



Agenda

Planning and Licensing Committee

Tuesday, 4 September 2018 at 7.00 pm

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

Membership (Quorum – 4)

Cllrs Ms Sanders (Chair), McCheyne (Deputy Chair), Chilvers, Haigh, Keeble, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Mrs Slade and Trump

Agenda Item	Item	Wards(s) Affected	Page No
1.	Apologies for Absence		
2.	Minutes of the Previous Meeting		5 - 18
3.	Minutes of the Licensing Appeals Sub Committee		
4.	APPLICATION 18/00859/FUL - DEVELOPMENT LAND AT 141 TO 147 HIGH STREET, BRENTWOOD.	Brentwood West	19 - 40
5.	APPLICATION 18/00959/FUL - 33-37 HIGH STREET, BRENTWOOD. CM14 4RG	Brentwood North	41 - 52
6.	Urgent Business		

A handwritten signature in black ink, appearing to read "P. L. Russell". The signature is written in a cursive style with a large, sweeping underline that extends to the right.

Chief Executive

Town Hall
Brentwood, Essex
24.08.2018

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

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

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

Point of Order/ Personal explanation/ Point of Information

Point of Order

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

Personal Explanation

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

Point of Information or clarification

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

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

Private Session

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



Minutes

Planning and Licensing Committee Tuesday, 17th July, 2018

Attendance

Cllr Ms Sanders (Chair)	Cllr Nolan
Cllr McCheyne (Vice-Chair)	Cllr Mrs Pound
Cllr Chilvers	Cllr Reed
Cllr Keeble	Cllr Mrs Slade
Cllr Morrissey	Cllr Trump
Cllr Mynott	

Apologies

Cllr Haigh

Substitute Present

Cllr Mrs Fulcher

Also Present

Cllr Aspinell
Cllr Barrett
Cllr Bridge
Cllr Cloke
Cllr Mrs Davies
Cllr Mrs Hones
Cllr Kendall
Cllr McLaren
Cllr Russell
Cllr Wiles

Officers Present

Surinder Atkar	-	Planning Solicitor
Zoe Borman	-	Governance and Member Support Officer
David Carter	-	Environmental Health Manager
Philip Drane	-	Director of Strategic Planning
Nick Howard	-	Development Management Team Leader
Brendan Johnston	-	Highways Representative
Caroline McCaffrey	-	Development Management Team Leader
Tessa Outram	-	Planning Officer

Jean Sharp - Governance and Member Support Officer
Lorne Spicer - Business Development and PR Manager

89. Apologies for Absence

Apologies were received from Cllr Haigh. Cllr Mrs Fulcher substituted for him.

90. Minutes of the Previous Meeting

It was **RESOLVED UNANIMOUSLY** that the minutes of the Planning and Licensing Committee held on 12 June 2018 be **APPROVED** as a true record.

91. Minutes of the Licensing Appeals Sub Committee

It was **RESOLVED UNANIMOUSLY** that the minutes of the Licensing Sub-committee held on 5 July 2018 be **APPROVED** as a true record.

92. Planning Code of Good Practice

The report on Planning Code of Good Practice was deferred to a future meeting.

93. Variation in the order of the agenda

The Chair proposed and the Committee agreed that, due to the large number of people in attendance, Item 6 – the application relating to Hulletts Farm, Pilgrims Hatch – be considered as the next item of business followed by Item 8 – the application relating to 59 Crown Street, Brentwood.

94. Application Number: 18/00843/OUT Hulletts Farm, Hulletts Lane, Pilgrims Hatch, Brentwood, Essex CM15 9RX

The application was presented to the Committee as it was a major application in the Green Belt and was of strategic importance to the Borough.

The proposal was in outline, with all matters reserved for 71 dwellings on land off Hulletts Lane, Pilgrims Hatch. The applicant had submitted an illustrative layout which showed a housing mix of 48 three-bedroom dwellings, 18 four-bedroom dwellings and 5 five-bedroom dwellings. The proposal included 46 market housing with 25 affordable dwellings (35% of the total). The illustrative plan showed a proposed access onto Ongar Road, although access was a reserved matter for later consideration.

The site comprised 3.3 hectares on an irregular site. The site area could be divided into three main elements. The first element and largest was a field to the rear of properties fronting onto Orchard Lane and at the end of two cul-de-sacs Ash Close and Vale Close. The field had a number of boundary trees

running along the northern and southern boundaries. A post and rail fence formed the eastern boundary and the western boundary was open and was joined to the second element.

The second element was another field forming the northern part of the site, which was located mainly to the rear of properties fronting onto Hulletts Lane and wrapped around the properties Fiesta and Cedars.

The third element was a triangular area of land that was between Ongar Road and Hulletts and included an area of land to the south of Hulletts Farm. This area included an overgrown enclosure, an open paddock and a group of farm buildings.

Mr Palmer on behalf of the Orchard Lane Residents Association was present and spoke in objection to the application.

Mr McGarr – the agent – was also present and spoke in support of the application.

Ward Members Cllr Mrs Davies, Cllr Kendall and Cllr Aspinell all spoke in objection to the application.

Cllr McCheyne **MOVED** and Cllr Trump **SECONDED** that the application be **REFUSED**.

A recorded vote was taken and Members voted as follows:

FOR: Cllrs Chilvers, Mrs Fulcher, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Ms Sanders, Mrs Slade and Trump (12)

AGAINST: (0)

ABSTAIN: (0)

The Motion was **CARRIED UNANIMOUSLY** to **REFUSE** the application for the following reasons:

1. The proposal would be inappropriate development in the Green Belt would materially detract from openness, would represent an encroachment of development into the countryside and it would result in sprawl of a large built up. It would therefore conflict with Brentwood Replacement Local Plan Policies GB1 and GB2 and the objectives of the Framework as regards development in the Green Belt.

2. Other matters that may weigh in favour of the proposal have been considered individually and collectively they do not clearly outweigh the harm to the Green Belt or the other harms identified. Therefore, very special circumstances to justify inappropriate development in the Green Belt do not exist.

3. The proposed development would represent a high level of harm to the setting of the adjacent Grade II listed buildings, Hulletts Farmhouse and Gents Farmhouse, by reason of the proposal's urban sprawl in an open countryside setting where the interplay of landscape with the listed buildings are intrinsic to their setting. Furthermore, the proposal does not provide any assessment of the impact the proposal would have upon the significance of the Heritage Assets. The proposed development would lead to substantial harm to the significance of the designated heritage assets as set out in paragraph 133 of the National Planning Policy Framework, the substantial harm would not be outweighed by the public benefits of the scheme. The proposal is therefore in conflict with the Brentwood Replacement Local Development Plan Policy C16, and the aims and objectives of the NPPF and guidance set out in the NPPG.

4. The proposed housing density is significantly below that of the requirement set out in Policy H14 of the Brentwood Local Plan and is at odds with the prevailing pattern of built development in the surrounding area which is considered harmful to the character and appearance of the area. The proposal is therefore contrary to Policy H14 and the provisions of the Framework.

5. The proposed development does not provide any small dwellings, i.e. one or two-bedroom properties, which will provide a harmful imbalance in the population structure of the future residents. Furthermore, the proposal, by not providing a range of units, would not fully meet the type of housing needs required in the Council's objectively assessed needs. The proposal is therefore contrary to Policy H6 and the provision of the Framework.

6. The proposal development from the submitted layout plans does not show a level of usable open space or provision for a LEAP/LAP which would adequately serve the future residents of the development. The proposed lack of public open space would be harmful to the well-being of the future residents and would be contrary to Appendix Policy 5 of the Brentwood Replacement Local Plan and the provisions of the Framework.

7. The proposal would be detrimental to highway safety and pedestrian convenience due to the lack of an acceptable transport assessment and the potential significant increase in level of vehicle usage along Hulletts Lane, which is a registered byway (path no 164, Brentwood Parish) and is not suitable for such an increase in usage. The proposal is therefore contrary to Policy T2 of the Brentwood Replacement Local Plan and the provisions of the Framework.

8. The proposal would be harmful to the ecology and the habitat of the site and surrounding area due to the lack of appropriate ecological surveys to inform mitigation. The proposal is therefore contrary to Policy C5 of the Brentwood Replacement Local Plan and the provisions of the Framework.

9. The applicant has not demonstrated that the proposal can adequately drain the site due to the lack of a surface water drainage strategy and plan layout

and flood risk assessment (as site is bigger than 1 Hectare). The proposal is therefore contrary to the provisions of the Framework.

10. The applicant has not demonstrated adequately that the site is free of contamination by hazardous substances due to the lack of contamination report, given the previous use of the building(s). The proposal is therefore contrary to Policy PC1 of the Brentwood Replacement Local Plan and the provisions of the Framework.

(Cllr Aspinell declared a non-pecuniary interest in accordance with the Council's Code of Conduct by virtue of regularly walking his dogs in Hulletts Lane (a by-way owned by Essex County Council)).

95. Application Number: 8/00309/FUL 59 Crown Street, Brentwood, Essex CM14 4BD

This application was referred at officers' discretion and related to the demolition of the existing dwelling on the corner of Crown Street and Primrose Hill and the erection of a new building providing ten dwellings (7 flats and 3 duplexes), with 10 basement car parking spaces. The existing Chapel building to the west would be retained and converted to form two flats – one on each floor. Amenity space would be provided through a combination of communal space and balconies.

Mrs Daly was present and addressed the Committee in objection to the application.

Mr Perry – the developer – was also present and spoke in support of the application.

Ward Member Cllr Barrett spoke in objection to the application.

There was some discussion regarding a petition in support of the application which the developer had decided not to submit to Planning Officers but which had been received by a Committee Member. The Chair advised that, in the circumstances, the petition should be disregarded by the Committee. The Developer did not object to this and accepted the position.

Cllr Trump **MOVED** and Cllr McCheyne **SECONDED** that the application should be **APPROVED**.

A recorded vote was taken and Members voted as follows:

FOR: Cllrs McCheyne, Nolan, Mrs Pound, Reed, Ms Sanders, Mrs Slade and Trump (7)

AGAINST: Cllrs Chilvers, Mrs Fulcher, Keeble, Morrissey and Mynott, (5)

ABSTAIN: (0)

The **MOTION** was **CARRIED** to **APPROVE** the application subject to the following conditions:

1 TIM01 - 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 - 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 Archaeological recording

No demolition or development of any kind shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme.

(A professional team of archaeologists should undertake the archaeological work. The Borough Council should inform the applicant of the archaeological recommendation and its financial implications. A brief outlining the level of investigation will be issued from this office on request and in this instance, there will be a cost implication for the developer).

Reason: To ensure that items/features of potential archaeological importance are recorded.

4 Construction Method Statement

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
- v. the erection and maintenance of security hoarding
- 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
- viii. hours of working and hours during which deliveries may be taken at the site

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 and to protect the amenity of neighbours.

5 Vehicular access geometry

Prior to occupation of the development, the proposed vehicular access, as shown in the Proposed Site Plan (Drawing no 372/17/PL1002), shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not exceed 6 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

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

6 Redundant part of existing site access to be closed

The redundant part of the existing site access shall be suitably and permanently closed incorporating the reinstatement to full height of the footway / kerbing immediately the proposed new 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.

7 Preclude vehicular use of pedestrian access

Prior to occupation, a bollard or similar means to preclude any vehicle access shall be provided within the confines of the development at the pedestrian access from Primrose Hill between Plots 5 and 12, as shown in the Proposed Site Plan (Drawing no 372/17/PL1002).

Reason: To ensure pedestrian and wheelchair access is not compromised by parked vehicles, to prevent vehicles from potentially unsafe manoeuvring into / out of this space, and in the interest of highway safety and accessibility.

8 Provision of car parking

The development shall not be occupied until the proposed vehicle parking area has been constructed and marked in bays in accordance with Drawing no 372/17/PL10.01. The vehicle parking area shall be retained in this form at all times. The vehicle parking area shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

9 No water discharge to highway

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

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

10 Cycle parking

Cycle parking shall be provided in accordance with the adopted 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 parking is provided in the interest of highway safety and amenity.

11 Travel pack

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

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

12 Surface water management strategy

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

13 Omission of balcony to unit 8

The development shall not proceed above slab level until a revised drawing has been received omitting the proposed balcony shown on the 'Proposed Primrose Hill Elevation – North drawing number 372/17/PL10.03 (Rev A). The development shall thereafter be carried out in accordance with the revised drawing.

Reason: To avoid direct overlooking of the dwelling opposite.

14 Privacy screen to converted chapel

The converted chapel building shall not be occupied until a privacy screen of position, dimensions and specification that shall previously have been submitted and approved in writing by the local planning authority has been erected. The approved screen shall be thereafter retained.

Reason: To avoid direct overlooking of the adjacent property.

15 Details of materials

The development hereby permitted shall not progress above slab level until details of the following have been submitted to and approved in writing by the local planning authority:

- Fenestration
- Eaves, fascia, trim, canopy
- Balconies
- Doors
- Cills

The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the building.

16 Sample panel

The development hereby permitted shall not progress above slab level until a sample panel showing bricks and tiles has been erected on site and agreed in writing by the local planning authority

Reason: To protect the character and appearance of the area.

17 Obscure glazing

The windows identified on the approved drawings as being obscure glazed, and the south elevation kitchen windows to units 3 and 7, shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The window(s) shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

18 Site levels - to be submitted

Details of existing and proposed site levels and the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area and the living conditions of nearby residents.

19 Potential land contamination

A) Prior to commencement, an investigation shall be carried out by a suitably qualified person, into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development and how any unacceptable risks will be mitigated. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings and what mitigation measures are proposed to address these. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: The previous use of the building(s) and adjacent land for agricultural purposes may have given rise to contamination and investigation and potentially mitigation measures carried out to protect the health and wellbeing of future occupiers of the dwelling.

96. Application 18/00663/FUL - 37 Nags Head Lane, Brentwood, Essex CM14 5NL

The application had been referred to committee by Cllr McLaren on the grounds that the officer recommendation was inconsistent with previous decisions made on Nags Head Lane.

The proposal was for the raising of the ridge, extend hipped roof to gable and add side dormer with part single part two storey rear extension incorporating Juliette balcony and single storey side extensions (Part retrospective).

Cllr Mrs Slade declared a non-pecuniary interest as she knew the applicant's daughter and left the meeting, taking no part in the discussion or vote.

Mr Whitehead – the agent – was present and addressed the Committee in support of the application.

Ward Member Cllr McLaren was also present and spoke in support of the application.

Cllr Mynott **MOVED** and Cllr McCheyne **SECONDED** that the application be **APPROVED**.

A recorded vote was taken and Members voted as follows:

FOR: Cllrs Keeble, McCheyne, Mynott, Reed and Ms Sanders (5)

AGAINST: Cllrs Chilvers, Mrs Fulcher, Morrissey, Mrs Pound and Trump (5)

ABSTAIN: Cllr Nolan (1)

The Chair used her Casting Vote and the Motion was **CARRIED** to **APPROVE** the application subject to the condition that the development was to be retained in accordance with the drawings submitted.

NB no Time condition was required as work had already started.

97. Application Number: 18/00272/FUL Ingatestone & Fryerning Tennis Club, 7 High Street, Ingatestone, Essex CM4 9ED

The application had been referred by Ingatestone Parish Council on the grounds that the proposal would be harmful to residential amenity.

The lighting columns and luminaries would be located at the perimeter of courts 1, 2 and 3. The proposed lighting columns were required to facilitate play during the winter months from October to March. The proposed columns were located to ensure light distribution would be adequately even for safety during play.

Mrs Sutton was present and addressed the Committee in objection to the application.

Mr Galvin – the applicant – was also present and addressed the Committee in support of the application.

Ward Members Cllrs Bridge, Cloke and Mrs Hones each addressed the Committee in objection to the application.

Cllr Day, Ingatestone and Fryerning Parish Councillor, addressed the Committee in objection to the application.

Cllr Mynott **MOVED** and Cllr Chilvers **SECONDED** that the application be **REFUSED**.

A recorded vote was taken and Members voted as follows:

FOR: Cllrs Chilvers, Mrs Fulcher, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Ms Sanders and Trump (11)

AGAINST: (0)

ABSTAIN: Cllr Mrs Slade (1)

The Motion was **CARRIED** to **REFUSE** the application for the following reasons:

The proposal given the number, height and siting of the lighting columns, together with the illumination at a late hour would be harmful to the living conditions of residents on Pine Drive, contrary to Policy CP1 (ii) of the Brentwood Replacement Plan.

(Cllr Bridge declared a non-pecuniary interest under the Council's Code of Conduct by virtue of his children using the tennis club).

98. Application Number 18/00270/OUT - Karma Court, Ashwells Road, Pilgrims Hatch, Essex CM15 9SG

The application had been referred by Councillor Aspinell on the grounds that granting permission for a building on this site would make the area much more attractive than the existing commercial use.

The application was deferred from the previous committee on the 12th June 2018 on the grounds that councillors had not been made aware of the late representations that had been submitted that might hold weight in their assessment and decision of the application. Details were summarised within the report.

Outline permission was being sought for the construction of a new dwelling on the site with all matters reserved. The application was seeking to determine whether the principle of constructing a dwelling on the site was acceptable.

Mr Marven was present and addressed the Committee in support of the application.

Mr Lunnon – the applicant – was also present and addressed the Committee in support of the application.

Ward Member Cllr Aspinell was present and addressed the Committee in support of the application.

Cllr Mynott **MOVED** and Cllr Trump **SECONDED** that the application be **REFUSED**.

A recorded vote was taken and Members voted as follows:

FOR: Cllrs Chilvers, Mrs Fulcher, Keeble, McCheyne, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Ms Sanders, Mrs Slade and Trump (12)

AGAINST: (0)

ABSTAIN: (0)

The Motion was **CARRIED UNANIMOUSLY** to **REFUSE** the application.

99. Urgent Business - Response to Castle Point Borough Council Local Plan Public Consultation 2018

The Chair had agreed to accept this item as urgent business since the deadline for responses to the Castle Point Local Plan public consultation 2018 was 15 August 2018, ie before the next Planning and Licensing Committee meeting.

The report before Members sought approval to respond to Castle Point Borough Council's Local Plan public consultation (July 2018).

The proposed response on behalf of Brentwood Borough Council supported steps being taken by Castle Point Borough Council to prepare a Local Plan. The consultation was not supported by a draft document or proposals, rather views were sought on what the content for the Castle Point Local Plan should be. In light of this limited information, it was proposed that clarification be provided through the Castle Point plan-making process about the strategy for meeting Objectively Assessed Needs in Castle Point Borough over the 5-10 year timeframe planned for the housing policies and allocations.

Both Brentwood Borough Council and Castle Point Borough Council were partners in the Association of South Essex Local Authorities (ASELA). Both authorities had approved the ASELA Statement of Common Ground, which included a commitment to joint working through the preparation of a Joint Strategic Plan for the sub-region. The Castle Point Local Plan would be prepared within the context of the South Essex Joint Strategic Plan.

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

RESOLVED UNANIMOUSLY

To approve the response to the Castle Point Borough Council Local Plan public consultation (July 2018) as set out in Appendix A to the report.

The meeting ended at 10.15pm

SITE PLAN ATTACHED

DEVELOPMENT LAND AT 141 TO 147 HIGH STREET BRENTWOOD ESSEX

MIXED USE DEVELOPMENT COMPROMISING OF COMMERCIAL UNIT(S), FOR CLASS A1 RETAIL, CLASS A2 SERVICES, CLASS A3 RESTAURANT, CLASS D1 NON-RESIDENTIAL INSTITUTION OR CLASS D2 ASSEMBLY AND LEISURE USE, TOGETHER WITH 19 X ONE AND TWO BED FLATS.

APPLICATION NO: 18/00859/FUL

WARD	Brentwood West	8/13 WEEK DATE	16.08.2018
PARISH		POLICIES	CP1 C14 C18 H14 H6 T2 TC3 TC4 NPPF NPPG
CASE OFFICER	Caroline McCaffrey		01277 312500
Drawing no(s) relevant to this decision:	650 011 REV A; 650 014 REV A; 650 015 REV A; 650 016 REV A; 650 017 REV A; 650 019 REV A; 650 022 ; 650 025 REV A; 6501001; 650 001; 650 005; 650 006; 650 020; 650 021; 650 021 A; 650 012; 650 013; Design & Access Statement ; Ian Sharland Limited Noise & Vibration Control Specialists May 2018; Herts & Essex Site Investigations February 2018		

This application is presented to Committee as a major application in a High Street location.

1. Proposals

This application relates to the redevelopment of the vacant site located on the corner of High Street and Weald Road, where the previous Sir Charles Napier public house stood. It comprises the erection of a new building providing 19 dwellings (12 x 2 bed and 7 x 1 bed flats) over 5 floors with commercial use being provided at ground and basement level. Amenity space would be provided through private balconies to each apartment.

Waste and recycling storage would be provided at the rear of the building, along with secure cycle parking.

2. Policy Context

National Planning Policy Framework (NPPF) (2018)
National Planning Policy Guidance (NPPG) (2014)

Brentwood Replacement Local Development Plan 2005, in particular:

Policy CP1 General Development Criteria
Policy H6 – Small Unit Accommodation
Policy T2 - New Development and Highway Considerations
Policy TC3 – Mixed use Development
Policy TC4 – Use of upper floors above commercial development
Policy C14 – Development Affecting Conservation Areas
Policy C18 – Ancient Monuments and Archaeological Sites
Policy H9 - Affordable Housing

The successor document for the Brentwood Replacement Local Plan 2005, the new Local Development Plan (LDP), underwent draft stage consultation (Regulation 18) in 2016 and as there are outstanding objections to be resolved, only limited weight can be given to it in terms of decision-taking, as set out in paragraph 48 of the National Planning Policy Framework 2018. 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 emerging LDP was the subject of site-focused consultation (Regulation 18) between 29 January and 12 March 2018, identifying proposed development allocations. This will be followed by the Pre-Submission Draft (Regulation 19), currently anticipated to be published in Q4 of 2018. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q1 of 2019. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted in mid 2019.

3. Relevant History

- 14/00608/FUL: Construction of part four/part five storey building comprising of 17 no. one bedroom flats and A3 restaurant on ground floor. -Application Permitted
- 15/00258/FUL: Variation of condition 22 (Development to be carried out in accordance with approved plans) of application 14/00608/FUL (Construction of

part four/part five storey building comprising of 17 no. one bedroom flats and A3 restaurant on ground floor) to allow a basement to be constructed. -Application Permitted

4. Neighbour Responses

A site notice, press notice and 65 neighbours letters were sent out. At the time of writing this report, no responses have been received.

Public consultation (by developer)

107 letters were distributed to residents and businesses within the area shown.

A public consultation event was carried out by the developer at the Oak Room, Holiday Inn, Brentwood. Held on a week day afternoon/evening Tuesday 15th May, from 5pm – 8pm.

4 local residents attended; the main concerns were;

- Expectation that occupiers of flats will own cars and increase parking pressure on local streets
- Lack of car parking both for residential and commercial users;
- Support for a commercial use and, in particular, a gym
- Concern about the impact of construction works and associated traffic.

5. Consultation Responses

- **ECC SUDS:**

Confirmation of details or further information/evidence required and until such time a holding objection is maintained.

Details are to be provided either as a verbal update or supplementary report.

- **Historic Buildings And Conservation Officer:**

Significance & Background

141 to 147 High Street holds a highly a prominent corner position at the western gateway into the Brentwood Town Centre Conservation Area. The site is located immediately opposite the Grade II listed building of 120, HIGH STREET (List entry Number: 1298819) and within the immediate context of GVII listed buildings 108 - 114 High Street. The site is presently redundant following the demolition of the Charles Napier public house and associated Georgian brick-built buildings. It is

currently of negative impact upon the character and appearance of the Conservation Area.

Preapplication has been undertaken, advice included a requirement for the production and development of three-dimensional massing models with test views from both within the immediate site context and from the wider context outside of the Town Centre. Analysis of roofscape was requested and subsequently produced alongside longitudinal sections and the production of material studies and alterations.

Proposal

Mixed use development comprising of commercial unit(s), for Class A1 retail, Class A2 services, Class A3 restaurant, Class D1 non-residential institution or Class D2 assembly and leisure use, together with 19 x one and two bed flats.

Discussion

As per the previously approved application, this current scheme proposes a significant scale of development at the western gateway to the Brentwood Town Centre Conservation Area. The proposed scale relates to the previous planning approval, but the massing is an increase on the approved, it is however, in line with the emerging Town Centre Design Guide and Town Centre Design Plan, both studies highlight the opportunity to signify the gateways into the Town Centre by way of massing and appropriate roofscape

Having assessed the submitted design, I advise this current scheme has developed considerably since initial preapplication discussions which previously proposed a flat roof, with a setback on a curved façade shaped form. The earliest preapplication design was more akin to an edge of town development and did not relate well to context (please refer to P.12 of DAS).

Further design development resulted in this current proposal, the resultant building has been informed by a contextual analysis of the historic high street and roofscape; the footprint is dictated by the highway intervention which saw the demolition of the previously sited historic buildings.

The current design proposes a triple gabled faceted shape and is a more simplified response to context; as with the previously approved application cues have been taken from the Tower located at the west of Hart Street. The gabled features are complementary to the historic language of the town centre and an East Anglian material palette albeit contemporary in detail is appropriate; collectively this massing, shape of form and materiality if executed to the highest standards, will serve as an enhancement to the Conservation Area. Through its own architectural merit (subject to detail and quality materials) the building will not detract from the special architectural interest of the listed buildings within the context.

One area which is lacking in detail but is of great importance in how the Conservation Area is experienced, is the Ground Floor commercial unit, this clearly requires a greater level of detail including signage information, there is also a potential for planting at street level here on this hard and vehicular dominated route, urban ecology greatly enhances the pedestrian experience, therefore I recommend this area is subject to further detail by way of condition.

Summary

Having conducted a series of site visits and tested viewpoints through preapplication and at this assessment stage, I advise these proposals will be an enhancement to the Conservation Area. Conservation Areas are 'Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance' (Planning (Listed Buildings and Conservation Areas) Act 1990). Should permission be granted I request the following conditions are applied:

- o Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges, cills and balconies by section and elevation at scales between 1:20 and 1:1 have been submitted and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- o A schedule of all external surface materials including walls and roofs, including a sample panel of no less than 1m² be erected on site prior to any works above ground.
- o No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building without prior written approval of the local planning authority.
- o All rainwater goods shall be concealed.

Recommendation

Consequently, I raise no objection to the proposed scheme.

- **Environmental Health & Enforcement Manager:**

Following discussion no objections subject to conditions relating to the following:

Contaminated Land

- Further to the above application a conceptual model has been undertaken by Herts & Essex Site Investigations in February 2018. In the subsequent report step forwards are provided in Section 17. As long as these step forwards are implemented and adhered to should contamination be found that was not previously identified the site shall be re-assessed in accordance with the above and a separate remediation scheme shall be submitted to and agreed in writing with the Local Planning Authority.

Noise:

- Ian Sharland Limited Noise & Vibration Control Specialists in May 2018. In the subsequent report recommendations are provided in Section 5. As long as these recommendations are implemented and adhered to then this Department has no further comments.

Deliveries:

- No deliveries should be made before 7 am and after 6pm.

Construction:

- A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times.

Food production premises:

For any of the commercial premises that are used to produce food then details of the following are required:

- Proposed extraction and odour abatement system should be provided.
- A maintenance/cleaning schedule of the proposed extraction and odour abatement system, written in accordance with the manufacturers' instructions and recommendations should be incorporated as part of the application.
- In addition to information on odour abatement, details should be provided on predicted noise levels from the extraction system (fan and air movement, through and leaving the ducting).
- Full details be provided outlining the proposed grease traps to be installed on site, in order to minimise the risk of blockages. Grease should be prevented entering the sewer by achieving compliance with BS EN 1825 or other suitable means.

- **Operational Services Manager:**

No comments received

- **Highway Authority:**

Although the proposal makes no provision for off-street vehicle parking, this should not impact highway safety as the local highway network is protected by parking restrictions. Therefore, given the site's location close to all the town centre's facilities including car parks and frequent public transport services, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following conditions/ requirements;

1. Construction Method Statement submitted to and approved in writing by, the local planning authority.
2. There shall be no deliveries to the development during the road network peak hours i.e. between 07.30 and 09.30 and 16.30 to 18.30.
3. Service vehicle deliveries shall be restricted in size to no larger than small goods vehicles (Transit type vans).
4. The developer shall pay for the necessary Traffic Regulation Orders together with provision of the associated signing and lining to control the proposed loading bay (as shown indicatively in Drawing 650 021).
5. the section of dropped kerb fronting the site on Weald Road, shall be reinstated to the full height of the footway (the section of dropped kerb in front of Leigh House is to remain).
6. Cycle 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.
- 7 Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

- **Anglian Water Services Ltd:**

Our records show that we do not have any apparatus located in the proposed development.

We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our Company network for the new dwellings for revenue purposes.

- **Thames Water Development Planning:**

Waste Comments

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application.

6. Summary of Issues

The starting point for determining a planning application is the development plan, in this case the Brentwood Replacement Local Plan 2005. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the National Planning Policy Framework 2018 (NPPF) and National Planning Practice Guidance 2014 (NPPG). Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

The application site is located on the western side of the junction of Weald Road and High Street at the southern end of the town centre. The site is within the Brentwood Town Conservation Area and located opposite a Grade II listed building.

The site is also within an area of mixed use (including residential, offices and retail uses). The residential uses within the immediate vicinity of the site are flats but there are terraced dwelling houses further along Weald Road to the north-west. The site adjoins Leigh House to the north, a 4 storey block with retail at ground level and recently converted for residential use above through the 'prior notification' process. To the west is a 3 storey block with retail at ground level and flats above. Both these adjoining properties are located outside the Conservation Area. The remaining curved boundary along the eastern/southern boundary fronts the junction of Weald Road and High Street.

Background:

Planning permission was granted in 2014 for a part four/part five storey building comprising 17 no. one bedroom flats and A3 restaurant on ground floor (ref 14/00608/FUL), and an amendment to that permission to include a basement level (ref 15/00258/FUL) was granted permission 01/06/15. Although this permission has now lapsed, the principle of development for a mixture of retail with residential above would accord with the local plan allocation along with Local Plan Policies TC3 and TC4.

The main changes from the previous scheme as indicated in the accompanying planning statement are as follows:

- An increase in height from 5 to 6 storeys (including ground)
- An increase in the number of units from 17 to 19
- All the units are provided with a private balcony
- A revised elevation treatment and palette of external materials

The application also seeks permission to enable the ground and basement level of the building to be used for either retail or non-retail uses. Amongst other criteria Policy TC7 sets out to prevent an overconcentration of non-retail uses within the Town Centre; and to ensure a broad range of shopping opportunities within the centre are retained, with the integration of non-retail uses into the general shopping environment. For the block, 120, 141 – 159 High Street and 2 Weald Road, policy requires that no more than 40% of units are used for non-retail units; and that it would result in no more than two adjacent non-retail uses.

In principle therefore it is considered that non-retail uses are considered acceptable at ground level, subject to submission of details, and on the basis that an active frontage is maintained along the street level.

Since the original permission, the NPPF has been revised (July 2018) but there are no significant changes within that document that would affect the principle of development proposed here; the only other known change to the site constraints is the prior approval of change of use of flats to residential units at Leigh House. This was granted while the previous permission was extant.

Design

Policy CP1 (general Development Criteria) is supportive of development proposals provided they protect the character and appearance of the surrounding area, protect the amenities of neighbours, are of a high standard of design and have satisfactory access and parking and can be accommodated by local highway infrastructure.

Policy CP14 (Development affecting Conservation Areas) requires that new development should give special attention to the need to preserve or enhance the character or appearance of the conservation area.

The building previously occupying the site was demolished around 2009 to make way for highway improvements and the land has remained vacant since that time. The recently published Brentwood Town Centre Design Brief identifies the site as a 'gateway' to the High Street, but it currently lacks place-making, is spatially poorly defined and is car dominated (section 2 p25). Although this document is not yet

formally adopted and therefore carries limited weight, the contextual analysis is supported by the Council's design officer.

The buildings either side of the site are 3 or 4 storeys high and to the south east of the site is a five storey building, 'The Square' which is located at the end of Hart Street. The development proposes 3 central, five storey projecting faceted gable end bays, stepping down to three storeys and a fourth floor set back where it abuts the High Street; and four storeys high with a set back terrace where it abuts the building in Weald Road. Habitable rooms and balconies or terraces would face both to the rear and front elevation.

The accompanying design statement indicates that the gable-end form is derived from traditional and vernacular sources reflecting many of the buildings found in the vicinity such as the Stone Yard development opposite the site in Weald Road, 'The Square' development in the corner of the High Street, and the rear of the listed building opposite the site in the High Street.

Facing materials would contrast between projecting and recessed elements and brickwork will include diaper and string courses and metal balustrade to balconies and terraces. The fenestration pattern includes full height windows to the rear public realm.

Commercial uses are proposed at ground and basement level. The submitted drawings indicate the ground floor subdivided into glazed bays spaced between intermediate piers. The commercial entrance is sited centrally and the entrance to the residential apartments along Weald Road.

The proposed new building is articulated vertically by 3 projecting facet gable end bays, the intermediate set back providing relief to the overall massing. Use of contrasting facing materials will assist in the appearance of the building being divided into the widths of nearby building frontages.

The comments of the Historic Buildings and Conservation officer (HBC) are set out in full above and there is no need to repeat them here, but she concludes that subject to conditions on detailed design matters and materials, the proposals will be an enhancement to the Conservation Area.

Amenity

Abutting the site to the north is Leigh House which benefits from recent permitted development approval, changing the use of first, second and third floors into 10 x one bedroom flats. Approved plans indicate that the rear facing elevation of Leigh house to be between 2.5 and 3.5m from the nearest rear elevation of the proposed building. The closest windows would be at oblique angles and it would therefore not be possible for occupiers of either building to look directly into the habitable rooms of the other. Balconies to the rear of the proposed building located at third, fourth and fifth

floors would not be able to gain direct views into the windows either because of how the buildings are angled and/ or because the balconies are recessed behind projecting elements on the proposed building. The adjacent flats do not have any formal areas of outdoor amenity space.

The dwellings further to the north and north west are located at a sufficient distance that there would be no material harm through overlooking or loss of privacy.

In terms of overshadowing, the application is accompanied by a Sunlight and daylight report which considers the impact of the scheme on adjacent properties, namely, 1-12 Weald Road (The Stone Yard), 120 High Street, 149a-149c High Street and Leigh House. Three parameters are assessed when considering the effect on neighbouring properties, daylight, sunlight and overshadowing of amenity space (open spaces). It is important to remember that with regards to sunlight, most buildings in an urban context experience some shadowing during the day and this is transient as the course of the sun moves throughout the day. The two windows considered to fall short of the guidance are located within Leigh House. The report indicates that these two windows are very close to their own boundary, and that the guidance is clear in this respect in that there should be significant flexibility 'when an existing building has windows unusually close to the site boundary and taking more than their fair share of light'.

Otherwise, the report concludes that the majority of the windows surveyed will fall within the accepted guidance for sunlight and daylight impact and overall the development would not materially affect the living conditions of those occupiers.

Based on the advice of the Environmental officer, the proposal would not have an adverse impact on the amenity of existing residents and other occupiers as a result of any ground floor restaurant use subject to the imposition of conditions requiring further details of extract and ventilation equipment and limiting hours of use.

Standard of Accommodation

The Council has no up to date adopted space standards for residential accommodation, however, underlying all planning decisions is a core planning principle as set out in paragraph 127 f) of the NPPF, that decisions should ensure developments are inclusive and accessible and promote health and well-being with a high standard of amenity for existing and future users. The Department for Communities and Local Government March 2015 Technical Housing Space Standards (THSS) has standards for the types of accommodation proposed. The dwellings proposed in the development are 19 one and two bedroom units. The development meets or exceeds the standards in each case.

The space standards have not been adopted by the Council and therefore they do not carry the weight of development plan policies or supplementary local guidance. Nevertheless the THSS gives an indication of what the Government considers is a

good standard of accommodation and are used for development management decision in the borough. It should be noted that the THSS standards exceed the standards set out in the Local Plan Appendix 5.

The flats would be provided with either a recessed balcony or terrace to provide private amenity space and these facilities would be acceptable.

Affordable Housing

As the quantum of flats falls below the threshold for affordable housing within the Town Centre, no contribution is sought.

Highways and Parking

The proposal does not provide any off street parking spaces but given the sustainable location; that the occupiers of the flats would have access to local services and facilities as well as public transport without the need for the use of a private car; provision would be made for cycle storage within the proposed building; and that the previous permission was granted on a similar basis, the provision of no off-street parking is justified in this case. This view is supported by the Highway Authority.

With respect to servicing arrangements, as with the previous approved scheme it is proposed that delivery vehicles temporarily stop in front of the building within part of the dedicated left hand turn lane leading from the High Street into Weald Road. Subject to conditions relating to a limit on the hours within which servicing can take place, the size of the vehicles which can be used and appropriate Traffic Regulation Order, the Highway Authority confirm this is acceptable.

Environmental issues

Contamination – the application is accompanied by a Phase 1 Land Contamination Report which concludes there is a low risk of there being any contaminants on site. A condition for further investigatory and remediation work to take place, if necessary, has been suggested.

SUDs and Drainage – a sustainable drainage strategy accompanies the application, the site is within Flood Zone 1 and is an area of low probability of flooding. Surface water discharge will be connected to Thames Water sewer. Below ground storage attenuation is proposed as a potential SuDs component, further details of which will be required prior to the commencement of development.

Other issues:

Archaeology – ECC confirm that the archaeology requirements as set out in the previous permission have been satisfied in advance of this application.

Waste provision - Provision for waste and recycling for both the residential and commercial activity are contained within the ground floor of the building and can be accessed via the right of way across the adjoining site (Leigh House). As refuse will be collected in the same manner as Leigh House with the bins being wheeled through the refuse vehicle on Weald Road. As before, comments on the proposed bin storage have been sought from the relevant Council officer but no response has been received to date.

Conclusion:

The proposal is considered to be a form of development appropriate in scale and form to its location and provides a mix of commercial and residential uses. Having regard to all other material considerations, the development is acceptable.

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 U26719

There shall be no development above ground until drawings that show details of proposed new windows, doors, eaves, verges, cills, external balustrading and balconies by section and elevation at scales between 1:20 and 1:1 have been submitted to and approved in writing by the Local Planning Authority. Works 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 Conservation Area.

3 U26720

There shall be no above ground development until a schedule of all external surface materials including walls and roofs shall be submitted and agreed in writing by the local planning authority. A sample panel measuring no less than 1m square shall be erected on site and agreed by the local planning authority.

Reason: In the interests of the character and appearance of the Conservation Area.

4 U26721

No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building without prior written approval of the local planning authority.

Reason: In the interests of the character and appearance of the Conservation Area.

5 U26722

All rainwater goods shall be concealed.

Reason: In the interests of the Character and appearance of the Conservation Area.

6 U26723

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. wheel and underbody washing facilities
- v. Hours of working during the construction period

Reason: In the interests of highway safety, visual and neighbour amenity.

7 U26724

There shall be no service deliveries to the commercial use(s) during the road network peak hours i.e. between 07.30 to 09.30 and 16.30 to 18.30.

Reason: To ensure that the highway is not obstructed during the network peak hours in the interests of highway safety.

8 U26725

Service vehicles deliveries to the commercial use(s) of the development shall be restricted in size to no larger than small goods vehicles (transit type vans).

Reason: To ensure that the left turn lane from the High Street to Weald Road is not obstructed in the interests of highway safety.

9 U26726

The use of any part of the commercial element (ground and/or basement) shall not commence until the loading bay has been provided in accordance with the

approved details (as shown indicatively in drawing 0650 021) which shall include the gaining of any necessary Traffic Regulation Orders, signing and lining.

Reason: To control the location of service vehicle deliveries to the site to minimise congestion in the interests of highway safety.

10U26727

Prior to first occupation of the development, the section of dropped kerb fronting the site on Weald Road shall be reinstated to the full height of the footway (the section of dropped kerb in front of Leigh House is to remain),

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

11U26728

Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure and provided prior to occupation and retained at all times.

Reason: in the interests of promoting sustainable development and transport

12U26729

Prior to occupation of the proposed development, the developer shall provide a Residential Travel Information Pack (as approved by Essex County Council) for sustainable transport for each dwelling and to include six one day travel vouchers for use with the relevant local public transport operation.

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

13U26730

The proposed works should be undertaken in accordance with the Phase 1 Environmental Assessment Report Herts & Essex Site Investigations February 2018; Any necessary remediation shall be undertaken and should contamination be found during the development that was not previously anticipated or identified during any stage of the development it shall be made safe and reported immediately to the local planning authority. Prior to the site becoming operational the developer shall submit to the local planning authority a signed certificate to confirm that any necessary remediation works have been completed.

Reason: To ensure that any potential contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to satisfactorily deal with contamination.

14 U26731

The recommendations as set out in the Ian Sharland Limited Noise and Vibration Control Specialists May 2018 section 5 shall be implemented and adhered.

Reason: In the interests of the living conditions of the occupiers of the development.

15 U26732

In the event of the commercial unit(s) comprising a food/takeaway production premises, the use shall not commence until details of an extraction system has been submitted to and approved in writing by the local planning authority. The extraction system will require adequate odour control and noise attenuation measures and will be normally required to terminate at least 1m above the highest roof level and efflux velocity of the discharge shall be a minimum of 15m/sec. A suitable flue termination such as Scandinavian sleeve and an activated carbon filtration system must be provided. Beneficial use of the food producing premises shall not commence until the approved extraction system has been installed and is fully operational. The approved system shall be retained as approved.

Reason: In order to protect the amenities of the occupiers of nearby properties.

16 U26734

The rating level of the noise emitted from the extraction unit shall be lower than the existing night time background level (23.00 to 06.00) by at least 5db. the noise levels shall be determined at the nearest noise-sensitive premises. The measurements and assessment shall be made according to BS4142:1990.

Reason: In order to protect the amenities of the occupiers of nearby properties.

17 U26733

In the event of a food production /takeaway premises operating from the development, a suitable and sufficient grease trap shall be installed within the foul drainage system.

Reason: to ensure satisfactory drainage from the site.

18 U26735

Prior to any commencement of non-retail or food production including restaurant or takeaway uses, the proposed activities shall be submitted to and approved in writing by the local planning authority. Those activities shall fall within the Use Class Order as amended D1, D2 or A2.

Reason: To establish the scope of the permission.

19 U26736

The commercial use of the ground and lower floor areas shall not be open for customers outside the hours : 09:00 - 00:00 Mondays to Fridays, 09:00 -00:00 Saturdays and 09:00-23:00 Sundays.

Reason: In safeguard the living conditions of nearby residents.

20U26737

No commercial use shall take place until details of the location and acoustic performance of any plant and machinery to be used has been submitted to and approved in writing by the local planning authority. Development shall be carried out and retained in accordance with the approved details.

Reason: In order to protect the amenities of the occupiers of nearby properties.

21U26738

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing with the local planning authority. The CEMP shall address the following matters:

- i. Procedures for maintaining good public relations including complaint management and public consultation
- ii. Mitigation measures as defined in BS 5228 : Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance. Piling will not be undertaken and Best Practice alongside the application of BS 5228 shall be agreed with the local planning authority.
- iii The use of a 'Considerate Contractors' or similar regime for the site induction of the workforce highlighting pollution prevention and awareness
- iv Measures to control dust from any demolition/construction works approved along with land disturbance in general
- vi Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.

Bonfires should be avoided and all waste materials should be removed from site and suitably disposed of; at no time should any material that is likely to produce dark/black smoke be burnt (e.g. plastics, rubber, treated wood, bitumen etc)

Where the site is adjacent to residential or business premises, heavy plant , noisy equipment or operations and deliveries should not take place outside the hours of :

Monday - Friday	08:00 - 18:00
Saturday	08:00 - 13:00

No activity on Sunday or public holidays.

Reason: To safeguard the living conditions of nearby residents.

22U26739

Unless formally permitted by the local planning authority 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.

23. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority in consultation with the LLFA. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Those details shall include:

- i) A timetable for its implementation, and
- ii) A management and maintenance plan for the lifetime of the development which shall include the arrangement for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure a satisfactory system of sustainable drainage is implemented.

Informative(s)

1 U05760

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.

2 U05761

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1 T2, C14, H6, TC3, TC4, C18 National Planning Policy Framework (NPPF) 2018 and NPPG 2014.

3 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

4 U05762

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

The applicants are advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SM03 Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood, Essex ECM13 3HD U05763

The proposed development is located within 15m of Thames Water underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. You are advised to read Thames Water guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near their pipes or other structures:

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-information/working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water

BACKGROUND DOCUMENTS

DECIDED:

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Appendix A



Title : Development Land at 141-147 High Street Brentwood Essex

18/00859/FUL

Scale at A4 : 1:1250

Date : 4th September 2018

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



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SITE PLAN ATTACHED

33-37 HIGH STREET BRENTWOOD ESSEX CM14 4RG

DEMOLITION OF 35 AND 37 HIGH STREET BRENTWOOD, THE PART DEMOLITION, PART RETENTION OF NO. 33 AND CONSTRUCT OF PART 3 PART 4 STOREY BUILDING COMPRISING FIVE GROUND FLOOR RETAIL UNITS AND 14 NO. RESIDENTIAL UNITS (8NO. 1 BED UNITS; 6NO. 2 BED UNITS). ADDITIONAL CONSTRUCTION OF FIVE STOREY BUILDING TO REAR OF THE SITE COMPRISING GROUND FLOOR SME (FLEXIBLE RETAIL/OFFICE) USE, AND 4NO. 2 BED UNITS.

APPLICATION NO: 18/00959/FUL

WARD	Brentwood North	8/13 WEEK DATE	10/09/2018
CASE OFFICER	Mr Nick Howard	01277 312500	
Drawing no(s) relevant to this decision:	D301 D; D302 E; D304 A; D305; D306 A; D200 A; D201 A; D202 A; D203 B; D204 B; D301 Visual image C; D302 Visual image D; E000 3;		

The committee refused a planning application for a similar development on this site at its meeting in March 2018. This application is for a revised form of development.

1. Proposals

The site comprises two linked parcels of land, a roughly rectangular plot which covers units 33-37 High Street (plot A), with a ribbon of land extending to William Hunter way, and a triangular plot to the north (plot B) facing William Hunter Way. Both plots are within the Brentwood town centre and conservation area. The building structures of units 33, 33a and 33b would be retained at ground and first floor level, with internal/external alterations. Units 35 and 37 would be demolished and replaced in their entirety.

Unit 33 would have three storeys including a pitched roof with front facing dormers behind a low parapet. The ground floor would have three retail units, and there would be 3 flats on each of the first and second floors totalling 2 x one bed units and 4 x two bed units - providing a total of 6 residential flats. The total height of the building is 650mm lower than previously proposed.

Unit 35 would have four storeys including a pitched roof with front facing dormers behind a parapet. The ground floor would have one retail unit, and there would be 2

x one bed units on each of the three floors above – providing a total of 6 residential flats. The total height of the building is approximately 1290 mm lower than previously proposed.

Unit 37 would be three storeys, with a front façade of similar proportions to unit 35 but without the pitched roof. It would have retail use on the ground floor, and 1 x two bed unit on each of the floors above. It would provide in total 2 residential flats. The total height of the building is one storey lower, approximately 3135 mm, than previously proposed.

In total, Plot A would retain all five retail units on the ground floor and provide 14 residential units. CGIs submitted with the application (referred to as 'View points') show the High Street elevation to have articulated frontages of finely detailed brickwork with fenestration having generous reveals. The other change is to the material colour of Block A, this variation in the finish provides more visual variety to the scheme. The front elevation has a sympathetic relationship to the massing of its neighbours to each side.

The proposal for Plot B a five-storey building with flexible retail/office use at the ground floor, and four floors of residential units above; each residential floor would provide 1 x two-bedroom unit. The ground floor would also include cycle and bin storage. In total the proposal would provide one commercial unit and four residential units above. The height of this building is the same as previously proposed and it would be mostly brick clad facing William Hunter Way, with a part glazed aluminium curtain wall stair tower to its rear elevation rising just above the main body of the building. There is a minimum of windows to its flanks.

2. Policy Context

National Planning Policy Framework (NPPF) 2018
National Planning Practice Guidance (NPPG)

Brentwood Replacement Local Plan (BRLP) 2005:

Policy CP1 General Development Criteria
Policy H6 Small Unit Accommodation
Policy H9 Affordable housing
Policy C14 Conservation area
Policy T5 parking
Policy T14 Cycling
Policies TC3/H4 Mixed Use Development
Policies TC4/H5 Use of Upper Floors Above Commercial Properties

Emerging Local Development Plan:

The successor document for the Brentwood Replacement Local Plan 2005, the new Local Development Plan (LDP), underwent draft stage consultation (Regulation 18) in 2016 and as there are outstanding objections to be resolved, only limited weight

can be given to it in terms of decision-taking, as set out in paragraph 48 of the National Planning Policy Framework 2018. 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 emerging LDP was the subject of site-focused consultation (Regulation 18) between 29 January and 12 March 2018, identifying proposed development allocations. This will be followed by the Pre-Submission Draft (Regulation 19), currently anticipated to be published in Q3 of 2018. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in 2019. Provided the Inspector finds the plan to be sound it is estimated that it could be adopted later in 2019.

3. Relevant History

- 17/01533/FUL: Demolition of no 35 and no 37, part demolition, part retention of no. 33 and construction of part 3, part 4, and part 5 storey building comprising of five ground floor retail units, and 15no. residential units (8no. 1 bed units; 7no. 2 bed units). Construction of additional five storey building to rear of the site comprising ground floor, SME (flexible retail/office) use, and 4no. 2 bed units. - Application Refused April 2018.
- 14/01261/FUL Construction of a building accommodating retail (Class A1) at Ground floor level, 13 No. residential flats over the three upper floors and a pedestrian footpath link between William Hunter Way and High Street. Approved 16 February 2015. This refers to an adjacent site in Culvers Yard which has been built.

4. Neighbour Responses

- No representations received

5. Consultation Responses

- **Historic Buildings and Conservation Officer:**

The revised application is supported for approval.

- **Highway Authority:**

The Transport Statement that accompanies the planning application has been considered. Although the proposal makes no provision for off-street vehicle parking, this would not impact highway safety as the local highway network is protected by parking restrictions. The site is in a sustainable location with good access to all of the town centre's facilities including frequent and extensive public transport services. Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions.

- **County Archaeologist:**

The above planning application has been identified on the weekly list by the Historic Environment Advisor of Essex County Council.

The Essex Historic Environment Record (EHER) shows that the proposed development lies within the medieval settlement of Brentwood (EHER 525), which was first mentioned in 1176. In addition to this possible medieval activity there is a line of properties are marked on the 1st edition OS mapping; meaning these buildings pre-date 1880. The demolition of the existing building would give a rare opportunity to examine the medieval road frontage of Brentwood High Street. Recent archaeological work carried out in the vicinity, revealed extensive medieval and post-medieval remains and it is likely that these deposits would continue into the proposed development area. These deposits would be destroyed or disturbed by the proposed development.

In view of this, the proposal is supported subject to conditions.

- **Essex & Suffolk Water:**

Our records show that we do not have apparatus located in the proposed development. We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our Company network for the new dwellings for revenue purposes.

- **Arboriculturalist:**

The comments on the previous application were that the only vegetation growing on the site are a number of small self-sown sycamores and shrubs on the boundaries of the car parking area off William Hunter Way. They do not have any significant amenity value and there is no objection to their removal. The proposed layouts would not provide any opportunity for new planting; however, this is not considered to be an issue and would be in keeping with the adjacent Culvers Yard.

Two mature street trees within the footway of the High Street are likely to be affected by the raised elevations. The Lime near No 33 and the London Plane near No 37 have branches that extend towards the buildings. It is likely that some works would be required to reduce/remove some branches to avoid them being damaged during construction. If these works are done sympathetically it is not considered that there should be any significant issues. The trees are on highway land and it is assumed that the developer would cover the costs of any works. Due to the proximity of the trees to the facades it is likely that there would be ongoing post-development pressure to cut the trees back.

6. Summary of Issues

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) 2018 and National Planning Policy Guidance (NPPG) 2014. The relevant policies are listed in section 2 above.

One of the material considerations is the previous application on the site. Members will recall that the previous application was refused for the following reason:

“The proposed development by reason of its size, scale and design would have a dominant impact on the street scene and have an unacceptable detrimental impact on the character and appearance of the Brentwood High Street Conservation Area and therefore be contrary to Policies CP1 and C14 of the Brentwood Replacement Local Plan and the National Planning Policy Framework”

The refusal therefore related to design related issues. There were no objections on matters of principle, unit size mix, no requirement for provision of affordable housing, highways and parking, archaeology, landscape, amenity of neighbours. The proposal does not change those matters.

Design, character and appearance

Policy CP1 sets out that development should have an acceptable impact on visual amenity, residential amenity and be of a high standard of design; satisfactorily accommodate travel demand, and should not give rise to an unacceptable detrimental impact on health, the environment or amenity; and should be expected to take full account of the need to conserve or enhance the character, appearance, biodiversity and historical and archaeological heritage of the site and the surrounding area.

Policy C14 refers to development affecting conservation areas, and this directs that when considering applications for development within and in the vicinity of conservation areas, special attention will be given to the need to preserve or enhance their character or appearance.

Since the refusal of the last application, discussions have been held with the applicant. These included a reduction in massing at the western section of the development at High Street and the testing of key viewpoints to demonstrate in three dimensions how the proposals would affect the Conservation Area. It is evident that advice given at preapplication has been incorporated into the revised scheme. The proposed architecture and scale respond to the context of the High Street; in terms of grain there is clear definition and division of buildings, this is important in respect of character and appearance.

A series of 'views' have been submitted to convey the impact the development would have upon the character and appearance of the conservation area, in terms of massing and viewpoints.

The alterations made to the proposal as part of this application are described in section 1 above. It is considered that the slight reduction in scale, improved design and materials result in a superior and acceptable scheme. In summary the HBO advises this application is supported by Conservation and Urban Design and considers the development would serve as an enhancement to the Conservation Area. The proposal complies with Policy CP1 and C14 of the Local Plan.

Potential retention of No 35

This was an issue that emerged from the previous application when it was discussed at committee. The applicants have relooked at the building and advise there are significant reasons for not retaining No 35.

- The building has internal supporting columns and associated foundations which would not have the capacity to support an additional storey of residential units. The whole of the internal structure would need to be demolished to enable an additional storey to be added.
- First floor levels that are different to the adjoining buildings thus preventing any connectivity between the buildings. Floor levels cannot be adjusted due to the existing windows and sill heights. The first-floor levels of the adjoining buildings are higher at 33 High Street and lower at 37 High Street, which makes it impossible to integrate 35 into the proposed scheme without full demolition
- Pitched timber roof structures that would need to be demolished if additional storeys are to be added
- A rear and more recent single storey extension, which has no ability to support additional storeys above. The existing flat roof has not been designed to act as a floor structure
- Some structural modifications to front part of the building and potential wall removal at first floor, which reduces the integrity of the structure and its ability to be extended vertically
- Cracking to masonry, which is likely to be exacerbated with additional loads from an extra storey
- Structural elements that are very old that would need replacement in a redeveloped scheme to achieve Building Regulation approval.

Overall the points raised in the applicant's structural survey means that No 35 cannot be retained in the proposed redevelopment. Although No 35 has C19th origins the loss of this non listed building is outweighed by the benefits derived from the redevelopment of this and the neighbouring properties and therefore its replacement is accepted.

Planning balance

It remains the case that the Council cannot demonstrate a five year supply of housing land and this proposal would make a contribution towards it. This weighs in favour of the proposal although the proposal is not reliant on this as it is, as indicated above, acceptable on its own merits.

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 U23857

No development shall take place until a sample panel of the materials to be used in the construction of the external surfaces of the building hereby permitted have erected and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4 U23856

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

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

5 U23858

No development shall take place until a sample panel of the pattern to be used on the external wall adjacent to the proposed footpath link hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

6 U23859

Notwithstanding the details illustrated on the approved plans and accompanying documentation, prior to the commencement of works a detailed section plan at a scale of 1:20 showing the balcony, landscaping/railings and amenity area of a top floor apartment shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken in strict accordance with the agreed details.

Reason: In the interests of preserving the character of the Conservation Area.

7. Before the development is first brought into use cycle parking shall be provided in accordance with the EPOA Parking Standards in a secure, convenient and covered facility, and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy T14 of the Brentwood Replacement Local Plan.

8. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

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

9. 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

10. Prior to the commencement of any works of demolition or construction, including preliminary groundworks, a scheme for the archaeological investigation of the site, including a timetable for that investigation, shall be submitted to and agreed in writing by the local planning authority. The results of the investigation shall be submitted to the local planning authority prior to the commencement of any works and, if necessitated by the findings of the investigation, those results shall be accompanied by a programme of excavation, recording and where necessary the protection and preservation of remains of archaeological or historic significance. No development or preliminary groundworks shall take place until the local planning authority has approved that programme and the development shall only take place in accordance with that programme or any variation as may be agreed in writing by the local planning authority.

Reason: To enable archaeological records to be made if necessary on a site that lies within an area of known archaeological interest.

11. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

Reason: The site lies within an area of known archaeological interest.

12. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

Reason: The site lies within an area of known archaeological interest.

13. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: The site lies within an area of known archaeological interest.

Informative(s)

1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

2 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, H6, H9, C14, T5, T14, TC3/H4, TC4/H5, National Planning Policy Framework (NPPF) 2018 and NPPG 2014.

4 INF22

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

A professional team of archaeologists should undertake the archaeological work. The District Council should inform the applicant of the archaeological

recommendation and its financial implications. An archaeological brief outlining the level of investigation will be issued from this office on request.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

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

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

BACKGROUND DOCUMENTS

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.brentwood.gov.uk/planning

Appendix A



Title : 33-37 High Street Brentwood Essex

18/00959/FUL

Scale at A4 : 1:1250

Date : 4th September 2018

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



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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.

- (i) To guide the Council in setting its policy objectives and priorities.
- (ii) To carry out the duties and powers of the Council under current legislation;
- (iii) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.
- (iv) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (v) To consider and approve relevant service plans;
- (vi) To comply with the standing orders and financial regulations of the Council;
- (vii) To operate within the budget allocated to the committee by the Council.
- (viii) 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.