



# Agenda

## Planning and Licensing Committee

Thursday, 18 March 2021 at 7.00 pm

Council Chamber, Town Hall, Ingrave Road, Brentwood, Essex CM15  
8AY

---

### Membership (Quorum – 4 )

Cllrs J Cloke (Chair), McCheyne (Vice-Chair), Bridge, Chilvers, Fryd, Haigh, Jakobsson, Keeble, Morrissey, Mynott, Tanner and Tierney

### Substitute Members

Cllrs Aspinell, Barrett, Dr Barrett, Laplain, McLaren, Nolan and Reed

---

### Agenda

Item	Item	Wards(s) Affected	Page No
	<b>Live broadcast</b>		
	<a href="#">Live broadcast to start at 7pm and available for repeat viewing.</a>		
	<b>Contents</b>		
1.	<b>Apologies for Absence</b>		
2.	<b>Minutes of the Previous Meeting</b>		5 - 12
3.	<b>Application No: 20/01809/FUL Community Centre Maple Road Brentwood CM13 2EA</b>	Brentwood South	13 - 42
4.	<b>Application No: 20/01802/FUL 1-2 Seven Arches Road Brentwood Essex CM14 4JG</b>	Brentwood South	43 - 74

A handwritten signature in black ink, reading "Jonathan Stephenson", is centered on a light blue rectangular background. The signature is written in a cursive style with a horizontal line crossing through the middle of the letters.

Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
10.03.2021

## Information for Members

Please note the changes in blue apply to remote meetings

---

### Introduction

The Government has enacted The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 no 392 (the Regulations) which came into force on the 4 April 2020 and will remain in force until the 7 May 2021.

The Council will hold Committee meetings remotely and enable the public to participate by streaming those meetings that are open to the public.

Only those Committee meetings where the public have a right to speak will the facility be available to enable them to participate where the technology is not available for them to exercise this right then their participation will be by written communication read out at the remote meeting.

---

### Substitutes

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

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

---

### Rights to Attend and Speak

Any member may remotely attend any Committee to which these rules apply.

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

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

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

---

### Point of Order/ Personal explanation/ Point of Information

#### Point of Order


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

#### Personal Explanation


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

#### Point of Information or clarification

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

 **Access to Information and Meetings**

You have the right to **remotely** attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

 **Guidelines on filming, photography, recording and use of social media at council and committee meetings**

**The Council will be holding remote Committee meetings and will make these accessible to the public remotely by being recorded and streamed. Whilst the Regulations apply the following paragraphs will not apply to the meetings of the Council.**


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

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

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

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

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

 **Private Session**

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

**The Chair or Clerk to the Committee will disconnect all persons who should leave the meeting prior to continuing there will be a short break to ensure that this has happened.**

 **modern.gov app**

View upcoming public committee documents on your Apple or Android device with the free modern.gov app.

  **Access**

**The Council will provide remote access for public participation by the meeting be accessible.**

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

 **Evacuation Procedures**

**This procedure does not apply whilst using remote meetings**

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



## Minutes

---

### Planning and Licensing Committee Monday, 8th March, 2021

#### Attendance

Cllr J Cloke (Chair)	Cllr Haigh
Cllr McCheyne (Vice-Chair)	Cllr Jakobsson
Cllr Bridge	Cllr Keeble
Cllr Chilvers	Cllr Mynott
Cllr Fryd	Cllr Tanner

#### Apologies

Cllr Morrissey	Cllr Tierney
----------------	--------------

#### Substitute Present

Cllr Dr Barrett  
Cllr Reed

#### Also Present

Cllr S Cloke  
Cllr Poppy

#### Officers Present

Philip Drane	- Director of Planning and Economy
Caroline McCaffrey	- Development Management Team Leader
Tessa Outram	- Senior Planning Officer
Max Gibson	- Planning Officer
Brendan Johnston	- ECC Highways Strategic Development Engineer
Alastair Lockhart	- Legal Adviser

#### LIVE BROADCAST

[Live broadcast available for repeat viewing.](#)

**698. Apologies for Absence**

Apologies had been received from Cllrs Morrisey and Tierney. Cllrs Dr Barrett and Reed were substituting respectively.

**699. Minutes of the Previous Meeting**

Members resolved to approve the Minutes of the Planning and Licensing Committee held on 10<sup>th</sup> February 2021 as a true record.

**700. Minutes of the Licensing Sub Committee**

There were no Licensing Sub Committee Minutes for approval.

**701. APPLICATION NO: 21/00025/HHA, 8 Lindsey Close, Brentwood, Essex CM14 4PN Conversion of existing garage into habitable space, relocate front door, single-storey rear extension to include roof lights**

This application had been presented to Committee as the applicants are related to Cllr Barrett, in accordance with the Constitution.

This application proposes the conversion of an existing garage into habitable space, the relocation of the front door to the front of the dwelling and a single storey rear extension including roof lights.

Mr Gibson was present at the meeting and summarised the report.

Cllr Bridge **MOVED** and Cllr McCheyne **SECONDED** that the application be **APPROVED**. A vote was taken and Members voted as follows:

FOR: Cllrs Bridge, Chilvers, J Cloke, Fryd, Haigh, Jakobsson, Keeble, McCheyne, Mynott, Reed and Tanner (11)

AGAINST: (0)

ABSTAIN: (0)

The Application was **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.

[Cllr Dr Barrett declared a pecuniary interest and did not take part in the debate or vote]

**702. APPLICATION NO: 20/01608/HHA, 13 Warleywoods Crescent, Warley, Brentwood, Essex CM14 5JD, Proposed drop kerb/cross over to provide vehicular access from Crescent Road**

This application is for a proposed dropped kerb/cross over to provide vehicular access from Crescent Road. The application had been referred to the Committee at the request of Councillor Sarah Cloke for the following reason(s):

- The application would set a dangerous precedent resulting in the destruction of communal green space/grass verge and change the character in the area;
- Illegal widening of path in front of property had been undertaken.

The application was deferred from the meeting of 10<sup>th</sup> February to allow the Highways Authority to clarify their criteria on approval of applications for drop kerbs where the resident cannot confirm access between their property and the highway.

Mr Gibson outlined the report. Mr Johnstone, representing the Highways Authority, was also present at the meeting and addressed the Committee regarding the safety of the access and explaining the need for planning permission. Mr Johnstone could see no reason why permission could not be granted in terms of passed safety records.

Cllr J Cloke informed the Committee that he had a written statement from the TRO Manager of South Essex Parking Partnership confirming they would not be lifting the resident's parking bay that crosses Crescent Road.

Ward Councillor S Cloke addressed the Committee in objection to the application and in particular resident's concerns regarding the erosion of the green area.

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

Following debate Members voted as follows:

FOR: Cllrs Dr Barrett, Chilvers, Fryd, Haigh, Keeble, Mynott and Reed (7)

AGAINST: Cllrs Bridge, J Cloke, Jakobsson, McCheyne and Tanner (5)

ABSTAIN: (0)

The application was **REFUSED** for the following reasons:

The development would result in the erosion of a pleasant greensward feature to the detriment of the visual amenity and the appearance of the area and in conflict with Local Plan Policy CP1.

**703. APPLICATION NO: 21/00098/FUL, 65 Kilworth Avenue Shenfield Brentwood Essex CM15 8PT, Demolition of existing garage, Conservator and 90% of the dwelling, resulting in a new roof to create a first floor with two front dormers and rear gable, single-storey rear extensions, and alterations to fenestration (part retrospective) (REVISION TO APPROVAL 20/01035/HHA).**

The application had been referred to Committee as the applicant is a relative of Cllr McKinlay, in accordance with the Constitution.

The proposal comprised the demolition of existing garage, conservatory and 90% of the dwelling, resulting in a new roof to create a first floor with two front dormers and rear gable, single storey rear extensions and alterations to fenestration (part retrospective) (revision to approval 20/01035/HHA).

Mr Gibson was present at the meeting and presented this report on behalf of the case officer, Mrs Vint.

Following debate Cllr Bride **MOVED** and Cllr Mynott **SECONDED** that the application be approved. A vote was taken and members voted as follows:

FOR: Cllrs Dr Barrett, Bridge, Chilvers, J Cloke, Fryd, Haigh, Jakobsson, Keeble, McCheyne, Mynott, Reed and Tanner (12)

AGAINST: (0)

ABSTAIN: (0)

The Application was **APPROVED** subject to the following conditions:-

1 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.



2 MAT03 Materials to match

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

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

3 U0038667

The first floor window serving a stairwell and the ground floor window serving a cloakroom, in the south west elevation facing No. 63 shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-openable. The remaining windows in the south west elevation serving a storage cupboard and living shall be non-openable; The first floor window in the northern elevation serving the bathroom 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 windows 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 and to restrict the windows from opening on the south west elevation onto adjacent land outside the ownership of the applicant.

**704. APPLICATION NO 20/01631/BBC Garages Opposite 26 Hampden Crescent Warley Essex, Demolish existing block of 9 garages and resurface the area in preparation for the enlargement of the Tesco car park**

This application had been referred to committee as the applicant is Brentwood Borough Council.

Planning permission was being sought for the demolition of nine redundant garages to the west of Hampden Crescent and for the resurfacing of the area in preparation for a future enlargement of Tesco Car Park.

Miss Outram was present at the meeting and summarised the report.

A statement in objection to the application had been received by Mr T R Davies and Ms N K Sodeau of 40 Hamilton Crescent, which was read by the Chair.

Following a full debate, Cllr McCheyne **MOVED** and Cllr J Cloke **SECONDED** a motion to **APPROVE** the application. Members voted as follows:

FOR: Cllrs Dr Barrett, Bridge, Chilvers, J Cloke, Fryd, Haigh, Jakobsson, Keeble, McCheyne, Mynott, Reed and Tanner (12)

AGAINST: (0)

ABSTAIN: (0)

The Application was 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 Working Hours

Any heavy plant, noisy equipment or operations and deliveries associated with the demolition and resurfacing works, should not take place outside the hours of;

Monday-Friday.....08.00-18.00

Saturday.....08.00-13.00.

No noisy activities on Sundays or Bank Holidays.

Particularly noisy equipment such as Pile Drivers/Angle Cutters/Pneumatic Drills/Cement Mixers etc. should be used approximately one hour after the beginning hours mentioned above and one hour before the said end times.

Reason: To safeguard the residential amenity of neighbouring occupiers.

4 Tree Protection

In the event that a crown lift or any works to adjacent trees is required to facilitate the development hereby approved, all works including demolition shall cease until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The works shall commence/re-commence strictly in accordance with the approved method statement.

Reason: In order to protect trees in the interests of visual amenity.

5 Boundary Fence

As shown in principle on the block plan T/AJT/4557A, the boundary with the current Tesco car park/servicing area shall be fenced off with a 1.8 Close Boarded Fence to prevent through vehicle and pedestrian access.

Reason: In the interests of highway safety and amenity.

Additional 2 conditions:

- The applicant to provide 'No parking' signs, details of which to be submitted and approved in writing by the LPA, scheme to be implemented as approved
- Materials must be of a permeable nature.

**705. Urgent Business**

There were no items of urgent business.

The meeting concluded at 20.20

This page is intentionally left blank

**SITE PLAN ATTACHED**

**COMMUNITY CENTRE MAPLE CLOSE BRENTWOOD ESSEX CM13 2EA**

**DEMOLITION OF ALL EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE A COMMUNITY HALL (CLASS F2(B)), 9 NO. RESIDENTIAL UNITS (CLASS C3) LANDSCAPING, CAR & CYCLE PARKING AND ASSOCIATED INFRASTRUCTURE.**

**APPLICATION NO: 20/01809/FUL**

<b>WARD</b>	Brentwood South	<b>8/13 WEEK DATE</b>	2 February 2021
<b>PARISH</b>		<b>POLICIES</b>	
<b>CASE OFFICER</b>	Ms Tessa Outram	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	P001; P010 D; P020 E; P005 C; P040 C; P032B; P031C; P030C; P021B;		

## **1. Proposals**

Planning permission is sought for the demolition of existing garages, community hall and associated pocket park and for the construction of a replacement community hall and 9 residential dwellings (4 x 1 bed, 2 x 2 bed and 3 x 3 bed units) with associated parking, amenity and landscaping.

The application site is located to the north east of Maple Close which is part of a post war residential estate and comprises 0.28 hectares. The site is council owned and is currently occupied by prefabricated garages (mostly redundant) a community hall and associated pocket park.

The application is submitted to Brentwood Borough Council on behalf of Brentwood Development Partnership (the applicant) which is a joint venture between Morgan Sindall Investments Limited (MSIL) and Seven Arches Investment Limited (SAIL). A linked application has been submitted for 1-2 Seven Arches Road (application ref: 20/01802/FUL) for the demolition of the existing building and construction of a three-storey residential building comprising 11 units along with associated parking and facilities. This residential development at Maple Close site is the affordable housing

donor site, for the 1-2 Seven Arches Road development, all residential units at Maple Close are to be delivered as affordable rent.

As such these applications should be considered in tandem, since they are interdependent on meeting compliance for affordable housing requirements.

## **2. Policy Context**

Brentwood Replacement Local Plan 2005

Policy CP1 General Development Criteria

Policy H3 Community Uses in Residential Development

Policy H4 Mixed Use Development

Policy H6 Small Unit Accommodation

Policy H14 Density

Policy T2 New Development and Highway Considerations

Policy T5 Parking

Policy LT4 Provision of Open Space in New Development

Policy LT11 Retention of Existing Local Community Facilities

Policy C5 Retention and Provision of Landscaping and Natural Features in Development

Policy IR5 Energy and Water Conservation and the Use of Renewable Sources of Energy in New Development

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation, following revisions to the detailed wording of some of the proposed housing allocations, later in the year. The plan was submitted to the Planning Inspectorate in February 2020. The Examination in Public hearing sessions opened in December 2020, concentrating on strategic matters, with hearings on more detailed matter held at the beginning of February 2021, as set out in draft timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council later in 2021.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the 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. While submission of the Local Plan is a further step in progress towards adoption, as the plan has yet to complete its progress through an Examination in Public it is still considered that it currently has limited weight in the decision making process.

#### National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

### **3. Relevant History/Associated Applications:**

- 20/01802/FUL: Demolition of existing building and redevelopment to provide 11 residential flats (Class C3) ancillary residential amenity, car & cycle parking and associated infrastructure at 1-2 Seven Arches Road. – PENDING DECISION

### **4. Neighbour Responses**

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

Five representation letters were received objecting to the proposed development. The concerns arising from the objections letters include:

- loss of pocket park
- cctv will result in a loss of privacy
- Disturbance from lighting

- too many buildings on the site without consideration for adequate amenities.
- disturbance from community hall car park, noise, light and pollution
- removal of trees is detrimental to the natural health of the area and screening between site and adjoining housing.
- play space should be replaced
- bin storage for the community hall should not prevent easement of neighbouring property or lead to odour/disturbance
- increase traffic and noise to current residents, and change the whole nature of the current Close.
- insufficient parking for hall
- loss of privacy and natural light to garden and rear rooms of neighbouring homes
- new homes are less than 15m from the rear boundary fence of existing properties.
- Party wall along neighbouring boundary
- asbestos removal from garages

Following some minor amendments to the scheme a second neighbour consultation has been undertaken. Any additional neighbour representations will be considered and attached as an addendum ahead of the next Planning and Licensing Committee.

## 5. Consultation Responses

- **Operational Services Manager-** Having viewed some of the documentation associated with this planning application my comments and concerns are from an operational point of view for the collection of waste and recycling from the proposed development above. My concern is that the present infrastructure in Maple Close is not sufficient to allow access for upwards of 5x 26 tonne refuse collection vehicles (RCV) to service the new development. This I assume, is why point 26 of the Transport Assessment document states that residents will be required to present their waste and recycling in the 'bin holding area' at the frontage of the development in advance of collection. In my experience this will undoubtedly cause environmental health issues and complaints due non compliance by the residents. Maple Close is a narrow 'banjo' with parked vehicles so to enable the waste and recycling collections to be made from either the 'bin holding area' or from each dwelling, sufficient infrastructure in Maple Close is required to allow unobstructive access to the site without damage being caused to the greensward and kerbstones by the RCV while manoeuvring to this site.

**Additional Comments:** The suggestions to overcome any issues moving forward are as follows:

- Based on the present design the Refuse Service will not attempt to drive into the new shared road off Maple Close.
- The Refuse service will collect the refuse by foot from the entrance to the new development or from kerb side if bagged in front of properties 3 to 7.



- Those in flats 8 / 9 will need to present their waste from their communal bin store at the furthest end of the new close to the front of the road (Near to the temporary bin store) unless they are provided in bags which again can then be presented kerb side. The Hall it appears has a bin store next to it, the Refuse Team will find it difficult to drag these communal bins to the edge of Maple Close and therefore suggest the relocation of the bin from the east side of the building to the west side. The suggestion is to relocate the bins to the area marked up 'Temporary Bin Holding Area'. We also noticed that there does not appear to be a bin store for the two flats 1 and 2 at the front of the development.

The above is our response to be discussed. We believe this approach would also mean that when Maple Close is blocked by cars the Refuse Team will be able to still collect the waste by foot.

- **Open Space Strategy Coordinator-** In terms of the overall style of the development this is outside of my field of remit and so I have no comments to make on this. Looking at the site itself each dwelling appears to be provided with a private open space in the form of a garden and although limited in size due in order to make the scheme viable the fact it has been provided is a positive step and one that will reduce the need for general open space on the development. That said I note that the development will result in the removal of a publicly accessible play area and, although this play area is limited in size and attraction beyond the immediate community it is, none the less a loss of public amenity.

I accept that to replace the play area on the existing site would make the scheme unfeasible in terms of density and so in order to mitigate this loss I would look for a greater financial contribution to improve existing open space/play facilities in the Borough. The play area at Maple Close currently meets the standards set by Fields in Trust of a LEAP play area and so I would expect any contribution to be sufficient to meet the cost of establishing a new LEAP play area elsewhere in the Borough. If it is determined that there is no requirement for new play facilities then the monies would be spent in upgrading and improving existing play space or open space in proximity to the development site to the same value as establishing a new play facility.

At this time the value of this contribution is set at £100,000 which is the value of establishing a new play facility with fencing, safety surfacing, bins, benches and 6 play experiences contained within it.

At this stage there is no initial objection from an open spaces perspective unless the contribution obligation is not met.

- **Safer by Design (Police)** This appears to be a comprehensive, well thought out application and there are a number of key elements which are built into the

design, which will assist in providing a safe and secure environment. D& A section 4 addresses Part Q but we would recommend that the applicant progress to the full Secured by Design accreditation, which gives an increased level of security and is designed to address emerging criminal methods of attack. There are a number of issues that we would be keen to clarify further, including lighting on all elevations, boundary treatments and positioning of garden gates in relation to the front edges of the dwellings.

- **Arboriculturalist-** The scheme has been subject to pre-application discussions to help inform its design and public realm measures. This has enabled the layout to be reorientated to enable the retention of most of the existing trees. Some additional management works were identified which would not adversely affect the amenity of the trees. Detailed protection measures have been provided. These should be incorporated into a CEMP to ensure that contractors are aware of these measures. This should be conditioned. The revised layout retains more of the existing landscape features and provides larger rear gardens. This means that there is less scope for additional landscape provision although new planting at the entrance and along the access road will make a positive contribution to the streetscape. The detail of the landscape proposals can be finalised via condition.
- **Ecologist-** The ecological assessment considered the site to have largely negligible value due to the lack of suitable habitat features. To avoid injury to mammals during construction it is recommended that appropriate precautionary measures are included in a Construction Environment Management Plan. Integral swift or bat boxes should be provided as part of the biodiversity enhancements. I would recommend that these be provided within the community hall.

There are no objections to the scheme on landscape or ecology grounds subject to the conditions recommended above being discharged.

- **Highway Authority-** The documents submitted with the planning application have been duly considered and a site visit was carried out in the earlier pre-application process. The proposals include the use of an existing access to the disused garage site and they comply with Brentwood Borough Council's adopted standards for residential parking and the new community hall. Therefore, from a highways and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions for a construction method statement, provision of cycle parking and residential travel information packs.
- **ECC SUDS-** Having reviewed the application we wish to issue a holding objection based upon the following:
  - o All areas of the site should receive sufficient water treatment and above ground features are preferable. It is currently unclear how the surface water

from the dwellings rooftops is to be treated. Please note that we do not accept catchpits, silt traps or gullies as suitable forms of treatment due to the risk of remobilisation.

- o It should be stated who is responsible for the maintenance and how it is to be funded.

- o A 10% allowance for urban creep should be included within the storage calculations

- o Engineering drawings should be provided detailing the SuDS components used within the drainage system.

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future

**Additional comments:** Having reviewed the application we do not object based upon the conditions for a detailed surface water drainage scheme for the site and the applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future

- **Environmental Health & Enforcement Manager-** I can confirm that with regard to the Maple Close development, I am satisfied with the land contamination report which indicates that there is no likely risk from contamination affecting the future use of the properties. I am therefore satisfied that a remediation strategy is not necessary and that a validation/verification report would not be needed unless any unforeseen contamination is discovered during development.

The conclusion of the noise assessment submitted is that the outdoor amenity areas are able to meet levels of below 55dB(A), which is the upper guideline value, and that the internal noise levels are predicted to be compliant with the recommendations contained in BS8233: Guidance on Sound Insulation using standard thermal glazing specifications.

I therefore have no objections to the application proposals and am satisfied that no additional conditions will be required to ensure suitable noise levels.

- **Bats - Mrs S Jiggins-** No comments received at the time of writing this report.
- **Essex Badger Protection Group-** We have no objection to the application as submitted but would suggest some basic mitigation measures during the construction stage as follows:
  - o Any trenches or deep pits that are to be left open overnight should be provided with a means of escape should a badger enter. This could simply be in the form of a roughened plank of wood in the trench as a ramp to the surface; and

- o During the work, the storage of any chemicals should be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.
- **Essex Wildlife Trust-** No comments received at the time of writing this report.
- **Design Officer-** The scheme was amended throughout the preapplication process, concerns raised were in relation to layout, scale, and the lack of an integrated approach to the placement of the community building within an existing neighbourhood. At preapplication opportunity to pivot the positioning of the building to relieve pressure on the siting of the new dwellings was highlighted, given there was little defensible space and layering. I suggested the car park for the community building was reviewed emphasising this is a walkable neighbourhood and whilst the requirements of the community building operators were appreciated, the parking layout was resulting in a 'part shoehorned' and compromised site layout to the detriment of the new housing.

Discussion: The principle of development is supported, this location within the environs of the post war estate requires enhancement and offers opportunity to deliver new homes with community use retained.

Community building: Having assessed the submitted layout, the community building is positioned at the entry point to the enclave of the new development with pedestrian access from the footpath to main entrance, this is accepted along with a 'car user entrance' at the side/rear.

The building design proposed is utilitarian and of low impact in terms of scale, however as I raised in preapplication sessions, the design of this new community centre could be more aspirational in its architecture and echo the wider design language emerging as part of the Councils Leisure Strategy for example, as a 'smaller neighbour' to the new scheme at King Georges Park.

In this regard, a timber cloaking on the vertical axis, would soften and improve its appearance, an offsite prefabricated construction should be explored. Refraining from a standard stretcher brick bond appearance would also result in a less bland envelope whilst offering legibility as a community building, as opposed to further brick fabric which is already proposed on the new dwellings. External materials and details (Including doors/windows and eaves) can be agreed by way of Condition.

In terms of renewables, this is welcomed but requires a greater level of interrogation. Presently the southern roofscape has narrow slotted photovoltaics (PV) proposed, however, I question how much they actually contribute to renewable energy; this south facing roofscape should be exploited to ensure energy efficiency is delivered to a greater degree, this can be agreed by way of Condition.

Dwellings: The new dwellings are proposed as Affordable Housing Units. In terms of the layout this has been amended since preapplication in the overall site plan. In terms of the area of concern raised at the most recent preapplication regarding defensible space, the submitted layout introduces planting at the frontages which is positive and necessary given the parking bays being proposed in immediate proximity to the dwellings which can result in conflict with future occupiers.

The amenity proposed for plots 8&9 results in an awkward set of green spaces, given this built form is composed of two maisonettes, a shared amenity, or an area with less dominant demarcation of boundaries, is more suitable, in addition the integration of the bike stores into one form is advised.

In terms of scale, I have reviewed the cross-sectional information recently submitted and raise no adverse comments in respect of Urban Design. If there are issues of overshadowing from a planning perspective, the eaves levels/ridges could be marginally dropped and first floor spaces take advantage of vaulted ceilings, this would not alter the GIA and space standards.

The architecture overall for the new dwellings is simple in appearance with the exception of a bricked arch detail applied upon the front elevations of plots 1&2 and 8&9 (maisonette units). The brick arch detail proposed on these units serves to elongate the façade and is contrary to intent for simple architecture, I find it an unnecessary addition architecturally.

In terms of future living conditions, the first-floor plan layout conveys lounges at the frontages of these typologies, this position brings no issues for overlooking, therefore a Juliette balcony should be incorporated here as a minimum to enhance the end users living conditions. These matters can be agreed by way of Condition. Renewable aspirations (as with the community hall) are rather deficient and require further detail and revision. In the first instance, no detail regarding the positioning of the air source heat pumps as referenced within the Design & Access Statement is provided; ground source is possibly the Council's preference as these alleviate issues of appearance and noise.

In terms of the proposals for renewables which extends to underfloor heating and ground source/air source I advise the LPA to liaise with the Council's Housing Consultee and applicant for specification to ensure these aspirations are deliverable and manageable within the HRA maintenance programme.

In summary, I support the development of the Community Centre and Affordable Housing Units subject to the matters raised within this letter. Should additional advice be required please reconsult. I trust this advice is of assistance.

**Additional Comments:** Having assessed the amendments at the community building, elevational revisions have been supplied which propose a brickwork pattern added to two elevations, the reasoning for this is unclear. Therefore, I maintain my previous advice and request all external materials should be agreed

by way of condition prior to works above ground, the appearance of this new building is not considered cohesive.

In terms of renewables for the community building, this was welcomed but a greater level of detail requested. I note a revision on the southern roofscape for larger PVs, but overall the Green Strategy for this community building needs be interrogated further.

In terms of the new dwellings, the amenity areas previously proposed for plots 8&9 resulted in an awkward set of green spaces, I note this has now been addressed (Site Plan REV D) and I advise this is improved.

I note amendments for rationalising detailing and internal layouts, all accepted. Renewable aspirations for the dwellings (as with the community hall) there is no information regarding the positioning of the air source heat pumps as referenced within the Design & Access Statement; the addendum recently submitted entitled 'Sustainability Strategy' remains unclear as to how the development as a whole is fabric first or if ground source heat pumps are being incorporated. In terms of proposals for underfloor heating and ground source/air source the Council's Housing Consultee should advise as to whether these aspirations are deliverable and manageable within the HRA maintenance programme.

I have no further comments to offer and request Conditions of planning include detailing (1: 1 – 1: 20), renewables and specification, external surface materials and landscaping. Signage for the Community Hall requires additional detail and ADV consent.

- **Housing Services Manager-** Further to my previous note dated 21 December 2020 please find enclosed a short update note based both upon the latest discussion between the Council's planning team and Brentwood Development Partnership (the applicant) and what I understand is the final position on the affordable housing provision.

As of my last two notes, the development across the two sites was deficient in affordable housing policy terms by 2 (two) homes. The applicant has since agreed to the following. That 9 affordable rented homes are provided at Maple Close within the applicant's proposal, and the Housing Department engages with the developer on the transfer cost of these homes into the Council's HRA.

This value is under discussion, but the final Section 106 Agreement should be conditioned that the agreement of the transfer value of the 9 Maple Close homes is concluded, and an agreement entered into, prior to the applicant's start on site on either Maple Close or Seven Arches Road.

In addition, the applicant has accepted the payment of a commuted sum in lieu of 2 homes on the Seven Arches site to meet policy compliance across both sites.

The applicant has commissioned Mass & Co, valuers to undertake an RICS Red Book valuation of Plots T03 and T04 at the Seven Arches site. I have had sight of this valuation and each has been valued at £300,000. On that basis, at a 35% contribution rate, the developer will be required to contribute 2 x £105,000, a total commuted sum payable of £210,000. This should also be included in the Section 106 Agreement.

## **6. Summary of Issues**

### Principle of mixed-use development

The site is within an area allocated for residential purposes as indicated in the Bentwood Local Development Plan (BDLP). It is a brownfield site that is currently occupied by a single storey concrete structure currently used as a community hall, along with a number of disused garages. These are rented out by the Council but are no longer used for parking of vehicles. The garages in particular are in a poor state of repair and the site has become subject to anti-social behaviour when the hall isn't being used. As such there is no in-principle objection to the loss of the garage structures.

The remainder of the site comprises concrete hard standing and a small pocket park. Local policy LT11 states the change of use or redevelopment of local services, including community halls, will not be permitted unless it can be clearly demonstrated that the use is not viable and that there is no interest from an alternative similar community use, or it is to be replaced by more suitable facilities elsewhere within the local area.

The applicant has demonstrated within their planning statement that two community halls are located nearby but there is still demand for the existing community hall on site, albeit the existing 1960s building needs upgrading and modernisation. The proposal seeks to demolish the existing building and construct a new community hall of a similar size along with 8 parking spaces. The existing community use would therefore not be lost and would improve the current facilities in compliance with policy LT11.

In terms of introducing a residential use on the site, one of the core planning principles within the National Planning Policy Framework is to encourage the effective reuse of previously developed urban sites. Paragraph 117 of the NPPF, encourages the use of brownfield land and in meeting the need for homes and other uses and that the effective use of such land should be encouraged. This is consistent with the strategic aims of the BDLP which also seeks to make the best use of previously developed land along with the provision of affordable housing. The principle of developing the site for residential purposes is therefore acceptable.

## Housing Density

Local Plan Policy H14 states that the Council will expect any proposal for residential development to be of an appropriate density that makes efficient use of land with densities to be no less than 30 dwellings per hectare and 64 dwellings per hectare in central areas or those with good levels of accessibility. In terms of density, it is important to ensure previously developed, brownfield sites in sustainable areas of this nature are used as effectively as possible, as advocated by the NPPF and to relieve pressure on the Green Belt within Brentwood.

However, it is also necessary to ensure that the density is appropriate to the site's context and the existing character of the area. The proposal will provide 9 dwellings on a site area of 0.28ha resulting in a density of 32 dwellings per hectare (dph), which is in line with local policy H14. The residential densities of housing within the immediate surrounding context to include Maple close, Orchard Avenue and Lime Avenue has been calculated, all of which generate similar densities of between 32 and 33dph. As a result, there is no in principle objection to the number and density of dwellings on the site subject to the development being of a design, appearance and scale that is appropriate to context.

## Mix and Affordable Housing

The proposal seeks to provide 4 x 1 bed units, 2 x 2 bed units and 3 x 3 bed units, all of which will be offered as affordable rent tenure, to be managed by the Council's Housing Department, as part of the affordable housing provision for the development at 1-2 Seven Arches Road ref: (20/01802/FUL). This use would be secured by the completion of a S106 legal agreement. The development of Maple Close as a standalone scheme would be below the local and national threshold requirement to generate any affordable housing.

In terms of mix, Policy H6 of the Local Plan states that for developments of this size a minimum of 50 percent of the units should be 1 or 2 bed units. In this instance 66% of the units proposed are 1 or 2 bed in accordance with this Local Plan Policy. However, the requirements of policy H6 has been superseded by the Council's more up to date Strategic Housing Market Assessment (SHMA) undertaken as part of the evidence base of the emerging local plan. The Council's Strategic Housing Officer has considered and is supportive of the proposed mix, which is broadly in line with the SHMA and the live waiting lists for affordable homes.

## Design, Character and Appearance

The principle of the redevelopment is supported and will provide an enhancement to the local area, retain a community use and offers opportunity to deliver new homes. Preapplication has been undertaken between the developer and LPA prior to submission of the application and dialogue has continued through the application process, with revisions being tabled where appropriate.



The scheme has evolved positively to feedback so that the new community hall has been located closer to the site entrance with the inclusion of a pedestrian access and landscaping that will improve and soften the appearance of the community building when viewed from Maple Close, and the parking court and services to be located to the rear of hall. The 9 dwellings are located parallel to the dwellings in Orchard Avenue, achieving small but usable rear garden areas, and a degree of defensible space to their frontage has been achieved through the introduction of planting, providing a buffer between the parking and front habitable rooms.

In terms of appearance, the community hall building is itself of a utilitarian form and design and would have a low visual impact in terms of scale. The comments of the Design Officer are outlined in full above, but in essence notes that the appearance of the building could be revised to include added interest to distinguish it from the residential form, but matters relating to materials and architectural details can be agreed by way of an appropriately worded planning condition.

The new dwellings are relatively uniform in their appearance, creating a mews form of development with front facing gables. In terms of context of the wider area, a variation of typology is considered acceptable as the site boundary is clearly defined and separated from the existing dwellings of Maple Close and in any event, would enhance the appearance of the site and surrounding context as a whole.

The use of maisonettes within the envelope of an externally designed two storey dwelling form is not uncommon within the surrounding area and provides an effective way of achieving small unit accommodation within a suburban context. The architectural detail of the dwellings has been simplified following the initial comments of the Design Officer and juliet balconies have been added to the frontages of some units to improve the quality of living spaces.

In summary, the proposed development seeks to maximise a quantum of development on an urban brownfield site, and reflects the pattern and density of surrounding development. It is considered that the dwellings by way of their appearance and scale are acceptable, and although contrast with existing styles beyond the site confines, complement the appearance of the area and would make a positive contribution to the area as a whole.

The comments made by the Design Officer have either been addressed via minor amendments to the scheme or can be agreed via condition; matters relating to renewables, are outlined further below. Therefore, the proposed development is considered to comply with core local policy CP1 (i) and (iii) of the local plan and the design principles within chapter 12 of the NPPF.

## Sustainability and Renewable Energy

Local policy IR5 seeks to incorporate the principles of energy conservation and efficiency to achieve sustainable forms of development through the design and layout of development. The proposed development seeks to incorporate renewable energy gains through the use of PV panels on the roof of both the community hall and the residential dwellings and an electric heating system is proposed, both of which are welcomed. However, it is considered a greater provision of PVs can be installed on the community hall to maximise energy gains and the move away from air or ground source heat pumps in preference as originally proposed is disappointing.

A planning condition can be attached to any permission requiring further technical specification of the agreed heating system to promote sustainable electric energy sources as well as an agreed provision of PVs on the hall. The development would also provide biodiversity net gains that are detailed further within the ecology section of the report and the infrastructure for electric vehicle charging points can be conditioned into any grant of approval. In summary the development broadly conforms with the requirements of policy IR5 of the local plan and contributes to sustainable development through the proposed renewable energy features.

## Neighbour Amenity

Plot 1-2 is set back in its plot as to not encroach beyond the building line of No.4 Maple Close and a separation distance of 4 and 9 metres would be maintained between the buildings. It is considered that this relationship between buildings would not result in an overbearing impact or loss of light or outlook to the occupiers of No.4.

The community hall is positioned further forward of No.5 Maple Close but of a height that would not result in a material impact on the living conditions of the occupiers of No.5. Furthermore, the daylight/sunlight assessment that has been undertaken and submitted as part of the application identifies that there would be no material impact on daylight and sunlight conditions experienced within habitable spaces within existing neighbouring properties, in line with BRE methodology. No other neighbouring properties are within close enough proximity to be affected by amenity considerations relating to light and outlook, and it is not considered the position of the proposed dwellings would lead to any significant overshadowing to the neighbouring dwellings within Orchard Avenue.

In terms of overlooking and privacy, plots 3 -9 are positioned 10metres from the rear boundary with existing dwellings in Orchard Avenue with rearward facing first floor windows.

The residential design guide of the local plan from 2005 is largely outdated and the Essex Design Guide (EDG), whilst not formally adopted, provides more up to date guidance on amenity standards. The EDG suggests that the rear of new dwellings should not encroach any closer than 15m to an existing rear neighbouring boundary and that where habitable rooms are located at the rear of neighbouring properties and the

rear facades face each other, a minimum spacing of 25m between the rears of the properties is required.

In this instance, the new dwellings do not meet the guidance of 15m to the shared boundary, and a level of mutual overlooking to the opposing gardens is likely to occur. In urban and suburban areas, it is generally recognised that a level of mutual overlooking is likely to occur, and in this instance could not be overcome by design. The weight to be given to this impact should be apportioned by the decision maker within the planning balance. However, a back-to-back separation distance of 25m would be achieved between all dwellings, and therefore inter-overlooking between windows would not be considered unacceptable. Plot 1-2 is positioned closer than 10metres to the boundary but has no first-floor rear windows and therefore would not result in any material overlooking, the windows at ground floor would be adequately screened by boundary treatments and the first-floor flank window serving plot 2 would be angled to prevent any direct overlooking to the garden of No.4 Maple Close.

In response to the neighbour objections; the proposal does not detail that cctv will be installed as part of the development proposal. However, any future provision would ordinarily be located to overlook the public realm and any positioned on the single storey community hall would not be of a height that would amount to a loss of privacy. Any disturbance from the car park of the community hall, in terms of headlights, emissions and noise would have a negligible effect on closest residents as the car park is located a sufficient distance from the rear of neighbouring residential properties and would be screened by close boarded fencing and vegetation. It is not considered the position of the proposed refuse stores of the hall would lead to any issues of noise or odour. Further details of boundary treatments and landscaping would be secured and controlled via condition as well as the opening hours of the community hall. Similarly, details of external lighting would be provided at condition stage and can be designed as to not result in unnecessary glare or luminance to neighbouring residents.

In summary, the proposed dwellings would be less than the 15m distance to rear boundary of neighbouring properties in Orchard Avenue contrary to local design guidance and a degree of mutual overlooking between the proposed dwellings and existing dwellings gardens would occur as a result. However, adequate back-to-back distances can be achieved, the overlooking would only occur from bedroom windows and therefore would only be for a limited time of day and a degree of mutual overlooking is inevitable in urban residential developments. Regardless, the level of harm identified is weighted in the planning balance section at the end of this report.

#### Living Conditions of Future Occupiers

Plot 1-2 has been repositioned during the lifetime of the application, as it was in breach of the 45 degree rule leading to a loss of light and outlook to the future occupiers of plot 3. Following the revision, all units comply with the minimum internal size requirements outlined within the Government's technical housing standards and all would be dual aspect and provided with adequate light, outlook and ventilation.

In terms of amenity provision, the garden area of maisonettes 8/9 are partially communal but both are provided with a small private area, the proposed provision is not considered unacceptable for 1 bed units. The 2 and 3 bed units (plots 3-7) are provided with private gardens that are below the size recommended within the residential design guidance of the local plan (2005). The EDG does however allow for smaller gardens within urban areas but family sized units should provide an area larger enough for children to play and for general amenities. It is considered the proposed gardens would, although small, be usable spaces for the future occupiers and would be able to accommodate cycle stores, refuse facilities and small areas of play for the future occupiers. No objections are therefore raised on this basis.

The operational services department raised an initial objection to the development as access arrangements for refuse trucks is restricted by the existing width of the road at Maple Close. However, following internal discussion, the operational services department has advised a refuse strategy that details kerbside collection of residential waste and the collection of commercial waste from the dedicated refuse collection point at the entrance of the site, would allow for refuse to be collected by foot, in the event that Maple Close is blocked by unlawful parking. Such details are considered acceptable and can be secured by condition for a refuse strategy.

In summary, the proposed development would be able to provide adequate living conditions for the future occupiers of the proposed development.

#### Parking and Highway Considerations

The application site is within a sustainable location within close proximity of the Town centre and public transportation opportunities. The application site will utilise the existing vehicular access off of Maple Close. The transport statement submitted demonstrates the proposed use of the site would not generate a significant increase in traffic movements and would be adequately accommodated by the local highway network.

The proposed development fully complies with Brentwood Borough Council's adopted parking standards for the residential element of the scheme, providing a total of 14 allocated vehicle spaces and 2 visitor bays. The proposed parking provision for the community hall is 8 spaces, to include 2 DDA bays, which is also in accordance with the adopted parking standards which recommends a maximum of 7 parking spaces for the community hall. Covered and secure cycle storage would also be provided for each dwelling and visitor cycle storage is shown to the front of the community hall.

The Highway Authority have raised no objection to the proposed development subject to standard conditions to include a construction method statement, provision of access and parking prior to the occupation of the development and residential travel packs to promote sustainable transportation. The proposed development is in compliance with local policy CP1 (iv), T2 and T5 and the adopted parking standards.

## Landscaping and Trees

The proposed layout of the site retains most of the existing landscape features, to include most of the mature trees and vegetation at the south corner of the site and the existing hedge that adjoins the boundary with No.5 Maple Close. All the dwellings will be provided with rear gardens and new planting would be introduced at the entrance that would contribute to the visual amenity of the area.

The Council's Arboriculturalist has raised no objections to the removal of a small number of trees and vegetation or the landscaping proposed, subject to a Construction Environment Management Plan that details tree protection measures and management works, as well as a soft landscaping scheme with replacement trees and planting. Subject to such conditions, the proposed development accords with local policy C5.

## Ecology

The proposed development is of limited ecological value, as such there are no objections to the development on ecological grounds. However, biodiversity net-gains can be made through the introduction of bat/bird boxes on the community hall building and construction methods should ensure adequate protection of transient badgers are considered. Both matters can be detailed via condition.

## Open Space

The existing site has a small pocket park that is directly associated with the community hall, it is maintained by the Council and is currently accessible to the public. The applicant does not seek to provide any replacement on site play space as part of the proposed development or meaningful open space.

There is no planning policy requirement for the pocket park to be retained or relocated as it is not allocated as a protected urban open space, furthermore the application site and surrounding area is within walking distance of Kings George's Park which has large play facilities that would serve the surrounding area, therefore it is not considered the loss of pocket park would be of significant detriment to the locality. However, local policy LT4 and appendix 5 of the adopted local plan states proposals for residential development will normally be required to make a financial contribution towards the provision of a Local Area of Play (LAP), a Local Equipped Area of Play (LEAP) and a Neighbourhood Equipped Area of Play (NEAP) where it is considered necessary, fair and reasonably related to the proposed development. In this instance, the Councils Open Space Supervisor (OSS) has raised no in principle objection to the loss of the existing pocket park but has advised the application none the less would result in the loss of public amenity. It is acknowledged that it would not be feasible to provide this on site and therefore to mitigate the loss, a financial contribution to improve existing open space/play facilities in the Borough would be required that should be proportionate to the cost of establishing a new LEAP play area elsewhere in the Borough. In the event that there is no requirement for new play facilities within the vicinity of the site then the

monies would be directed to those plays areas identified in the Council's Play Area Strategy.

Planning obligations including financial contributions must only be sought where they meet the tests set out within national planning policy NPPF paragraph 56, that is:

- Necessary to make the development acceptable in planning terms'
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

In the first and second point, it is considered that the provision of a financial contribution is necessary as there is a clear loss of a public play facility of which cannot be re-provided onsite. In terms of the third point, the OSS has provided an indicative figure and potential projects that will in the future likely require funding within proximity of the site that could benefit from such a contribution. Therefore, subject to evidence of costings and confirmation of an identified and reasonably related site to allocate funding to, the applicant has confirmed they are prepared to make a financial provision towards open space/play space by way of a S106, the final figure to be agreed with officers.

#### Flood Risk and Drainage

The application site is within flood zone 1 and is at a very low risk of both fluvial and surface water flooding. A large proportion of the site as existing is hard surfaced, the proposed scheme would increase the amount of permeable surfaces that would improve drainage and flood risk on the site. A drainage strategy report has been submitted as part of the application submission. The LLFA have raised no objection to the drainage strategy following minor revisions subject to a condition for a detailed surface water drainage scheme and future maintenance logs.

#### Other Matters

It is considered the majority of the neighbour objections have been addressed in the report above. However, in regard to the following matters: party wall agreements are a civil matter between parties and are not a material planning consideration that can be afforded any weight, an informative has been attached to refer the developer to the relevant legislation. Similarly, the matter relating to asbestos would be addressed at building control stage and is covered by other legislation that would control its removal in the interests of health and safety.

#### Conclusion and Planning Balance

The design and layout of the development is slightly constrained by the quantum of development leading to levels of mutual overlooking, small amenity areas for family units and reduced distances to existing boundaries contrary to residential design guidance. However as discussed, a minimum of 25m back-to-back distances can be achieved to all neighbouring residents and a degree of mutual overlooking is expected

within residential infill developments of this nature. Furthermore, all units are still provided with small but useable gardens.

On the other hand, in support of the scheme, the development would provide a good mix of affordable rented dwellings within a sustainable brownfield location. In accordance with NPPF's presumption in favour of sustainable development which states where a local plan is out of date (which includes local planning authorities that cannot demonstrate a five year supply of deliverable housing), there is a clear reason for refusing the development proposed and any adverse impacts of refusing the development would significantly outweigh the benefits of the framework as taken as a whole, taking into account the provisions of paragraph 11 (Making effective use of land), which seeks to support the development of underutilised land and buildings and to give substantial weight to the value of using suitable brownfield sites. Para 11 (D) further precludes that a tilted balance applies when determining applications for residential development in that there is a presumption in favour of new residential development.

In light of the above, it is not considered the level of harm in terms of layout and living conditions of existing and future occupiers would be sufficient to amount to a reason for a refusal or outweigh the identified benefit of reutilising a brownfield site for residential and community purposes that would help meet the identified affordable housing needs of the borough.

The application is therefore recommended for approval, subject to conditions and should be delivered in line with the requirements of a s106 agreement for a financial contribution towards open space/play space and in line with the triggers of the S106 of the development at 1-2 Seven Arches Road, ref: 20/01902/FUL.

## **7. Recommendation**

The Application be APPROVED subject to completion of a Section 106 Agreement and 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 Materials

Notwithstanding the details shown on the drawings hereby permitted, no development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In Order to safeguard the character and appearance of the area

### 4 Architectural Details

Additional drawings that show details of proposed new windows, oriel windows, doors, eaves, verges, cills and balconies to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the Local Planning Authority in writing prior to any development above ground level. The development shall be carried out in strict accordance with the approved details.

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

### 5 Site Levels

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, excluding demolition. 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.

### 6 Hard and Soft Landscaping

Prior to the occupation of the development hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall also include details of all surfacing materials. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.



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

#### 7 Boundary Treatments

The development shall not be occupied until details of external lighting and the treatment of all boundaries (including existing boundary treatments); to include drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments and lighting shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

#### 8 Refuse Strategy and Resi Pack

Prior to the occupation of the development details of a refuse strategy and a residential refuse information pack shall be submitted to and approved in writing by the local planning authority. The Developer shall be responsible for the provision, implementation and distribution of the approved refuse information pack to new homeowners and the development shall be completed in accordance with approved details and shall not be amended unless agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made in interests of future occupiers of development and to safeguard the character and appearance of the area.

#### 9 Limitation of Use

This permission relates to approval of a community hall, use class F2(b); and shall be used for no other purpose (including any other purpose in Class F; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification.

Reason: To safeguard the living conditions of nearby residents.

#### 10U0038854

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the dwellings hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reasons: To safeguard the living conditions of the occupiers of neighbouring dwellings and to ensure adequate sized amenity areas are retained.

#### 11 U0038855

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no alterations shall be made to the fenestration pattern hereby approved, no dormer windows, or rooflights shall be constructed and no change shall be made to the shape of the roof without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

12U0038856

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) the dwellings hereby permitted shall not carry out any development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings and to ensure adequate sized amenity areas are retained.

13U0038857

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), the community hall hereby permitted shall not be extended or enlarged in any way without the prior grant of specific planning permission by the local planning authority.

Reasons: To safeguard the living conditions of the occupiers of neighbouring dwellings.

14U0038858

Prior to occupation of the development, any alterations to the existing vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with Maple Close shall be as shown in the Site Plan drawing 153762-STL-P\_005 C; and 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.

15            Cycle Storage

None of the accommodation hereby permitted shall be occupied until the facilities to be provided for the cycle storage; have been provided in accordance with the details shown on the approved drawings. The facilities for the residential storage shall be shall be secure, convenient and covered, the community hall facilities shall

be provided with Sheffield Stands. Thereafter the accommodation shall not be occupied unless those facilities are retained.

Reason: To ensure that adequate provision is made in the interests of the amenity of the future occupiers and to promote sustainable transportation.

#### 16 Residential Travel Pack

Prior to first occupation, 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. The pack (including tickets) is to be provided by the Developer free of charge.

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

#### 17 CON1 Construction Method Statement

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

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

#### 18 Obscure Glazing

All window(s) serving 'bathrooms' and 'wc's' of the dwellings hereby approved; 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 windows 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.

#### 19 Renewables

Prior to any works above ground level, a sustainability and energy strategy to include further details of the number and location of renewable energy features, such as PV panels and a technical specification of the proposed heating system to be used shall be submitted to and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved details.

Reason: In order to maximise renewable energy and efficiency in the interests of sustainable development.

#### 20 Surface Water Drainage Scheme

No works except demolition shall take place until the detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been updated and submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- o Limiting discharge rates to the rates highlighted in report "Drainage Strategy Report, P20-423, 7th January 2021" for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party.
- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- o Final modelling and calculations for all areas of the drainage system.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason/s: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

#### 21 Maintenance Logs

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

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

## 22 Construction Environment Management Plan

No development shall commence, including works of demolition until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (including but not limited to protected species,) as well as protection methods of retained trees. The demolition and construction works shall be completed in accordance with the information agreed within the CEMP by the Local Planning Authority.

Reason: to ensure that appropriate measures are undertaken to ensure any disturbance to protected species is mitigated and to ensure trees are not harmed in the interests of visual amenity.

## 23 Bird/Bat Boxes

The provision of swift boxes and/or bat boxes (or similar product) shall be incorporated into/onto walls of the proposed community hall building hereby approved to provide additional nesting opportunities, details of which shall be submitted to and approved by the Local Planning Authority in writing prior to occupation of the development. The proposed boxes shall be located away from human/lighting disturbance and at least 1.8m from ground on east or north facing aspects, prior to the occupation of the development. The boxes shall be maintained and retained in perpetuity.

Reason: In order to provide a biodiversity net-gain in the interests of sustainable development.

## 24 Community Hall Opening Hours

Prior to the occupation of the community hall, details of its opening hours shall be submitted to and approved in writing by the local planning authority. The approved opening hours shall be permanently retained as such, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity.

## 25 Vehicular Parking

The proposed development shall not be occupied until such time as the vehicle parking areas indicated on planning drawing 153762-STL-P\_010/D; including any parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays and provision shall be made for EV charge points, details of which shall be submitted to and approved in writing by the local planning

authority. The vehicle parking area, EVs and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

### 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, H3, H4, H6, H14, T2,T5, LT4, LT11, C5, IR5, National Planning Policy Framework (NPPF) 2019 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.

#### 5 U0007589

The applicant is advised that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

#### 6 U0007590

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway; owing to the design, the internal road may not be adopted by the Highway Authority.

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

7 U0007591

Essex Police, provide a free, impartial advice service to applicants who require advice on Crime Prevention Through Environmental Design and Secured by Design and we would welcome the opportunity to meet with the applicant to discuss the security design aspects of the application to ensure provision of a safe and secure environment for potential residents Contact with Essex Police Designing Out Crime team is via [designingoutcrime@essex.pnn.police.uk](mailto:designingoutcrime@essex.pnn.police.uk)

8 INF31

The developer is reminded of the provisions of the European Regulation: EN 13724 for Post Boxes, specifically that the midpoint of the main slot should be between 700mm and 1700 mm in height. Further information may be viewed at:

<https://www.cwu.org/wp-content/uploads/2018/02/European-Regulation-EN13724-for-Post-Boxes.pdf>

9 INF29 Party Wall Act

The developer is reminded of the provisions of the Party Wall etc Act 1996 which may require notification of the proposed works to affected neighbours. Detailed information regarding the provisions of 'The Act' should be obtained from an appropriately qualified professional with knowledge of party wall matters. Further information may be viewed at

<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

10 Asbestos

Any existing buildings on site should be assessed for asbestos materials prior to demolition. Any asbestos must be removed in full consultation with the Health & Safety Executive.

11 Signage/Adverts

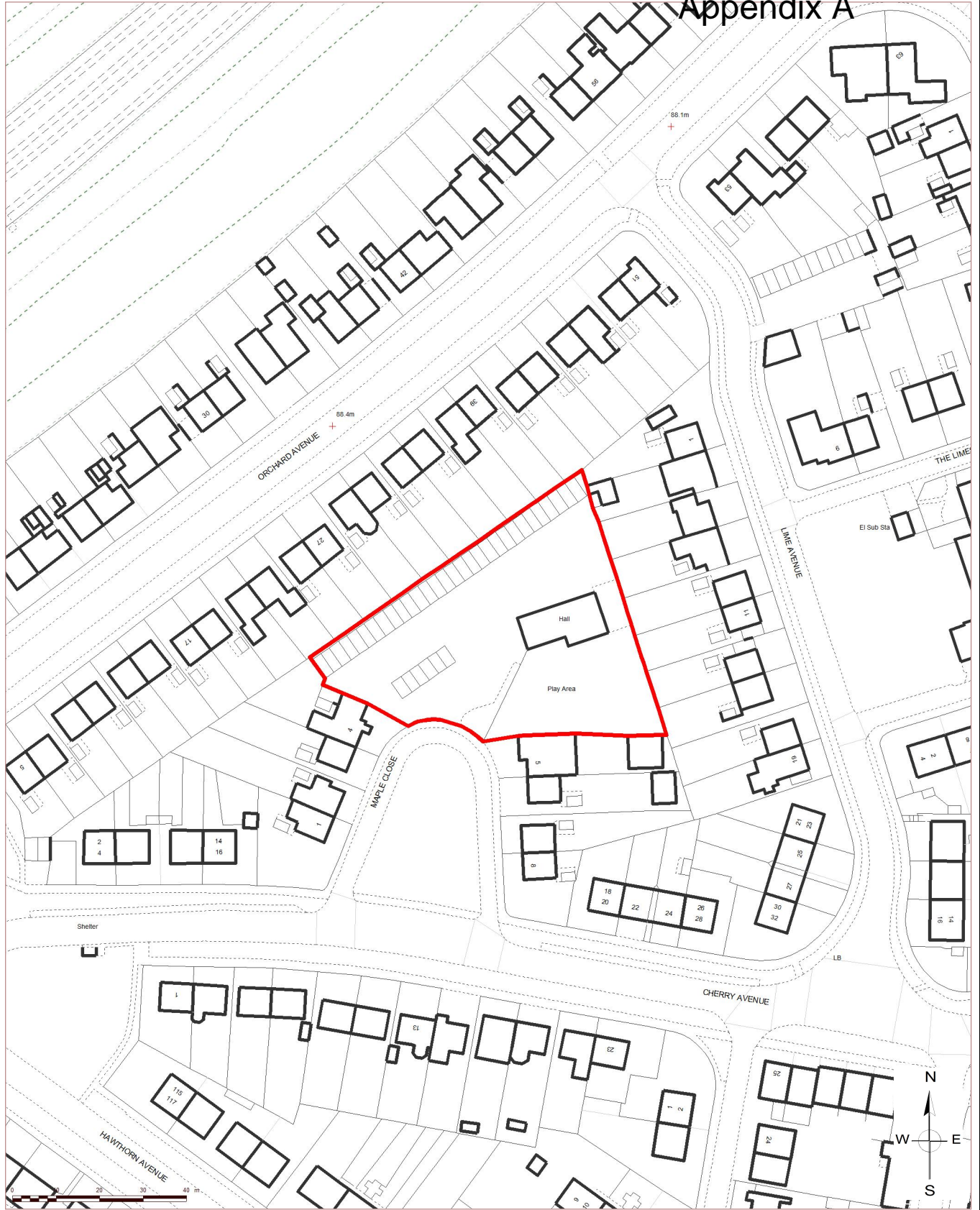
Any proposed signage or adverts relating to the community hall may require specific grant of advertisement consent which can be applied for via the planning portal.

## *BACKGROUND DOCUMENTS*

### **DECIDED:**







Title : Community Centre, Maple Close, Brentwood, Essex CM13 2EA

20/01809/FUL

Scale at A4 : 1:1250

Date : 18th March 2021

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



© Crown copyright and database rights 2020 Ordnance Survey 100018309

This page is intentionally left blank

**SITE PLAN ATTACHED**

**1-2 SEVEN ARCHES ROAD BRENTWOOD ESSEX CM14 4JG**

**DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT TO PROVIDE 11 RESIDENTIAL FLATS (CLASS C3) ANCILLARY RESIDENTIAL AMENITY, CAR & CYCLE PARKING AND ASSOCIATED INFRASTRUCTURE.**

**APPLICATION NO: 20/01802/FUL**

<b>WARD</b>	Brentwood South	<b>8/13 WEEK DATE</b>	8 March 2021
<b>PARISH</b>		<b>POLICIES</b>	
<b>CASE OFFICER</b>	Ms Tessa Outram	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	153762-STL-P-101; 153762-STL-P-105A; 53762-STL-P-110B; 53762-STL-P-115C; 153762-STL-P-120C; 53762-STL-P-121C; 153762-STL-P-130C; 153762-STL-P-140C; 53762-STL-P-150C; CONTAMINATION REPORT BY ENZYGO GEOENVIRONMENTAL LTD;		

## **1. Proposals**

Planning permission is sought for the demolition of a part two storey part single storey range of buildings at 1-2 Seven Arches formally used as a registry office and temporary council offices during the Town Hall redevelopment. Following the completion of the Town Hall redevelopment, the building is now redundant and remains vacant. This proposal seeks to redevelop the site to include the construction of a replacement three storey building comprising a mix of 11 one and two bed residential units (9 x 2 bed and 2 x 1 bed), together with associated vehicle and cycle parking, amenity provision, landscaping and refuse storage.

The application site is located within a prominent location fronting the junction of Seven Arches / Ingrave Road (A218), directly adjacent to Brentwood Town Hall and shares the same access via Seven Arches Road. The site extends to approximately 0.1 hectares, the existing substation to the rear is outside of the site boundary and is to be retained.

The application site is located within close proximity of Brentwood Town Centre on the edge of the geographic scope of the recently adopted Town Centre Design Guide (TCDG), which is an SPD document that supports the Local Development Plan. It is

outside of the Town Centre Conservation Area and not within proximity of any listed buildings.

The application is submitted to Brentwood Borough Council on behalf of Brentwood Development Partnership (the applicant) which is a joint venture between Morgan Sindall Investments Limited (MSIL) and Seven Arches Investment Limited (SAIL). A linked application has been submitted at Maple Close (application ref: 20/01809/FUL) for the construction of 9 residential units and a replacement community hall. The Maple Close development will act as the affordable housing donor site for the 1-2 Seven Arches Road development, which will be detailed further in the report below. The applications should therefore be considered in tandem, since they are independent on meeting compliance for affordable housing requirements.

## **2. Policy Context**

Brentwood Replacement Local Plan 2005

Policy CP1 General Development Criteria

Policy C5 Retention and Provision of Landscaping and Natural Features

Policy H6 Small Unit Accommodation

Policy H9 Affordable Housing

Policy H14 Density

Policy PC4 Noise

Policy IR5 Energy and Water Conservation and the Use of Renewable Sources of Energy in New Development

Policy LT4 Provision of Open Space in New Development

Policy LT8 Use of Redundant Institutional, Recreational and Community Buildings

Policy T2 New Development and Highway Considerations

Policy T5 Parking

Emerging Local Development Plan (LDP) to 2033:

The Brentwood Replacement Local Plan 2005 remains the Development Plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework

(NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF - the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019 with a further focused consultation, following revisions to the detailed wording of some of the proposed housing allocations, later in the year. The plan was submitted to the Planning Inspectorate in February 2020. The Examination in Public hearing sessions opened in December 2020, concentrating on strategic matters, with hearings on more detailed matter held at the beginning of February 2021, as set out in draft timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is projected that it could be adopted by the Council later in 2021.

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the 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. While submission of the Local Plan is a further step in progress towards adoption, as the plan has yet to complete its progress through an Examination in Public it is still considered that it currently has limited weight in the decision making process.

#### National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

### **3. Relevant History**

- 17/00643/FUL: Redevelopment of site to provide a community hub (sui generis use) at ground floor, offices (Use Class B1) within part of the basement and ground floor and the entirety of the first floor and 19 flats (4 x 1 bed and 15 x 2 bed) at second and third floor level, incorporating elevational alterations, roof extensions, a single storey colonnade extension to east facing elevation and associated improvements to curtilage including new vehicular and cycle parking and landscaping -Application Permitted
- 20/01809/FUL: Demolition of all existing buildings and redevelopment to provide a community hall (Class D1), 9 no. residential units (Class C3) landscaping, car & cycle parking and associated infrastructure. – PENDING DECISION

### **4. Neighbour Responses**

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

No formal representation letters were received, however some informal comments were sent to the local authority which did not object to the development but made comments relating to the visual impact of the development and the use of red bricks as opposed to London Stock.

## 5. **Consultation Responses**

- **Operational Services Manager:** I refer to the proposed plans referenced above, my points are purely from an operational point of view for the collection of waste and recycling from the communal bin shed. Having viewed the block plan the usual requirements, as attached, are relevant but I have concerns with the proposed bin shed location. The only way to access the bin shed in a 26tonne refuse collection vehicle (RCV) would be to reverse off the Ingrave Road 80m along the front of the Town Hall to the waste collection point, this would be the cause for up to 5 RCV's on collection day. This will create a danger to both Town Hall staff and visitors (both on foot or in their vehicle) accessing the visitors car park and the south car park. Consideration is also needed to the police leaving the Town Hall on an emergency call using the same route. My opinion is that the bin shed should be resighting to the other side of the site so that the waste collection point is in Seven Arches Road.
- **Open Space Supervisor:** In terms of the overall style of the development this is outside of my field of remit and so I have no comments to make on this. Looking at the site itself an attempt has been made to provide some private formal open space in the form of a private communal lawned area to the rear of the property and communal open space for the flats but due to the scale of the property against land mass available on site this is a limited offering when considering the needs of families. This is likely to result in the garden having limited beneficial use for 'families' who are more likely to rely on the open space network in the Borough.

I also note that the development consists of 11 individual dwellings and although is under a hectare in site the scheme will trigger a contribution of funds via a Section 106 agreement to existing open space provision under current local planning obligations. Under the current Replacement Local Plan it stipulated that:

*Developers of residential sites of less than 0.4 ha. (or 20 units) will normally be required to make a financial contribution towards the provision of a Local Area of Play (LAP), a Local Equipped Area of Play (LEAP) and a Neighbourhood Equipped Area of Play (NEAP)*

With regards to the financial contribution, due to the intended design of the scheme it is not going to be possible to integrate a play area on the development and there are already play facilities located a short distance away in King George's Playing Fields. Also, the Council is undergoing a review of its play provision and as such is not commissioning the installation of any new play facilities for the short term. In light of this decision any financial contribution will be used to improve existing open space and outdoor sports provision firstly in and around the development area at King George's Playing Fields and Hartswood.

In terms of the value of the contribution, this is placed at £11,000 [equating to £1,000 a property] which is in line with contributions recently agreed on developments elsewhere in the Borough.

At this stage there is no initial objection from an open space's perspective.

- **Housing Services Manager:** Further to my previous note dated 21 December 2020 please find enclosed a short update note based both upon the latest discussion between the Council's planning team and Brentwood Development Partnership (the applicant) and what I understand is the final position on the affordable housing provision.

As of my last two notes, the development across the two sites was deficient in affordable housing policy terms by 2 (two) homes. The applicant has since agreed to the following. That 9 affordable rented homes are provided at Maple Close within the applicant's proposal, and the Housing Department engages with the developer on the transfer cost of these homes into the Council's HRA.

This value is under discussion, but the final Section 106 Agreement should be conditioned that the agreement of the transfer value of the 9 Maple Close homes is concluded, and an agreement entered into, prior to the applicant's start on site on either Maple Close or Seven Arches Road.

In addition, the applicant has accepted the payment of a commuted sum in lieu of 2 homes on the Seven Arches site to meet policy compliance across both sites. The applicant has commissioned Mass & Co, valuers to undertake an RICS Red Book valuation of Plots T03 and T04 at the Seven Arches site. I have had sight of this valuation and each has been valued at £300,000. On that basis, at a 35% contribution rate, the developer will be required to contribute 2 x £105,000, a total commuted sum payable of £210,000. This should also be included in the Section 106 Agreement.

This, I think successfully concludes policy compliance for affordable housing.

- **Designing Out Crime:** Essex Police has a number of security related observations as follows:

- Further detail is required about postal arrangements. 'Through the wall' mailboxes or mailing arrangements in a secure lobby are recommended. Trades buttons are strongly discouraged.
- It is noted that it is proposed to locate bin and cycle stores within the building on the ground floor. Further detail would be welcomed about the security arrangements for the cycle and refuse storage facilities.
- It is noted that entrances to the flats are at both the side and rear of the property. Access control is essential to maintain security of the development. We would require the finer detail of the access control proposals and details of lighting arrangements, particularly to the rear entrance and parking area.
- Physical security measures of the doors and windows would be appreciated.

Essex Police, provide a free, impartial advice service to applicants who require advice on Crime Prevention Through Environmental Design and Secured by Design and we would welcome the opportunity to meet with the applicant to discuss the security design aspects of the application to ensure provision of a safe and secure environment for potential residents Contact with Essex Police Designing Out Crime team is via [designingoutcrime@essex.pnn.police.uk](mailto:designingoutcrime@essex.pnn.police.uk)

- **Historic Buildings And Conservation Officer:** The proposals pertain residential development at the site which presently consists of the former registrar and Council building at Seven Arches Road, this is a contiguous site with Brentwood Borough Council Town Hall. The site is positioned at the southern gateway to the Brentwood Town Centre Conservation Area and within the geographic scope of the Town Centre Design Plan and Design Guide; this location offers an opportunity to visually link Civic Brentwood, e.g., Brentwood School, Town Hall and Cathedral, and offer a characterful transitioning architecture.

Background: Preapplication has been undertaken, during these sessions design development and studies testing the relationship of the new architecture within its context were carried out. My most recent preapplication comments summarised as follows. 'An area which remains outstanding, is the lack of articulation in response to the ridge line and bulk at roof level (see section B). This is a highly visible elevation across open space and will be read in conjunction with the Town Hall; the volume of space in the roof can be used for M&E however it is extensive, and I have before me no reasoning behind its continuous line; I advise it should be broken up, as this remains as a four-storey building which is not considered appropriate or informed by context with regards to massing. In terms of detail intent, there remains opportunity to integrate private amenity spaces within the apex. I also noted at the session any AOVs/plant/ rainwater goods etc should be clearly drawn and labelled...Long views of the proposals to include from the common land to the east of the site was advised previously and remains outstanding'. At preapplication the emerging scheme was also subject to Essex Quality Review Panel. Assessment: In terms of the impact upon the Historic Environment given the setting of the Brentwood Town Centre Conservation Area, the submission is accompanied by a Heritage Assessment.



Section 3.3 states 'The Site is not considered to be subject to any notable heritage constraints and the existing building on the Site is of modest proportions and quality. Its removal from the Site is considered appropriate and presents an opportunity for enhancement within the wider setting of the Brentwood Town Centre Conservation Area and wider townscape characteristics of Brentwood'. I have no reason to disagree with the submitted assessment and concur with the statement quoted.

This location presents an opportunity to produce a unique architecture which transitions the residential edge of the Town Centre to the more civic buildings within the immediate context. The siting of the proposed building is aligned with the neighbouring building line, which is accepted as a principle, however this results in the green boundary at the frontage which is key to retain in the interests of the streetscape being left marginalised, also this renders the ground floor private amenity areas compromised with such close proximity to public pathway. A retraction of the building albeit slight is advised; a comparison between the submitted topographical and the proposed landscape plan illustrates this point. The main entrance to the new building is located to face the north and visually links with a small quantum of public realm being proposed for the occupiers, I find this main entrance as a singular door with little detail is a missed opportunity, more can be made of this area as entrances are key features of standalone residential blocks, this somewhat narrow opening without feature and should be enhanced through design, either within the determination period or as a Condition with larger scale drawings provided. The rear of the building in site layout terms is deficient by not providing any buffering from the parking spaces which should be amended (see spaces 6-10) at the very least this warrants a low hedging/knee rail to delineate the end of parking bays to pathway and then to building line, a consequence of no laying conveys an identifiable conflict with the amenity of Unit 3, and safe pedestrian access to the refuse area and the rear entrance (cycle store). In terms of the shape of form and architectural intent, the scheme has progressed since preapplication; the shouldered gables are featureful and refer to the Brentwood vernacular with modern interpretation evident at Brentwood School. The detailing of and quality of construction particularly brickwork, are key to deliver this intent. Sample panels with brick pattern should be erected on site by Condition; reveals should be no less than 75mm for fenestration and profiles without visible trickle vents. I find the red brick (the true brick of the Borough) correct, however the grey brick selected (shown on the CGIs) I find somewhat of an anomaly, this should be altered to London Stock as apparent on the Villas to the south of the site if the intent is indeed to drawn upon local reference as indicated within the contextual studies of the Design & Access Statement.

In terms of renewables the submitted Sustainability Report refers to air source heat pumps and PV installations, the Design & Access Statement states 'note the PV shown on the drawings is for indicative purposes and is subject to the energy strategy'. As a consequence, I have no definitive detail as to the locations of

these proposed items, their size and their impact upon the architecture being proposed from the submitted drawings. Summary: The scheme has developed positively through the preapplication process, as set out above minor revisions and additional detail is requested, Conditions are also required. Please reconsult should this information be submitted or a final response is required from this assessment. I trust this advice is of assistance.

**Additional Comments:** I advise the building has not been retracted from the frontage by the architect as advised, as I have previously highlighted through the development of this scheme, there is minimal relief at the frontage; the scale of the proposed building is greater than its neighbour in context, therefore the impression of bulk in the streetscape will be accentuated by not accommodating this retraction. As advised in my initial letter, this also renders the ground floor private amenity areas being compromised given the close proximity to public pathway. I maintain a retraction of the building albeit slight is best practice.

The main entrance to the new building has improved by way of a brickwork detail which is somewhat obscured on the revised elevation CGI; the intent is however accepted further technical detail on the entry area should be submitted by way of Condition.

The rear of the building in site layout terms was highlighted as deficient in not providing any buffering from the parking spaces, I appreciate there has been a relocation of a window opening and a low knee rail incorporated (annotated on the landscape plan) no meaningful buffer area is at the rear perimeter.

As previously advised, the detailing and quality of construction particularly the brickwork is key to delivering this intent. Sample panels with brick pattern should be erected on site by way of Condition; reveals should be no less than 75mm for fenestration, the grey brick selected in the first iteration of the submission was quite out of context and this is now amended to reflect London Stock. All external materials should be subject to Condition, including balustrading and perimeter fencing.

The Sustainability Report refers to air source heat pumps and PV installations, the Design & Access Statement states '*note the PV shown on the drawings is for indicative purposes and is subject to the energy strategy*'. As a consequence, I remain having no definitive detail as to the locations of these proposed items, their size and location may impact upon the architecture being proposed.

The scheme developed positively through the preapplication process, however the main area I advised requiring detail and revision is not clearly addressed in this reconsult. The siting of the building and the defensible space around it may be hindered by the parking provision. Given this is a highly sustainable location within a walkable Town Centre the primary focus should be on the quality of the architecture, it being context led and importantly the quality of life for future

occupants. It is a matter for the LPA to afford the weighting here, if it is a balance of parking provision versus quality of Place and design.

- **Arboriculturalist:** The scheme has been subject to pre-application discussions to help inform its design and public realm measures. A tree survey has been undertaken. This confirms that other than one pillar apple close to Seven Arches Road, which was identified as a Category B specimen, most of the remaining trees requiring removal are small specimens of limited amenity value. Detailed protection measures have been provided. These should be incorporated into the CEMP to ensure that contractors are aware of these measures. The landscape proposals are considered appropriate for the location. The details can be dealt with by condition. There are no objections to the scheme on landscape or ecology grounds subject to the conditions recommended above being discharged.
- **Ecologist:** An ecology report has been provided which summarises the results of the surveys that were undertaken. These confirm that the site has no specific ecological value; however it recommends that suitable best practice measures are adopted during construction to ensure that any badgers that may be within the local area are not harmed. Such measures should be included in a Construction Environment Management Plan which can be conditioned. The proposed integrated swift boxes identified as part of the biodiversity enhancements should be provided.
- **Highway Authority:** The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal will take access from a private road and a reduced car parking standard has been applied. Brentwood Borough Council's adopted parking standards state that "for main urban areas a reduction to the vehicle parking standard may be considered, particularly for residential development." The local highway network is protected by parking restrictions and in transport terms the site is considered to be in a sustainable location with good access to frequent and extensive public transport, as well as Brentwood's facilities, therefore: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject conditions for a construction method statement, vehicle and cycle parking provision before occupation and residential travel packs.
- **Environmental Health & Enforcement Manager:** I have reviewed the above application and can confirm that I am satisfied with the reports submitted with regard to noise and land contamination for the proposed development.

I agree with the conclusion of the noise assessment that the development is suitable for residential use with provision of suitable glazing and ventilation to areas of the buildings adjacent to Ingrave Road. It is not considered necessary for the balconies on this frontage to be of solid construction in order to reduce

noise levels as the usage of the balconies is likely to be for limited periods and it is likely that vehicular noise will not be intrusive to a degree that requires further attenuation.

The applicant will need to produce a scheme for noise insulation including suitable glazing and ventilation to meet the target levels set out in BS8233:2014, e.g. 30dB LAeq, 1hour night time and 35dB LAeq, 16 hour daytime - see p.13 of the attached guidance

If this could be required by condition it would be acceptable, the conclusion of the survey report is that the recommended internal levels can be met by provision of standard thermal glazing with trickle ventilators - the applicant should be required to submit a scheme for noise insulation to include a specification for the windows and indicating whether different specification windows need to be fitted in other locations away from Ingrave Road. This should also be supplemented with a document demonstrating that the windows to the required specification have been installed during the construction phase to be discharged prior to completion of works if possible.

With regard to contamination on this site the report indicates an elevated lead level in one sample, and it is proposed to remove the made ground in this area and provide a validation report. In these circumstances there is no need for a full remediation strategy to be submitted, but simply to proceed on the basis outlined in the report to remove the made ground, test the sides and base of the borehole excavation and provide a verification report to confirm that this has been completed for approval.

- **ECC SUDS:** Thank you for your email received on 09/12/2020 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application. Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a holding objection to the granting of planning permission based on the following:  
Discharge rates - Surface water discharge rates should be limited to as close as feasibility possible to 1 year greenfield rates or 50% betterment of 1 year brownfield rates. Please note there are now vortex flow control devices which can be designed to a discharge at 1.0l/s, with 600mm shallow design head and still provide a more than 50mm orifice diameter. It is considered that Thames water has accepted proposed discharge rate at 2l/s from the site however it can be lower than 2l/s. We would like to see if Thames water has specific concerns accepting discharge lower than 2l/s from the site.

**Additional Comments 26/01/21:** Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

### Condition 1

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- The required allowance of urban creep (additional 10% of roof area) should be included in storage calculation.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

Reason/s: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- **Bats - Mrs S Jiggins:** No comments received at the time of writing this report.
- **Essex Wildlife Trust:** No comments received at the time of writing this report.
- **Essex Badger Protection Group:** We have no objection to the proposal as outlined subject to the following conditionality in order to protect transient badgers foraging through the area:
  - o Retention & protection of tree line in accordance with BS5837 with use of high-visibility/Heras fencing where necessary, including no obstruction of suitable commuting corridor with construction materials etc. Any new fencing to incorporate sufficient gaps at base to allow continued access across site by Badger. (as recommended within the Environmental Impact Assessment)
  - o Any trenches or deep pits that are to be left open overnight should be provided with a means of escape should a badger enter. This could simply be in the form of a roughened plank of wood in the trench as a ramp to the surface.

- o Any trenches/pits should be inspected each morning before work commences to ensure no badgers have become trapped overnight. Should a badger be found then formal ecological advice must be sought before work commences for the day.
- o The storage of topsoil or other 'soft' building materials within the site should be given careful consideration. Badgers will readily adopt such mounds as setts, which would then be afforded the same protection as established setts. So as to avoid the adoption of any mounds, they should be subject to daily inspections before work commences.
- o During the work, the storage of any chemicals should be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.
- o Open pipework with a diameter of more than 120mm should be properly covered at the end of the work day to prevent badgers entering and becoming trapped. Again, should a badger trap itself then formal ecological advice must be sought before work commences for the day.

We thank you again for allowing us to review this application.

- **Thames Water Development Planning: SURFACE WATER:**, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.  
Should the Local Planning Authority be minded to approve the planning application, Thames Water would like a standard Groundwater Risk Management Permit informative added, directing the applicant to the appropriate team.

## 6. Summary of Issues

### Principle of Development and Change of Use

The site is allocated within the adopted local plan as a community use. It is a brownfield site that is currently occupied by a Council office building which is no longer in use. Local policy LT8 states that permission for the change of use or redevelopment of community facilities shall only be granted where the proposed use addresses local community needs and, where these needs are met or where the existing community use can be suitably relocated on an appropriate alternative site.

Following the Town Hall re-development the former registry office is no longer required as this service has been relocated into the Town Hall, as a result there would be no adverse impact on the local community in accordance with policy LT8. In terms of the reusing the site for residential purposes, one of the core planning principles in the NPPF is to; encourage the effective use of land by reusing land that has been previously developed. Paragraph 117 encourages the use of brownfield land and in meeting the

need for homes and other uses and that the effective use of such land should be encouraged. This is consistent with the strategic aims of the adopted local plan which seeks to make the best use of previously developed land within urban areas and the applicant sets out that the Council's strategic desire is to see the site developed for residential purposes. Furthermore, the NPPF actively encourages the re-use of redundant, previously developed urban sites and the provision of housing would be a significant benefit to the borough. The principle of developing this site for residential purposes is therefore accepted.

## Housing Policies

Local Plan Policy H14 states that the Council will expect any proposal for residential development to be of an appropriate density that makes efficient use of land with densities to be no less than 30 dwellings per hectare and 64 dwellings per hectare in central areas or those with good levels of accessibility. In terms of density it is important to ensure previously developed, brownfield sites in sustainable areas of this nature are used as effectively as possible, as advocated by the NPPF and to relieve pressure on the Green Belt within Brentwood.

However, it is also necessary to ensure that the density is appropriate to the site's context and the existing character of the area. The proposal will provide 11 units on a small site and therefore has a high density of 110 dwellings per hectare (dph). However, this is not uncommon with small scale accommodation in urban areas and would be comparable to the density of the adjacent apartment block known as The Green which has a density of 116dph.

Density should also be influenced by design; new buildings should have a positive impact in terms of their siting, scale and massing and successfully integrate functional needs such as storage, refuse and parking as part of the development. As such the high density of the development is acceptable subject to the development being of a design, appearance and scale that is appropriate to context, which is discussed within the design section of the report below.

## Dwelling Mix

In terms of housing mix, the proposal seeks to provide 9 x2 bed units and 2 x 1 bed units. Policy H6 of the Local Plan states that for developments of this size a minimum of 50 percent of the units should be 1 or 2 bed units. In this instance 100 percent of the units proposed are 1 or 2 bed in accordance with this Local Plan Policy.

As the requirements of policy H6 have been superseded by the Council's more up to date Strategic Housing Market Assessment (SHMA), undertaken as part of the evidence base for the emerging local plan, which evidences that 2 bed market housing units are most required in the borough, followed by larger 3 and 4 bed units, with less requirement for 1 bed units. The development accords with the SHMA in providing a larger number of 2 bed units in line with the boroughs projected need, but does not provide any larger family homes on the site. However, given the size and nature of the

development within a Town Centre location, it is considered the development is better suited to small sized units, as larger garden areas would be required for family sized homes that cannot be accommodated on a site of this size. Furthermore, the Council's Strategic Housing Consultant has raised no objection to the proposed mix. No objections are therefore raised in this regard and the mix is considered suitable for the site.

## Affordable Housing

In terms of affordable housing, Policy H9 of the Local plan sets out that on suitable sites for housing development of 20 units and above, the Council should seek a proportion of 35% of the number of dwelling units to provide for affordable housing. Part b) of the policy requires contributions to be drawn on sites which fall below the threshold, where the residential development site is contiguous with 'one or more potential residential development' sites. In this instance 1-2 Seven Arches Road is considered to constitute a contiguous site with the Town Hall, as was outlined in the officer report presented to committee as part of the application 17/00643/FUL for the redevelopment of the Town Hall which comprised 19 residential units.

Therefore, in line with Policy H9, when considered in parallel with the Town Hall development an affordable housing provision of 10.5 units (rounded up to 11) would be required (35%). Policy H9 details the affordable housing should be provided on site as part of the development, but where this would not be appropriate or possible the Council may accept the affordable housing to be provided either in part or in whole on another site.

The scheme proposes that all housing on the 1-2 Seven Arches Road is private market housing and affordable housing will be provided off site, in the vicinity, at Maple Close. A separate linked application has been submitted for the development of the site for a replacement community hall and 9 dwellings (application ref: 20/01809/FUL). It is proposed that all of the residential units delivered on the Maple Close site will be provided as affordable rent units, to be managed by the Council, in line with the SHMA which has a tenure split of 86% social/affordable rent and 14% intermediate affordable housing. In addition, the applicant has proposed a commuted sum in lieu of 2 homes on the Seven Arches site to meet the 35% policy compliance across both sites (11 units). The applicant has commissioned Mass & Co, valuers to undertake an RICS Red Book valuation of Plots T03 and T04 at the Seven Arches site to generate an appropriate value and commuted sum proportionate to affordable housing requirement.

In policy terms the councils starting point is for affordable housing to be delivered on-site, unless it can be demonstrated that this is not achievable. The constrained nature of the Seven Arches site precludes delivery of a mixed tenure development, particularly the delivery of affordable rented units. In design terms delivery of affordable rented accommodation on site would necessitate provision of separate access and servicing arrangements and management and ground rents associated with flatted development can often amount to costs that are unaffordable. The Strategic Housing Consultant has advised within their consultation response that the provision of off-site



units at Maple Close is acceptable in this instance and given the likely management costs to the Council of two homes in flatted accommodation at 1-2 Seven Arches Road, that on this occasion a commuted sum in lieu of the 2 homes on the Seven Arches site is acceptable and can be utilised by the housing department in the acquisition and transfer of the site to the HRA, as part of the s106 agreement.

Therefore, subject to a S106 legal agreement and the approval of a suitable scheme of 9 houses on the Maple Close development (subject to a separate grant of planning permission) the proposed affordable housing offer is considered to meet the requirements of local policy H9 and national policy requirements.

### Design, Character and Appearance

The site occupies a prominent location fronting the junction of Seven Arches/Ingrave Road and acts as a nodal point providing a transition in scale from commercial buildings to the north and a residential context to the south. The scheme has been subject to preapplication with the LPA and was presented to the Essex Quality Review Panel in November 2020. The fundamental principles and design of the scheme were supported by the Panel with minor amendments recommended to the balcony design, entrances and internal layouts.

The proposed scheme consists of a 3-storey building of a transitional scale with two front facing gables of varying heights resulting in a characterful and interesting roofscape on a prominent site. In response to officer comment on bulk, the scheme has been refined and the shouldered gables work well in reducing the height and bulk of the building as well as being featureful and well related to the Brentwood vernacular. The internal layout comprises a central entrance core and allows for integral balconies, with partial undercroft parking to the rear.

The main entrance to the building is located to the north and is defined by a gable feature of an alternative brickwork. The colour of the brickwork has been revised during the application and introduces a London Stock to identify with the adjacent villas and residential character to the south. Therefore, in terms of appearance and scale it is considered the proposed development would accord with local policy CP1 (i) and enhance the character and appearance of the area.

In terms of the position of the building, the building is slightly offset and steps back from the public footway of Seven Arches Road as it extends to the north. However, the southern corner of the building, whilst not extending beyond the established building line is within 0.8m of the edge of the site. A betterment would involve moving the footprint of the building away from the footpath, to reduce any perceived bulk in streetscene, but the applicant has advised that underground cables prevent this slight revision. Whilst this is accepted, the alternative option to reduce the footprint at the frontage, even marginally has not been explored. It is considered some reduction could be achieved without compromising the internal space standards of the units at the front of the building. As a result, there is identified level of harm by way of the buildings siting

that is inconsistent with the requirements of policy CP1(iii) which will be weighted in the planning balance at the end of this report.

### Sustainability

Local policy IR5 seeks to incorporate the principles of energy conservation and efficiency to achieve sustainable forms of development through the design and layout of development. Due to the sites small size and surrounding context, the design of scheme and layout is restricted to a degree. The applicants planning statement details that the design integrates natural / passive design features which improve the thermal performance of the building, thereby minimising reliance on artificial cooling systems, however the benefits of such a design have not been evidenced further within the sustainability appraisal or supporting documents. The proposed development does seek to incorporate renewable energy gains through the use of PV panels on the south facing roof slope contributing to the energy requirements for the building. The development also seeks to make environmental improvements through biodiversity net gains that are detailed further within the ecology section of the report. In summary the development broadly conforms with the requirements of policy IR5 of the local plan and contributes to sustainable development through the proposed renewable energy features.

### Impact on Neighbour Amenity

The surrounding occupiers most affected by the proposed development would be those in the adjacent residential apartment block known as 'The Green' located to the south of the development and the residential flats within the upper storeys of the Town Hall, to the north west.

A daylight sunlight assessment has been undertaken and submitted as part of the application to ascertain possible impact to neighbouring receptors. The report identifies that there would be no material impact on daylight and sunlight conditions experienced within habitable spaces within existing neighbouring properties, in line with the BRE methodology.

'The Green' is positioned between 6 and 8.2 metres away and a mature row of existing trees separates the two sites. Whilst the rear of the proposed building would be 6 metres beyond The Green, it is adequately distanced and would not be within 45 degrees of the nearest neighbouring windows. Therefore, it is not considered the proposed building would amount to any overbearing impact or loss of outlook given the position and separation distance between the two buildings. In terms of overlooking, the side elevation of The Green has three windows, serving secondary rooms and a bedroom. The proposed development has been revised during the application submission to remove a number of duplicate windows along the south elevation of the development and four of the bedroom windows of the proposed units have been replaced with angled oriel windows, which would direct any potential overlooking away from the adjoining occupiers and mitigate any inter-overlooking and loss of privacy between the two blocks.

In terms of the Town hall units, there would be no material inter-overlooking or loss of privacy between the two buildings, as a result of the position and orientation of the buildings, in which no facades directly face each other. Furthermore, the separation distance between the two buildings would not result in any material overbearing impact, loss of light or outlook.

In summary the proposed development would not result in detrimental harm to the amenity of neighbouring occupiers in accordance with local core policy CP1 (ii) and paragraph 127(f) of the NPPF.

#### Living Conditions of Future Occupiers

All units comply with the minimum sizes outlined within the Government's technical housing standards and all except unit T03 would be dual aspect. The ground floor window of T03 was removed during the application process making it single aspect as issues were raised around disturbance from car headlights opposite the parking area. The removal of the window is considered to overcome this issue, the unit remains provided with adequate light, outlook and ventilation to all habitable rooms and is therefore still considered to provide good quality accommodation for future occupiers. All habitable rooms in the rest of the units are provided with adequate light, outlook and ventilation and a communal refuse and cycle store is provided internally within the building.

In response to the comments raised by operational services a refuse collection point has been added during the application process, to ensure refuse can be collected from Seven Arches Road. It is considered this arrangement is acceptable and would meet the requirements of operation services but further details of a refuse management plan are required, which can be agreed via condition.

In terms of amenity, each dwelling is provided with a private outdoor amenity space in the form of a balcony or terrace in excess of 5sq.m, in accordance with the residential guidance in the appendices of the local plan. The comments raised by the Design Officer in relation to the privacy of the ground floor balcony of plot T05 are noted, however a degree of defensible space provided through hedging is proposed and it is considered the balcony is still usable and would provide an adequate external amenity area for the occupiers. Furthermore, the site is within a highly sustainable location and in close proximity of Shenfield Common and walking distance of King Georges Public Park that would off-set any downfall in amenity provision for small flatted accommodation.

In regard to noise impacts, the Councils Environmental Health Officer has advised the recommendations within the applicant's noise assessment are accepted and suggests suitable glazing and ventilation to areas of the buildings adjacent to Ingrave Road would be required to ensure future occupiers are not subjected to adverse noise, details of which can be provided via condition.

In summary, the proposed development would provide good living conditions for the future occupiers of the proposed development, subject to conditions.

### Parking and Highway Considerations

The proposal would be accessed from Seven Arches Road, utilising the shared access with the Town Hall. The scheme provides 11 no. allocated parking spaces to the rear of the site, including 1 no. disabled access bay and a 1:1 provision of cycle parking that is located integrally within the ground floor of the building. The site is located in a highly sustainable town centre location with a good level of connectivity to public transport. Brentwood Borough Council's adopted parking standards state that *"for main urban areas a reduction to the vehicle parking standard may be considered, particularly for residential development"*. The Highway Authority have commented that the local highway network is protected by parking restrictions and in transport terms the site is considered to be in a sustainable location with good access to frequent and extensive public transport, as well as Brentwood's facilities and on that basis have raised no objection to the development or provision of parking, subject to conditions.

The proposal is therefore considered to accord with policy T2 and T5 of the local plan and the adopted parking standards, subject to the conditions detailed above.

### Landscaping and trees

A tree survey has been undertaken and submitted as part of this application and detailed protection measures have been provided. The development would require the removal of 4 trees, including one category B specimen close to Seven Arches Road, the remaining trees requiring removal are small specimens of limited amenity value. However, the group of mature trees in-between the proposed development and residential apartment block 'The Green' are to be retained and protected and a number of small replacement trees are proposed as part of the landscaping of the site. The Council's Arboriculturalist has raised no objection to the development, subject to the tree protection measures being incorporated and detailed into a Construction Environmental Management Plan (CEMP) to ensure that contractors are aware of these protection measures and a soft landscape and planting scheme is provided, which can be dealt with via condition. On this basis the proposal complies with the requirements of local policy C5.

### Ecology

An ecology report has been submitted as part of the application which summarises the results of the surveys that were undertaken and confirms that the site has no specific ecological value; however, it recommends that suitable best practice measures are adopted during construction to ensure that any badgers that may be within the local area are not harmed. The Essex Badger Protection Group has also recommended conditions to this effect to ensure no transient badgers are harmed or disturbed during the construction process. The local Ecologist has advised these conditions can be detailed within a Construction Environmental Management Plan (CEMP) to be

submitted prior to any demolition or construction works on site. The recommendations of the applicant's ecology report consider swift boxes (or similar) be provided as part of the development to provide a biodiversity enhancement within an urban environment along with native plant species integrated into the landscape, which is supported by the local ecologist. Details of which can be secured and provided via condition.

In summary the proposal would not result in detrimental harm to protected species and seeks to provide a small biodiversity net gain, in compliance with local policy C5 which states development schemes should also consider opportunities for additional habitat creation in any proposals.

### Contamination

A Geo-environmental report has been undertaken by Enzygo Geoenvironmental Ltd in September 2020 and submitted as part of this application submission. The report indicates an elevated lead level in one sample, and it is proposed to remove the made ground in this area and provide a validation report. The Council's Environmental Health Officer has advised that in these circumstances there is no need for a full remediation strategy to be submitted, but simply to proceed on the basis outlined in the report to remove the made ground, test the sides and base of the borehole excavation and provide a verification report to confirm that this has been completed for approval. Based on the comments of the EHO, a condition for a contamination validation report to be submitted prior to the occupation of development is considered acceptable.

### Flood Risk and Drainage

The application site is within flood zone 1 and is at a very low risk of both fluvial and surface water flooding. A drainage strategy report has been submitted as part of the application submission and has been revised following the Lead Local Flood Authorities (LLFA) initial comments concerning the limitation of proposed discharge rates. Following the revision, the LLFA have raised no objection to the drainage strategy subject to a condition for a detailed surface water drainage scheme.

### Open Space

Local policy LT4 states that Developers of residential sites of less than 0.4 ha. (or 20 units) will normally be required to make a financial contribution towards the provision of a Local Area of Play (LAP), a Local Equipped Area of Play (LEAP) and a Neighbourhood Equipped Area of Play (NEAP).

The site is small and provision for open space is very limited, only a small area of external seating is provided opposite the entrance of the site, however each unit is provided with its own private balcony and public open space is within the immediate vicinity. The development does not provide any family sized units (3 beds), therefore it is not anticipated the proposal would amount to any significant increased demand on

surrounding play spaces, but the use of surrounding public open space may be heightened due to the limit open space provided on this site.

The Open Space Supervisor (OSS) has recognised the nature of the scheme and has identified there are already play facilities located a short distance away in King George's Playing Fields. In light of this and in combination with the lack of family sized units a financial contribution in line with the requirements of local policy LT4 will be used to improve existing open space and outdoor sports provision firstly in and around the development area at King George's Playing Fields and Hartswood. Therefore, subject to evidence of costings the applicant has confirmed they are prepared to make a financial provision towards open space by way of a S106, the final figure to be agreed with officers.

#### S106 planning obligations

A S106 is required for the provision of 9 affordable housing units to be provided at Maple Close in conjunction with a financial contribution of £210,000 and that the agreement of the transfer value of the 9 Maple Close homes is concluded, and an agreement entered into, prior to the applicant's start on site on either Maple Close or Seven Arches Road. A financial contribution towards open space is also required, the figure to be finalised and agreed as part of the s106 agreement.

#### Conclusion and Planning Balance

A degree of harm has been identified by way of the buildings siting that is within 0.8metres of the public footway at its southern corner that would amount to a level of prominence and bulk within the streetscape. The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people, which is reflected within the local design polices and the Town Centre Design Guide. In this instance the proposed development would make a good contribution to the character and appearance of the area and lead to an enhancement of the site, revision has been sought by the LPA to further improve the design of the scheme, through a minor revision to its siting but this has been resisted (because of existing infrastructure), as a result this application must be assessed on its merits and weighted within the planning balance.

Brentwood Borough Council does not have an up to date adopted Local Plan and is not able to demonstrate a deliverable 5 year housing land supply, in that regard in line with Para 11 (D) of the NPPF it is determined that a tilted balance applies when determining applications for residential development in that there is a presumption in favour of new residential development. This proposal will result in the redevelopment of a brownfield site in a sustainable area in accordance with the adopted local plan, the Council's emerging local plan and National Planning Policy. The provision of 11 residential units on the site, which would include a provision of 9 offsite affordable housing units situated at Maple Close (subject to application 20/01809/FUL) combined with a financial contribution for two affordable units, will help to boost the supply of market and affordable housing in the Borough.

As a result of this titled balance, it is not considered that the harm generated from the siting of the building and the minor revision that would be sought to improve the impact, would outweigh the benefits of redeveloping a brownfield site for much needed market and affordable housing within the borough. The development, on balance is therefore considered to comply with local and national planning policy and is recommended for approval, in accordance with the NPPF's presumption in favour of sustainable development, subject to conditions and a S106 legal agreement, to ensure both developments are delivered simultaneously.

## **7. Recommendation**

The Application be APPROVED subject to completion of a Section 106 Agreement and 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 Materials**

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

Reason: In Order to safeguard the character and appearance of the area

### **4 Brickwork Sample Panels and Entrance Details**

No development above ground level shall take place until further details of the brickwork, including brick patterns; to be used in the development has been submitted to and approved in writing by the local planning authority. The details shall include: sample panels of the proposed brickwork to include mortar colour and

pointing, and details of elevational treatment of entrance gable. Development shall be carried out in accordance with the approved details.

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

#### 5 Architectural Details

Additional drawings that show details of proposed new windows, oriel windows, doors, eaves, verges, cills and balconies, to be used by section and elevation at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the Local Planning Authority in writing prior to any development above ground level. Fenestration reveals should be no less than 75mm. The development shall be carried out in strict accordance with the approved details.

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

#### 6 SIT01 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, excluding demolition. 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.

#### 7 Landscaping

Prior to the occupation of the development hereby permitted a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall indicate the existing trees shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall also include details of all surfacing materials. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

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

#### 8 Construction Environment Management Plan (CEMP)



No development shall commence, including works of demolition until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (in particular badgers) as well as protection methods of retained trees. The demolition and construction works shall be completed in accordance with the information agreed within the CEMP by the Local Planning Authority.

Reason: to ensure that appropriate measures are undertaken to ensure any disturbance to protected species is mitigated and to ensure trees are not harmed in the interests of visual amenity.

#### 9 Bird Boxes

The provision of 2x Swift Boxes and/or Sparrow Terrace (or similar product) shall be incorporated into/onto walls of the proposed building to provide additional nesting opportunities, details of which shall be submitted to and approved by the Local Planning Authority in writing prior to occupation of the development. The proposed boxes shall be located away from human/lighting disturbance and at least 1.8m from ground on east or north facing aspects, prior to the occupation of the development. The boxes shall be maintained and retained in perpetuity.

Reason: In order to provide a biodiversity net-gain in the interests of sustainable development.

#### 10 Boundary Treatments and Lighting

The development shall not be occupied until details of external lighting and the treatment of all boundaries (including existing boundary treatments); to include drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments and lighting shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of adjacent occupiers.

#### 11 Noise Insulation

No development above ground level shall commence until a scheme for noise insulation including a specification for suitable glazing and ventilation to meet the target levels set out in BS8233:2014, [e.g. 30dB LAeq, 1hour night time and 35dB LAeq, 16 hour daytime] has been submitted to and approved in writing by the local planning authority.

Reason: In order to safeguard the living conditions of future occupiers of the development.

#### 12 Compliance with Window Spec

Prior to occupation of the development a document demonstrating that the windows to the agreed specification of condition 11 have been installed shall be submitted to and approved in writing by the local planning authority. The approved windows shall be retained in perpetuity and not be altered in any way unless agreed in writing by the local planning authority.

Reason: In order to safeguard the living conditions of future occupiers of the development.

#### 13 Contamination Validation Report

Prior to the occupation of the development a validation report shall be submitted to the local planning authority and approved in writing to confirm that the required contamination remediation as identified in the approved contamination assessment: Ref: CRM.1833.001.GE.R.003.A by Enzygo Geoenvironmental Ltd; has been carried out.

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 Secure by Design

Prior to the occupation of the development further details of access and security shall be submitted to and approved in writing by the local planning authority. Details shall include but not be limited to: postal arrangements and mailboxes, security arrangements for the cycle and refuse storage facilities and residential access control of communal doors.

Reason: In the interests of secure by design and providing a safe and secure development for future occupiers.

#### 15 Refuse Strategy and Management Plan

Prior to the occupation of the development details of a refuse strategy and management plan shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with approved details and shall not be amended unless agreed in writing by the local planning authority.

Reason: To ensure that adequate provision is made in interests of future occupiers of development and to safeguard the character and appearance of the area.

#### 16CMS

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

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

#### 17 Vehicular Parking

The proposed development shall not be occupied until such time as the vehicle parking areas indicated on planning drawing 153762-STL-P\_110/B, including any parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays and provision shall be made for EV charge points, details of which shall be submitted to and approved in writing by the local planning authority. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

#### 18 Cycle Parking

Prior to the occupation of the development, the cycle parking as shown on drawing 153762-STL-P\_110/B; shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

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

#### 19 Residential Travel Packs

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

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

## 20 Surface water drainage scheme

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- The required allowance of urban creep (additional 10% of roof area) should be included in storage calculation.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

Reason/s: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

## 21 Renewable Energy

Prior to any works above ground level, a sustainability and energy strategy to include further details of the number and location of renewable energy features, such as PV panels and a technical specification of the proposed heating system to be used shall be submitted to and approved in writing by the local planning authority. The development shall be carried out strictly in accordance with the approved details.

Reason: In order to maximise renewable energy and efficiency in the interests of sustainable development.

## 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, C5, T2, T5, H9, H6, H14, LT4, LT8, PC4, IR5, National Planning Policy Framework (NPPF) 2019 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.

### 5 Thames Water

The applicant is advised that if the development proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

### 6 Secure By Design

Essex Police, provide a free, impartial advice service to applicants who require advice on Crime Prevention Through Environmental Design and Secured by Design and we would welcome the opportunity to meet with the applicant to discuss the security design aspects of the application to ensure provision of a safe and secure environment for potential residents Contact with Essex Police Designing Out Crime team is via [designingoutcrime@essex.pnn.police.uk](mailto:designingoutcrime@essex.pnn.police.uk)

### 7 Highway Works

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.

### 8 SUDS

Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS

which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

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

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

It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.

The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

## *BACKGROUND DOCUMENTS*

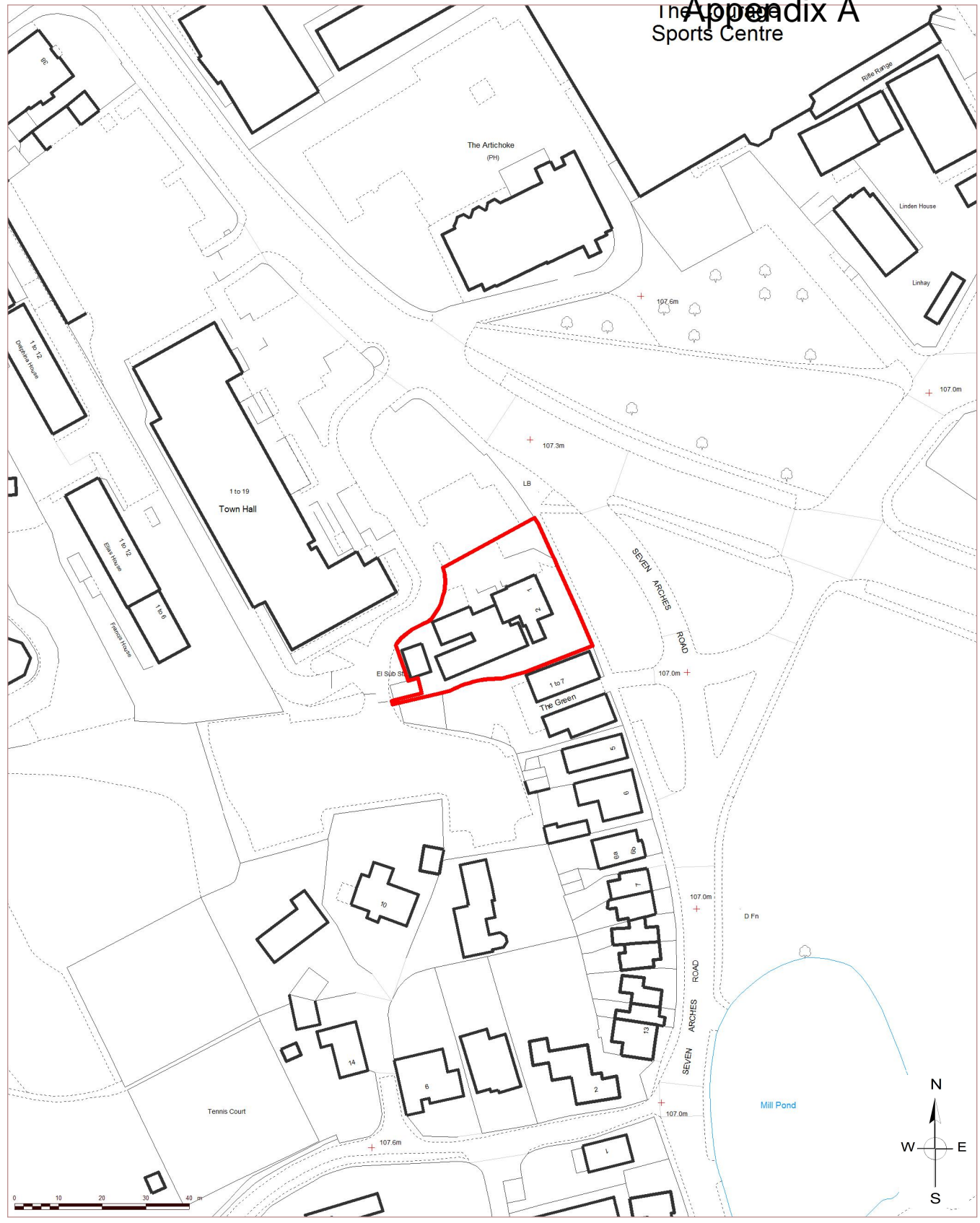
### **DECIDED:**



This page is intentionally left blank



# Appendix A The Sports Centre



Title : 1-2 Seven Arches Road, Brentwood, Essex CM14 4JG

20/01802/FUL

Scale at A4 : 1:1250

Date : 18th March 2021

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



© Crown copyright and database rights 2020 Ordnance Survey 100018309

This page is intentionally left blank

## **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.