

SITE PLAN ATTACHED

LAND NORTH OF WOOLLARD WAY NINE ASHES ROAD BLACKMORE ESSEX

RESIDENTIAL DEVELOPMENT OF 40NO. DWELLINGS INCLUDING MARKET AND AFFORDABLE HOUSING, INTERNAL ROADS AND PAVEMENTS, LANDSCAPING, SUDS FEATURES, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE. CONSTRUCTION OF NEW VEHICULAR AND PEDESTRIAN ACCESS FROM NINE ASHES ROAD, PEDESTRIAN LINK TO FINGRITH HALL LANE AND PEDESTRIAN/CYCLE LINK TO WOOLLARD WAY.

APPLICATION NO: 22/01411/FUL

WARD	Tipps Cross	8/13 WEEK DATE	5 January 2023
PARISH	Blackmore, Hook End And Wyatts Green	Extension of time DATE	18 February 2023
CASE OFFICER	Fiona Dunning		

Drawing no(s) relevant to this decision:

0337-0001 Rev A, 0337-1001 Rev I, 0337-1501 Rev C, 0337-2001 Rev B, 0337-2002 Rev D, 0337-2003 Rev C, 0337-2004 Rev E, 0337-2005 Rev C, 0337-2006 Rev C, 0337-2007 Rev C, 0337-2008 Rev B, 0337-2009 Rev C, 0337-2010 Rev A, 0337-2011 Rev A, 0337-2012, 0337-2013, 0337-2501, 0337-2502 Rev B, 0337-2503 Rev B, 0337-4001 Rev E, 0337-4002 Rev B, 0337-4003 Rev A, 21094-GUA-DR_L-001-P03 (Illustrative Landscape Masterplan), 21094-GUA-DR_L-001-P05 (Outline Landscape Proposals), 21094-GUA-DR_L-002-P03, 21094-GUA-DR_L-003-P03, 21094-GUA-DR_L-004-P03, 21094-GUA-DR_L-005-P03, 21094-GUA-DR_L-006-P03, 21094-GUA-DR_L-007-P03, ST-2396-10-D, Design and Access Statement, Arboricultural Impact Assessment, Ecological Impact Assessment, Environmental Desk Study, Heritage Statement, Landscape and Visual Appraisal, Landscape Design Strategy, Planning Statement, Transport Statement, Written Scheme of Investigation, Flood Risk Assessment, Energy Statement, Sustainability Statement, Stomor Response to LLFA, Road Safety Appendices, Heritage Advice Note, Housing Mix Addendum, Biodiversity Net Gain Assessment March 2023, Biodiversity Metric 3.1

This application is of a strategic nature identified within the Brentwood Local Plan and as such is deferred to the Planning Committee for decision at the discretion of the Director of Place Services.

1. Proposal

The site is located on the northern edge of Blackmore village settlement and is an allocated strategic residential site for around 40 dwelling in Brentwood Local Plan (Policy R25). The site has an area of 3.31ha and has frontage to Nine Ashes Road to the west, Redrose Lane to the north and Fingrith Hall Road to the east, with a hedgerow on these road frontages. Woollard Way is to the south of the site. Within the site there is a hedgerow running in a north-south direction approximately 55 metres from Fingrith Hall Road. The remainder of the site is grassland recently used for horse grazing, with two existing agricultural gates on Redrose Lane with a small agricultural building in the north-west corner. The site has a slight fall from the north-west to the east. Adjacent to the site on Redrose Lane and Fingrith Hall Road are drainage ditches.

Residential properties on Nine Ashes Road, Woollard Way and Fingrith Hall Road adjoin the site. To the north on Redrose Lane and east on Fingrith Hall Road are small clusters of dwellings and farmland. Other land uses in the locality include the primary school and Village Hall to the west.

The proposal for 40 dwellings includes a mix of detached, semi-detached and terrace houses, landscaping, SuDS features, public open space and provision for cycle and car parking. Fourteen of the dwellings (35%) are affordable. Vehicular and pedestrian access to the site is off Nine Ashes Road with additional pedestrian links to Redrose Lane, Fingrith Hall Road and Woollard Way. Each dwelling is provided with vehicular parking and secure cycle storage with 10 visitor car parking spaces provided at various locations within the site. The landscaping, open space and SuDS features surround the proposed dwellings to minimise any impacts on adjoining and nearby neighbours.

2. Policy Context

National Planning Policy and Guidance

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- National Design Guide (NDG)

Development Plan, Policies and Supplementary Planning Documents

- The Brentwood Local Plan (2016-2033) (BLP)

The Plan was adopted as the Development Plan for the Borough on 23 March 2022. At the same time the Brentwood Replacement Local Plan, August 2005 (saved policies, August 2008) was revoked.

- Policy MG01: Spatial Strategy
- Policy MG03: Settlement Hierarchy
- Policy MG05: Developer Contributions
- Policy BE01: Carbon Reduction and Renewable Energy
- Policy BE02: Water Efficiency and Management
- Policy BE04: Managing Heat Risk
- Policy BE05: Sustainable Drainage
- Policy BE07: Connecting New Developments to Digital Infrastructure
- Policy BE08: Strategic Transport Infrastructure
- Policy BE09: Sustainable Means of Travel and Walkable Streets
- Policy BE11: Electric and Low Emission Vehicles
- Policy BE12: Mitigating the Transport Impacts of Development
- Policy BE13: Parking Standards
- Policy BE14: Creating Successful Places
- Policy BE15: Planning for Inclusive Communities
- Policy BE16: Conservation and Enhancement of Historic Environment
- Policy HP01: Housing Mix
- Policy HP03: Residential Density
- Policy HP05: Affordable Housing
- Policy HP06: Standards for New Housing
- Policy NE01: Protecting and Enhancing the Natural Environment
- Policy NE02: Green and Blue Infrastructure; and
- Policy NE03: Trees, Woodlands, Hedgerows
- Policy NE05: Open Space and Recreational Facilities
- Policy NE08: Air Quality
- Policy NE09: Flood Risk
- Policy NE10: Contaminated Land and Hazardous Substances
- Policy R25: Land North of Woollard Way

Other local and regional documents/guidance

- ECC Green Infrastructure Standards
- ECC Sustainable Drainage Systems Design Guide
- ECC Parking Standards
- ECC Infrastructure Contributions
- ECC Design Guide

3. Relevant History

- None

4. Neighbour Responses

Twenty-one neighbour responses have been received and are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

Objection to principle of development

- No proven need for these houses and no genuine concern for the village and its occupants
- Unwanted and unnecessary development not suitable for small rural village
- A 30% increase in houses (12 new houses on Red Rose Lane opposite strategic site 26 (22/01110/FUL for 35 dwellings and 40 for 22/01411/FUL) is too much for the village already impacted by flooding
- Brownfield sites should be used for housing and there are brownfield sites in the borough
- Government is reviewing its housing policy as it should have the consent of the local community
- Cumulative impact of this development and the adjoining site and loss of green belt
- Wrong development in the wrong place
- Impact on small historic village
- The scheme is developer led and not BBC identifying suitable sites for housing

Flooding

- Increased risk of flooding with development with a small SuDS area shown
- Even with SuDS, there is an increased risk of flooding downstream in the flood risk area of the River Wid
- ECC SuDS have commented on flood proofing measures within the development. If the risk of flooding is that big then the site is not suitable for residential development
- Loss of field to absorb water will impact on lower-lying parts of the village
- Insufficient sewerage system

Impacts on infrastructure

- Detrimental impact on village due to the overloading of services and facilities
- Increase in traffic and with this site and the adjoining site (75 additional dwellings in total), there could be an additional 150 vehicles using an already limited road infrastructure
- Existing school and GP surgery are oversubscribed
- Local population did not want the site removed from green belt due to flooding and lack of infrastructure
- The maintenance arrangements for the SuDS and communal areas needs to be in place early to ensure necessary maintenance is carried out

Highway safety

- Greater risk to pedestrians, cyclists and horse riders with additional traffic in village
- Access and egress is fraught with problems with it located opposite the school
- Poor public transport so cars will have to be used having damaging impacts on the environment
- Red Rose Lane is narrow without a pavement
- A roundabout is required at Village Hall Road and Redrose lane to help slow vehicles
- Roads are in a poor state and are not maintained and increase in traffic will cause more damage

Other comments

- Proposal is better than the adjoining site but is out of character with the village
- Sustainability will not be improved as there will not be any additional employment opportunities in Blackmore and future residents will rely on private vehicles
- Insufficient car parking on site
- Not all residents of Blackmore and surrounds were notified by letter
- A smaller number of dwellings should be provided and be in keeping with the needs of the residents of the village
- The increase in the number of houses proposed from 20 to 30 and beyond will create significant problems without any resolution
- No objection subject to the submitted plans being strictly adhered to without deviation
- Andersons have undertaken considerable engagement with the village for many years and the green buffer and cap of 40 houses, design and materials, affordable housing and village heritage has been understood

5. Consultation Responses

- **Highway Authority:**

The documents submitted with the planning application have been duly considered and a number of visits to the locality have been carried out since the site was originally included in the Draft Local Plan. It is noted that the site remains included in Brentwood Borough Council's adopted Local Plan of March 2022 (Site R25). The proposals entail the provision of a new site access on Nine Ashes Road which fully complies with modern highway standards. The proposals also comply with Brentwood's adopted parking standards.

The Highway Authority is satisfied that the proposed development can be accommodated without a material impact on the safety and efficiency of the local highway network. The site is also within walkable distance of the village centre and the services that it provides.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following requirements:

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

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

Reason: To ensure that on-road parking of these vehicles in the adjoining roads does not occur, that loose materials and spoil are not brought out onto the highway and that construction vehicles do not use unsuitable roads, in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to occupation of the proposed development, the site access visibility splays shall be provided as clear to ground and in accordance with Drawing ST-2396-10-D.

Reason: To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. Prior to occupation of the proposed development and as shown in Drawing ST-2396-10-D, a new 2 metre pedestrian footway shall link the proposed main vehicle site access to the existing footway that currently terminates outside the dwelling named Five Farthings on the east side of Nine Ashes Road. As shown, it shall also incorporate a dropped kerb pedestrian crossing of Nine Ashes Road together with associated tactile paving outside the primary school with the precise location to be agreed with the Highway Authority.

Reason: To provide pedestrians and the mobility impaired with safe accessibility to nearby facilities and services in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. Prior to occupation, permanent bollards or similar means to preclude any vehicle access shall be provided within the confines of the development at the proposed pedestrian / cycle accesses onto Woollard Way, Redrose Lane and Fingrith Hall Lane.

Reason: To protect the designated pedestrian / cycle accesses from any potential vehicle movements and in the interest of highway safety and accessibility in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. Cycle parking shall be provided for each dwelling in accordance with the EPOA Parking Standards. The approved facilities 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 in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

8. The developer shall make the appropriate contributions towards the cost of local highway infrastructure improvements as identified in the Brentwood Local Plan Infrastructure Delivery Plan.

Reason: To ensure deliverability of the wider infrastructure needs as set out in the Local Plan and in accordance with Policy DM1 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- **Landscape and Ecology Officer:**

The site currently comprises pasture with hedges and small trees confined to the boundaries except for a single internal hedge.

A landscape and visual impact assessment (LVIA) has been prepared in accordance with best practice guidance. The scheme would not have any

significant effects on landscape character, given its scale and retention of features such as the boundary hedges.

The LVIA confirms that views of the site are largely contained by existing vegetation, topography and development, limiting them to the immediate area. As a result, the most significant visual effects will be experienced by existing residents of Woollard Way, Nine Ashes Road and Redrose Lane. These have been assessed as being Major adverse while construction takes place as the green field will be lost and the site enclosed by hoarding etc. Once construction has been completed and mitigation measures have begun to develop these adverse effects will reduce. The scheme has been designed to create an open space which will include new tree planting between Woollards Way and the new development. Over time this will help to reduce the adverse effects. Off Nine Ashes Road the scheme sets back housing from the road and provides an area of open 'village green' space close to the entrance of the site. The boundary hedge will be retained beside Redrose Lane and new houses will be set back from the boundary.

Views from public rights of way will be negligible at most.

The detailed landscape scheme has incorporated advice provided at pre-application stage. New tree planting and hedges will help soften the visual effects on neighbouring development. The SuDS and open space features have been designed to create attractive spaces that also help deliver a biodiversity enhancement. If the scheme is permitted a landscape condition is sought requiring the detailed planting specification, hard landscape materials and maintenance plan be submitted to the LPA for approval prior to commencement.

The ecological assessment that has been undertaken confirms that the site has generally low ecological value with hedgerows being the only priority habitat on site. Other than a single slow-worm no protected species were recorded using the site. Section 6 of the report sets out a range of precautionary measure that should be adopted should the scheme be permitted. If permission is granted, I would request a condition be imposed requiring the measures to be implemented in full to ensure no protected species are killed or injured during construction.

The Biodiversity Net Gain calculation that has been submitted with the application; however, shows an overall net loss of Habitat and Hedgerow units (-7.44% and -14.26% respectively). While BNG is not yet mandatory the NPPF 2021 paragraph 174 states that planning policies and decisions should contribute to enhance the natural local environment by (d) minimising impacts on and providing net gains for biodiversity. Paragraph 180 states 'opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity. Can the applicant identify what further steps can be taken to avoid the net loss of biodiversity and if possible, to achieve a net gain?

In principle there are no objections to the proposal on landscape or ecology grounds subject to compliance with the conditions; however, I would request that steps are taken to achieve biodiversity net gain.

The Environment Act 2021 has set a requirement for developments to achieve at least 10% biodiversity net gain. This section of the Act does not become mandatory until November 2023.

The landscape scheme has been amended to include additional wildflower areas, additional native hedge planting and changes to the tree specification.

The BNG metric calculation has been re-run and the scheme is now assessed as 9.22% gain for habitats and 9.05% gain for hedgerows. This now accords with the NPPF and Policy NE01 of the Brentwood Local Plan and is close to the mandatory target that has yet to come into effect.

The covering report recognises that the scheme does not meet the Trading rules calculated in the metric. This is due to the relatively high score given for the existing ephemeral pond and due to scoring the new, smaller, pond as reaching 'poor' habitat condition as it is close to houses. If the pond was to reach the 'moderate' condition which is likely the trading rules would be met.

I am now able to support the proposal on landscape and ecology grounds.

- **Planning Policy:**

The application site is residential-led allocation R25 in the Local Plan, as such the principles of residential development on this site are supported and are considered to align with the Local Plan's spatial strategy and strategic objectives. Local Plan Policy R25 provides the basis for how development is expected to come forward and key considerations.

Policy MG05: Developer Contributions - development is expected to make direct provision or contribute towards the delivery of relevant infrastructure as required by the development either alone or cumulatively with other developments, as set out in the Infrastructure Delivery Plan (IDP) and other policies in this Plan.

The relevant infrastructure requiring contributions from this site is listed in the IDP Part B (the latest version was published on 29th January 2021, document F70, an update to this version will be published in due course). The Council's approach to apportioning the cost of infrastructure mitigation measures is discussed in Chapter 15 of the IDP (document F45). Based on the Council's apportionment methodology, the costs to be requested from this site for 40 dwellings are as follows:

IDP Ref T28 - M25 Junction 28 - £4,041
IDP Ref T29 - M25 Junction 29 - £103,044

In terms of contributions to off-site highway infrastructure improvements (item T28 and T29): Policy MG05 should be read in conjunction with clause 2 of Policy R25, Policy BE08 Strategic Transport Infrastructure, and Policy BE12 Mitigating the Transport Impacts of Development. In order to support and address the cumulative impacts of planned and incremental growth, the Local Plan Transport Assessment proposed a number of highways infrastructure improvements and sustainable transport measures; these were included and costed in the IDP Part B. The above listed strategic infrastructure would mitigate the cumulative impacts caused by travels generated from this site on the Strategic Road Network; as such, proportionate contributions from the development are required.

In addition, with regards to open space provision: this is not listed in the IDP as the Council's default position is that open space is to be provided on site in line with Policy NE05. However, should the proposal not be able to incorporate adequate provision to serve the new community, then a commuted sum may be requested. NE05: Open Space and Recreation Provision - requires all new development to maximise opportunities to incorporate new publicly accessible, high quality and multifunctional open space, enhancing provision where appropriate. It sets out the amount and type of provision required will be determined according to the Council's identified needs.

The Council has recently approved for consultation a Draft Planning Obligations SPD which, amongst other things, provides more detail and guidance on the implementation of Policy NE05. Although not yet adopted by the Council this sets out the direction of thought and clarifies the Council's position in that all residential development proposals comprising more than 10 dwellings are required to provide around 41 sqm per person for the following types of space:

- a. Outdoor sport
- b. Children's playing space
- c. Allotments and community gardens
- d. Formal open space
- e. Informal and natural open spaces
- f. Amenity greenspace

The Draft SPD encourages developers to use the Council's Open Space Calculator as guidance. This provides an approximate calculation of the space required on-site, and/ or commuted sums required by the Council, based on occupancy rates.

- **Schools & Education:**

According to our forecasts, there should be sufficient early years and childcare provision to meet the needs of the development.

This development would sit within the Priority Admissions Area of Blackmore Primary school which has a Published Admission Number of 25 pupils per year group. As at the last school census in May, the school was at or close to capacity in most year groups. Provisional data for admission this September suggests that the

school was again full in Reception with a small waiting list for places. There are no other primary schools within two miles of the proposed development.

According to our forecasts there should be sufficient places with the Brentwood secondary Group 1 to meet the needs of the development. However, the secondary schools within the Brentwood secondary Group 1 are in excess of the statutory walking distance from the proposed development and therefore ECC is obliged to provide free transport to the school resulting in a long-term cost to ECC. The cost is estimated to be £5.30 per pupil per day for 190 days per year; a standard academic year. It is the practice of Essex County Council to seek costs for a 5 year period.

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 primary school 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 purposes only, should the final development result in the suggested net increase of 40 houses with two or more bedrooms, the primary school contribution sum would be £207,216 and the secondary school transport sum would be £40,280. Both amounts would be index linked to Jan 2020 costs.

- **Mld & South Essex Health Care:**

The proposed development is likely to have an impact on the services of the Surgeries which operate within the vicinity of the application site. The GP practices do not have capacity for the additional growth resulting from this development and cumulative development in the area.

The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated.

The proposed development for 40 dwellings requires additional floor space with a capital cost of £19,600.

- **Conservation Place and Development Officer:**

In respect of the Historic Environment, the proposed site is located upon the outskirts of the historic village of Blackmore, outside the conservation area designation but within the setting of Grade II listed buildings and adjacent to the medieval core (EHER Record).

By way of background, at preapplication the applicant team were referred to the Blackmore Historic Settlement Assessment alongside the publication 'Typical

Details'1 to support in their understanding the evolution of the settlement for establishing their development principles for the emerging scheme, including its urban grain, appropriate scale, materiality and detailing. The intent conveyed by the applicant at preapplication was a traditional language which I supported if greater interrogation of the historic environment and its vernacular was conducted to ensure the scheme complemented the character of the village and the setting of the Grade II listed buildings.

I advised that for this edge of settlement location the scheme acted as a transitional development towards a countryside setting, as such, a strong baseline for blue/green infrastructure and a narrative developed through understanding important views of the more historic roofscape alongside the setting of designated heritage assets were key principles to study.

Cross sections were requested to be submitted to convey how proposed new units and views would co-exist with The Woodbines and the historic farmstead of Wells Farmhouse; negative views also to be identified with proposals for enhancement either through built form or new landscaping.

Having completed my assessment, I offer you the following advice:
The application is accompanied by a document entitled 'Heritage Statement' (HS) which correctly identifies the Grade II listed buildings within the site context as The Woodbines List Entry Number:1197168, Wells Farmhouse, List Entry Number: 1205210 and Horselocks Cottage, List Entry Number: 204937.

The analysis of impact upon setting can be found for each listed building within the HS; whilst there is a level of analysis recognising the undeveloped nature of the land parcel, I do not find the analysis provided sufficiently comprehensive; the parcel which forms part of the wider setting of both Wells Farmhouse and The Woodbines are in my opinion contributors to setting and significance, without doubt there will be impact by the development, and setting is more than a visual judgement, other diurnal matters are to be considered and analysed. The other areas I requested at preapplication regarding roofscape views and study which are not included in this report to convey how the placement of buildings has responded to longer views. The DAS contains more information on this aspect.

Notwithstanding the analysis and conclusions drawn in the HS I find areas the design has developed since preapplication; whilst largely maintaining a balance of a green space to the south the site and a verdant edge to the more sensitive northern and easterly aspects, the Plots 15-26 are a change from the preapplication layout, they allow natural surveillance lining open green space however these units appear overly regimented. I advise applying a variation in ridge and facing material on some of these units to add interest, the spacing scale and treatment being so repetitive cumulatively this dilutes character which is in contrast to the intent set out by the applicant in their contextual studies.

In terms of the open space, the car spaces which bite into this open space are a retrograde step, therefore if required for overall parking capacity I request a low-level black metal estate rail is applied to line this area to negate informal parking and keep pedestrians and users of the green space at the hierarchy. The visual submitted shows wildflower planting lining the north of the open space parcel however this in my opinion requires a more deliberate boundary.

In terms of the more meaningful edges and boundaries this is positive and whilst verdant screening in the context of setting can be harmonious in relationship to the listed buildings (which are vernacular and existed an open undeveloped setting) screening alone is not mitigation and nor in my opinion should roofscapes be hidden from view if they have character and quality, as stated earlier in this letter, there are other diurnal matters which impact upon setting, these are not referred to in the HS and therefore the cross sections as requested at preapplication remain to be required to demonstrate the scale and its interrelationship to the designated Heritage Assets.

EQPR (Essex Quality Review Panel) advised the future architectural style for the eastern Plots (particularly adjacent to Woodbines) may be more informed by the 'polite' architectural style of the listed building, however the typology as drawn (see DRWG 2001 REVB) I find (with the exception of bulk in roof) is of a cohesive language to the overall style proposed, therefore other than a matter of relatable scale for the development as a whole I raise no concerns in this regard and support the traditional language by the applicant.

My review of the typologies overall (given I have no cross sectional information at hand) leaves me unconvinced in the scale proposed for many of the units, there is also not sufficient articulation, ridge lines are often taken straight from gables, as advised at preapplication, Blackmore has a characterful roofscape and a fine grain, and whilst the scheme has added detail into the positioning of buildings the identical spatial gaps between buildings alongside consistent ridge lines is diluting character, such matters do not result in a loss of GIA so are achievable; important in attaining a characterful development.

The sheet entitled 'Proposed Materials & Boundary Treatments Plan' complements the traditional intent, but this requires a much greater level of specification. For example, the application of cement weatherboard is not supported, in addition the bond/mortar and brickwork require sample panels to be viewed on site and Flemish bond. I have no details for fenestration, position of vents, flues and, service cabinets etc. A full street scene would also assist.

At preapplication I raised the matter for a tenure blind approach to affordable housing and a non-grouping. This is a small site and there is no justifiable rationale to set pockets for affordable housing.

Summary:

As my assessment stands, I raise no in principle objections for the new development based on the Historic Environment or Urban Design, the scheme has progressed, and the intent is that of quality and a traditional style which has meaningful open space, permeability and inclusivity.

There is however a lack of information and concern regarding scale and impact upon setting. As such my weighting given the information before me engages Para 202 and 197c of the National Planning Policy Framework.

In order to negate this weighting please request attention to the bulk in the roofs as apparent at present, improved articulation and the application of greater variety on the row fronting the green; matters raised around Affordable Housing and its positioning are key for Policy C1 of the National Design Guide.

The reconsult is requested further to revisions received in response to my advice letter dated 24th February 2023, which upon further discussion I clarified to the LPA concerns were in relation to the scale and roofscapes of Plots 1, 2, 3 and 29, 30 and 31. The cross section submitted shows the introduction of hipped elements upon the principal frontages of Plots 2 and 3 (Section AA) this is within the context of Wells Farmhouse. There are also hipped elements applied to Plot 31 (Section CC) which is the unit most pertinent to Woodbines.

In my professional opinion there remains bulk in the roofscape for the units as I raised in both consultee letters, that remains to be of concern.

However, taking all matters into the balance and subject to high quality and appropriate material specification and landscaping through Conditions of Planning, I remove my 'in principle objection'; should a more meaningful reduction in scale have been apportioned I would have sought to engage NPPF Para 206, however that is not the case, nevertheless the revisions are sufficient to not engage Para 202.

- **Parish Council:**

The Parish Council object to this application for the following reasons:

1. The proposed development is located on prime Green Belt land in contravention of Chapter 13 in the NPPF
2. Despite assurances in the Flood Risk Assessment, we are still concerned about the risk of flooding in the village centre resulting from this development
3. We believe that a large scale housing estate of 40 units would be an additional burden on the fragile infrastructure of the village and local resources.
4. The nearby primary school is at maximum capacity and unable to accommodate the additional children from the new housing who will require school places.
5. We are also concerned about the proximity of the vehicular access to the site near to the school which is opposite. At 'school run times' cars are parked along Nine Ashes road (sometimes on double yellow lines) which will cause a hazard and further congestion.

6. The car ownership arising from this development would create unacceptable traffic, parking problems, congestion and pollution in the village.
7. The doctors surgery is one of the highest doctor/patient ratios in the country currently with approximately 10,000 patients. This development would exacerbate this problem.
8. The sewage system is already over capacity and flowing into local rivers when there is excessive precipitation.

As a general comment we would like to see the S.W. access off Woollard Way restricted for use by emergency vehicles only and the pedestrian footpath leading to Redrose Lane moved further into the N.W. corner.

- **Environmental Health & Enforcement Manager:**

Noise

A Construction Environmental Management Plan (CEMP) should be submitted to the LPA for approval prior to works commencing. The CEMP should as a minimum deal with the control of dust during construction and noise mitigation measures having regard to BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. The CEMP should also specify hours of construction. I would recommend restricting construction activities to the following hours: 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays with none on Sundays and Public Holidays.

Contaminated Land

The Phase 1 Environmental Desk Study dated August 2022 suggests that the risk of contamination on site is low to moderate. With this in consideration, a Phase II intrusive study must be completed to further assess the contamination risks to human health and the environment. Thus, Environmental Health suggest the following conditions:

1. Site Investigation

No development shall take place until an intrusive site investigation of the nature and extent of contamination has been carried out in accordance with the suggestions made in the Phase 1 Report. The results of the site investigation shall be made available to the local planning authority before any development begins.

2. Submission of Remediation Scheme:

If the Phase II report finds contamination onsite, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as

contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Verification Report

Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

4. Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

Bonfires

No bonfires during construction.

- **County Archaeologist:**

The Essex Historic Environment Record (EHER) shows that the proposed development lies directly adjacent to the historic medieval village of Blackmore (EHER 19009), first recorded in 1086. The village is a classic example of a medieval shifting settlement, in the late 11th century it appears to have been focused at Fingrith Hall (EHER 19008), some 2km to the north of the current village, before migrating to its current location sometime in the second half of the 12th century, coinciding with the founding of St Lawrence's Priory to the south (EHER 745). The current village was originally located around a large central green that has since been encroached upon in the later post-medieval period.

Evidence of agricultural subsistence activity, land management and other extramural remains related to this medieval settlement and its post-medieval expansion may survive on the development site and would be destroyed or disturbed by the groundworks associated with the proposed development.

The applicant's archaeological contractors have already been in touch with this office and the submitted Written Scheme of Investigation for an archaeological evaluation has been seen and approved (although it should be noted that the trench plan on figures 3 and 4 should be followed, rather than the incorrect one on figure 2).

In view of this, the following recommendations are made in line with the National Planning Policy Framework, paragraph 205:

RECOMMENDATION: A Programme of Trial Trenching, and Open Area Excavation

1. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the Written

Scheme of Investigation submitted with the application and confirmed by the Local Authorities archaeological advisors.

2. A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified shall be submitted to the local planning authority following the completion of the archaeological evaluation.

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

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

A professional team of archaeologists should undertake the archaeological work, which will initially comprise a trial-trenching evaluation of the proposed development site. This may be followed by a programme of archaeological excavation and/or monitoring, depending on the results of the trenching.

- **Essex Badger Protection Group:**

As confirmed in the latest Wildlife and Countryside Link Report, the badger remains the most persecuted protected mammal in the UK and it is therefore imperative that the location of any badger setts remains strictly confidential and is not published on public forums.

Subject to all the mitigation measures proposed within the Aspect Ecology report dated September 2022 being fully met, we have no further comment to make regarding this case and have no objection to the proposals. We would nevertheless recommend that the aforementioned mitigation measures are included as conditions on any planning approval granted.

- **Essex Wildlife Trust:**

We have examined the ecological report and can confirm we are satisfied with the proposed mitigation measures and habitat enhancements. We would expect enhancements to deliver a minimum 10% biodiversity net gain, with the aspiration to achieve 20% if possible. Details of how this will be achieved should be set out in a Biodiversity Net Gain Assessment. If planning permission is granted, the proposed avoidance and mitigation measures, along with BNG delivery, long term management and monitoring, should be secured in a suitably worded planning condition. The wording of the condition should be flexible to include measures to be implemented if future monitoring indicates that intervention is required to address any deterioration of onsite habitats.

- **Housing Services Manager:**

In terms of quantum, the proposed development is consistent with Policy HP05 of the Local Plan providing 35% of the proposed dwellings as affordable homes.

The proposed tenure mix does provide for appropriate provision of homes of affordable rented tenure which is consistent to the tenure mix requirement of affordable rent to low-cost home ownership of the 86%/14% ratio in Policy HP05. However, currently the size mix proposes 12 x 2 bedroom units and 2 x 3 bedroom units, therefore the mix requirement should be reviewed to ensure it is principally as laid out in Fig 6.2 on Page 115 of the Local Plan.

The proposed siting of the affordable housing should also be reviewed as currently it is being provided in a 'cluster' whereas the requirement would be for a 'tenure blind from the kerbside' approach and one where affordable homes are 'pepper potted' throughout the development. This helps to meet the Council's generally accepted aspiration for mixed and balanced communities rather than separated tenure clusters.

- **ECC SUDS:**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following conditions:

Condition 1

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

- Verification of the suitability 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 and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to the 1:1 Greenfield runoff rate of 4.78l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- 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 Simple Index Approach in chapter 26 of 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 drainage plan is required which demonstrates how the permeable paving connects to the wider system, as well as how runoff from roofs will be dealt with.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy. The 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.

Condition 2

No works 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 167 and paragraph 174 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.

Condition 3

Prior to occupation 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.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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 prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

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.

- **National Highways:**

Referring to the full planning application referenced above, notice is hereby given that Highways England's formal recommendation is that we offer no objection (see reasons at Annex A);

Annex A National Highways assessment of the proposed development National Highways was appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

National Highways are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN as a result of the proposed development, in this case on the A12 specifically.

We have undertaken a review of the planning documents provided including the Transport Statement, and given the scale of the development proposed and resulting low numbers of vehicle trips in peak periods, as well as the distance from the SRN, we are satisfied that the proposals would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111).

National Highways raises no objections to the planning application on the basis of information submitted with the application and we have reviewed this application as a stand alone application.

- **Open Space Strategy Coordinator :**

Looking at the site itself an attempt has been made to provide some formal public open space in the way of a 'village green' at the entrance to the site and also 'public open space' grassland to the lower section of the development. There has also been effort made to create a green 'buffer' around the perimeter of the site but none of these really create substantive or effective open space.

The play area is proposed to be developed with grass mounds and undulations, boulders, logs and a willow tunnel. None of this constitutes a play area but is naturalised landscaping. There is no mention of safety surfacing or fencing even though it is near a highway junction nor does the application state what play value these items constitute. This is simply a low value gesture by the developer to aid the application. The features are not engaging, nor will they assist in the social, physical or educational development of children on the estate.

Planting and general amenity offers little effective open space for social recreation, large areas of the grassland has been turned over to wildflower planting which, although very beneficial for wildlife and biodiversity, does mean that these will effectively be unusable for large parts of the year due to the length of grasses and flowers within the meadow areas and the manner in which these need to be managed.

I also note that the development consists of 40 individual dwellings and will therefore trigger a contribution of funds via a Section 106 agreement to existing open space provision under current local planning obligations. Under the current Replacement Local Plan it stipulated that:

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

In terms of the value of the contribution, this is placed at £40,000 [equating to £1,000 a property] which is in line with contributions recently agreed on developments elsewhere in the Borough.

Any contributions received will be used to enhance existing open space or public community buildings owned by Brentwood Borough Council, firstly in the vicinity of the development and then schemes that in the wider community.

- **Affinity Water:** No comments received.
- **Environment Agency:** No comments received.
- **Operational Services Manager:** No comments received.
- **Public Rights Of Way:** No comments received.

6. Summary of Issues

The starting point for determining a planning application is the Development Plan, in this case the Brentwood Local Plan 2016-2033. 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 2021 (NPPF) and National Planning Practice Guidance (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 site is on the northern boundary of Blackmore, which is identified as a Hierarchy 3 Settlement, meeting the day-to-day needs of its local residents. The village of Blackmore has been identified in the local plan as suitable for limited growth. The site is identified for housing under Policy R25: Land North of Woollard Way for around 40 new homes. The table below sets out the policy requirement and how the proposal has addressed these.

R25 Policy Requirement	Proposal
Around 40 new homes	40 dwellings
1. Development principles: Proposals should:	
a) provide vehicular access via Redrose Lane or Nine Ashes Road	Vehicular access off Nine Ashes Road is provided and is supported by the Highway Authority subject to conditions.

b) provide good pedestrian and cycle connections to routes identified in the Brentwood Cycle Action Plan or other relevant evidence	The proposal includes new pedestrian and cycle access on Woollard Way, with pedestrian only access on Fingrith Hall Road and Redrose Lane. The main access into the site from Nine Ashes Road accommodates vehicles and pedestrians.
c) provide public open space as required by policy NE05	New publicly accessible open space provided. Biodiversity net-gain and recreational amenities are proposed. Due to site constraints, the open space strategy coordinator has requested a financial contribution.
d) be accompanied by a heritage assessment taking account of archaeological potential for the historic settlement of Blackmore	Written Scheme of Investigation submitted and archaeology fieldwork and evaluation is required by planning condition.
2. Infrastructure Contributions	
Applicants will also be required to make necessary financial contributions via planning obligations towards off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with policies MG05 and BE08 (the planning obligation will determine the level and timing of payments for these purposes).	The applicant has agreed to off-site highway infrastructure improvements in accordance with policies MG05 and BE08.

Design, Character and Appearance

Policy BE14 requires proposal to meet high design standards and deliver safe, inclusive, attractive and accessible places and Policy BE15 requires development to be designed for an inclusive community. The proposal has been designed to maximise the existing landscape areas along the street frontages by locating the dwellings generally within the centre of the site, which provides a good buffer with neighbouring dwellings with access to the open space areas for existing and future residents. The proposal promotes active streets for pedestrians with the provision of a footway that is tree-lined within the site between Nine Ashes Road and Fingrith Hall Lane. There is also an access to the north on Redrose Lane and a shared cycle/path to Woollard Way to the south. The permeability will encourage walking rather than driving to facilities within the village and nearby public rights of way. The Parish Council request that the access off Woollard Way is restricted and the amended plans show that it is only suitable for pedestrians and cycles. The pedestrian access on Nine Ashes Road is also considered

to meet the request of moving the pedestrian access on Redrose Lane to the northwest corner as there is a proposed pedestrian crossing in this location which will provide safer access to the village hall, public right of way and the outdoor sports fields. These links within and outside the development site will assist in the site becoming part of Blackmore village community space in accordance with Policy BE15.

The proposed dwellings are of a traditional design to complement the character of the village, the conservation area to the south and nearby listed buildings and provide a suitable transition from the settlement area into the countryside. The dwellings are of differing heights between 5.5 metres for the two bungalows in the southwestern corner up to 9.6 metres for the five bedroom dwellings. Drawing No. 4002 Rev B shows the proposed heights.

Upon receiving the comments from the principal conservation place and development officer, the plans were amended to address the regimented appearance of Plots 15 – 26 by varying the street frontage setbacks and altering the appearance of the dwellings on Plots 20 and 21. These dwellings will provide natural surveillance of the public open space and with the street trees will provide an attractive landscape setting.

It is unfortunate that 6 parking bays will be located adjacent to this public open space but the spaces are required to meet the parking requirements and with a low-level black metal estate rail will ensure there is no ability for car parking to encroach the soft landscaped areas.

The cross sections submitted (Drawing No. 1501 Rev C) show the varying house styles, materials and ridge heights, which complement the character of the village. The impact on nearby listed buildings is addressed below. Whilst details of materials have been submitted with the application, further details on materials is required.

The bulk in some of the roofs that is a concern to the principal conservation place and development officer carries negative weight. However overall, the design, layout and traditional appearance of the proposal is supported subject to final materials being agreed. The proposal provides a suitable mix of open space and built form as well as biodiversity improvements and permeability, which carries significant weight. On balance, the proposal is considered to comply with the requirements of Policies BE14 and BE15 of the Local Plan.

Landscape, Ecology and Biodiversity

It is evident from the site plan that landscaping and impacts on neighbours was a key consideration in designing the layout of the site. Dwellings have been moved away from the boundary of the site creating a generous landscape buffer.

The illustrative Landscape Masterplan indicates that the proposal offers a range of landscaped areas and takes advantage of the existing vegetation on site that is worthy

of retention and provides additional planting throughout the site in the form of green links of tree lined streets and other green corridors native shrub beds and hedgerows, community open space of amenity grass and wildflower planting as well as a wildlife area where the attenuation basins are located.

It is noted that when developing a green field site, it is difficult to achieve a significant net gain. This was demonstrated in the net loss biodiversity in the initial submission. The updated landscape proposal has introduced more hedgerow and habitat to achieve a biodiversity net gain of 9.22% for habitats and 9.05% for hedgerows. A condition is proposed to be imposed to ensure the biodiversity net gain is achieved and the mitigation measures set out in Chapter 6 of the Ecology Appraisal are addressed within the Construction Environmental Management Plan.

The principal conservation place and development officer raised concerns about the northern wildflower planting requiring a stronger boundary and it is agreed that further details on the treatment of this wildflower planting strip is required where it adjoins the northern access roadway to prevent vehicles encroaching this area. These details can be submitted as part of the boundary treatment and landscape details required by condition.

This biodiversity net gain and the overall landscape strategy is consistent with policies NE01, NE02, NE03 and BE05 and therefore has considerable weight.

Impact on Heritage Assets

The site is identified as potentially having archaeology importance due to its proximity to the historic medieval village of Blackmore. The county archaeologist has requested trial trenching before any development commences and this has been included as a condition.

There are three Grade II listed buildings near the site and the principal conservation place and development officer raised concerns that the proposal would have a harmful impact on the setting of Wells Farmhouse on Redrose Lane and The Woodbines on Fingrith Lane, which are the two closest listed buildings. The plans have been amended to help address this impact by providing a hipped element to Plots 2 and 3 and Plot 31.

Whilst the principal conservation place and development officer remains concerned about the bulk in the roofscape, they have removed their principle objection due to the high quality of the proposal and conditions on materials and landscaping.

Housing Mix and Affordable Housing

Policy HP01 requires all new residential development to an inclusive, accessible environment and on major sites the dwelling types sizes and tenures are required to meet the identified housing needs and provide M4(2) accessible and adaptable

dwellings. The proposal provides a mix of affordable and market dwellings as shown on the table below.

Dwelling Type	Affordable	Market	Total
2 bed dwelling	12 (86%)	2 (8%)	14
3 bed dwelling	2 (14%)	10 (38%)	12
4 bed dwelling		11 (42%)	11
5 bed dwelling		3 (12%)	3
Total	14	26	40

The Strategic Housing Market Assessment 2016 (SHMA) indicates that the greatest demand for housing is for two bedroom dwellings followed by larger family housing. While the mix of market dwellings does not strictly meet the indicative size guide set out in Figure 6.1 of the Local Plan, it does provide a good mix of market dwellings that is considered suitable for the location and overall number of dwellings proposed.

Due to the constraints of the site and the character of the area being on the edge of a settlement, the density of the development is very low, consistent with Policy R25 of the Local Plan. The proposal provides 35% affordable housing with a tenure split of 86% Affordable Rent and 14% as low-cost ownership, consistent with Policy HP05 of the Local Plan. It is noted that the affordable dwellings are mainly 2 bedroom, however the design and appearance of the dwellings is the same as the market housing. Figure 6.2 of the Local Plan provides an indicative size guide based on the SHMA. There is greater demand for 1 and 2 bedroom dwellings than larger dwellings for affordable rent and 2 and 3 bedroom dwellings for other forms of affordable housing. A greater mix would be preferred but the general provision does meet the need and all of the dwellings provided are houses rather than apartment buildings, which has been provided elsewhere in the borough.

Ten of the affordable dwellings are located overlooking the open space to the south, with two dwellings having a westerly frontage on a corner plot and two dwellings facing northeast. The housing services manager considers the layout to be clustering and requested this be reviewed together with the mix. Alternatives were discussed with the applicant but due to the low density of the development and the constraints of the site, a suitable alternative layout and mix was not supported. Regarding Figure 6.2 of the Local Plan, this is an indicative guide and while not strictly meeting this, which weighs against the proposal, in this case, greater weight is given to meeting the 35% affordable provision with the tenure split and the design and appearance being the same as the market housing. For these reasons, the proposal overall meets the requirements of Policies HP01 and HP05 of the Local Plan.

Residential Amenity

The siting and design of the dwellings addresses any potential overlooking or loss of privacy. The Essex Design Guide refers to distances between buildings and buildings to boundaries of 25 metres and 15 metres respectively. It is evident from the site layout that the dwellings on Plots 1 to 9 have the potential of impacting on the adjoining residential properties of Donachie and The Cherries on Nine Ashes Road. The design response to this is to provide a landscape buffer of 4 metres in width, with a mix of shrubs and grasses, between these property boundaries and the adjoining properties. Plots 8 and 9, which are both bungalows are the closest dwellings to Donachie. Plot 8 meets the guidance and Plot 9 is setback 15 metres from the site boundary but there is 23 metres between dwellings rather than 25 metres. This is not considered to have any significant impacts given the proposed dwelling is a bungalow and permitted development rights are proposed to be removed by condition for any extensions. The removal of permitted development rights will ensure that the residents of Donachie and The Cherries will be notified of any future planning application proposed for either of these dwellings.

The nearby residents will have the opportunity of walking through the site and accessing the open spaces within the site, which is an amenity benefit.

Many of the residents who objected to the application raised existing flooding and highway safety as major concerns. Highway matters and flood risk is considered elsewhere in the report, although it should be noted that the development will provide an opportunity to improve such concerns, the test of suitability is that the proposals will not exacerbate off site concerns.

Sustainability

Policy BE01 states that all major development will be required to achieve at least a 10% reduction in carbon dioxide emissions above the requirements of Part L Building Regulations and a minimum of 10% of the predicted energy needs from renewable energy. The Energy Statement submitted with the application provides details of measures including a fabric first approach to meet the minimum of 10% demand reduction and air source heat pumps and 60KWp of PV panels on roofs with a 30-degree pitch and a southerly orientation to meet the minimum of 10% renewable energy use.

Policy BE02 requires new developments to achieve water efficiency, for there to be capacity and for the water quality to be improved and/or any impacts be mitigated. Water consumption of 110 litres per person per day is proposed and a condition included accordingly to ensure this is achieved. Regarding the sewerage network, Affinity Water did not comment on the application, however the Flood Risk Assessment submitted with the application provides a pre-planning response from Affinity Water dated 27/07/2022 stating that the foul sewerage system has available capacity for the

development. The drainage measures proposed will assist in filtering surface water on site.

Policy BE04 states that developments should minimise internal heat gain through design, layout, building orientation and use of appropriate materials. It is considered that the proposal has been designed to minimise internal heat gain by the orientation of dwellings and minimising large openings directly facing south. It is considered that dwellings on plots 32, 35, 36 and 37 may have internal heat gain as they have large opening facing south and therefore a condition is proposed seeking further information on how internal heat gain is to be addressed.

Highway and Parking

Policy BE11 requires developments to maximise the opportunity of charging electric and low emission vehicles. No details have been provided with the application and therefore a condition requiring details prior to occupation is proposed.

Policy BE12 requires development not to have unacceptable impacts on highway safety, capacity and congestion. The application included some works to the highway that would not comply with the Traffic Signs Manual. The highway officer has worked with the applicant's transport consultant with the result being the Means of Access Plan (Drawing No. ST-2396-10-C). This drawing shows the provision of two pedestrian crossing points on Nine Ashes Road accessed via a footway on the eastern side of the road and within the development site. The footway will link up to the footway within the site leading to the open space and to Fingrith Hall Lane to the east. Whilst highway safety concern has been raised by several residents, the highway officer has advised that they are satisfied that the development will not create a material impact on safety and efficiency of the highway network and with the footways created around the site, future residents will be encouraged to walk to services and facilities within the village.

Policy BE13 requires each dwelling to have a minimum of 2 car parking spaces and 1 secure covered cycle space and the development to provide 10 visitor spaces in accordance with the parking standards. These minimum requirements have been met.

Subject to the proposed conditions, the proposal meets policies BE11, BE12 and BE13 of the Local Plan.

Flood Risk and SuDS

The site is within Flood Zone 1, which means there is a low probability of flooding and residential developments are permitted within this flood zone. A Flood Risk Assessment has been submitted with the application to ensure the proposed development has water runoff equivalent to the current greenfield runoff. This allows for an impermeable area of approximately 1.22ha. The sustainable drainage system (SuDS) that is proposed

requires the site to control and store 1 in 100 year storm events plus 40% for climate change. The storage of storm water hierarchy is through infiltration, watercourses and finally the public sewer system. Due to the underlying geology infiltration is not suitable. The proposed drainage includes permeable paving, swales, filter drains and detention basins on site. The SuDS will store water and filter it to minimise potential pollution from surface water runoff.

The Lead Local Flood Authority (ECC SuDS) reviewed the Floor Risk Assessment including the Indicative Drainage Strategy and requested further details. These details were submitted on 16th December 2022 with an explanation of the micro drainage calculations and ECC SuDS confirmed that the proposal is acceptable subject to conditions. Conditions removing permitted development rights for extensions and outbuildings will ensure that the amount of impermeable area is a consideration in any future planning application to ensure the SuDS is not impacted. The proposal meets the requirements of Policy NE09 and BE05 of the Local Plan.

Other Matters

The objections raised have been taken into consideration in the assessment above. There has been wide community consultation undertaken prior to the application being submitted, which has helped in addressing the potential impacts of the proposal on immediate neighbours as well as residents in the wider area.

Many of the objections raised by the local community related to the principle of development on the site and not agreeing to the site being identified in the local plan for housing. This in principle objection has no weight in the assessment of the application due to the compliance with the local plan.

Infrastructure Delivery and Planning Obligations

Many of the objections received related to the existing infrastructure not being suitable for additional residents and this included the road network, schools, GPs and the drainage system. The consultees have requested contributions towards highways, schools, health facilities and open space and obligations for the long-term management of the communal areas of the site and affordable housing.

The applicant has accepted that there are several obligations and contributions required to make the proposal acceptable in planning terms in accordance with section 106 of the Town and Country Planning Act 1990 and Local Planning Policy MG05. The contributions must meet the tests in accordance with Regulation 122(2) of The Community Infrastructure Levy Regulations 2010 as set out in paragraph 57 of the NPPF.

Infrastructure Delivery Plan Ref T28 - M25 Junction 28 - £4,041

Infrastructure Delivery Plan Ref T29 - M25 Junction 29 - £103,044

Essex County Council has requested a primary school contribution of £207,216 and the secondary school transport sum of £40,280. Both amounts would be index linked to Jan 2020 costs. The applicant has requested that the primary school contribution be towards improvements to Blackmore Primary School. The projects that the school wishes to carry out when funding is available includes upgrading classrooms, installation of solar panels on the main building, upgrading roof of covered swimming pool on site. The County Council has not raised any concerns with the contributions being specifically for Blackmore Primary School.

The Mid and South Essex NHS Clinical Commissioning Group (CCG) has calculated that the development would be likely to have an impact on the NHS funding programme specifically within the health catchment of the development and requires these impacts to be mitigated. The CCG request is for £19,600.

Open space and community facilities contribution £40,000, based on £1000 per dwelling.

Affordable housing to be provided on site shall comprise 35% of the number of dwellings with 86% affordable rent and 14% low-cost home ownership with those on the waiting list with local connections having priority.

Management company details to cover the maintenance of open space, including SuDS, and roadways as set out in the Birketts letter dated 23 February 2023 submitted with the application. This involves a service charge on residents and a commuted sum payment of transfer of the communal areas to the management company and then an obligation that the commuted sum be invested to attract interest and only used for the maintenance of the communal areas in perpetuity.

Due to the number of objections raising concerns about flooding in the village, the applicant has agreed to contribute towards the funding of a detailed flood study of the wider village to help identify the main causes of localised flooding.

7. Recommendation

The Application be APPROVED subject to completion of a Section 106 Agreement and to the following conditions:-

S106 Heads of Terms:

- Infrastructure Delivery Plan Ref T28 - M25 Junction 28 - £4,041
- Infrastructure Delivery Plan Ref T29 - M25 Junction 29 - £103,044
- Primary school contribution - £207,216
- Secondary school transport - £40,280
- NHS Clinical Commissioning Group - £19,600

- Open space and community facilities - £40,000
- 35% affordable housing with 86% affordable rent and 14% low-cost home ownership with those on the housing waiting list with local connections having priority
- Management and maintenance of open space, including SuDS and unadopted roadways with details of service charge and management company arrangements
- Contribution towards funding a detailed flood study of wider village

1 TIM01 Standard Time - Full

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

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

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved documents 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 U0050027

No development shall take place until a Phase II intrusive site investigation of the nature and extent of contamination has been carried out in accordance with the suggestions made in the Phase 1 Report prepared by Provectus dated 17th August 2022. The results of the site investigation shall be submitted to and agreed in writing by the local planning authority. Development shall only commence if no contamination is found on site.

Submission of a Remediation Statement

If a Phase II report finds contamination on site, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Submission of a Verification Report

Following completion of measures identified in the approved remediation scheme, a validation report shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development.

Reason: To minimise and prevent pollution of the land and the water environment and to protect human health in accordance with national planning policy guidance set out in Paragraphs 183 and 184 of the National Planning Policy Framework 2021 and Local Plan Policy NE10.

4 U0050119

No development or preliminary groundworks, apart from archaeology fieldwork, shall take place until the following has been submitted to and approved in writing by the local planning authority:

1. The completion of the programme of archaeological evaluation, identified in the Written Scheme of Investigation, prepared by Border Archaeology, dated March 2022.

2. A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified, following the completion of the archaeological evaluation.

3. The satisfactory completion of fieldwork, as detailed in the mitigation strategy, on those areas containing archaeological deposits.

Within six months of the completion of the fieldwork, the applicant shall submit to the local planning authority a post-excavation assessment. This post-excavation assessment shall include the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

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

Reason: The archaeological programme is required to be undertaken prior to development commencing to secure the protection of and proper provision of any archaeological remains on site, in accordance with Policy BE16 of the Brentwood Local Plan and Paragraph 205 of the National Planning Policy Framework 2021.

5 U0050078

No development shall commence, including site clearance, until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. Thereafter, the construction of the development shall be carried out in accordance with the approved CEMP. The plan shall include the following information:

1. The construction programme

2. Hours of Construction, with no construction activities outside 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and no construction work on Sundays and Public Holidays.
3. Management of waste on site with no bonfires permitted.
4. Control of dust.
5. Noise and vibration mitigation measures, having regard to BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.
6. Details of how the mitigation measures set out in Chapter 6 of the Ecological Appraisal, prepared by Aspect Ecology, will be implemented during construction.

The development shall be implemented in accordance with the approved CEMP.

Reason: To ensure the amenity of neighbours is taken into consideration during construction, in accordance with Local Plan Policy BE14 and paragraphs 185 and 186 of the NPPF.

6 U0050146

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

- Verification of the suitability 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 and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to the 1:1 Greenfield runoff rate of 4.78l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- 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 Simple Index Approach in chapter 26 of 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 drainage plan is required which demonstrates how the permeable paving connects to the wider system, as well as how runoff from roofs will be dealt with.

- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy. The scheme shall subsequently be implemented prior to occupation.

The development shall be implemented in accordance with the details approved.

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.

7 U0050147

No development shall commence 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 167 and paragraph 174 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.

8 U0050150

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

i. vehicle routing

ii. the parking of vehicles of site operatives and visitors

iii. loading and unloading of plant and materials

- iv. storage of plant and materials used in constructing the development
- v. wheel and underbody washing facilities

Reason: To ensure that on-road parking of these vehicles in the adjoining roads does not occur, that loose materials and spoil are not brought out onto the highway and that construction vehicles do not use unsuitable roads, in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011.

9 SIT01 Site levels - to be submitted

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

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

10 U0050399

Notwithstanding the approved plans, no development above ground level for dwellings on Plots 32, 35, 36 and 37 shall take place until details addressing internal heat gain are submitted and approved in writing. The development shall be carried out in accordance with the details approved.

Reason: To ensure these dwellings do not have internal head gain in accordance with Policy BE04 of the Local Plan.

11 U0050400

No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings and of ground surfaces, and details for fenestration and doors (e.g., typical reveals, tenure blind, concealed vent strips), eaves (to support ecology) and rainwater goods hereby permitted, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

12 U0050401

No development above ground level shall take place until further details of the brickwork to be used in the development has been submitted to and approved in writing by the local planning authority. The details shall include: sample panels of the proposed brickwork to include mortar colour and jointing, and bonding. The development shall be carried out in accordance with the approved details.

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

13 U0050360

Prior to occupation of the proposed development and as shown in Drawing ST-2396-10-D, a new 2 metre pedestrian footway shall link the proposed main vehicle site access to the existing footway that currently terminates outside the dwelling named Five Farthings on the east side of Nine Ashes Road. As shown, it shall also incorporate a dropped kerb pedestrian crossing of Nine Ashes Road together with associated tactile paving outside the primary school with the precise location to be agreed with the Highway Authority.

Reason: To provide pedestrians and the mobility impaired with safe accessibility to nearby facilities and services in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

14 U0050149

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 shown on Drawing No. SHA 1416 TPP included in the Arboricultural Impact Assessment Report, dated September 2022, prepared by Sharon Hosegood Associates. The fencing shall be erected in accordance with Drawing No. SHA 1416 TPP 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.

15 U0050359

Prior to occupation of the proposed development, the site access visibility splays shall be provided as clear to ground and in accordance with Drawing ST-2396-10-D.

Reason: To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

16 U0050361

Prior to occupation, permanent bollards or similar means to preclude any vehicle access shall be provided within the confines of the development at the proposed pedestrian / cycle accesses onto Woollard Way, Redrose Lane and Fingrith Hall Lane. For the avoidance of doubt, this excludes any temporary access for construction traffic agreed under the Construction Management Plan.

Reason: To protect the designated pedestrian / cycle accesses from any potential vehicle movements and in the interest of highway safety and accessibility in accordance

with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

17 U0050362

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

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

18 U0050148

Prior to first occupation of the development, 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, shall be submitted to and agreed in writing by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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

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.

19 U0050464

The site shall be landscaped in accordance with the landscaping scheme and Biodiversity Net Gain Assessment indicated on the submitted drawings and specifications hereby approved. 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 that has been agreed in writing by the local planning authority. Any newly planted tree, shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

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

20 BOU01 Boundary treatment to be agreed (general)

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.

21 U0050415

Prior to first occupation of the development hereby approved, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details approved.

Reason: To promote sustainable development by encouraging the use of electric vehicles within the development in accordance with Policy BE11 of Brentwood Local Plan.

22 U0050322

The approved development shall not be first occupied until a maintenance plan detailing the maintenance arrangements for hard and soft landscaped areas is submitted to and approved in writing by the local planning authority. Should any part be maintainable by a management company, details of long-term funding arrangements are required to be provided. The development shall be carried out in accordance with the details approved.

Reason: To ensure appropriate maintenance arrangements are in place to safeguard the appearance of the site and ensure the permeable paving is retained as part of the surface water drainage system.

23 U0050363

Cycle parking shall be provided for each dwelling in accordance with the EPOA Parking Standards. The approved facilities 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 in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

24 U0050364

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

operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

25 RESL06 No PD for outbuildings

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 retain permeable areas within gardens to meet the requirements of the drainage strategy.

26 RESL05 No PD for dormers/roof

Aside from those indicated on the approved drawings, and 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 dormer windows, or rooflights shall be constructed and no change shall be made to the shape of the roof without the prior grant of specific planning permission by the local planning authority.

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

27 RESL01 No PD for extensions (new dwellings)

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 dwelling 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 safeguard the living conditions of the occupiers of neighbouring dwellings and to ensure the approved drainage strategy has been taken into consideration .

28 BOU09 No walls or fences - except as approved

Notwithstanding the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

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

29 LAN05 Retention of existing Trees, Shrubs and Hedges

All existing trees, shrubs and hedgerows on the site indicated for retention on the approved drawings shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. If prior to the commencement of the development or within five years of the completion of the development, any such trees, shrubs or hedges are removed without such consent, or become severely damaged or diseased, they shall be replaced with others of a species, number, size and in positions to be agreed in writing with the local planning authority. The replacement shall be carried out within the first planting season after the Council's written agreement. Any works to existing trees, shrubs and hedgerows which may prove necessary shall be carried out in strict accordance with a written scheme to be approved in writing with the local planning authority prior to the carrying out of those works.

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

30 U0050052

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present on site.

31 U0050317

The development hereby approved shall be constructed in accordance with the Energy Statement, prepared by Energist dated 18th October 2022, to achieve at least a 10% reduction in carbon dioxide emissions above the requirements set out in Part L Building Regulations 2021.

Reason: In the interest of reducing the reliance on fossil fuels for the heating and cooling of the proposed dwellings in accordance with policy BE01 of the Brentwood Local Plan.

32 U0050318

The development hereby approved shall be constructed in accordance with the Energy Statement, prepared by Energist dated 18th October 2022, for at least 10% of the predicted energy needs for each dwelling being provided by on-site renewable energy.

Reason: In the interests of improving resource efficiency and reliance on fossil fuels in accordance with Policy BE01 of the Brentwood Local Plan.

33 U0050312

Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.

Reason: To minimise the consumption of mains water in accordance with policy BE02 of the Brentwood Local Plan.

34 U0050319

All dwellings of the development hereby approved shall be constructed to meet the M(4)2 standard for accessible and adaptable dwellings as set out in Building Regulations 2015.

Reason: To ensure the dwellings are of inclusive and accessible design in accordance with Policy HP01 of the Brentwood Local Plan.

Informative(s)

1 INF04 Amendments to approved scheme

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

2 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.

2 U0009532

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

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

4 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.

5 U0009533

The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: MG01, MG03, MG05, BE01, BE02, BE04, BE05, BE07, BE08, BE09, BE11, BE12, BE13, BE14, BE15, BE16, HP01, HP03, HP05, HP06, NE01, NE02, NE03, NE05, NE08, NE09, NE10, R25; National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

Documents:

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

<https://www.brentwood.gov.uk/-/applicationsviewcommentandtrack>

DECIDED:

