use of the site and the nature and scale of the proposed development, the development would not result in any material harm to the residential amenity of the adjoining residents. The development would not materially harm the quality of life of the adjoining residents in this regard.

On this basis it is considered that the proposal complies with the aims and objectives of Paragraph 17 and 123 of the NPPF and Policies CP1(ii) or PC4 of the Local Plan.

The existing issues with the public house in terms of breaches of the license conditions should be reported to the Council's licensing department.

Parking and Highways

A number of objections have been received from residents based on parking, access and highway safety concerns. It has also been commented that the site is not located in a sustainable location

The proposal seeks to provide 30 parking spaces; two of which will be accessible spaces. The Highway Authority has raised no objection to the proposed development given the proposed and existing use and the off-street parking to be provided. Subject to conditions the proposal is acceptable to the Highway Authority.

A condition can also be imposed requiring the parking spaces to be utilized by users of the site only which may alleviate some concerns relating to some of the parking spaces currently being let out to a nearby bank causing off-street parking issues.

Trees and landscaping

A condition can be imposed on any grant of consent requiring a landscaping scheme to be provided in the interests of the character and appearance of the area.

Other matters

In terms of the neighbour objections received a number of concerns raised have already been considered including: design and character of the area, noise concerns, the residential location of the site, traffic, parking, public transport and highway safety concerns, residential amenity concerns including noise, smells and loss of privacy, sustainability, refuse storage and that the Brave Nelson as an asset of community value.

Whether there is a need for a restaurant in the area as there are others is not a material planning consideration; the local planning authority must not determine an application based on competition or need in this respect. Noise during the construction process would be transient and a condition requiring a construction method statement can be imposed on any grant of consent in this regard. Issues such as drink driving, drug taking, and anti-social behavior should be reported to the police. There is no evidence that the proposed extension to the public house and provision of a restaurant would cause any additional antisocial behavior or crime. It is not possible to control a view beyond the land you own. The plans and information submitted are sufficient to determine the application. Property values, salability and developer profits are not material planning considerations.

Concern has been raised regarding the number of public houses that have been lost in the area which is noted within Warley, however, this proposal seeks to retain the public house and expand its size and provide a restaurant; often diversification of this kind can make public houses more viable. Adequate neighbour consultation was undertaken to meet the Council's statutory requirements. The restaurant is linked to the public house rather than representing an entirely new business. Whilst residents have raised concerns regarding the Highway Authority and Environmental Health comments, the relevant officers have fully considered the proposed development. Pre-application advice is provided without prejudice and does not constitute the pre-determination of applications; it is a service offered by the Council to aid applicants and agents.

The development is materially different from the previously refused application. Each planning application must be considered on its own merits and the application referred to at Masons is not a material consideration in the determination of this proposal nor will this development set a precedent.

The letters of support and their comments are noted, and the majority of the comments contained within the letters of support have already been considered including economic benefits, traffic and privacy.

With regard to the comments made in the letter that neither explicitly objects to or supports the application, the comments made have already been considered including comments relating to viability, loss of other pubs in the area, parking and traffic and licensing.

Conclusion

The neighbour comments in support and objection to the proposed development have been fully considered. However, it has been determined that the revised proposal complies with National and Local Planning Policy and is therefore recommended for approval, subject to conditions.

6.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:

1 TIM01 Standard Time - Full

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

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

2 DRA01A Development in accordance with drawings

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

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

3 MAT03 Materials to match

The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

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

4 U21946

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. hours of working and hours during which deliveries may be taken at the site

Reason: In the interests of highway safety, visual and neighbour amenity. Given the nature of these necessary details, it is fundamental that this information is provided prior to any development being commenced.

5 U21947

Notwithstanding the width of the extended vehicular access shown on planning drawing 2395 LO1. The vehicular access for the car park and shall be relocated towards the east of the proposal site frontage and shall be provided with a dropped kerb crossover with a total width of no more than 8 metres. The access shall be constructed at right angles to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway. Full details to be submitted and agreed with the Local Planning Authority prior to its first use. The development shall be undertaken in accordance with the approved plans.

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

6 U21948

A minimum width of 9 metres of part of the existing and redundant dropped kerb access immediately to the west of the re-provided vehicular access shall be suitably and permanently closed incorporating the reinstatement to full height of the footway and kerbing immediately the revised access (as described in condition 5 above) is brought into first beneficial use. Full details to be submitted and agreed with the Local Planning Authority.

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.

7 U21949

Any mechanical ventilation must be capable of supplying fresh air to the kitchen with at least 20 air change/hour. Additionally, a ventilation hood located over the oven and heating appliance equipped with a grease filter should be installed. An activated carbon filtration system will need to be installed after the grease filter.

The extraction system will require adequate noise and vibration attenuation measures and details, assessment and recommendations of the system will be required by the Planning authority concerning its proposed acoustic performance. The system will normally be required to terminate at least 1m above the highest roof level.

The level and the efflux velocity of the discharge shall be a minimum of 15m/sec.

A suitable flue termination such as Scandinavian sleeve must be provided.

These details shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development hereby approved and the approved details shall be provided prior to the first occupation of the development hereby permitted.

Reason: In the interests of the residential amenity of the adjoining residents.

8 U21950

A suitable and sufficient grease trap shall be installed within the foul drainage system. Details of which shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The development shall be constructed in accordance with the approved details and the grease trap shall be provided prior to the first occupation of the development.

Reason: In the interests of the residential amenity of the adjoining residents.

9 U21951

No development above ground level shall be undertaken until full refuse facility details have been submitted to and approved in writing by the local planning authority. The approved facilities shall be provided on site prior to the first occupation of the development hereby approved and thereafter permanently retained.

Reason: In the interests of the residential amenity of the adjoining residents.

10 U21952

The parking provisions within the site shall only be used by occupiers and customers of the site and for no other purposes without the further formal consent of the local planning authority.

Reason: In the interests of maintaining adequate parking provisions for the proposed development and in the interests of highway safety in the area.

11. U22014

No development above ground level shall be undertaken 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, those areas to be grassed and/or paved. The landscaping scheme shall include details of all hard-surfacing materials. 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.

Informative(s)

1 INF04 Amendments to approved scheme

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 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, PC4, T2 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF21 Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U05031

From visiting the site, it was noted that the public house currently benefits from a dropped kerb crossover of approximately 30 metres in length. The proposal alters the car park layout and provides additional spaces. In the interests of highway safety, the reduced width of the car park access would allow for vehicles to enter and leave the highway in a controlled manner and the access shall be defined by an appropriate dropped kerb crossover. This would allow for a considerable length of unused and redundant crossover to be reinstated to full height kerbing and footway. This would also allow for the dropped kerb to remain to the front of the public house to provide access for vehicles making deliveries to the cellar.

5 U05032

The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.

6 U05033

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO3, Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, CM13 3HD or emailed to development.management@essexhighways.org

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

APPENDICES TO THIS REPORT

Appendix A – Site Map

Appendix A



Title : The Brave Nelson, Woodman Road, Warley

17/01442/FUL

Scale at A4 : 1:1250

Date : 12th December 2017

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



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SITE PLAN ATTACHED

**SAWYERS CHURCH SAWYERS HALL LANE BRENTWOOD ESSEX CM15
9BN**

**DEMOLITION OF EXISTING CHURCH BUILDING AND CONSTRUCTION OF
NEW CHURCH BUILDING**

APPLICATION NO: 17/01499/FUL

WARD	Brentwood North	8/13 WEEK DATE	21.12.2017
PARISH			
CASE OFFICER	Mrs Charlotte White	01277 312500	
Drawing no(s) relevant to this decision:	A/02 ; A/04/B Proposed; A/05 Level 1 Proposed; A/06 Level 2 Proposed; A/07 Level 3 Proposed; A/08 Proposed; A/09 Proposed East; A/10 Proposed North; A/11 Proposed South West; A/12 Proposed North West; A/13/A Proposed NE Streetscape; A/14/A Proposed Sections; A/15/A Proposed Sections; Transport Assessment and Travel Plan ; Noise Impact Assessment REV A; COVERING LETTER ; A/01A; A/16/B; Community Projects Statement; Design and Access Statement 2017		

1. Proposals

This application seeks permission for the demolition of an existing church building and to and replace it with a new, larger church building incorporating community facilities.

The replacement church building has been designed with part single, part two, and part three storey elements and has a curved roof design. The proposed building has a maximum height of 13.9m. The new building would include a main auditorium, community facilities, cafe/restaurant, seminar rooms, youth rooms and offices.

The application is accompanied by a Design and Access Statement, a Transport Assessment and Travel Plan and a Noise Impact Assessment.

The ground floor includes an auditorium (with associated wash rooms, dressing rooms and store), reception, a cafe space, kitchen, server, crèche and WCs.

The first floor includes 3 seminar rooms and youth room, a small kitchen, store rooms, a breakout space and WCs.

The second floor provides an additional seminar room as well as the church's offices and administration facilities.

The materials proposed for the walls include sections of red brick, timber cladding and render. The roof will be covered in single ply membrane with welded on standing seams on an insulated panel. Windows are to be double glazed and framed in grey powder coated aluminium. Doors are to be either double glazed and framed in grey powder coated aluminium or grey painted timber.

2. Policy Context

Local Plan Policies:

CP1 – General Development Criteria

CP2 – New Development and Sustainable Transport Choices

T2 – New Development and Highway Considerations

LT8 – Use of Redundant Institutional, Recreational and Community Buildings

LT10 – Changes of Use of New Buildings for Institutional Purposes

C14 – Development Affecting Conservation Areas

PC4 - Noise

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

3. Relevant History

- 13/00500/FUL – Demolition of existing church and construction of new Church building – Refused – allowed at appeal.

4. Neighbour Responses

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

- Noise: from construction, vehicles parking and deliveries, etc. activities from the 500 person auditorium e.g. singing, and noise as people leave the site especially if rented out late into the night; internal and external noise. Noise from air conditioning or opening windows. Noise from kitchen extractor, bin store and lift. Noise from creche and its outdoor space.
- Smells from cooking extractor. Concerns relating to location of bins to Homehurst House causing smells and vermin.
- Traffic and highways; concerns about transport assessment – inadequate parking facilities will lead to on street parking issues

- Residential amenity concerns including loss of sunlight, overshadowing overbearing and overlooking .
- Adversely impact structure of Homehurst House.
- Loss of visual amenity.
- Dominant, scale is too large – already overbuilt and heavily populated area. If approved conditions should restrict use to church activities only and no later than 10pm.
- Loss of mature trees and insufficient replacement landscaping and loss of habitat.
- Land ownership queries.

Representations in support have been received which can be summarised as follows:

- Work of the church benefits local families and community and offers a diverse service.
- Existing building is in disrepair and a new facility fit for purpose is needed.
- Building is too small an will allow activities to grow with better facilities
- Leads on Street Pastors and looking to be a Christians Against Poverty centre.
- Partners with charity: frontline supporting and running activities for adults with learning difficulties – current building is no longer fit for purpose.

5. Consultation Responses

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

Historic Buildings and Conservation Officer:

My concerns regarding this application remain, these are in relation to the height of the proposed built form, its roofscape and materiality. I have no evidence within the submission that the design has been developed by an understanding of context.

I raise no 'in principle' objection to the community use building here, but I maintain the view that the design can be improved to result in a more contextually appropriate form.

Consequently, Design and Conservation do not support this application.

Environmental Health & Enforcement Manager:

The Environmental Health service is satisfied with the updated noise impact assessment and have no further comments.

Highway Authority:

Raise no objections subject to conditions including but not restricted to:

- Construction method statement to be submitted prior to any development taking place, including:
 - 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
- Travel Plan to be submitted to and approved prior to development
- Prior to first occupation of the development the existing vehicular access at the south east of the site frontage shall be adjusted and reduced in width and shall become a shared vehicle access with the adjacent access road to the south. Full details of the shared access layout to be submitted to and approved by the Local Planning Authority.
- The redundant part of the existing access at the south east of the site boundary shall be suitably and permanently closed
- No occupation until the vehicle parking areas including a minimum of 3 parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays.
- Cycle facility to be provided in accordance with EPOA parking standards.

Arboriculturalist:

The proposed site plan shows the two existing trees to be removed but more space being provided for new landscape improvements.

The proposed building is large and therefore it is considered that proposed trees along the boundary with Sawyers Hall Lane should be of a more appropriate scale than flowering cherry. These would need to have an upright form so that they do not adversely affect the building. It is unclear if the existing hedge on the southern boundary is to be retained - there does not appear to be any reason for it to be removed.

The details of the landscape scheme can be dealt with by condition.

6. Summary of Issues

Site History

Planning permission was refused by the Council (ref. 13/00500/FUL) for the same development for the following reasons:

1. The proposal would detract from the amenities of adjoining residents at Homehurst House by reason of loss of outlook and overbearing effect contrary to the requirements of paragraphs 60 and 64 of the NPPF and Policy CP1 (II) of the Brentwood Replacement Local Plan 2005
2. The proposed development makes inadequate provision of off-street parking in the area to the detriment of highway safety and the general amenities of the area contrary to Policies CP1 and T2 of the Brentwood Replacement Plan 2005

In addressing the issue of loss of outlook and overbearing effect on residents of Homehurst House, the Inspector noted: the proposed 3 storey element projecting forward of the main front elevation of Homehurst House fronting Sawyers Hall Lane would not intrude into the views available from the habitable windows in that elevation.

Along the southern elevation of Homehurst House the greatest degree of conflict with the church building at its two storey bulk would range from between 13m and 18m. However, the Inspector found that given the intervening space, boundary treatment and existing trees the building would not appear excessively imposing or overbearing.

The east facing elevation of the west wing of Homehurst House would be set away in the region of 13m from the rear of the proposed church building, which at that point would have a two storey mass. This elevation would be at the corner of the church building and would not significantly overlap with the views from the units.

The proposed building form would be visible from the amenity space to the south of Homehurst House, but the fact that it is visible is not justification to refuse permission. While the proximity of the building to the boundary would increase the perceived presence of the building given the separation distances, this would not be so overwhelming on the adjacent site that would warrant dismissal of the appeal.

Regarding parking arrangements, the Inspector concluded that the potential demand for on-street spaces would exceed the available space in the immediate area. However, given the highly sustainable location of the area, the production of a travel plan to reduce demand and encourage the use of alternative means of transport; the availability of other parking near the town centre, the availability of

public transport, the absence of any objection by the Highway Authority, he was satisfied that the additional parking that may arise could be safely accommodated on the public highway and within nearby town centre parking facilities.

The Inspectors decision goes on to address amongst other issues, the design within the Conservation Area, noise issues and landscaping.

The full report is appended to this item and can be found under the appeal reference 14/00025/REF at: www.publicaccess.brentwood.gov.uk/online-applications

The main issues to consider as part of this application are the effect of the development on the character and appearance of the area, the effect on the living conditions of nearby residents, parking and highway considerations.

Site and Surroundings

The site is roughly square shaped and comprises a part single storey, part two storey post war building centrally sited and surrounded by hardstanding. Immediately to the north is a part two and three storey residential care home (Homehurst House). To the west of the site is a 6 storey Telephone Exchange office building and to the south, a group of Victorian terraced properties occupied by commercial medical uses.

The site is located on the northern edge of the eastern part of the Brentwood Town Centre Conservation Area, but does not fall within the Conservation Area.

The site is designated by the Brentwood Replacement Local Plan for community use.

The applicant's agent has confirmed that plan ref. 04 accurately demonstrates the ownership of the site: the applicant owns half of the vehicular road to the south of the site and they have a right of access across the entire road.

Principle of development

The site is allocated for community use in the Brentwood Replacement Local Plan; both local and national planning policy promotes the retention of community uses in sustainable locations which are best located close to existing transport infrastructure and other facilities. The principle of the replacement of a community facility in this location is therefore supported in principle.

Design and Effect on the surrounding area:

The replacement building has been designed so that it reads with elements distinguished by a variation of height and curved low pitched roofs. It has a

contemporary quality through the insertion of the expanses of glazing. Careful detailing and engineering of materials would need to be agreed in order to see this quality achieved. If permission is granted a planning condition for the agreement of materials is recommended.

The overall height of the church at its northern and southern extremities is in line with the eaves levels of surrounding properties, it then increases incrementally to its maximum height within the middle axis section of the church, and towards the Sawyers Hall Lane street scene.

Soft landscaping is proposed around the building the introduction of which will visually benefit what is currently a hardsurfaced area. The Arboricultural Consultant recommends a condition for details of new tree species to be agreed and details of the additional soft landscaping can be included as part of this condition.

The Historic Buildings Consultant (HBC) comments are reported above; in brief, she is unable to support the design proposal based on what she considers the lack of contextual understanding and the loss of views in and out of the Conservation Area.

Impact on Neighbouring residential amenity

Objections have been raised by residents of Homehurst House (a retirement home) on the basis of loss of light, loss of outlook, overbearing effect and loss of privacy.

Homehurst House has a 'z' shaped built form and is a part two, part three storey high building. The existing and proposed buildings would be at an angle to each other ; the north west elevation of the proposed building between 18 metres, narrowing to 5.4m at the eastern point. The applicant's submission includes a plan (dwg A/16 revB) detailing an overshadowing study applying a 25 degree angle guidance (Essex Design Guide) that suggest there would be no material loss of light to the windows on the Homehurst House elevation facing the building. The windows on the second floor of the development would be high level and serve 'seminar' rooms. There would be no direct views from these windows into the adjoining site.

A full floor to ceiling glazed element on this elevation would be recessed into the building line; a condition to ensure that the upper parts of this window could be conditioned as obscure glazing in order to minimise any perception of overlooking. Otherwise, it is considered that the development would not result in any unacceptable overlooking, loss of privacy or overbearing effect on the residents of Homehurst House. On this basis it is considered that the development would comply with CP1(ii) of the Local Plan.

With regards to a loss of outlook, as noted by the Planning Inspector, although the building will be visible and apparent from the amenity space and windows of the south elevation of Homehurst House , that in itself is not a reason to warrant refusal.

Parking and Highway Safety

Current Highway Authority parking standards for a church building are a maximum of 1 space per 10 square metres of gross floor area. Given that this is a maximum standard, and there is no minimum standard for this type of development, the development of a site should not exceed these figures when providing vehicle parking within a site, particularly in main urban areas, with good access to frequent and extensive public transport. In highly sustainable locations no parking provision could be considered to comply with policy.

The proposal provides 25 car parking spaces (of which 2 are for staff, 2 are for people with mobility difficulties and 21 are standard spaces).

The Highway Authority has raised no objection to the proposed development, subject to conditions, given the proposed and existing use, the contents of the draft Travel Plan, the location with good access to public transport, the on-street parking restrictions and given that the site is within easy walking distance to town centre car parks.

Other Matters:

The objections relating to size, design and impact on residents amenity have been addressed above. With regards to noise objections, the Council's Environmental Health officers are satisfied with the updated Noise Impact Report and raise no objections, including the proposed extraction unit for the café and hours of operation for outdoor play, which can be controlled by a planning condition.

The siting of the bin store is reserved as a condition with details to be submitted and agreed with the Environmental Health / Operations Manager as appropriate. With respect to other concerns raised the following comments are made:

The impact of development (subsidence) is regulated by other statutory legislation.

The church use is an existing use within this town centre location. Environmental Health officers have not raised any objections in relation to the impact on the residential home for elders in relation to this application and there are no additional policies within the Local Plan or the NPPF which object to the principle of the development being close to residential homes for Elders.

Noise and disturbance arising from construction work can, to an extent be limited through hours of working however these restrictions are controlled by Environmental Health regulations.

The planning balance and conclusion

The Appeal Decision is a material planning consideration in the determination of this application and should be afforded considerable weight. Since the last approval there have been no changes to Planning Policy or to site conditions that would amount to other material considerations leading to a different conclusion to that of the appeal decision.

The replacement community facility is supported by both local and national planning policy, is in a highly sustainable location and as outlined in the application submission, will provide many activities, projects and initiatives to promote and support a wide range of local volunteer groups and businesses. These initiatives are considered to provide a significant level of public social benefit for the local community, especially to vulnerable groups. As such, it will allow the site to achieve its optimum viable use. The proposal will maximise the full potential of the site for a community use which will be beneficial for a substantial proportion of the Brentwood community.

Concerning the scale and siting of the church building, it is acknowledged that the building will have some effect on the amenity of the occupiers of the nearby Homehurst House, and the overall size of the building will affect views in and out of the nearby Conservation Area.

However, as assessed it is considered that the overall effect is within acceptable parameters, an assessment that has been supported by the Planning Inspector.

These matters weigh in favour of the application, and having consideration for all other issues such as highway and transport concerns, the proposal is considered to meet the definition of sustainable development and subject to conditions is 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 U22398

No development above ground level shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping showing details of new trees, shrubs and hedges and a programme for their planting and details of all existing trees and hedgerows on and overhanging the land, and details of any to be retained, together with measures for their protection in the course of development. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

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

4 U22399

All tree works must be carried out in accordance with good practice as defined in BS3998.

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

5 U22401

The development shall not commence until a detailed, current Travel Plan has been submitted to and approved by the local planning authority. The approved travel plan shall be complied with during the operation of the site for the approved uses.

Reason: To reduce the use of motor vehicles and encourage other modes of transport and to provide management of the vehicles attending the site.

6 U22402

The windows/glazing proposed for the central section of the southeastern elevation at first and second floor level shall be glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed in accordance with the approved details prior to the first occupation of the building or use of the room in which the window(s) is installed. Those windows shall remain so glazed and non-opening.

Reason: In the interests of the residential amenity of the adjoining residents.

7 U22403

Details of a site wide waste strategy for the development shall be submitted to and approved in writing by the local planning authority prior to any superstructure works commencing on site. The details shall include:

- i) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);
- ii) a waste management plan

The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/ erected prior to the first occupation of the development and shall be maintained as such thereafter.

Reason: In the interests of the residential amenity of the adjoining residents.

8 U22404

No development shall take place until drawings that show details of proposed new windows, doors, eaves and cills by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

9 U22405

No development above ground level shall be undertaken until samples of the materials to be used on the external finishes have been made available for viewing on site and have subsequently been approved in writing by the local planning authority.

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

10 U22406

No development above ground level shall be undertaken until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

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

11 U22407

The church building hereby approved shall not operate outside the hours of 07:00 until 23:00 hours on any day.

Reason: In the interests of the residential amenity of the surrounding dwellings.

12 U22408

The ground floor restaurant/bar facility hereby approved shall only operate as an ancillary service in conjunction with the operation of the site as a church and shall not be operated as a separate business.

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

13 U22409

The external play area as shown on the approved drawings shall not operate outside the hours of:

Thursdays between the hours of 09:30 and 17:00

Fridays between the hours of 09:30 and 17:00

Sundays between the hours of 10:30 and 12:30.

Reason: In the interests of the residential amenity of the area.

14 U22410

Development shall not be commenced until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved surface water drainage details and shall be retained as such thereafter.

Reason: In the interests of the amenity of the area.

15 U22411

No development above ground level shall be undertaken until details of the existing and proposed site levels and the finished floor levels of the proposed building shall be 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 the interests of the character and appearance of the area.

16 U22412

The premises shall be used for a Church and its ancillary activities and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of the residential amenity of the area.

17 U22413

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. Given the nature of these details required, it is fundamental that this information is provided prior to the commencement of the development.

18 U22414

Prior to first occupation of the development the existing vehicular access at the south east of the site frontage shall be adjusted and reduced in width as shown in principle in the planning drawing A/04 Rev B. This shall become a shared vehicle access with the adjacent access road to the south. The width of the access at its junction with the highway shall not exceed 6 metres and shall retain an appropriate dropped kerb vehicular crossing of the footway. Full details of the shared access layout to be submitted to and approved by the Local Planning Authority.

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

19 U22415

The redundant part of the existing access at the south east of the site boundary shall be suitably and permanently closed incorporating the reinstatement to full height of the highway footway and kerbing immediately the proposed shared 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.

20 U22416

Notwithstanding the details shown on the planning drawing A/04 Rev B, the proposed development shall not be occupied until such time as the vehicle parking areas including a minimum of 3 parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. Each parking space shall have minimum dimensions in accordance with current parking standards.

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. Full details of the revised layout to be submitted to and approved by 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.

21 U22417

The proposed adjustment to the pedestrian access in the front boundary wall and the provision of new boundary wall on the south east site frontage directly abuts to the back of the footway. This is public highway and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO).

Reason: In the interests of highway safety.

22 U22418

The Cycle / Powered Two Wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate Cycle / Powered Two Wheeler parking is provided in the interest of highway safety and amenity.

23 U22419

No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

24 U22420

There shall be no discharge of surface water from the development 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.

Informative(s)

1 INF04 Amendments to approved scheme

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 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, CP2, T2, LT8, LT10, C14, PC4 the National Planning Policy Framework 2012 and NPPG 2014.

3 INF21 Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U05099

The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO3, Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, CM13 3HD or emailed to development.management@essexhighways.org

BACKGROUND DOCUMENTS

DECIDED:

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Appeal Decision

Site visit made on 8 September 2014

by Kenneth Stone Bsc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 September 2014

Appeal Ref: APP/H1515/A/14/2220676

Sawyers Church, Sawyers Hall Lane, Brentwood, Essex CM15 9BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Jordan (Sawyers Church) against the decision of Brentwood Borough Council.
 - The application Ref 13/00500/FUL, dated 10 May 2013, was refused by notice dated 11 April 2014.
 - The development proposed is described as 'demolition of existing church building and construction of new church building'.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing church building and construction of a new church building at Sawyers Church, Sawyers Hall Lane, Brentwood, Essex CM15 9BN in accordance with the terms of the application, Ref 13/00500/FUL dated 10 May 2013, subject to the conditions contained within the schedule at the end of this decision.

Procedural matters

2. I note in the appeal forms the appellant indicated an intention to submit a costs application with this appeal. However, no formal application for costs was submitted setting out the basis for unreasonable behaviour and demonstrating whether unnecessary or wasted expense had been incurred. Accordingly it is not necessary for me to issue a separate costs decision.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposed development on the living conditions of the occupiers of Homehurst House, with particular reference to outlook; and
 - the effect of the proposed parking arrangements on the safe and efficient operation of the highway, general inconvenience and disturbance for local residents in the area.

Reasons

4. The appeal site is located within Brentford Town Centre but just outside the Brentford Town Centre Conservation Area (CA). It presently accommodates a primarily single storey red brick building of limited design merit, with the front

boundary delineated by a red brick wall, enclosing space which, other than the building footprint, is covered with tarmac and utilized for informal parking in association with the church use. To the north is Homehurst House, a two and three storey residential home; to the south is a group of Victorian terraced properties, which are within the CA; and to the west a six storey office building.

5. Parking restrictions in the form of double yellow lines and single yellow lines, operating between 8am and 6pm Monday to Saturdays apply on Sawyers Hall Lane. A number of parking bays are located within the Controlled Parking Zone which includes disabled bays immediately outside the site and pay and display bays further along the road. To the north are a number of residential culs-de-sac which also have single yellow line restricted parking between 9am and 6pm Monday to Saturday with permit holder bays operating within these times.

Living conditions

6. The proposed development would be a contemporary design architecturally articulated with individual block elements integrated with common materials and curved metal roofs. The church would be repositioned on the site, further forward and closer to the northern boundary than the existing building. The building would generally have a three storey bulk and mass towards the front with the main hall accommodated in a lower element of the building towards the rear of the site, producing a generally two-storey residential massing. On the north-west elevation a two storey projection adjacent to the main three storey element and a single storey projection next to the main hall add further articulation to the mass of the building.
7. Homehurst house is not set square with its boundaries and is a composition of three main elements with two outer wings joined by a central section, forming a 'z' shape as referred to by the Council. The main three storey block element of the proposed church would project forward of the main front elevation of Homehurst House which given its orientation at this point has its principal views onto Sawyers Hall Lane. The proposed development would not significantly intrude into the views available from the habitable room windows in that elevation.
8. The southern elevation of Homehurst house contains a number of windows serving habitable rooms and would be at an angle to the proposed church building such that the separation between the buildings would be greater towards the rear of the site. Towards the eastern end of this southern elevation of Homehurst house the views from the flats would look beyond the rear of the proposed church. Where there would be the greatest degree of conflict the church building at its two storey bulk would range from between 13m and 18m from Homehurst House. Given the intervening space, boundary treatment and existing trees the building would not appear in my view excessively imposing or overbearing. The existing trees would filter the views and the angled nature of the relationship, separation distances and low profile roof form of the proposed church would ensure that the structure would not appear dominating for the occupants of these properties.
9. The east facing elevation of the western wing of Homehurst House would be set in the region of 13m from the rear of the proposed church building, which at this point would have a two storey mass. This however would be at the corner of the building and would not significantly overlap with the views from these

units. They would in effect be looking along the flank wall of the church which would not be in such close proximity as to appear significantly oppressive.

10. The area immediately to the south outside the main elevations of Homehurst House is an amenity space that given its southerly orientation provides a pleasant setting for the residents. The proposed building form would be visible from within this space and indeed from many of the flats. However the fact it would be visible is not justification to refuse permission. The site is located within a town centre where one would have a reasonable expectation to make the most efficient use of land. There are other buildings and structures in the locality which are of a similar or larger scale and the increase in scale, bulk and mass of the built form on this town centre site is not unreasonable given its context. The proximity of the building to the boundary would increase the perceived presence of the building, but given the separation distances this would not be so overwhelming on the adjacent site that would warrant dismissal of this appeal.
11. For the reasons given above I conclude that the proposed development would not result in material harm to the living conditions of the occupiers of Homehurst House, with particular reference to outlook. Consequently it would not conflict with Policy CP1 of the Brentwood Replacement Local Plan, 2005 (LP) which, amongst other things, seeks development that does not have an unacceptable detrimental impact on the general amenities of nearby occupiers by way of an overbearing effect. The proposal is also consistent with the core planning principles in paragraph 17, in particular bullet point 4 and paragraphs 60 and 64, which advise the planning system should seek to secure high quality development and a good standard of amenity for all existing and future occupants of land and buildings and should refuse development of poor design that fails to take the opportunities available for improving the quality of an area and the way it functions.

Parking arrangements

12. The development proposals identify some 25 parking spaces albeit the Council is concerned that these would not meet their space or layout standards. It is suggested that some adjustments may be required which would result in changes to the proposed layout that may reduce this number although no firm indication of final numbers is provided. This redesign could be addressed by way of a suitably worded condition. The proposed parking arrangements suggest that any overspill parking arising from the development could be accommodated on the road, at times when demand was low, or at alternative locations in the town centre or where the church has agreements in place to park vehicles away from the site. I have not been provided full details of these off site agreements nor are they suggested to be secured through this planning permission. As there is no certainty around the length and continuing availability of these spaces I afford these arrangements little weight.
13. The Council's parking standards are set as maximum standards and the proposal is therefore in compliance with the standards a point accepted by the Council. However, I accept that parking standards are only one element of the concerns and it is reasonable to consider the consequences of the development on the highway network and adjoining neighbours.
14. The potential levels of demand for parking off site vary with the Council contending this could reasonably be expected to be in excess of 75 spaces, as

a demand would be generated for 100 spaces on a typical Sunday service. They however provide no reasonable justification of how they arrive at this figure. The Appellant on the other hand refers to the survey undertaken as part of the travel plan which identified 84 parishioners travelling by car and therefore requiring parking. They note that the increase in likely attendance to 300 would be likely to raise this to in the region of 90 spaces on a pro rata basis. The appellant has identified some 50 parking spaces available on street in Sawyers Hall Lane and the Council has not disputed this figure. This would suggest that the potential demand would exceed the available space in the immediate vicinity of the site. A travel plan has been suggested to seek to reduce demand and encourage the use of alternative means of transport to the site.

15. The Highway Authority has not objected to the proposal and did not consider that the overflow parking on-street would be prejudicial to Highway Safety or the free flow of traffic. The appellant has provided a draft travel plan and a detailed travel plan could be the subject of a planning condition. This could have the effect of reducing demand and encouraging alternative means of transport to the site. Added to this is the availability of other parking in the vicinity of the town centre, the availability of public transport and the town centre location. The advice at paragraph 34 of the Framework indicates that decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes can be maximised, a town centre site such as this is in my view such a place. I am satisfied that the additional parking that may arise from the development could be safely accommodated on the public highway and within nearby town centre parking facilities, which given the sites town centre location it would be reasonable to expect should support such a use as proposed and the location.
16. There are limited direct individual residential accesses on to Sawyers Hall Lane and the existing accesses predominantly serve small parking courts or culs-de-sac where it would be reasonable for drivers to pay due care and attention when exiting. The Council refer to reversing manoeuvres however I do not see how additional parking on the highway would prevent vehicles from exiting the site in a forward gear from the majority of these locations given turning facilities are available within these parking areas. Paragraph 32 of the Framework makes it clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. The Highway Authority has not objected to the scheme and the Council have not demonstrated that the impacts of the additional parking would be severe.
17. Whilst the potential comings and goings associated with the use would be reasonably high on Sundays, given the parking demand, this is a town centre location and the peak times of the general movements are not at particularly sensitive times of the day. In this regard the on-street parking that may be generated as a result of the proposal would not result in significant disturbance and inconvenience for local residents. During the weekday evenings the numbers attending the site would be significantly reduced as would be the consequent activity. The time can be suitably controlled by condition and those suggested, given the town centre location, are not unreasonable.

18. For the reasons given above I conclude that the effect of the proposed parking arrangements would not result in material harm to the safe and efficient operation of the highway, nor lead to general inconvenience and disturbance for local residents in the area. It would therefore not conflict with policies CP1 or T2 of the LP which, amongst other things, require development to provide satisfactory parking arrangements and do not result in an unacceptable detrimental impact on the transport system nor the general amenities of nearby occupiers.

Other matters

19. I note that the site abuts the CA and that the Council concluded that the proposal due to the buildings height and bulk would result in less than substantial harm to the setting of the heritage asset. From my site visit and the evidence presented I see no reason to differ from these conclusions. Similarly I note the Council's conclusions that this harm would be outweighed by the public benefits arising from the development, in the form of the community and wider benefits attributed to it, and would assist in securing the sites optimum viable use. I also agree with those findings.

20. A number of concerns have been raised with regard to noise and disturbance associated with the development however the Council's environmental health department raised no objections to the scheme and the acoustic report submitted with the application demonstrated that the acoustic performance of the proposed building would be better than that of the existing building. Subject to suitable conditions restricting the occupation and timing of uses associated with the development, including the crèche, I conclude that there would be no material harm arising from noise and disturbance.

21. The impact on the stability of the adjoining Homehurst house can be addressed satisfactorily under other legislation and there is no substantial technical evidence before me to suggest that this is not the case.

22. It is suggested that there is the potential for other sites and buildings in the vicinity of the site to be used for the proposed use. However these are not within the control of the appellant and it is the proposals that are in front of me that I must consider in terms of their impact on the area.

23. The additional landscaping and tree planting proposed within the scheme would compensate for the loss of any landscaping present on the site and would result in a small positive contribution to the character and appearance of the area.

Conclusions and conditions

24. For the reasons given above I conclude that the appeal should be allowed.

25. I have considered the suggested conditions provided by the Council in the context of the advice in the Planning Practice Guidance (PPG) and the wording of the suggested models of acceptable conditions in appendix A to Circular 11/95 'The use of conditions in planning permissions' which remains extant. I have imposed, with some alterations amendments or amalgamation, the suggested conditions in the light of the advice as detailed below.

26. Condition 2 specifying the approved plans is required for the avoidance of doubt and in the interests of proper planning as advised at paragraph 21a-022

- of the PPG. Conditions 3, 4, 14, 15, 16 and 21 are required in the interests of the character and appearance of the development and the wider area. With those related to trees also required in the interests of good arboricultural practice. Condition 5 is required to encourage the use of other modes of transport than the private motor car. I have however required this to be submitted to and approved by the local planning authority as for planning purposes they are the determining authority. Conditions 6, 7 and 8 are required to ensure appropriate parking facilities are provided.
27. Condition 9 is required to minimise the effect of the construction of the development on the area and conditions 10 and 11 are required in the interests of highway safety. Conditions 12, 17, 18 and 19 are required to protect the amenities presently enjoyed by the occupants of adjoining properties. Condition 13 is required to ensure satisfactory waste facilities are provided and condition 20 is required to ensure the site is satisfactorily drained.
28. The proposed development is for a church, with ancillary facilities, and it is on this basis that the appeal has been considered and determined. A development is not fully controlled by its description of development and a further condition, as referred to in the Council's appeal statement, is appropriate to restrict the main use of the site to the principal use as a church. Whilst there are other activities suggested these are ancillary to the main function and would be acceptable within that context. However, a subsequent change of the building to other uses within the same Use Class may result in impacts that are materially different from the detail submitted to support this case and therefore such a restriction is justified in this case and I have imposed this as condition 22.

Kenneth Stone

INSPECTOR

SCHEDULE OF CONDITIONS FOR APPEAL REF: APP/H1515/A/14/2220676

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2121 A/01 revision A; 2121 A/02; 2121 A/03; 2121 A/04 revision B; 2121 A/05; 2121 A/06; 2121 A/07; 2121 A/08; 2121 A/09; 2121 A/10; 2121 A/11; 2121 A/12; 2121 A/13 revision A; 2121 A/14 revision A; 2121 A/15; 2121 A/16 revision B; 2121 A/17 revision A; 2121 A/18 revision A; 2121 A/19; 2121 A/20 and 2121 A-21.
- 3) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping showing details of new trees, shrubs and hedges and a programme for their planting and details of all existing trees and hedgerows on and overhanging the land, and details of any to be retained, together with measures for their protection in the course of development. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 4) All tree works must be carried out in accordance with good practice as defined in BS3998.
- 5) The development shall not commence until a detailed Travel Plan has been submitted to and approved in writing by the local Planning Authority. The approved Travel Plan shall be complied with during the operation of the site for the approved uses.
- 6) Notwithstanding condition 2 the development shall not commence until details of the parking layout showing each vehicle space measuring at least 2.5 metres by 5 metres and 3 No. disabled spaces measuring at least 3.5 metres by 6 metres, within the application site, has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the parking layout has been provided in accordance with the approved details. The parking spaces shall be retained without any impediment to their designated use and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 7) The development shall not commence until details of the design and layout of cycle parking facilities in accordance with Brentwood Borough Council's adopted parking standards have been submitted to and approved in writing by the local planning authority. The approved facilities shall be secure and covered and the development shall not be occupied until the facilities are provided and thereafter they shall be retained at all times.
- 8) The development shall not commence until details of the location, design and layout of motorcycle parking facilities in accordance with Brentwood

Borough Council's adopted parking standards have been submitted to and approved in writing by the local planning authority. The approved facilities shall be secure and convenient and the development shall not be occupied until the facilities are provided and thereafter they shall be retained at all times.

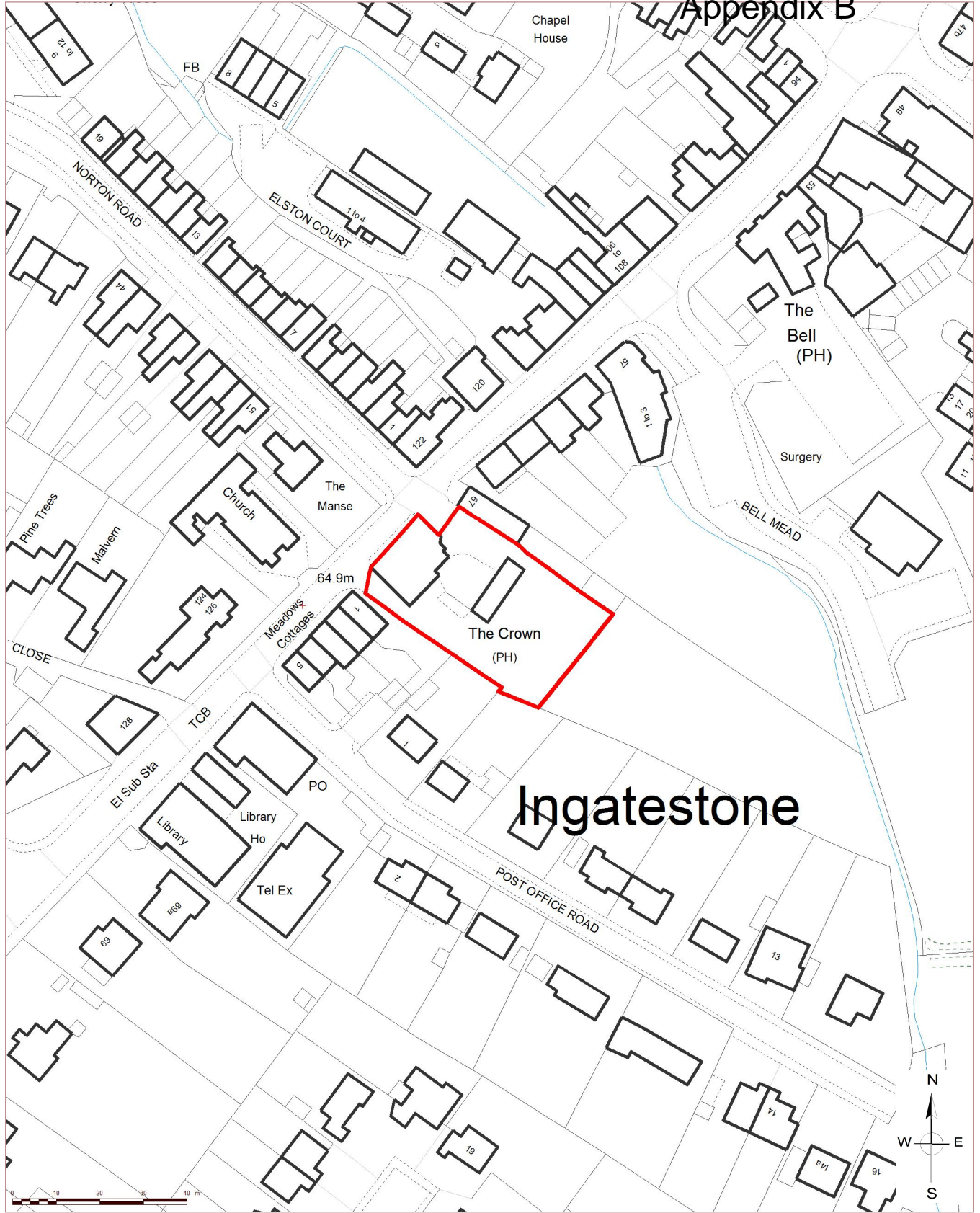
- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- 10) The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan drawing No. A/04 revision B.
- 11) No fence, wall or other barrier shall be erected on the site's proposed south eastern boundary, shown on drawing No. A/04 revision B, within 10 metres of the back edge of the nearside footway in Sawyers Hall Lane.
- 12) The windows/glazing proposed for the central section of the south-eastern elevation at first and second floor level shall be glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed in accordance with the approved details prior to the first occupation of the building or use of the room in which the window(s) is installed. Those windows shall remain so glazed and non-opening.
- 13) Details of a site wide waste strategy for the development shall be submitted to and approved in writing by the local planning authority prior to any superstructure works commencing on site. The details shall include:
- i) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);
 - ii) a waste management plan

The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/ erected prior to the first occupation of the development and shall be maintained as such thereafter.

- 14) No development shall take place until drawings that show details of proposed new windows, doors, eaves and cills by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 15) Development shall not be commenced until samples of the materials to be used on the external finishes have been submitted to and approved in writing by the local planning authority.
- 16) The development shall not commence until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.
- 17) The church building hereby approved shall not operate outside the hours of 07:00 until 23:00 hours on any day.
- 18) The ground floor restaurant/bar facility hereby approved shall only operate as an ancillary service in conjunction with the operation of the site as a church and shall not be operated as a separate business.
- 19) The external play area as shown on the approved drawing No. A/04 revision B shall not operate outside the hours of:
Thursdays between the hours of 09:30 and 17:00
Fridays between the hours of 09:30 and 17:00
Sundays between the hours of 10:30 and 12:30.
- 20) Development shall not be commenced until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved surface water drainage details and shall be retained as such thereafter.
- 21) Details of existing and proposed site levels and the finished floor levels of the proposed building shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development hereby permitted. The development shall be carried out in strict accordance with the approved details.
- 22) The premises shall be used for a Church and its ancillary activities and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

END

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Title : The Crown, High Street

17/01577/LBC

17/01578/FUL

Scale at A4 : 1:1250

Date : 12th December 2017

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



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DELEGATED REPORT

LIST NO. DATE LIST EXPIRES:

OVERALL CONSULTATION EXPIRY DATE: 16 November 2017

Reference:

a)17/01578/FUL
b)17/01577/LBC

Site:

The Crown
High Street
Ingatstone
Essex
CM4 0AT

Ward:

Ingatstone, Fryerning
& Mountnessing

Parish:

Ingatstone &
Fryerning

Proposal:

- a) Variation of condition 1 (Approved drawings), 2 (Details of car parking spaces), 3 (Landscaping scheme) of application 17/00498/FUL (Variation of condition 2 on 15/00851/ful (Change of use of the host Listed Building to create 3 no. residential units, including the demolition and replacement of single storey side addition, fenestration alterations and the construction of two storey and single storey rear additions. Partial site clearance of single storey outbuilding. Construction of 3 no. two storey cottages. Refurbishment and extension of existing stable range bringing 67 High Street into commercial use and creating a single storey apartment. Construction of an open cart lodge, landscaping and associated works) to add porch canopy roof to entrance doors, additional side windows, conversion of lofts and insert velux rooflights to 3 No. two storey proposed cottages and alterations to the roof of the apartment conversion).
- b) Works to the Listed Building to enable the change of use of the host Listed Building to create 3 no. residential units, including the demolition and replacement of single storey side addition, fenestration alterations, internal alterations and the construction of two storey and single storey rear additions.

Plan Number(s):

03; 04; 05; 06; 02; 01; 201; 202; 203; 204; 205; 206; 202REV 04;
203REV 04; 204REV 04;

Case Officer: Mr Nick Howard

1.0 DESCRIPTION OF PROPOSAL

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, with any associated legal agreements. New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. The local planning authority may grant planning permission, either unconditionally or subject to such conditions they see fit; or refuse planning permission.

In this instance, a change to the original planning permission and listed building consent is sought retrospectively, because works to the listed building have already been carried out.

The works carried out are were completed in April 2017 and this application seeks approval for an alternative scheme to that permitted in 2015. A more complete description of the alterations to the approved drawings is outlined in the planning assessment of the report.

2.0 SITE DESCRIPTION

The site comprises The Crown which is a former public house dating from the 15th century. It's comprised of two storeys with a clay tile roof, is Grade II listed and occupies a prominent position within Ingatestone Conservation Area. To the north of the property is 67 High Street and to the rear is the grounds of the public house where three cottages have recently been constructed.

3.0 RELEVANT HISTORY

15/00851/FUL: change of use of the host listed building to create 3 no. residential units, including the demolition and replacement of single storey side addition, fenestration alterations and the construction of two storey and single storey rear additions. partial site clearance of single storey outbuilding. construction of 3 no. two storey cottages. refurbishment and extension of existing stable range bringing 67 high street into commercial use and creating a single storey apartment. construction of an open cart lodge, landscaping and associated works. -application permitted

17/00591/FUL: Variation of condition 2 (Development shall not be carried out except in complete accordance with approved drawings) of application 15/00851/FUL (Change of use of the host Listed Building to create 3 no. residential units, including the demolition and replacement of single storey side addition, fenestration alterations and the construction of two storey and single storey rear additions. Partial site clearance of single storey outbuilding. Construction of 3 no. two storey cottages. Refurbishment and extension of existing stable range bringing 67 High Street into commercial use and creating a single storey apartment. Construction of an open cart lodge, landscaping and associated works) to vary the condition 2 to replace reference to approved drawings -application refused 10/7/17

4.0 SUMMARY OF CONSULTATION RESPONSES

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

- **Parish Council-**

Ingatestone & Fryerning Parish Council raise OBJECTION to planning application 17/01578/FUL - The Crown, High Street, Ingatestone, CM4 0AT, on the grounds of intensification of the site and contrary to the plans originally approved for smaller 2-3 bedroom dwellings.

- **Highway Authority-**

No objections

- **Historic Buildings And Conservation Officer-**

No objections

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/>

Three letters of objection on the grounds of lack of car parking space leading to overspill parking on Post Office Road, overlooking from the cottages to the rear of the site,

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: C15 Demolition, Alterations or Extensions to listed buildings
C17 Change of Use of a Listed Building

NPPF Sections: Section 12 Conserving and enhancing the historic environment.

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in early 2018. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in early 2019.

7.0 ASSESSMENT

Members will recall that a number of alterations carried out to the former public house which do not form part of the approved plans referred to in references 15/00851/FUL and 15/00852/LBC, was discussed at the July committee. Members resolved to refuse the planning application and listed building consent.

The outstanding issues relating to the building are as follows:

- a) At the eastern range (Ground Floor), the proposals contain the retention of a single storey lean-to element (in comparison to its removal in the extant application) was supported in principle in the previous application. However, the use of sash windows with deep reveals as per the applied fenestration was not supported upon this element of the building. The window has now been changed and is acceptable.
- b) Rainwater goods on the eastern range require rationalising as they currently discharge onto the roof of the single storey element, which in the long term could cause damage to the roof of the outshot. The applicant is proposing to redirect the rainwater and therefore this issue has been resolved.
- c) The entrance door within the single storey element appeared to be of composite timber with a double-glazed vision panel and was not appropriate to the context of the building. The door has been replaced with a solid timber door which is now acceptable.
- d) Within the interior of this eastern range, the storey posts had been covered over, a doorway and frame, visible during the stages of the watching brief had also been covered. The 'covering up' of highly significant elements of the timber frame had impacted negatively upon the character of the building overall, concealing the architectural interest of the listed building. However, the storey posts have now been uncovered to facilitate the timber frame being exposed, which is now acceptable from a conservation aspect.
- e) A critical aspect of the previous application was the lack of all the original internal doors, fixtures, skirtings and ironmongery. Such items are high contributors to the architectural interest of the listed building. The variations in architectural periods facilitate the legibility of the buildings' evolution and as such these fixtures are integral to the buildings' Nationally designated status. Since the Historic Buildings Officer (HBO) advice on the previous applications, a collection of doors, fixtures have been evidenced at the listed building. The doors which were previously 'mounted' at sporadic locations have been reviewed and advised upon by the HBO and by the Heritage Consultant acting on behalf of the applicant. Positions for these historic doors have been set out as per the Appendices in the applicant's submission and such are accepted by Conservation.
- f) Details of the tanking system within the basement chamber has been supplied and is accepted.
- g) There remains an expanse of lanterns which detract from the simplicity of the medieval building, as the HBO has stated previously, lighting could have been incorporated into the scheme without being positioned onto the face of the listed

building at all elevations, the HBO advises these are removed or at the very least reduced.

- h) The AstroTurf in the setting of the listed building was considered harmful and was not supported. A cohesive scheme for landscaping at the conditions stage was undertaken, which includes the removal of the Astro turf, and should be adhered to in the interests of the setting of the listed building and the character and appearance of the Conservation Area.
- i) With regard to the issue of car parking, this has been raised before in connection with the rear cottages and is raised again due to the lack of parking throughout the site. Overall within the site there are eight residential units being created and fourteen car parking spaces are being provided. This includes two spaces for each unit within the Crown Inn and the cottages to the rear and one space for each of the two units in the stables building (67 High Street). The site is situated in the centre of Ingatestone and is therefore within a highly sustainable location. Looking at the planning history the original approval for the conversion of the stables building to a dwelling did not provide any car parking. However, the applicant has provided one space for each of the units and this is supported by the Highway Authority.

The Council acknowledge the concerns from residents on Post Office Road, however given the highly sustainable location of the site, the provision of car parking to serve the development is considered acceptable.

8.0 CONCLUSION

The HBO advises that the fundamental issues as set out in the previous planning application have overall been overcome. The HBO is unable to advise the Council that all historic fabric has been located, e.g. the C19th panelling has not been located, however as previously identified, there has been a quantum of restorative works and reversibility here and a balance has been found in terms of the overall restoration and reuse of this previously vacant building.

In terms of conditions, the application provides sufficient information in respect of detail, e.g. chamfering of the window cills, tanking etc., however the HBO has concerns for the implementation of these final components of the LBC. Therefore, it is advised a full compliance check is conditioned and undertaken. A condition requiring the alterations are carried out within two months of the date of this permission is required.

9.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

1. Within two months of the date of this permission, the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

Informative(s)

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: C15 & C17; the National Planning Policy Framework 2012 and NPPG 2014.

It is noted that a large-scale TV has been fixed to a tie-beam, this needs to be removed immediately.

Documents:

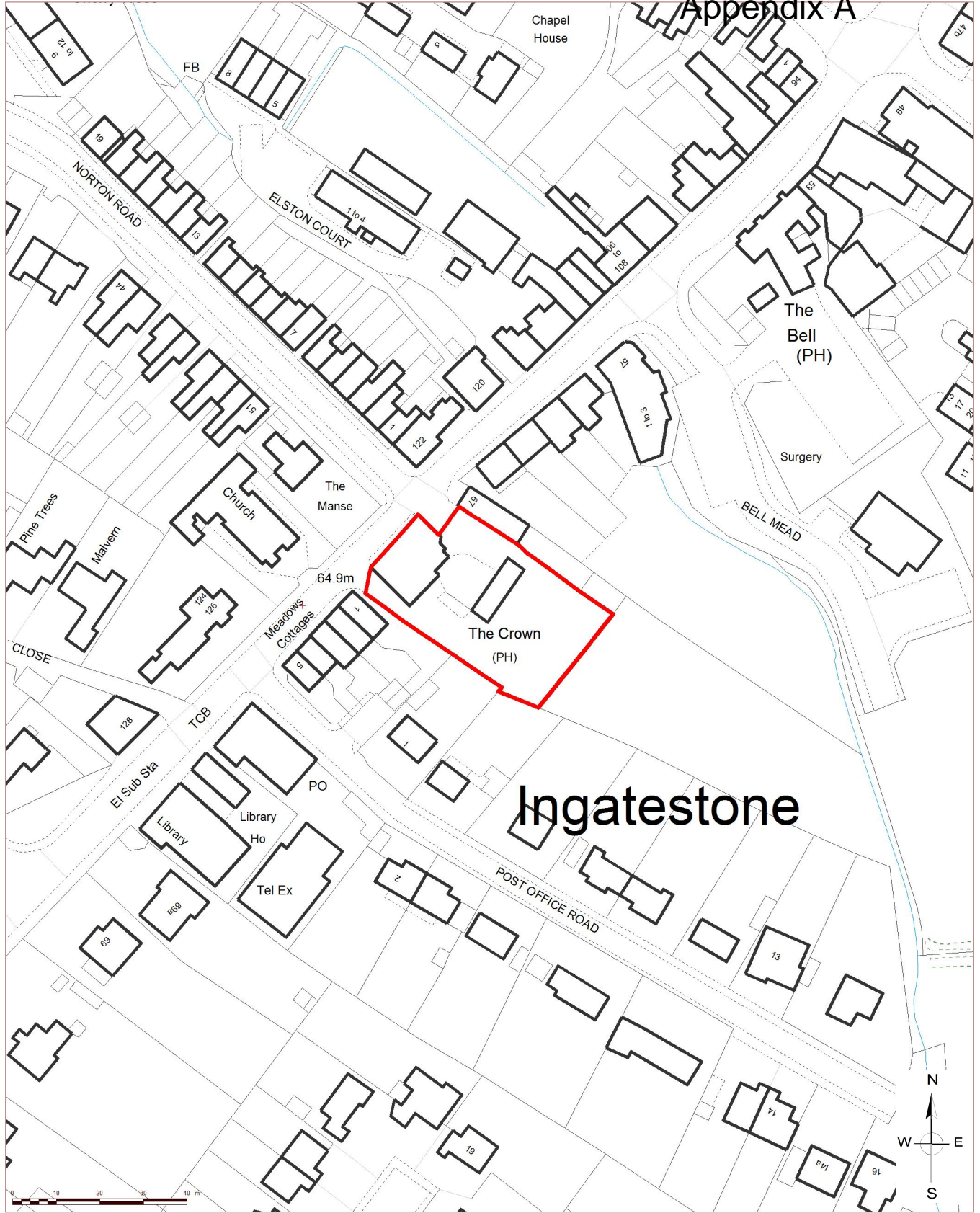
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.brentwood.gov.uk/planning

APPENDICES TO THIS REPORT

Appendix A – Site Map

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Title : The Crown, High Street

17/01577/LBC

17/01578/FUL

Scale at A4 : 1:1250

Date : 12th December 2017

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



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COMMITTEE REPORT

Reference:

a)17/01579/FUL
b)17/01580/LBC

Site:

67 High Street
Ingatestone
Essex
CM4 0AT

Ward:

Ingatestone, Fryerning
& Mountnessing

Proposal:**Parish:**

Ingatestone &
Fryerning

a) Variation of condition 2 (Approved drawings), 3 (Samples of materials), 4 (Details of roof lights), 5 (Additional drawings showing windows doors) and 8 (Scheme of hard and soft landscaping) of application 16/01565/FUL (Change of use of 67 High Street, Ingatestone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works).

b) Listed building consent for conversion from a retail unit to residential to include alterations to windows and doors on the front and side elevations, addition of roof lights and internal alterations to walls and doors to provide new layout.

Plan Number(s): 401; 107; 02; 07; 00;

The applications are a resubmission of the previous refusals in which members expressed concerns to the first amendments at the July 2017 committee. These applications (second amendments) seek to address the concerns raised and in particular members at that committee requested to see details of any future proposal.

Case Officer: Mr Nick Howard

1.0 DESCRIPTION OF PROPOSAL

- a) A planning application is being made to vary Condition 2 of planning permission 16/01565/FUL, so as to substitute the approved drawings for drawings showing the works as completed. Furthermore, the proposal includes updating a number of conditions attached to the original planning permission, namely samples of materials, details of rooflights, drawings showing details of windows and doors and landscaping.
- b) A listed building application is submitted, which, if granted, would replace the listed building consent 16/01752/LBC.

The works carried out were completed in April 2017 and these applications seek approval for an alternative scheme to that permitted in 2016. The proposal is for alterations to the curtilage listed building which are discussed in detail in the assessment section of the report.

2.0 SITE DESCRIPTION

67 High Street is a curtilage listed building within the located within the historic curtilage of the Grade II listed building of The Crown. The site holds a prominent position within the Ingatestone High Street Conservation Area. It is a long single storey building with a pitched roof.

3.0 RELEVANT HISTORY

- 16/01565/FUL: Change of use of 67 High Street, Ingatestone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works. - Application Permitted
- 16/01752/LBC: Listed building consent for conversion from a retail unit to residential to include alterations to windows and doors on the front and side elevations, addition of roof lights and internal alterations to walls and doors to provide new layout. -Application Permitted
- 17/00489/FUL: Removal of condition 2 - to build in accordance with approved drawings on 16/01565/ful (Change of use of 67 High Street, Ingatestone from a retail unit (Class A1) to residential (Class C3) and associated internal and external works) to amend roof design and replace window on the scheme with a door -Application Refused
- 17/00483/LBC: Conversion of building into two residential units to include single storey rear extension, alterations to windows and doors on the front and side elevations, alterations to roof, addition of roof lights and internal alterations to walls and doors to provide a new layout -Application Refused

4.0 SUMMARY OF CONSULTATION RESPONSES

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

- **Parish Council-**

Ingatestone & Fryerning Parish Council recognise the historic value and architectural merit of this landmark building in the High Street and will support the Heritage Officer's decision.

- **Historic Buildings and Conservation Officer-**

No objections received

5.0 SUMMARY OF NEIGHBOUR COMMENTS

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

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

No letters of objections received.

6.0 POLICY CONTEXT

The starting point for determining an application is the development plan, in this instance, the Brentwood Replacement Local Plan (RLP) 2005. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the following RLP policies, the National Planning Policy Framework (NPPF) 2012 and National Planning Policy Guidance (NPPG) 2014.

RLP Policy:C15- Demolition, Alterations and Extension to a listed building
Policy C17- Change of use of a listed building

NPPF Sections:12-Conserving and enhancing the historic environment

Local Development Plan:

The Local Development Plan is currently at the Draft Stage (Regulation 18) and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision making, as set out in paragraph 216 of the National Planning Policy Framework. As the plan advances and objections become resolved, more weight can be applied to the policies within it. Nevertheless, the draft Local Plan provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations. The next stage of the Local Plan is the Pre-Submission Draft (Regulation 19) which is currently anticipated to be published in early 2018. Following this, the Draft LDP will be submitted to the Secretary of State for an Examination in Public. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in 2019.

7.0 ASSESSMENT

Background:

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, with any associated legal agreements. New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. The local planning authority may grant planning permission, either unconditionally or subject to such conditions they see fit; or refuse planning permission.

The building is a curtilage listed building set within the grounds of the Crown Inn, which is Grade II listed. The Council have no objections to the principle of converting the building into two residential units.

The roof/eaves on site is currently unacceptable, however the proposed alteration showing the roof/eaves detail as set out in the submitted plans is accepted by way of mitigation. The fenestration and reinstatement of the stable door (with its original fixings) is supported; this includes single glazed flush casement windows, painted timber. A condition requiring the roof/eaves detail is altered in accordance with the submitted plans, within two months of the date of this permission is suggested.

Previously there were a number of issues that were still outstanding that the applicant was unwilling to change, and which subsequently led to a refusal of planning permission/listed building consent. The outstanding issues were as follows:

- The doors to the north west (front) elevation were of an urban design and were considered to be out of keeping with the character of the listed building. The design of the entrance doors has been changed to four panels and would be of an olive-green colour. This alteration is considered acceptable.
- The air vents on the rear elevation have been covered up and should be reinstated. The submitted plan shows the opening of six air vents on the rear elevation which adds to the character of the building.
- The expanse of roof lights, included six on the eastern roof plane was too great and were not of a conservation type which could be set flush into the roof covering. The submitted plans show a reduction to five conservation roof lights which represents a significant improvement to the rear elevation of the building.
- The soil vent pipes on the ridge line of the building should be reduced and the tile vents should be incorporated. The submitted plans show a significant reduction on the soil vent pipes which is considered acceptable.

Overall further to the Historic Officer's site visit and the comments made within her initial response there are no outstanding matters to be addressed. Having reviewed the proposals to mitigate the harm as set out in her previous response she raises no further objections.

8.0 CONCLUSION

The Council consider that the amended additions cumulatively are now not harmful to the character and setting of the curtilage listed building. The proposal is therefore in accordance with Policies C15 and C17 of the Brentwood Replacement Local Plan.

9.0 RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

1. Within two months of the date of this permission, the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

Informative(s)

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: C15 & C17; the National Planning Policy Framework 2012 and NPPG 2014.

Documents:

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

www.brentwood.gov.uk/planning

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Appendix A



Ingatestone

Title : 67 High Street, Ingatestone

17/01579/FUL
17/01580/LBC

Scale at A4 : 1:1250

Date : 12th December 2017

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



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12 December 2017

Planning & Licensing Committee

Brentwood Monitoring Report: Housing Delivery 2016/17

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

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 The Council regularly monitors how planning policies are being implemented in regards to the decision-taking process, as well as progress on the plan-making process for preparation of documents set out in the Local Development Scheme.
- 1.2 As agreed at Planning and Licensing Committee on 1 December 2015, as soon as monitoring data becomes available the information is collated for publication into a series of monitoring updates, each reporting on different monitoring issues, which together form the Council's Authority Monitoring Reports (AMR). For clarity these have been branded "Brentwood Monitoring Reports" to be consistent with the emerging Brentwood Local Development Plan (LDP) and other supporting documents.
- 1.3 The latest monitoring report in this series of updates has been prepared for publication, with information relating to residential completions for the period 1 April 2016 to 31 March 2017 (data available after March 2017 is included where appropriate).

2. Recommendation

- 2.1 **To approve publication of the Brentwood Monitoring Report: Housing Delivery 2016/17, as set out in Appendix A.**

3. Introduction and Background

- 3.1 The Localism Act 2011 and 2012 Regulations set out changes to the Council's monitoring responsibilities, giving local planning authorities more

flexibility as to how and when they prepare their monitoring reports. As agreed at Planning and Licensing Committee on the 1 December 2015, and in accordance with the Council's commitment to sharing public data, available monitoring data on specific themes will be published as soon as possible.

- 3.2 This report provides an overview of the Housing Delivery 2016/17 and forms one of a series of downloadable Brentwood Monitoring Reports and spreadsheets:
- 3.3 The indicators used to monitor the Local Plan are in the process of being updated as the Council prepares a new Local Development Plan for the Borough. Once adopted the new Plan will establish targets and indicators that will be used to monitor the effectiveness of its policies over time.
- 3.4 Prior to the adoption of the new Plan this housing delivery report provides an update of key residential indicators and detailed information on residential completions in the Borough.

4. Issue, Options and Analysis of Options

- 4.1 The full monitoring report for Housing Delivery 2016/17 is set out in Appendix A. Key findings from Housing Delivery monitoring include:
 - a) Housing Completions: A total of 150 (net) homes were completed during 2015/16, 84.1% of which were on previously developed land. Completions have slightly increased from the previous monitoring year, however the total falls short of the Borough's annual objectively assessed housing need of 380 dwellings per year by a 230 dwelling deficit.
 - b) Dwelling size and type: Of the 150 (net) new homes completed in 2016/17, 85% were one or two bedroom dwellings, and 66% of completions were in the form of flats.
 - c) Prior Approvals: Over recent years the Government has revised 'permitted development rights' to allow changes of use of certain retail units, office and agricultural buildings to be converted to residential use without planning permission, via a prior approval application made to the Council. Since these changes in permitted development rights, first introduced 2013, the number of residential dwellings granted through prior approval has totalled 411, only 24

of which have been completed with 387 dwellings yet to be completed (as at 30 September 2017).

- d) Affordable Housing: A total of 22 affordable homes were completed in 2016/17, contributing 14.6% of total residential completions in the monitoring year. This falls short of Brentwood's annual affordable housing need of 107 dwellings per year (as set out in the Strategic Housing Market Assessment Part 2, 2016).
- e) Windfall: The Borough has seen an average net windfall completion rate of 39 dwellings per annum over the past eight years. When taken as a percentage of total completions, windfalls account for 22%, with brownfield windfalls comprising the majority (93.5%) of all windfall completions.

4.2 The Government has instructed local authorities to take a proactive stance to publishing information, making sure that it is easy to find and understand. Guidance states that data must be published without restriction. Public data should be released in an "open format" that is reusable, available to everyone to be exploited for social and/or commercial purposes.

4.3 To this end the Council has committed to the DataShare service, available to view on our website under "Open Data". This service makes it easier for everyone to access and inspect data, and simpler for those who need to use data in their applications, websites and widgets.

4.4 Planning and related data published as part of the AMR is included for viewing on DataShare. This supports the Council's commitment to transparency, involvement and innovation, making public data (that is not sensitive or personal) freely available to view and download in a variety of formats. The Council's DataShare site can be accessed at opendata.brentwood.gov.uk

5. Reasons for Recommendation

5.1 It is important that the Council publishes monitoring information in order to share performance and achievements with the local community as information becomes available. It also meets the monitoring requirements set out in the NPPF and Town and Country Planning Regulations 2012, as amended by the Localism Act 2011.

- 5.2 In addition to publishing monitoring information in usual formats, such as a PDF document on the Planning pages of the Council's website, use of the DataShare site will help meet the Council's commitment to being open and transparent. AMR data will be freely available to view and download in a variety of formats.

6. Consultation

- 6.1 AMRs are not subject to public consultation, they report factual data published for the purposes of openness and transparency. Documents that the reports monitor will be available for public consultation (i.e. Local Development Plan, Community Infrastructure Levy, and Neighbourhood Plans), as well as planning applications that have statutory consultation periods applied.

7. References to Corporate Plan

- 7.1 AMRs monitor the performance of planning policies, including those in the existing development plan and emerging Brentwood LDP, preparation of which is an identified priority in the Council's Corporate Plan (2015) Vision for Brentwood 2016-19 (Planning & Licensing).

8. Implications

Financial Implications

Jacqueline Van Mellaerts, Financial Services Manager
01277 312829 jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 The cost of monitoring data, both as part of preparing a new Local Development Plan for the Borough and the statutory requirements of regularly publishing information, has been accounted for within the Planning Policy budget.

Legal Implications

Daniel Toohey, Head of Legal Services and Monitoring Officer
01277 312860 daniel.toohey@brentwood.gov.uk

- 8.2 The requirement to regularly publish monitoring data related to Local Development Plan progress and policy implementation is set out in the Localism Act 2011 (Section 113) and Town and Country Planning Regulations 2012 (Regulation 34).

9. Background Papers

- a) None

10. Appendices to this report

- a) Appendix A: Brentwood Monitoring Report, Housing Delivery 2016/17

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BRENTWOOD MONITORING REPORT

HOUSING DELIVERY



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Published November 2017

Brentwood Borough Council

Planning Policy Team

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Please contact us to obtain a copy of this information in an alternative format.



The Council is committed to being open and transparent. Government guidance states that data must be published without restriction. Public data should be released in an “open format” that is reusable, available to everyone to be exploited for social and/or commercial purposes. DataShare is being developed as a way to make accessing and inspecting data easier for everyone; as well as simpler for developers wishing to use the data in their applications, web sites and widgets. Data from Authority Monitoring Reports is also available in accessible formats on the Council’s DataShare site. Brentwood’s DataShare can be found at opendata.brentwood.gov.uk

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INTRODUCTION

1. The introduction of the Localism Act (2011) and updates to the Town and Country Planning Regulations 2012 removed the requirement for local authorities to send an Annual Monitoring Report to the Secretary of State. However, the act retains the overall duty to monitor the implementation of the Local Development Scheme and the extent to which policy targets are being achieved in the Local Plan.
2. The Act allowed for more flexibility when monitoring and amended the name Annual Monitoring Report to "Authorities Monitoring Reports", reflecting the fact that information can be published as and when it becomes available.
3. Indicators used to monitor the Local Plan are in the process of being updated as the Council prepares a new Local Development Plan for the Borough. Once adopted the new Plan will establish targets and indicators that will be used to monitor the effectiveness of policies over time.
4. Prior to the adoption of the new Plan this report provides an update of key residential indicators. It forms one of a series of monitoring reports on separate themes, all with accompanying data available in multiple formats to view or download through the Council's DataShare.
5. Publishing information online in accessible formats meets the Council's commitment to sharing public data in an "open format" that is reusable and available to everyone for social and/or commercial purposes. Available data on specific themes will be published as soon as possible in order to share information on the performance and achievements of the planning service with the local community.
6. This monitoring report for themes related to housing supply and delivery is for the period 1 April 2016 to 31 March 2017. Published in November 2017, data available after March 2017 is included where appropriate.

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HOUSING COMPLETIONS

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Annual Completions

7. Table 1 shows the number of homes completed in Brentwood Borough since 2001.
8. During 2016/17 a total of 150 net additional dwellings were completed. The net figures comprise of additions to housing stock from new build, change of use and conversions minus any losses as a result of demolitions, changes of use and conversions.

Completions on Previously Developed Land

9. Key to the achievement of sustainable development is making best use of previously developed land (PDL). Previously developed land is often referred to as brownfield whilst undeveloped land is often called

greenfield. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.

10. As can be seen from Table 1, the Borough has consistently achieved high proportions of residential development on previously developed land since 2001. In the monitoring year 84% of completions were on previously developed land. There has been a slight decline in the levels of completions on previously developed land over recent years, perhaps as a result of economic circumstances but almost certainly because of the change in the definition of previously developed land in 2010 to no longer include residential gardens.

Year	Net Dwelling Completions						Gross Dwelling Completions		
	1 bed	2 bed	3 bed	4 bed	Not known	Total	Total	No. PDL	% PDL
2016/17	45	83	11	17	-6	150	176	148	84.01%
2015/16	41	31	28	19	-8	111	125	107	85.60%
2014/15	55	79	26	15	-16	159	178	147	82.60%
2013/14	20	55	33	14	-15	107	122	97	79.50%
2012/13	42	117	50	21	-18	211	239	212	88.70%
2011/12	6	55	32	43	-4	132	148	131	88.50%
2010/11	78	249	25	46	-4	394	416	413	99.30%
2009/10	70	82	13	10	-9	166	188	188	100%
2008/09	67	109	12	19	44	251	273	267	97.80%
2007/08	67	127	39	22	-14	241	262	262	100%
2006/07	59	154	8	23	-26	218	256	256	100%
2005/06	41	31	10	283	11	116	140	139	99.30%
2004/05	25	85	18	28	-5	151	175	175	100%
2003/04	28	100	43	58	-20	209	231	229	99.10%
2002/03	34	128	75	47	-20	264	284	268	94.40%
2001/02	53	60	57	27	-16	181	199	196	98.50%

Table 1: Housing completions by dwelling size and previously developed land (PDL) 2001 to 2017

Note: Not known column – 2001/02: 2 unknown completions and 18 unknown losses. 2002/03: 20 unknown losses. 2003/04: 2 unknown completions and 22 unknown losses. 2004/05: 19 unknown completions and 24 unknown losses. 2005/06: 8 unknown completions and 18 unknown losses. 2006/07: 12 unknown completions and 38 unknown losses. 2007/08: 7 unknown completions and 21 unknown losses. 2008/09: 51 unknown completions and 7 unknown losses. 2009/10: 9 unknown losses. 2010/11: 4 unknown losses. 2011/12: 4 unknown losses. 2012/13: 18 unknown losses. 2013/14: 14 unknown completions. 2014/15: 16 unknown losses. 2015/16: 3 unknown completions & 11 unknown losses. 2016/17: 6 unknown losses.

Source: Brentwood Residential Land Monitor

Completions by Dwelling Size

11. An important element of the housing supply is to provide a variety of choice in the type and size of accommodation, in order to reflect local need. Table 1 shows housing completions by number of bedrooms. Figure 1 also maps these completions over the past 15 years to better understand trends. There has been a continuing general decline in

both the number and proportion of 3 and 4+ bedroom completions since 2001 with an observed emphasis on two bedroom homes.

12. Table 1 shows that in 2016/17 a total of 128 homes completed were one and two bedroom dwellings, representing 85% percent of all net completions.

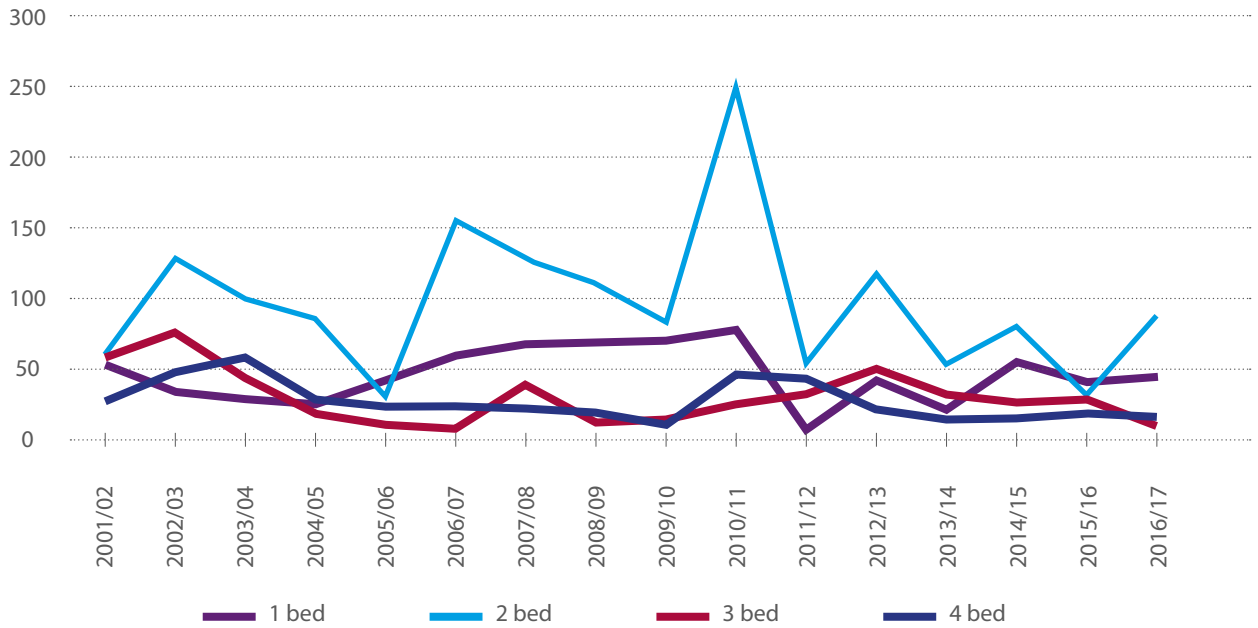


Figure 1: Net Completions by dwelling size 2001 to 2017

Completions by Dwelling Type

13. Figure 2 shows that the net dwellings completed in 2016/17 were significantly (66%) in the form of flats.

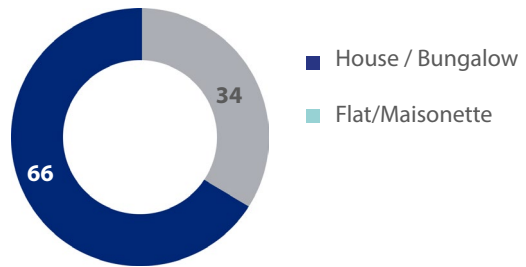


Figure 2: Housing completions (%) by type of dwelling 2016/17

Changes in dwelling stock

14. Figure 3 shows the changes in dwelling stock in Brentwood Borough over the monitoring period 2016/17, according to new build, conversion, change of use¹, and demolitions.

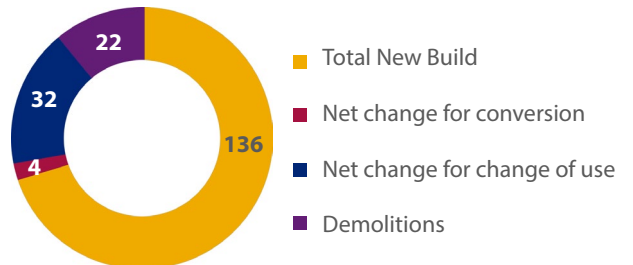


Figure 3: Changes in dwelling stock 2016/17 - additions and losses

1: Changes of use refers to the number of dwellings created through the change of use from non-residential buildings and the number of dwellings lost through changes to non-residential use.

Delivery and Supply

15. Figure 4 compares housing delivery and supply each year since 2009. Housing supply consists of planning permissions, those subject to S106, and residential prior approvals (yet to be completed). For the years 2011 to 2013 a marked fall in housing supply can be observed, in part due to a drop in the number of planning permissions on allocated sites, as those allocated for housing within the Brentwood Replacement Local Plan (2005) were largely built out earlier in the plan period. Since

2014 this downward trend in housing supply has reversed, with contribution from increased permission; an uplift in the housing market and development values; and recent changes to permitted development rights, with prior approvals accounting for 30% of total housing supply (as at 31 March 2017)

16. Despite recent increase in supply, delivery levels have remained relatively constant over the past four years.

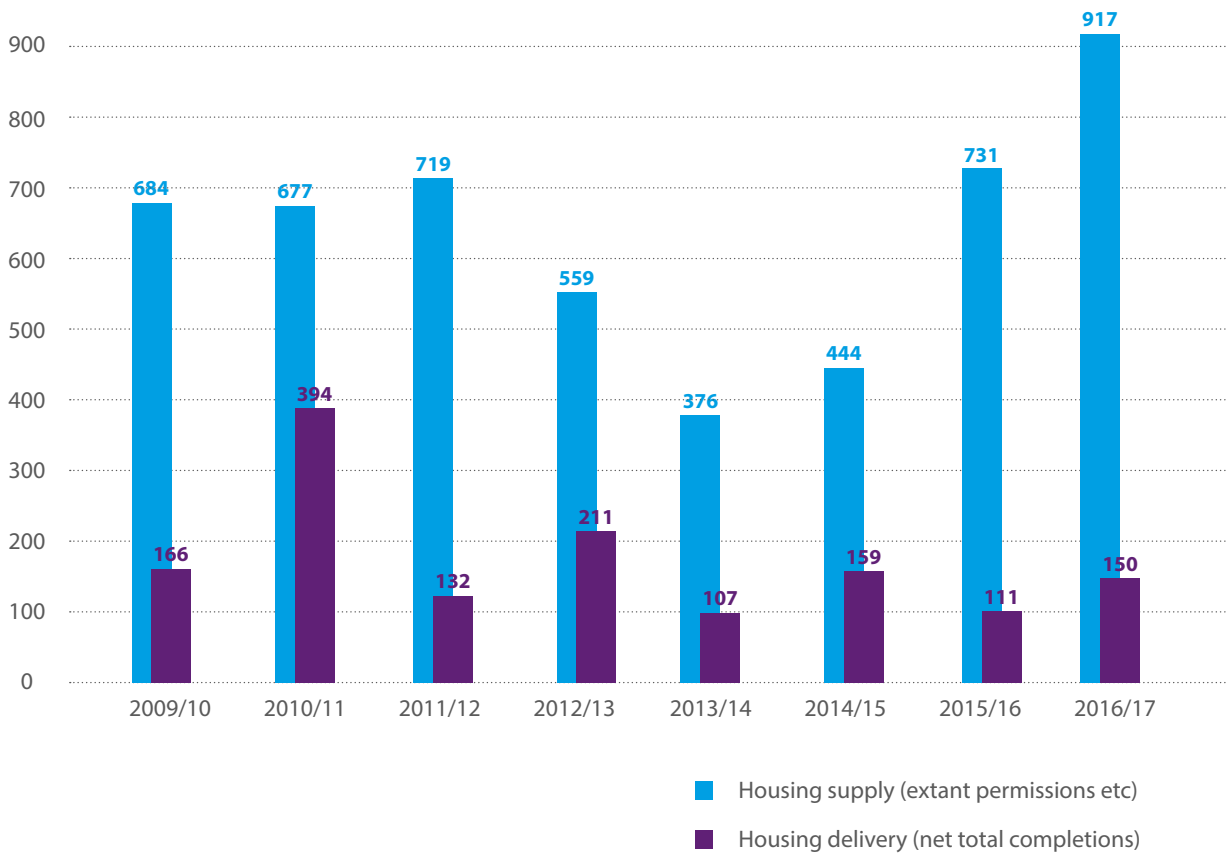


Figure 4: Housing delivery and supply 2009 to 2017

Prior Approvals

17. Over recent years the Government has revised ‘permitted development rights’ to allow change of use of certain retail units, office and agricultural buildings to be converted into residential use without planning permission, via a prior approval application made to the Council.

18. Since these changes in permitted development rights, first introduced 2013, the number of residential dwellings granted through prior approval has totalled 411 dwellings, as set out in Table 2. Figure 5 sets out prior approvals to residential use by location.

	Completed	Extant permission yet to be completed	Total
Number of Prior Approvals involving change of use to residential (Permission not required / given)	5	21	26
Number of Dwellings	24	387	411

Table 2: Change of use to residential - Prior Approval Count (as at 30 September 2017)

Note: Where multiple prior approvals for one site have been permitted, for the purposes of this analysis, only information submitted in relation to the most recent application has been included.

Source: Brentwood Planning Application Public Access Search Tool

19. During the monitoring year 14 residential properties given prior approval, from office to residential, have been completed at the locations listed below:

- a. 109A High Street, Brentwood (14/00172/PNJ56) - Change of use of first and second floors from office space (B1(a)) to three self-contained flats (C3 use class).
- b. Knight Court, 47 Crown Street, Brentwood (15/00274/PNJ56) - Change of use of ground, first and second floors from office space (B1(a)) to 11 residential flats (C3 use class)



Figure 5: Mapping prior approvals to residential use (March 2017)

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AFFORDABLE HOUSING

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- 20. Delivery of sufficient affordable homes is an important issue within the Borough, with house prices significantly higher than average prices for England. Whilst local wages are above the national average, house prices and rental levels are well above what many households can afford.
- 21. The annual estimate of affordable housing need in Brentwood is calculated as 107 households per year, as set out in the Strategic Housing Market Assessment Part 2 (SHMA, 2016). This represents 30.6% of the annual projected household growth in the Borough between 2016 and 2033.
- 22. Affordable housing supply through new build is severely constrained by the Borough's Green Belt location, restricted supply of development land and lack of development finance and public subsidy. In addition, much of Brentwood's housing is provided on small sites below adopted thresholds set out in Policy H9 of the Replacement Local Plan (20 units and above or 0.66 hectares or more within the Brentwood Urban Area and 5 units and above or 0.16 hectares or more within defined settlements elsewhere in the Borough). This is an issue for review in the Council's emerging Local Development Plan.
- 23. The supply of affordable housing is variable from one year to another, as shown in Table 3. A total of 22 affordable housing completions took place in the monitoring year, this contributes to 14.6% of all homes completed in 2016/17. The Council has a total of 86 affordable housing units with extant planning permission that are yet to be completed.

Year	Affordable Housing Units Completed	% of Total Housing Completions
2016/17	22	14.6%
2015/16	16	14.4%
2014/15	19	10.7%
2013/14	0	0.0%
2012/13	20	16.4%
2011/12	51	34.5%
2010/11	4	1.0%
2009/10	67	35.6%
2008/09	78	27.4%
2007/08	82	34.0%
2006/07	39	17.9%
2005/06	21	18.1%
2004/05	2	1.3%
2003/04	0	0.0%
2002/03	14	5.3%
2001/02	81	44.8%

Table 3: Affordable housing completions 2004/05 to 2016/17

Direct delivery of affordable housing

24. The Council is currently developing a range of small housing developments to build much needed affordable family homes, senior housing and properties which may be suitable for adaption for people with special mobility needs. These are the first houses that the Council will have built in over 25 years. The current portfolio consists of:
- Magdalen Gardens – former garage site currently under redevelopment to accommodate three 3 bedroom family houses (to be complete October 2017)
 - Fawters Close – former garage site currently under development for four single storey properties for the over 65s.
 - Barnston Way – former garage site with proposals for three two storey townhouses.
 - Rear of Carpenter Path and Coram Green – former garage site with proposals for a two, two storey family homes with the potential to be adapted for those with special mobility requirements in the future.
 - Whittington Road / Hawkesmoor Green – former garage site with proposals for four single storey bungalows to be allocated for senior living.
25. The above properties will be let with affordable rents to ensure income maximisation and to support the development of new properties which require this additional income. Properties for older residents will attract a social or affordable rent.

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WINDFALL SITES

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Windfall Data

26. A windfall site is one that has not been specifically identified as available in the Local Plan process. They usually comprise previously developed sites that have unexpectedly become available and could not have been anticipated when the Local Plan was in preparation, or smaller sites not previously identified. Windfall sites can comprise the development of infill sites, conversion of existing buildings to residential use, redevelopment of residential land to provide a net gain in new units, the net gain in units from the sub-division of existing residential units or the bringing back into use empty or derelict buildings or sites. Occasionally, unused 'greenfield' land is developed for housing and this is also classed as a windfall if not allocated.

27. To ensure there is no double counting within the projected housing figures for Brentwood Borough, no housing sites within this windfall assessment are:

a. Allocated sites within the adopted Development Plan;

b. Within the SHLAA (October 2011) / emerging HELAA; or

c. Already granted planning permission for residential use through an existing planning permission. Any permissions which supersede others have not been included.

28. To be consistent with the NPPF the monitoring data has been reassessed and updated to exclude completions involving the development of garden land.

Historic Windfall Completions

29. Table 4 shows an analysis of net housing completions on windfall sites within the Borough over the last eight-year period (1 April 2009 to 31 March 2017). This period provides a long-term view of trends, covering periods of economic growth and decline.

	Year							
	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	2014 /15	2015 /16	2016 /17
Total net completions	166	394	132	211	107	159	111	150
Total net windfall completions	39	57	9	25	33	57	34	58
% Windfall	23.5%	14.5%	6.8%	11.8%	30.8%	35.8%	30.6%	38.7%
GROSS windfalls	46	65	13	31	34	67	43	76
LOSSES on windfall sites	7	8	4	6	1	10	9	18

Table 4: Total windfall completions 2009 to 2017

30. The Borough has seen an average net windfall completion rate of 39 dwellings per annum over the last eight years.

31. Year on year the number of completions on windfall sites has varied. From a peak of 58 net completions during this year’s monitoring period (2016/17) to 9 net completions in 2011/12. When taken

as a percentage of total completions, windfalls account for 22% of net completions between 2009 and 2017, with brownfield windfalls comprising the majority (93.5%) of all windfall completions, as shown in Figure 6.

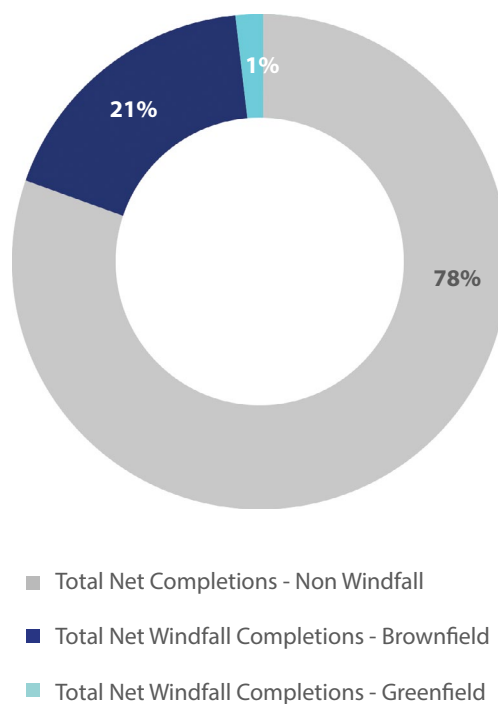


Figure 6: Percentage of total windfall / non-windfall completions 2009 to 2017

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SELF & CUSTOM BUILD

.....

32. From 1 April 2016 the Self Build and Custom House Building Act 2015 placed a duty on local authorities to keep a register of people who express an interest in developing land for self-build and custom-built projects.

33. In accordance with national legislation the Council has set up a register and interested parties can complete an online application form from the Council's website. This register helps inform the Council of the level of demand for self build and custom build plots in the Borough and forms a key part of the Council's evidence base informing future local plan preparation.

34. The AMR seeks to monitor the indicators as set out in Table 5, these indicators will be kept under review. Coinciding with

the introduction of legislation, the data extracted is for the period 1 April 2016 to 1 October 2017. This will be adjusted in subsequent AMR's to reflect the monitoring year.

35. Inclusion on the register does not entitle a registered person or organisation to a plot and any planning application will need to be in accordance with the policies in the Council's Local plan.

36. Data collected so far suggests a modest level of interest in Self and Custom Build, as set out in Table 5. 61 have registered and the majority aspire to living in a 3-4+ bedroom detached house or bungalow. There is mixed preference for location between urban and rural areas.

Indicators	Number
Number of individuals registered	61
Number of associations registered	0
Preference for type of house	
Detached House / Detached Bungalow	54
Semi detached	3
Terrace	2
Other	2
Preference for the number of bedrooms	
1 bed	1
2 bed	2
3 bed	20
4 + bed	38
Preference for general location	
Town	13
Village	26
Rural	19
Other	3

**Table 5: Headline data on the demand for self-build and custom house building
(as at 1st October 2017)**

SPECIALIST ACCOMMODATION

37. Housing for older people and people with disabilities can fall within the C2, C3 or sui generis land use class.
- a. 'C2' is defined as "residential institutions - residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres"
 - b. 'C3' is defined as "dwellinghouses, formed of three parts:
 - i. A single person or by people to be regarded as forming a single household;
 - ii. Not more than six residents living together as a single household where care is provided for residents; or
 - iii. Not more than six residents living together as a single household where no care is provided to residents (other than use within Class C4 'Houses in multiple occupation').
 - c. 'Sui generis' is defined as "uses which do not fall within any use class. Such uses include larger houses in multiple occupation and hostels providing no significant element of care".
The Brentwood SHMA Part 2 (2016)
- addresses current and future growth in the numbers of specialist housing across all tenures in terms of their related care and support needs. In terms of specialist accommodation for older people; it identifies a need for 123 affordable and 372 market and extra care houses to be provided between 2013-2033.
38. National planning guidance advises that the future need for specialist accommodation for older people broken down by tenure and type (eg sheltered, enhanced sheltered, extra care, registered care) should be assessed and can be obtained from a number of online tool kits provided by the sector. The assessment should set out the level of need for residential institutions (use class C2).
39. The Council's SHMA Part 2 (2016) uses the Strategic Housing for Older People Analysis Tool – SHOP, which is available from the Housing Learning and Improvement Network (LIN). The Elderly Accommodation Council (EAC) classifications are used for the purpose of defining housing².

2: <https://www.housinglin.org.uk/Topics/browse/HousingExtraCare/ExtraCareStrategy/SHOP/SHOPAT/ Dashboard/CurrentNeeds/>

Need for Specialist Accommodation for older people (Use Class C3)

40. Both specialist housing (that has been specifically designed to meet the needs of people with particular needs) and extra care housing (designed with the needs of frailer older people in mind and with varying levels of care and support available on site) form part of the Borough's overall housing need and tend to fall within use class C3.
41. The Brentwood SHMA Part 2 (2016) addresses current and future growth in the numbers of specialist housing across all tenures in terms of their related care and support needs. In terms of specialist accommodation for older people; it identifies a need for 123 affordable and 372 market and extra care houses to be provided between 2013-2033.

Need for Residential Institutions (Use Class C2)

42. This type of housing relates principally to a C2 use class and does not form part of the Borough's overall housing need (although LPA's should count housing provided for older people, including residential institutions in use class C2, against their housing requirement³). This is housing for people living in

registered care homes which are managed and run by a care provider who is responsible for all aspects of their daily needs and wellbeing. Such housing is not self-contained and is often referred to as either residential or nursing care.

43. The current need for this care as identified through the SHOP analysis is 494 spaces for residential care and 342 spaces for nursing care equalling 836 spaces in total. A snapshot of current provision using the EAC database indicates a total provision of 805 spaces, suggesting a current shortfall of 31 spaces.
44. The SHMA Part 2 identifies a long-term requirement for an additional 424 spaces within registered care to be provided between 2013-2033.

Monitoring Delivery and Supply

45. Once the new Local Development Plan is sufficiently advanced, a detailed housing trajectory will be prepared, and specialist housing indicators clearly set out and monitored. In the interim, development is likely to continue to come forward through the delivery of windfall sites which will continue to be reported, as shown in Table 6.

3: National Planning Policy Framework Planning Policy Guidance - Housing and Economic Land Availability Assessment – Methodology – Stage 5: Final evidence base – Paragraph 037 reference ID: 3-037-20140306 – 6th March 2014 <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

46. For the purposes of policy monitoring the below distinction between use class has been applied in Table 6⁴:
- a. Residential institutions use class C2: Housing for people living in registered care managed and run by a care provider who is responsible for all aspects of their daily needs and wellbeing. Accommodation consisting usually of just a bedroom (and possibly a bathroom) but with everything else communal.
- b. Specialist accommodation use class C3: Self-contained accommodation capable of facilitating independent living. Designed to meet particular needs of residents with varying levels of care and support on site.

Site Name (Planning Reference)	Accommodation type	Net gain
Specialist Accommodation Use Class C3 completions & losses from 2013		
Marillac Hospital (11/00149/FUL)	Supported living (units for independent living)	3
25 St Georges Court (13/00967/BBC)	Sheltered accommodation	2
Bermans Close (15/01491/FUL)	Sheltered accommodation (for older people)	3
2 Rayleigh Road (14/00065/FUL)	Supported living (units for independent living)	4
Trueloves Lane (13/00336/FUL)	Supported living accommodation	-10
	Total	2
C2 Completions from 2013		
1 - 4 The Beeches (11/00089/FUL)	Residential care home (for older people)	99
Howard Lodge (10/00724/FUL)	Residential care home (for older people)	20
	Total	119
Specialist Accommodation Use Class C3 Extant permissions		
43-57 Ingrave Road (12/00725/FUL)	Retirement apartments	51
Quiet Waters, West Horndon (15/01018/FUL)	Supported living (units for independent living)	2
24 Norton Road (16/01729/FUL)	Supported living (units for independent living)	5
	Total	58
C2 Extant permissions		
	Total	0

Table 6: Planning permission and completions for Specialist Accommodation 2013 to 2017

4: For Use Class distinction of each development in individual planning application terms refer to details in planning decision.

GYPSY AND TRAVELLER ACCOMMODATION

Local Need

47. National policy is clear that Brentwood Borough Council has a duty to identify land to meet the local needs of Gypsies and Travellers. The Council is required to update annually a supply of specific deliverable sites sufficient to maintain a five-year supply of deliverable land for traveller accommodation.

48. There is currently no up to date adopted Gypsy, Traveller and Travelling

Showpeople requirement for Brentwood. However, the Brentwood Gypsy and Traveller Accommodation Assessment⁵ (GTAA) (October 2017) accesses the housing needs of the Travelling Community, it concludes the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller is for 11 additional pitches over the GTAA period to 2033. Table 7 shows this need broken down by 5-year bands.

Year	0-5	6-10	11-15	16-17	Total
	2016-21	2021-26	2026-31	2031-33	
	8	1	1	1	11

Table 7: Additional need for Gypsy and Traveller households in Brentwood that meet the Planning definition by 5-year periods (extracted from GTAA 2017)

49. The need for households who meet the definition increases to 12 additional pitches over the GTAA period to 2033 if

a 10% allowance is applied to represent unknown need⁶, as shown in Table 8.

5: The Brentwood GTAA is part of a wider study that covers the whole of Essex. The overall Essex GTAA Report has not yet been completed. However, the fieldwork for Brentwood has been completed & final assessment made.

6: As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed have been considered as part of the GTAA.

Site Status	Gypsy and Traveller Local Plan Policy	SHMA Housing Policy	TOTAL
Meet Planning Definition (+ 10% Unknown)	12	0	12
Not meeting Planning Definition (+ 90% Unknown)	0	66	66
Total	12	66	78

Table 8: Additional need for Gypsy and Traveller households (extracted from GTAA 2017)

- 50. Assuming a 90% allowance is applied to represent unknown Gypsy and Traveller need not meeting the planning definition. The total need for non-travelling Gypsy and Traveller households is 66 additional pitches to the year 2033.
- 51. The accommodation needs of non-travelling households will need to be addressed as part of the settled population and/or through criteria based policies for additional non-traveller caravan sites or park-home developments considered through specialist housing policies in the Local Development Plan.

Monitoring Delivery and Supply

- 52. Once the new Local Development Plan is sufficiently advanced, a detailed Gypsy and Traveller pitch trajectory will be prepared and monitored. In the interim, development is likely to

continue to come forward through the delivery of windfall sites which can be monitored.

- 53. Historically, windfall sites have been the main source of Gypsy and Traveller pitch delivery in the Borough as demonstrated by the number of personal, temporary and permanent permissions show in Table 9.
- 54. There have been no permissions for Travelling Showpeople sites in the Borough and no local need has been identified in the GTAA (2017).
- 55. There are currently no transit sites in the Borough although the GTAA (2017) recommends the Council engage, through the Duty to Cooperate, with the other Essex authorities to establish whether there is a need for investment in more formal transit sites or emergency stopping places.

Permanent Permissions

Site	Location	Tenure Type	Pitches
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Permanent permissions pre 2013

The Willows	Place Farm Lane, Kelvedon Hatch	Private	1
Clementines Farm	Murthing Lane, Navestock	Private	1

Total 2

From 2013 to 2016

Rye Etch	Mill Lane, Navestock	Private	3
Tree Tops	Curtis Mill Lane, Navestock	Private	3

Total 6

Temporary Permissions

Site	Location	Tenure Type	Pitches
------	----------	-------------	---------

The Willows	Place Farm Lane, Kelvedon Hatch	Private	2
Hope Farm ⁷	Hope Farm, Horsemanside Navestock	Private	3
Orchard View ⁸	Horsemanside, Navestock	Private	4

Total 9

7: Temporary Permission Expired

8: Temporary Permission Expired

Personal permission for duration of occupation

Site	Location	Tenure Type	Pitches
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Cottage Garden	Beads Hall Lane, Pilgrims Hatch	Private	1
Lilliputs	Chelmsford Road, Blackmore	Private	2
Meadow View	Ingatestone Road, Blackmore	Private	3 (approx)
Pond End	Clapgate Estate, Kelvedon Hatch	Private	2 (approx)
Ponderosa	Place Farm Lane, Kelvedon Hatch	Private	1
Poplar Farm	Roman Road, Ingatestone	Private	2 (approx)
Warren Lane	Warren Lane, Doddinghurst	Private	1
Wenlock Meadow	Wenlocks Lane, Blackmore	Private	1
Roman Triangle	Roman Road, Mountnessing	Private	5
Deep Dell Park (Willow Farm)	Stock Road, Ingatestone	Private	6

Total 24

Unauthorised

Site	Location	Tenure Type	Pitches
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Oaktree Farm (Greenacres)	Plot 3, Chelmsford Road, Blackmore	Private	9
Hunters Green	Albys Lane, Navestock	Private	1
Lizvale Farm	Goatswood Lane, Navestock	Private	6

Total 16

Table 9: Overview of the number of pitches and status of Gypsy and Traveller sites in Brentwood Borough

Caravan Counts

56. Local authorities carry out a count of Gypsy and Traveller caravans twice a year, in January and July, providing a snapshot of caravan numbers on the day of the count. This is then compiled by Government and published. Table 10 provides counts for Brentwood Borough since July 2002.

57. As the caravan count data is only representative of caravan numbers at one point in time it should not be relied upon to provide estimates of actual need. Instead, data collected in the Council's GTAA should be used to guide future pitch provision. It is also important to note that a caravan and a pitch are not the same, and so the two are not comparable.

Date	Total Caravans	Unauthorised Caravans	Authorised Caravans: Council Sites	Authorised Caravans: Private Sites
July 2017	143	67	0	76
July 2016	123	58	0	65
January 2016	117	44	0	73
July 2015	122	50	0	72
January 2015	98	33	0	65
July 2014	97	35	0	62
January 2014	101	37	0	64
July 2013	103	34	0	69
January 2013	99	38	0	61
July 2012	96	36	0	60
January 2012	97	41	0	56
July 2011	98	35	0	63
January 2011	101	50	0	51
July 2010	90	34	0	56
January 2010	93	32	0	61
July 2009	96	26	0	70
January 2009	76	17	0	59
July 2008	85	33	0	52
January 2008	66	37	0	29
July 2007	57	38	0	19
January 2007	34	20	0	14
July 2006	38	17	0	21
January 2006	37	19	0	18
July 2005	39	21	0	18
January 2005	31	18	0	13
July 2004	31	18	0	13
January 2004	31	18	0	13
July 2003	30	18	0	12
January 2003	16	6	0	10
July 2002	14	4	0	10

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Planning Policy Team

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Planning and Licensing Committee

Planning

(a) Town and Country Planning Act 1990 and any related legislation including:-

- (i) determination of planning applications;
- (ii) enforcement of planning control;
- (iii) waste land notices, purchase notices, etc.

(b) Listed Buildings and Conservation Areas Act 1990

- (i) determination of applications for Listed Buildings and Conservation Area consent;
- (ii) enforcement of Listed Building and Conservation Area legislation.

(c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

(a) To guide the Council in setting its policy objectives and priorities.

(b) To carry out the duties and powers of the Council under current legislation;

(c) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.

(d) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

(e) To consider and approve relevant service plans;

(f) To comply with the standing orders and financial regulations of the Council;

(g) To operate within the budget allocated to the committee by the Council.

(h) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning.

Licensing

(a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.

(b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.

(c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.

(d) To exercise all other functions relating to licensing and registration including

i. Trading Requirements.

ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators.

- iii. Animal Welfare and Security.
 - iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing.
 - v. Sex establishments (including Sex Entertainment Venues (SEV)).
 - vi. Pavement Permits.
 - vii. Charitable Collections.
 - viii. Camping, Caravan Sites and Mobile Homes.
 - ix. Scrap Metal.
 - x. Game Dealers.
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.
 - (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
 - (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.