

SITE PLAN ATTACHED

DEVELOPMENT LAND AT 141 TO 147 HIGH STREET BRENTWOOD ESSEX

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

APPLICATION NO: 18/00859/FUL

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

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

1. Proposals

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

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

2. Policy Context

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

Brentwood Replacement Local Development Plan 2005, in particular:

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

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

3. Relevant History

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

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

4. Neighbour Responses

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

Public consultation (by developer)

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

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

4 local residents attended; the main concerns were;

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

5. Consultation Responses

- **ECC SUDS:**

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

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

- **Historic Buildings And Conservation Officer:**

Significance & Background

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

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

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

Proposal

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

Discussion

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

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

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

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

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

Summary

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

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

Recommendation

Consequently, I raise no objection to the proposed scheme.

- **Environmental Health & Enforcement Manager:**

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

Contaminated Land

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

Noise:

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

Deliveries:

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

Construction:

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

Food production premises:

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

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

- **Operational Services Manager:**

No comments received

- **Highway Authority:**

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

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

- **Anglian Water Services Ltd:**

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

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

- **Thames Water Development Planning:**

Waste Comments

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

6. Summary of Issues

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

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

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

Background:

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

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

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

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

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

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

Design

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

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

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

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

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

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

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

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

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

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

Amenity

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

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

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

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

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

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

Standard of Accommodation

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

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

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

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

Affordable Housing

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

Highways and Parking

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

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

Environmental issues

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

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

Other issues:

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

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

Conclusion:

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

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

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

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

2 U26719

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

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

3 U26720

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

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

4 U26721

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

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

5 U26722

All rainwater goods shall be concealed.

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

6 U26723

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities
- v. Hours of working during the construction period

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

7 U26724

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

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

8 U26725

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

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

9 U26726

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

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

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

10U26727

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

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

11U26728

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

Reason: in the interests of promoting sustainable development and transport

12U26729

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

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

13U26730

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

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

14 U26731

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

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

15 U26732

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

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

16 U26734

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

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

17 U26733

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

Reason: to ensure satisfactory drainage from the site.

18 U26735

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

Reason: To establish the scope of the permission.

19 U26736

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

Reason: In safeguard the living conditions of nearby residents.

20U26737

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

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

21U26738

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

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

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

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

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

No activity on Sunday or public holidays.

Reason: To safeguard the living conditions of nearby residents.

22U26739

Unless formally permitted by the local planning authority the development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

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

Those details shall include:

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

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

Informative(s)

1 U05760

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

2 U05761

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

3 INF04

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

4 U05762

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

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

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

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

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

Should you require further information please contact Thames Water

BACKGROUND DOCUMENTS

DECIDED: