

SITE PLAN ATTACHED

**SOUTH ESSEX GOLF AND COUNTRY CLUB BRENTWOOD ROAD
HERONGATE ESSEX CM13 3LW**

**REDEVELOPMENT OF EXISTING COMMERCIAL BUILDING TO PROVIDE 30
DWELLINGS; REPLACEMENT D2 FACILITY (AS EXTENSION TO THE
EXISTING CLUBHOUSE); AND ASSOCIATED LANDSCAPING AND CAR
PARKING.**

APPLICATION NO: 18/01291/FUL

WARD	Herongate, Ingrave & West Horndon	8/13 WEEK DATE	02.11.2018
PARISH	Herongate & Ingrave	POLICIES	
CASE OFFICER	Mr Nick Howard	01277 312500	

The application is presented to committee as it is a major application in the Green Belt.

1. Proposals

The proposal seeks full planning permission for 30 dwellings and an extension to the golf clubhouse. The residential element of the scheme provides a mix of house types including four 5-bedroom houses, three 4-bedroom houses, nine 3-bedroom houses and 14 apartments, consisting of one and two bedrooms.

The proposal includes a parking provision of 62 car spaces and secure storage facilities for bicycles. Further to the proposed residential development the proposal includes an extension to the existing club house and provides space for a gym facility (Class D2).

2. Site Description

The site comprises South Essex Golf Centre and is approximately one mile south east of Herongate. It is accessed from a long private drive off Brentwood Road 750 metres north of the A127. This drive leads to the golf course site which is currently accommodated by a large vacant building, the club house and driving range building.

Although originally built as an agricultural building, the vacant building had more recently been occupied and used as an indoor bowls club and green keeper store.

The Club closed and relocated in May 2017 but it's current lawful use is that of either D2 – leisure.

To the north, north east and east of the site is the golf course. To the south is a driving range and to the west of the site is Brentwood Road, adjacent to which is Cockridden Farm Industrial Estate.

The site is in the Green Belt as defined in the proposals map of the Brentwood Replacement Local Plan 2005. The topography of the site results in a 'bowl' feature, with higher ground to the north and south of the site. A public footpath follows the line of the access drive before turning north and before the site is reached. Part of the site is within Flood Zone 3 which is an area with a higher risk of flooding and the remainder of the site is located within Flood Zone 1 which is at a low risk of flooding. As such the application is accompanied by a Flood Risk Assessment.

3. Relevant History

- BRW/791/92 Change of use of an existing building to golf club house, professional shop, stewards flat and store- Approved at appeal September 1993
- BRW/792/92 Extension of existing building and use as an indoor bowling green with ancillary facilities- Approved at appeal September 1993
- BRW 528/96- Erection of golf club house together with the continued use of a former agricultural building as an implement store. Approved 1997 (part) implemented.
- 17/01528/FUL redevelopment of the site to provide 30 residential dwellings- refused

4. Neighbour Responses

38 letters of objection on the grounds of:

- Development would affect the openness of the area
- The development would affect local services
- Lack of amenity space for flats
- Lack of car parking
- Congestion on local roads
- Poor access arrangement
- Site on a floodplain

5. Consultation Responses

- **Highway Authority:**

A site visit has been undertaken and the documents accompanying the planning application have been duly considered. Given that the proposals are not expected to increase the number of trips to / from the site in comparison to its existing lawful use, parking provision complies with Brentwood Borough Council's adopted parking standards and the existing site access conforms to current highway standards, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions:

- **Schools & Education (from previous application):**

Early Years and Childcare

The proposed development is located within the Herongate, Ingrave and West Horndon Ward. According to Essex County Council's childcare sufficiency data, published in summer 2017 there are 3 providers of early years and childcare in the area. Of these there are 2 Pre-schools and 1 Childminder. Overall a total of 6 unfilled places were recorded for 2-year olds and 11 unfilled places were recorded for 3 and 4-year olds. For Essex County Council to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure a diverse range of provision so that different needs can be met. As there are sufficient places available a developer's contribution towards new childcare places will not be required for this application at this point in time.

Primary Education

This development sits within the priority admissions area of Ingrave Johnstone CE Primary School, which has a planned admission number of 30 pupils each year. Due to pressure in the area the school has taken slightly higher numbers in some year group and, thereby, has a total of 216 on roll. To accommodate this number the School has to utilise temporary accommodation in addition to its permanent buildings. According to Essex County Council's document 'Commissioning School Places in Essex', the Brentwood area as a whole (group 1) will require 61 additional spaces to meet demand by the academic year commencing 2020.

It is clear from the above data that additional primary school places will be needed. This development would add to that need and, thereby, the scope of projects to provide additional school places are directly related to the proposal. The contribution sought is based on the formula outlined in the Essex County Council Developers' Guide to Infrastructure Contributions, which sets sums based on the number and type of homes built. The contribution will thus be fairly and reasonably related in scale and kind to the development and, thereby, Community Infrastructure Levy regulation 122 compliant.

Secondary Education

Demand for places at the priority admissions area secondary school, St Martin's, is also rising. Prior to the implementation of the revised Community Infrastructure Levy

Regulations on the 6th April 2015 the County Council would have sought a developer contribution from this proposed development for additional secondary school places. However, the implementation of the revised Regulations now restricts the pooling of contributions for a specific item of infrastructure, such as the expansion of a school, to contributions from five separate planning obligations. Under these changed circumstances the County Council has decided not to request a contribution for the provision of additional secondary school places from this proposed development. This is because the scale of this development is relatively small. Seeking contributions from a number of small developments might, in the future, preclude the County Council from seeking a contribution from a larger development, should there already be 5 obligations pertaining to a project to add school places in the area.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will be seeking a school transport contribution for school transport, only in the event that the developer has not included safe direct walking and cycling routes to local schools within their application.

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on childcare, education and school transport. Our standard formula s106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

For information only please see below calculations based on the below housing mix.

Based on the 30 dwellings with a unit mix of 16 x 2+bed houses, 9 x 2bed flats & 5 x 1bed flats (discounted) we would ask this development to contribute funding for 1.85 EY&C places and 6.15 Primary school places.

Primary school –

6.15 places x £15,281 per place = £93,978.15 + indexation from April 2018

Primary school Transport –

6.15 places x £9.50 per place x 190 school days x 7 years = £77,705.25 + indexation from April 2018

Secondary school Transport –

4.10 places x £3.65 per place x 190 school days x 5 years = £14,216.75 + indexation from April 2018

Total contribution requested from this development = **£185,900.15**

Please note that all the above amounts are not including indexation which will be added at the time of invoicing, this will be based from April 2017 BCIS PUBSEC.

- **Design Officer:**

Thank you for consulting on this application which concerns the redevelopment of an existing commercial building to provide 30 dwellings; replacement D2 facility (as extension to the existing clubhouse); and associated landscaping and car parking.

The proposals within this application mirror the previously application (ref: 17/01528/FUL), as such please refer to my previous Design comments. In summary, I support this application for approval subject to conditions.

- **Environment Agency:**

We are writing to confirm that we are able to remove our previous holding objection detailed in our letter AE/2018/123171/01, dated 10 September 2018. We have had further contact with the applicants who have provided us with a site plan confirming the finished floor levels. We are satisfied that there would be no risk from flooding, to the site, subject to conditions.

- **ECC SUDS:**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, acting on behalf of ECC we would recommend the issue of a holding objection on the basis of the following:

- Verification of the unsuitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure. Please submit infiltration tests that satisfy BRE 365 requirements or similar approved.
- Where it is proposed to divert and daylight the existing culvert which traverses the site, flows shall not be discharging at a rate which increases flood risk downstream. Please provide verification that the diversionary proposals shall not increase flows draining to the existing ditch in a critical event.
- No proposed levels and exceedance routes have been provided on plan for the development. Please provide this additional information, which should include proposed bank and bed levels of the swale as well as proposed levels within the development.

Revised Comment-

Following up from, Kris' email. I am satisfied that the desktop assessment of infiltration potential would be suitable at this stage of the application process, subject to the inclusion of a condition requiring further on site testing at the detailed design stage of the process. It did seem likely having spoken to Chris that the remaining two points should be relatively easy to address. The levels and exceedance plan is a fairly straight forward piece of work. It should be noted that I have asked that Kris or his team to also clarify that the length of the diverted culvert will not significantly shorten the route to the point of discharge and I would require this clarification before lifting our holding objection. It is however acknowledged that the variation of

roughness coefficients between the old and new culvert is unlikely to have a significant impact on downstream flood risk.

Further email dated 5/11/18- No objections subject to conditions

- **Anglian Water Services Ltd (consultation from previous application):**

No objections subject to a drainage condition

- **Sport England:**

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application.

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

- **Open Space Strategy Coordinator (consultation from previous application):**

Although the developer has confirmed the percentage of open space against the overall size of the site is at least 15%, the Council's policy does not preclude the applicant from a financial contribution even if some of the site is set aside as open space. The proposal does not include a central green or area that would be of sufficient size to be considered as usable public realm.

Overall the proposal may meet the Council's policy, however the reality is that taken as individual areas they do not really offer anywhere for social recreation and are merely landscape features to make the development more appealing to buyers.

As it stands I will still seek a contribution based on my previous emails but am still happy for this to be paid in a phased approach.

At this time the level of financial contribution being sought towards the improvement of existing open space will be £150,000, although this could be paid on a phased approach. On this basis there are no objections from an open space's perspective

- **Essex Badger Protection Group:**

The Essex Badger Protection Group has no record of any badger setts close enough to be affected by this immediate scheme and therefore has no objection to the proposals provided they are carried out strictly in line with the mitigation set out in the Environmental Report.

- **Basildon Fire Station:**

The proposal itself does not affect fire service access to existing premises in the vicinity. Fire Service vehicular access to both the dwellings and clubhouse appear sufficient provided the requirements of Approved Document B Section B5 Volumes 1 & 2 are achieved and maintained.

- **West Horndon Parish Council:**

Parish Councillors noted that this application is very similar to that made under Planning Application No. 17/01528/FUL but now includes what appears to be a larger extension to the golf clubhouse. Many of the problems associated with the earlier application have now been addressed by the developers. It has been clarified that the commercial building which is to be developed - the former indoors bowls club - had previously been reclassified from only being designated for agricultural use. This recognises the footprint of the building upon Green Belt land. As the developer is proposing to contain the housing development within the existing space available, then questions of encroachment of the Green Belt go away. The level of social housing on the development has also been examined by increasing the number of properties included within this category.

However, the Parish Councillors continued to have concerns regarding access issues to the site. The access road has a junction with the A128. It is noted that there is a hollow in the A128 close to this junction and hence visibility issues for vehicles approaching at speed.

Flooding at the site has still to be addressed by the Environmental Agency. Three drainage holes have been included and the views of the Environmental Agency are awaited with interest. West Horndon Parish Councillors will be guided by these.

Parking on the site remains a matter of disquiet. It is felt that not enough provision has been made for residential purposes although it is understood that the level incorporated within the development design meets policy as set by Brentwood Borough Council. The developer has stated that if the parking proves insufficient then the parking provision for recreational purposes - those using the golf course and golf clubhouse facilities - could be utilised. However, it is known that within the proposed extension to the clubhouse a social club/function suite is planned. It is clearly unknown at this time how popular this function suite will prove. Nevertheless, when in use the function suite will attract a number of visitors to the site, the majority of whom will undoubtedly have travelled by their own vehicles. This will create a significant parking problem.

West Horndon Parish Councillors object to the planning application for the listed reasons.

Herongate Parish Council:

The Parish Council would like to object to the planning application as:

1. The proposal is contrary to the provisions of the Framework and Policies GB1 and GB2 of the Brentwood Replacement Local plan as it represents inappropriate development in the Green Belt. The existing buildings were previously agricultural and then in use as a sporting facility. Such buildings represent allowable building in Green Belt under the National Planning Policy Framework paragraph 89. The developers claim that this application represents "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land)". The Parish Council would argue that this is not the case. The original reason for building on this area of Green Belt was to allow agricultural and sporting use - not to build houses. This application represents further incursion into the Green Belt than the existing buildings and would have a greater impact on the openness of the Green Belt which is against paragraph 79 of the National Planning Policy Framework.

Furthermore, there is great concern that if this application is granted it will establish a precedent and other agricultural buildings in the area will also be re-developed into housing. This will lead to the infilling of the Green Belt and to the merging of Herongate and Ingrave with West Horndon. The Green Belt was created in order to stop such merging (NPPF para 80) and that is why any further incursion to the Green Belt must be opposed.

2. The amount of affordable housing continues to be below the Council's requirement and the only justification given is that of "insufficient profit". No actual figures have been provided to support this and as such the proposal is contrary to Policy H9 of the Brentwood Replacement Local Plan and the provisions of the National Planning Policy Framework 2012.

3. We note that ECC SuDS and the Environment Agency have both raised holds on the application on grounds of flood risk. The Environment Agency have also stated that the Flood Risk Assessment submitted by the developers is inadequate and does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306.

4. There is a lack of doctor's surgeries, school places and daycare places in the area which the addition of 30 new homes will exacerbate.

The Schools, Children Families Directorate commented on the previous application (which is essentially identical to this application)"I would be grateful if the lack of surplus childcare, education and school transport provision in the area to accommodate the proposed new homes can be noted as an additional reason for refusal" which supports numerous objections from residents on these grounds.

6 Policy Context

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

RLP Policy:GB1, GB2 Green Belt Development

Policy H6 – Housing Mix

Policy H9- Affordable housing

Policy T2 – Highway issues

Policy T5 Parking

NPPF Sections: Paragraph 145 Green Belt

Local Development Plan:

The successor document for the Brentwood Replacement Local Plan 2005, the new Local Development Plan (LDP), underwent draft stage consultation (Regulation 18) in 2016 and was the subject of site-focused consultation (Regulation 18) between January and March 2018, identifying proposed development allocations. Where 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 Pre-Submission Draft (Regulation 19) will be considered for publication and consultation at Extraordinary Council on 8 November 2018. Once public consultation has concluded, the LDP will be submitted to the Secretary of State (Regulation 22), likely to be in Q1 of 2019. Provided the Inspector finds the plan to be sound, following an Examination in Public, it is estimated that it could be adopted in mid-2019.

7. Summary of Issues

Members will recall that a previous application for 30 dwellings was refused on the following three grounds:

- ☐ Impact on openness of Green Belt;
- ☐ Insufficient affordable housing provision; and
- ☐ Loss of indoor sport facility.

The applicant has appealed against the Council's decision and a public inquiry is to be held next year. In discussions with the Council's appointed barrister and a viability consultant it is considered that reasons two and three cannot be sustained in a future inquiry. The viability consultant agrees with the original consultant's findings and the barrister does not consider that the Council have a defensible position in relation to the loss of an indoor sport facility. Therefore, the issue relating to the openness of the Green Belt remains and is dealt with below.

Green Belt

The site is located within the Green Belt. The Framework, paragraph 145 sets out exceptions to inappropriate development in the Green Belt. One such exception is the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In September 1993, the Secretary of State granted a planning permission for the change of use of an existing building to a golf club house, professional shop, stewards flat and store, and to extend an existing building and use as an indoor bowling green with ancillary facilities. This permission was implemented. The building, which was used as an indoor bowling green and to be demolished as part of this proposal is considered to be previously developed land as per the definition set out in the National Planning Policy Framework 2018.

With regard to the openness of the Green Belt, the applicant has amended the proposal from the previous scheme in that the southernmost gabled end of the club house has been removed. As a result, 54 square metres of proposed footprint has been removed which results in a reduction in volume of 340 cubic metres. The following figures are a comparison between existing and proposed:

<u>Existing</u> <u>metres)</u>	<u>Volume (cubic</u>
Bowls Club Building/Green Keepers Store	14461
Remaining Extant permission	2427
Total	16888

<u>Proposed</u> <u>metres)</u>	<u>Volume (cubic</u>
Proposed residential development	14423
Proposed Clubhouse extension	1960
Total	16383

3 % reduction in built form

The applicant has included a component which identifies an extant permission for an extension to the club house which has not been implemented. The applicant contends the volume of this extant permission should be included in the calculation when assessing the openness of the Green Belt. In support of this contention the applicant refers to an appeal decision at North Weald Golf Club which allowed a development of 20 dwellings and replacing the existing club house which had previous planning permission for an extension which had been partially implemented. However, the element to be completed was included within the assessment for the openness of the Green Belt, which is a similar scenario to this current application. Overall the proposal would result in reduction of the built form by 3%, which would suggest that the harm to openness through additional built form is neutral when compared to the extant permission.

The second element in assessing the openness of the Green Belt is the extent of the development. At present the site comprises a large building with a car park to the south and east of the building. The development would spread to the east of the building and slightly to the south and although it would have an increased extent of development it would be on a considerably lower scale and on hard surfaced areas associated with the golf club. Furthermore, the development would be positioned in the lower part of the site and the surrounding area. To the north there is a large embankment with rising ground and to the south there is rising ground and therefore the development would not be harmful to the openness of the Green Belt and would integrate into the rural landscape.

The proposal therefore complies with the Framework and Policies GB1 and GB2 of the Brentwood Replacement Local Plan in that the development would fall into the range of exceptions to inappropriate development in the Green Belt.

Housing Need

The Council currently can only demonstrate a housing supply of 4.14 years which is well below the five-year requirement as set out in the Framework. The proposed development will provide 30 dwellings which will make a not insignificant contribution to the Council's housing need. This issue weighs in favour of the development.

Housing Mix

Policy H6 of the Local Plan requires that for developments of six or more dwellings, at least 50% of the units should be small i.e. comprise one or two-bedroom dwellings. Of the 30 dwellings the proposal includes 14 apartments which are either one or two-bedroom units. This represents 47% of the development which is just below the policy requirement. However, given the proposal is just below the policy requirement and from the larger dwellings a significant proportion are three bedroomed, the mix of units is considered acceptable and complies with Policy H6.

Affordable Housing

The proposal is for 30 dwellings and normally Council Policy H9 requires 35% of the total development to be affordable housing (10 dwellings) subject to criterion (v) 'the economics of provision, including the particular costs associated with development and the realisation of other planning objectives'. The applicant previously submitted a viability report (and which has been resubmitted) that was assessed by consultants appointed by the Council and which has been reviewed a second time by a different financial consultant. The report on the viability of the scheme was previously agreed by the consultants and the applicant's consultants and the previous proposal included the provision of three shared ownership properties.

The applicant has increased this number to four affordable apartments in lieu of open space contribution. The comments of the Open Space Co-ordinator officer are noted, but at this time officers are of the view that there is a greater need for an additional affordable unit compared to the open space contribution, given the context and location of the site. To require a greater level of provision would make the scheme unviable and it would not be built. On this basis, it is considered that the development would comply with Policy H9.

Design

The proposed development is centered around two courtyards. The north western courtyard comprises seven large detached dwellings and the south eastern courtyard consists of 23 units with a mixture of dwellings and apartments. The part of the site to be developed is set within a slight bowl with land rising in all directions around the site.

The design intent itself, is for contemporary barn style buildings with seamless detail and high-quality materials. The development is set around the principle of rural clusters and courtyards with varying heights. There is little by way of technical design detail within the submission, therefore should the application be recommended for approval the design officer advises that conditions are applied in this respect.

Traffic Impact, Access and Car Parking

The Highway authority considers that given that the proposals are not expected to increase the number of trips to / from the site in comparison to its existing lawful use. Furthermore, the parking provision complies with Brentwood Borough Council's adopted parking standards and the existing site access conforms to current highway standards, from a highway and transportation perspective. The impact of the proposal is therefore acceptable to the Highway Authority subject to conditions. In addition, the proposal would require the diversion of a public right of way which would be dealt with under separate legislation.

Impact Upon Ecology and Biodiversity

The applicant has submitted an ecology report, it concludes that none of the habitats present are considered to be of special importance. The receptors on site comprise buildings, hardstandings, amenity grassland, small areas of shrubs and small trees. The report also states that badgers may venture in the area, therefore mitigation measures should be included which can be dealt with by condition. The proposal involves a significant landscaping scheme which again can be secured by condition.

Other Matters

The Council have received a number of objections from local residents. The issue of brownfield development in the Green Belt is dealt with in the main body of the report. There is no evidence presented by the objectors that the proposed development would affect local services. Furthermore, the proposal includes a financial contribution to education provision. There is considered sufficient shared amenity space for the proposed flats. In terms of car parking the scheme provides 62 car parking spaces for the residential development. House types A-D are also provided with integral garages. Furthermore, secure storage for bicycles is also provided. The golf course car park totals 147 parking spaces with more overflow parking areas available if needed. Officers consider there is sufficient parking to serve the development. The Highway officer does not object to the level of traffic the proposal will generate and considers the access arrangement is acceptable. With regard to flooding, part of the application site is located within Flood Zone 3 and as such, is considered to be at risk of flooding. The remainder of the site falls within Flood Zone 1 which is at low risk of flooding. The applicant's consultants have prepared a Flood Risk Assessment that considers flood risk and drainage across the site and proposes mitigation measures to be implemented alongside the proposed development. The Environment Agency accepts the consultant's report.

Conclusion

The application is a resubmission of a previous refusal which has been appealed by the applicant. The affordable housing issue and loss of indoor sports facility has been assessed by the Council's appointed barrister in connection with the appeal and it is

considered that these issues cannot be defended. Therefore, the sole issue is the impact the proposal would have on the openness of the Green belt.

The proposal is to redevelop a brownfield site within the Green Belt. The applicant has reduced the proposed built form by reducing the size of the extension to the clubhouse. The proposal would represent a 3% reduction on the existing built form (if including the extant permission) which is a positive gain on the effect on the openness of the Green belt.

Essex County Council as Local Lead Flood Authority (LLFA) has submitted a holding objection.

The building was previously used as an internal bowls centre, which has now ceased. Members of the club have found other bowls clubs in the area to relocate. The loss of the bowls club has been mitigated by the provision of a new gym and improved golf facilities. The loss of the existing sports building is therefore considered acceptable.

The provision of 30 dwellings will make a not insignificant contribution to the Council's housing requirements.

The proposal will result in a high-quality development which will complement its rural surrounds.

Overall the proposal is compliant with the Framework and the Council's Local Plan policies. The recommendation is therefore to approve subject to a S106 agreement requiring a financial contribution for education and the provision of affordable housing.

7. Recommendation

The Application be APPROVED subject to a Section 106 agreement and the following conditions:-

The S106 should include reference to the financial contributions towards education and the provision of shared ownership properties.

1. 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. 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. A schedule of all external surface materials including walls and roofs, and a schedule of all external joinery, indicating the proposed finish and decoration to be used, shall be submitted to and approved by the local planning authority in writing prior to the commencement of any works. The development shall be constructed in full accordance with the approved details.

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

4. Development shall not be commenced until sample panels of 1 square metre minimum shall be erected on site to show areas of new, exterior walling, have been approved in writing by the local planning authority. Where appropriate, these panels shall indicate: brick bond, copings, mortar mix, colour and pointing profile, render mix, finish and colour. The works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

5. development shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges, cills and coping to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

6. No electricity, gas or water meter boxes shall be fixed to the external fabric of the building. All electrical and telephone services to the development shall be run underground.

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

7. All soil and waste plumbing shall be run internally and shall not be visible on the exterior.

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

8. The development shall not be occupied until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first

occupation of the development and shall thereafter be permanently retained and maintained.

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

9. All trees and hedges to be retained, including trees outside the site whose canopies overhang the site, shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: In order to protect trees and hedges of importance to safeguard the character and appearance of the area.

10. Prior to the commencement 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 include details of all surfacing materials and existing and proposed ground levels. 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 protect trees and hedges of importance to safeguard the character and appearance of the area.

11. 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.

12 The proposed development shall not be occupied until such time as the vehicle parking area including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at times. The vehicle parking area shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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 in accordance with Policy T2 of the Brentwood Replacement Local Plan.

13. 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.

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

14. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, as approved by Essex County Council.

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

15. Prior to first occupation, the existing bus stops on both sides of the A128 Brentwood Road south of the site access shall be improved. This shall include raised and dropped kerbs to facilitate pedestrian and wheelchair access, two new bus shelters, new flags and timetable displays.

Reason: To encourage trips by public transport in the interest of accessibility

16. Prior to first occupation, the proposed new pedestrian footway alongside the site access road and connecting to the bus stops (referred to above) shall be hard-

surfaced, provided with a minimum 2 metre width for its entire length and include tactile paving at the proposed crossing point as shown in principle in drawing Figure 2.3 (Proposed Footway Connection – Site/A128) in Appendix C of the Transport Assessment.

Reason: To provide a safe link for pedestrians in the interest of accessibility

17 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy.

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

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

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

19. No more than 14 dwellings of the proposed development shall be occupied until the proposed 'D2 use' is first brought into use.

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

20. 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.

Reason: To prevent the creation of dwellings of disproportionate size that would conflict with the policies of restraint within the Green Belt

21. 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 development falling within Schedule 2, Part 1, Class E of that Order ('buildings etc incidental to the enjoyment of a dwellinghouse') shall be carried out without the prior grant of specific planning permission by the local planning authority.

Reason: To prevent the construction of buildings which would be harmful to the openness of the Green Belt and that would conflict with the policies of restraint within the Green Belt

22. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) referenced 518-0001 and dated Aug 2018 and the following mitigation measures detailed within the FRA:

1. Finished ground floor levels are set no lower than 42.43 metres above Ordnance Datum (AOD).
2. The mitigation measures shall be fully implemented prior to first occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

23. No development 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:

- . Infiltration testing in accordance with BRE365 procedures to assess the suitability of the site for infiltration SuDS. Should rates be deemed suitable discharge of surface water from the site should be based on infiltration.
- . Limiting discharge rates to 27.4l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- . 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.
- . Final modelling and calculations for all areas of the drainage system.
- . The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- . 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.
- . A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The approved scheme shall subsequently be implemented prior to occupation.

Reason

- . 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.

24. No development shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason

The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

25. No development shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. The surface water drainage system shall be maintained by the approved maintenance plan thereafter.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

26. 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.

Informative(s)

1 INF01 Reason for approval (no objections)

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

2 INF04 Amendments to approved scheme

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

3 INF05 Policies

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, GB1, GB2, T2, T5, the National Planning Policy Framework 2012 and National Planning Policy Guidance 2014.

4 INF16 Section 106

This planning permission is the subject of a planning obligation made under Section 106 of the Town and Country Planning Act and the developer must ensure that the provisions of that obligation are fully implemented.

5 INF22 Approved Following Revisions

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.

6 Anglian Water recommends that petrol/oil interceptor to be fitted in all car parking areas. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

7 Anglia Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewerage flooding and consequential environmental and amenity impact and may constitute an offence.

8 The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 59 (Herongate and Ingrave parish) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

9. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

10. 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.

11. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood, Essex CM13 3HD.

BACKGROUND DOCUMENTS

DECIDED: