

SITE PLAN ATTACHED

**DE ROUGEMONT MANOR GREAT WARLEY STREET GREAT WARLEY
BRENTWOOD ESSEX CM13 3JP**

**PROPOSED REDEVELOPMENT OF THE DE ROUGEMONT MANOR HOTEL AND
GROUNDS (C1) TO CREATE 43 RESIDENTIAL DWELLINGS (C3) INCLUDING
CONVERSION AND NEW BUILD HOMES, WITH ASSOCIATED ACCESS, PARKING
AND LANDSCAPING**

APPLICATION NO: 22/01562/FUL

WARD	Warley	8/13 WEEK DATE	30 January 2023
PARISH		Extension of Time	31 March 2023
CASE OFFICER	Kathryn Williams		

**Drawing no(s)
relevant to this
decision:**

Drawings (937-PL-01; 937-PL-02; 937-PL-03 G; 937-PL-04 F; 937-PL-05 F; 937-PL-06 F; 937-PL-07 E; 937-PL-08 F; 937-PL-09 G; 937-PL-10 F; 937-PL-11 D; 937-PL-12 B; 937-PL-13 D; 937-PL-14 E; 937-PL-15 D; 937-PL-17 D; 937-PL-18 D; 937-PL-20 B; 937-PL-21 B; 937-PL-22 B; 937-PL-23 B; 937-PL-24 B; 937-PL-25 B; 937-PL-26 D; 937-PL-27 C; 937-PL-28 C; 937-PL-29 E; 937-PL-30 C; 937-PL-31 A; 937-PL-32 A; 937-PL-33 B; 937-PL-34 A; 937-PL-35 B; 937-PL-36 B; 937-PL-37 C; 937-PL-38 C; 937-PL-39 C; 937-PL-40 D; 937-PL-41 D; 937-PL-42 C; 937-PL-43 C; 937-PL-44 C; 937-PL-45 E; 937-PL-46 E; 937-PL-47 C; 937-PL-48 C; 937-PL-49 C; 937-PL-50 D; 937-PL-51 C; 937-PL-52 B; 937-PL-53 D; 937-PL-54 A; 937-PL-55; 937-PL-56; 937-PL-57 A; 937-PL-58 B; 937-PL-59 B; 937-PL-60; 937-PL-62; 937-PL-61)
Planning Statement and Addendum; Heritage Statement and Addendum; Design and Access Statement and Addendum; Landscape Strategy Plan; Landscape Visual Impact Statement; Draft s106 Head of Terms; Financial Viability Assessment; Statement of Community Involvement; Transport Statement; Flood Risk Assessment and Drainage Strategy; Preliminary Ecological Appraisal; Bat Survey; Biodiversity Net Gain Assessment; Arboricultural Impact Assessment incorporating Tree Survey; Landscape Management Statement; Estate Management Strategy; Energy and Sustainability Statement; Heritage Statement and Addendum; Noise Impact Assessment; Tree Constraints Plan; Tree Protection Plan; Topography Survey.

This application has been referred to the committee at the discretion of the Corporate Director - Planning and Economy - as a major application that is likely to be of interest to the committee.

1. Proposal

The proposal is submitted following two previous applications (20/01913/FUL; 22/00148/FUL) that were refused planning permission in January 2022 and July 2022 by Brentwood Borough Council. These decisions and the reasons for refusal are a material consideration in the assessment of the current application and are to be weighed in the planning balance.

The current proposal relates to the residential redevelopment of the De Rougemont Manor Hotel site, to create 43no. dwellings with associated access, parking, and landscaping works.

The application site is in the Green Belt, just south of the village of Great Warley, within the Great Warley Conservation Area.

This planning application has been subject to extensive discussion and revisions have been received during the course of determination.

The site has an overall area of approximately 3.4 hectares, of which approximately 1.03 hectares is proposed for development, including the conversions, extensions, ancillary areas and other new builds.

It is proposed to deliver:

- 18no. dwellings through the conversion, remodelling, and extension of the main hotel building;
- 4no. dwellings from the conversion of the stable building (Goldings); and
- 21no. new build dwellings.

The new build dwellings would be mostly on the existing car park, the surface of which is part tarmac/part road planings, and it would replace some low buildings adjacent to the road frontage.

In terms of layout, the application site has been divided into three sections:

- The north of the site, comprising the proposed play area and the forest school;
- The central part of the site, comprising the new residential development; and
- The south of the site, comprising the area of proposed Public Open Space (POS).

The north and the south of the site are addressed later in this report, in the Landscape section.

The residential development is divided into three character areas; defined by the housing typologies, with parking clusters.

Residential development: the north

To the north, plots 23 to 35, there are simple long forms set around a loose courtyard, reorientated to closeup the end of the access road. These elements will feature slate roofs and a mixture of brick and timber cladding, taking reference from the nearby Forge Close development. The courtyard feature was not present in the refused applications.

Units 27 to 32 would extend into the existing green area towards the north of the site. Units 23 to 26 have been set back from Great Warley Street, to avoid giving them prominence in the local townscape. For the same reason, a car park has been located to the north of plot 26, avoiding the presence of additional buildings fronting Great Warley Street. This is a welcome improvement to the layout from the refused application.

Units 23 to 34 are 2 storeys high, whilst unit 35 is 3 storeys.

Residential development: the centre, including the stable

In the centre, plots 36 to 39 propose a less uniform, more articulated roof scape, and the distance between units 38 and 39 has been increased, following discussions with Officers, to ensure separation between units.

Units 36 and 37 are 2 storeys high, whilst units 38 and 39 are 3 storeys.

Proposed units 19 to 22 would be created from the conversion of the two-storey stable building, adjacent to the main access. This has the proportions of a large two-storey dwelling and would regain its original quadrangle form, with the central infill removed and the area becoming a communal courtyard for the four units created through its conversion. The proposal would involve the removal of previous additions and adjacent outbuildings and the conversion works would have limited effect on the appearance of the building.

Another car parking area has been located to the north of the stables, avoiding the presence of additional buildings fronting Great Warley Street.

Residential development: the south, including the hotel building

To the south are plots 40 to 43 and 1 to 18 (the hotel building).

The hotel, a locally listed building, would be retained with external changes, which replace extensions and alterations that were carried out after a fire in 2001. Specifically, at the rear of the main building, the restaurant addition and two relatively recent two and a half storey additions would be removed. The northern most addition would be replaced by a 'freestanding' three storey building, containing 2 units – number 6 (2 bedroom, flat) and 13 (2 bedroom, duplex). The southern rear additions would be replaced with a three storey extension, providing two flats on each of the ground and

first floors and a further one at second floor level (all 2 bedroom). Under this part of the new building would be a semi enclosed basement providing 3 parking spaces, cycle parking and lift access to the main building.

The former clocktower adjacent to the main access along the road frontage, which has long since lost its upper section, including clocks, would be restored, with its clock faces and copper top reinstated.

Plots 40 to 43 feature detached dwellings (2 and 3 storey high) finished in a mixture of brick and render, complementing the hotel.

Open space

The proposal comprises an extensive area of public open space (POS) to the south of the site, including the existing Italian Gardens, and a publicly accessible playground to the north. These are accompanied by a detailed management strategy.

There is a wooded area to the north of the playground, and it is proposed to donate it on a peppercorn rent to the Nappies and Paddies Day Nursery, located on the other side of Great Warley Street, for use as a forest school.

Access and parking

Pedestrian and vehicular entrances to the site would be from the existing main access, widened to allow two vehicles to pass. A new pedestrian entrance into the POS is proposed to the south of the site, together with a new pavement, which will run along the frontage from the main entrance to the southern edge of the site. Dropped kerb and tactile paving will be provided at the edge of the existing layby on Great Warley Street, to facilitate pedestrian crossing.

Parking would be provided in a mix of basement parking (main hotel building); outside parking spaces; carports; and garages.

Unit mix

The table below illustrates how the proposed size and mix of units has been amended since the first planning application.

Table 1 – Unit mix comparison: current and refused applications

Bedrooms per dwelling	20/01913/FUL	22/00148/FUL	22/01562/FUL
1	N/A	N/A	4 dwellings (9%)
2	24 dwellings (53%)	18 dwellings (40%)	20 dwellings (47%)
3	12 dwellings (27%)	19 dwellings (42%)	11 dwellings (25%)
4	9 dwellings (20%)	8 dwellings (18%)	6 dwellings (14%)
5	N/A	N/A	2 dwellings (5%)
Total	45 dwellings (100%)	45 dwellings (100%)	43 dwellings (100%)

The affordable dwelling provision has changed from 5 shared ownership dwellings (20/01913/FUL), to 4 shared ownership and 2 affordable rent (22/00148/FUL), to no affordable housing in this application. The Viability Report was independently reviewed, and the Council's consultant has commented that 3 shared ownership units should be provided on site. The applicant has agreed to provide this in line with the recommendations.

The refused and proposed schemes

The main differences to the application refused by the Committee in July 2022 are:

- A reduction from 45 to 43 dwellings, including the replacement of 8 houses with an apartment block of 6 units. This has led to a reduction of floorspace required to deliver the 43 units.
- Layout is now appropriate further to a number of reconfigurations. Compared to the refused application, there is a slight reduction of hardstanding outside previously developed land (PDL), and a significant reduction of ancillary space (i.e. private gardens) outside PDL.
- The Historic Buildings and Conservation Officer, agrees with the conclusions of the Heritage Advisors that there is a low level of less than substantial harm to the designated heritage asset (Great Warley Conservation Area).
- The Historic Buildings and Conservation Officer has a 'no objection' in principle to the conversion of the Non-Designated Heritage Asset (NHDA), the hotel.
- Reduction in the amount of proposed built form along the eastern side of the proposed new build element. The only building still fronting Great Warley Street has been further set back from the site boundary.
- Replacement of car parking spaces to the south-west of the stable block building with new planting and soft landscaping.
- Re-arrangement of the car parking layout of the new buildings, to deliver an improved and more open urban environment.
- Provision of a new publicly accessible play area and a forest school to the north of the site.
- Re-configuration of the extensive area of public open space (POS), accompanied by a management plan.
- Significant biodiversity net gain (35.69%).
- 42.8% carbon reduction on Part L1 compliance build.

2. Site and Surroundings / Background

The De Rougemont Manor Hotel has its origins in the 1880s and was converted into a hotel in the 1960s. Designed by architect Ralph Neville in Arts and Crafts style, it is now a locally listed building.

The site is roughly L shaped and comprises the main Manor building, the stable block building, a tower clock as well as associated parking spaces, landscape, and leisure facilities. Both vehicular and pedestrian access is provided by way of two entrances off Great Warley Street to the east.

The hotel was closed from March 2020 to July 2020 due to Coronavirus restrictions, closed for a month in November 2020, and opened for a fortnight in December 2020 before closing again to reopen in May 2021. It is currently in operation and making a profit, although the applicant contends that this is very far from pre-COVID levels.

The site is situated on undulating ground that rises to the north-east towards Brentwood and falls away to the south towards the River Thames basin.

The application site is located approximately 300m south of the centre of Great Warley village and fronts onto Great Warley Street which abuts the eastern site boundary. The eastern boundary consists of a wall, hedgerows and trees which screen much of the site from the road.

To the north of the site, there is a small undeveloped land parcel with residential properties beyond this. To the east of the site, beyond Great Warley Street, there are residential properties and the Nappies and Paddies Day Nursery. To the south of the site, there are further residential buildings. To the west, there is farmland which extends between the site, adjacent properties and the M25 corridor further to the west.

3. Policy Context

Adopted Brentwood Local Plan (the Local Plan) 2016-2033:

- Policy MG01: Spatial Strategy
- Policy MG02: Green Belt
- Policy MG05: Developer Contribution
- 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 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 matrix
- Policy HP03: Residential Density
- Policy HP05: Affordable Housing
- Policy HP06: Standards for New Housing
- Policy PC10: Protecting and Enhancing Community Facilities
- Policy PC04 (Retail Hierarchy of Designated Centres).
- Policy NE01: Protecting and Enhancing the Natural Environment
- Policy NE02: Green and Blue Infrastructure

- Policy NE03: Trees, Woodlands, Hedgerows
- Policy NE05: Open Space and Recreation Provision
- Policy NE09: Flood Risk

National Policy:

- National Planning Policy Framework (NPPF) 2021
- National Planning Practice Guidance (NPPG)
- National Design Guide (2021)

4. Relevant History

20/01913/FUL: Proposed redevelopment of the De Rougemont Manor Hotel and grounds (C1) to create 45 residential dwellings (C3) including conversion and new build homes, with associated access, parking, and landscaping works. - Application Refused

22/00148/FUL: Proposed redevelopment of the De Rougemont Manor Hotel and grounds (C1) to create 45 residential dwellings (C3) including conversion and new build homes, with associated access, parking, and landscaping works. - Application Refused

5. Neighbour Responses

Where applications are subject to public consultation, those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>.

At the time of writing this report, 13 neighbour objections have been received for this application. The issues raised have been addressed throughout this report.

- The proposal will significantly harm the Green Belt and conservation area due to unsustainability, reduction in openness, wildlife destruction and urban sprawl.
- There are already enough open public spaces in Great Warley.
- Concerns that the addition of residential dwellings will negatively alter the character and attraction of the village.
- More sustainable methods of transport should be supported in the application rather than encouraging car use.
- The increased traffic generation and potential highway safety issues have not been addressed.
- The density of dwellings proposed could put significant pressure on surrounding infrastructure and services including doctors, schools and the busy B186 as there are no amenities in close proximity to the development.
- No improvement in local infrastructure has been provided in the area, despite population growth.

- Concerns about the safety of young children from the nursery school using the pedestrian crossing to reach the site, when school already has access to open land and a footpath.
- The current development is one of few venues in the Brentwood area which facilitates weddings and large gatherings.

At the time of writing this report, 27 neighbour supporting comments have been received for this application and they are summarised as follow.

- The building will be kept and maintained by the development.
- There is a housing shortage in the local area and the development will bring new housing opportunities.
- The proposed road work will calm the local traffic and the zebra crossing is welcomed.
- The plans have taken into consideration the historical and aesthetics of the existing hotel.
- The hotel is no longer fit for purpose and regeneration opportunities are desperately needed in Warley.
- The layout will enhance the environment of the neighbourhood.
- Noise from the existing car park will be reduced as a result of the development.
- The proposal has been planned sympathetically with local residents and the surrounding countryside.

6. Consultation Responses

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>.

- **Design and Conservation Officer**

SECOND RESPONSE

Since my initial advice letter 7th December 2022 (see appendix 1) three virtual sessions focused on Built Heritage have been undertaken by myself with the applicant's Heritage Advisors (see Heritage Addendum); mainly to address how our understanding of the Non-Designated Heritage Asset (NDHA) of De Rougemont Manor and its setting within the conservation area, should influence and shape architectural proposals, in addition to address appropriate revisions to improve the design of the current new dwellings as proposed in the current submission.

This advice letter, therefore, is offered in relation to recently submitted revisions which have output from those Built Heritage sessions. However, to be clear and as stated to the LPA in this current application and in both the previously refused applications) my advice is based on the OVU of the NDHA being demonstrated, and on the basis development is compliant with the Green Belt Policies.

The main building of De Rougemont Manor (Brentwood Local Heritage List (IUD GW-DRH)) has been subject to design revisions since my initial advice letter in December as stated earlier.

In summary, I have no 'in principle' objection to the conversion of the Hotel to residential if this is demonstrated as the optimum viable use, Paragraph 197 of the NPPF states that applications should consider "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". In respect of the extensions and architectural design adopted for the NDHA I find these to be improved and acceptable in conservation terms subject to Conditions to include the retention of accredited historic buildings advisors.

It then falls in my balance to the new dwellings, which are also of material impact upon the character and appearance of the conservation area. The submitted report summarises 'it is considered that the proposals, including the demolition of the existing extensions and spa building, and their replacement with new extensions and new build units on the existing car park, would cause a low level of less than substantial harm on the character and appearance of the Great Warley Conservation Area. While the new-build elements on the existing car park would impact the openness of the conservation area, this part of the conservation area does not make a positive contribution towards its character and appearance. As such, the proposed design mitigation measures which have been agreed with the Council as part of a context and conservation-led scheme would appear appropriate within the current context and continue the changing hierarchy across the Site'.

The Addendum to the Built Heritage Assessment concludes a low level of less than substantial harm has been identified to the conservation area as a consequence.

I have no reason to find in contrast to this conclusion and also engage Para 202.

However, notwithstanding 202, in regard to the legislative test, the proposals would as a consequence of the above be considered contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Local Planning Authority should be reminded that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), in this case the Great Warley Conservation Area, should require clear and convincing justification.

- **Housing Manager**

No response.

- **Landscape and Ecology**

The Arboricultural Impact Assessment has identified 36 individual trees and 4 tree groups, assessed as Category C (Low Value) or Category U (Unsuitable for retention), as requiring felling to facilitate development. I do not consider that removal of these trees should be a constraint to development.

A preliminary ecological appraisal has been submitted. It is considered that there are not important roosting sites that would be affected by the proposal; however further emergence surveys would be required to establish if a Protected Species license before any works commence. This should be conditioned.

The proposed development site is assessed as of low ecological value. This is considered appropriate; however precautionary measures will need to be adopted including timing of vegetation clearance to avoid disturbance of nesting birds. External

lighting during construction and operation will need to be designed to avoid light spill over vegetation on the boundaries to minimise disturbance of commuting and foraging bats. I would request a condition requiring details of external lighting be submitted to and approved by the LPA prior to commencement.

Japanese knotweed and another stand in the scrub woodland north of the car park. These stands will require eradication to prevent their spread.

An appropriate badger method statement should be adopted during construction to ensure there are no adverse effects on badgers accessing the site.

The landscape strategy also sets out proposals for providing play equipment and a 'Forest School'. In principle these are seen as beneficial; however Forest Schools normally are run by trained staff; no mention of these is mentioned within the DAS.

It is considered that improved enhancement and management of the existing landscape features would be beneficial for their landscape and biodiversity value and would provide an area of public open space for residents in the wider community. However the scale of works required to bring these areas into an appropriate condition are relatively large and will require a long-term commitment to ongoing management. The DAS states that the detail of the landscape management plan can be finalised through a condition. It is considered however that this is an important component for the success of the scheme. It is important therefore for the LPA to better understand how the resources for managing the soft landscape zones and communal open spaces will be secured prior to determining the application. I do consider however that prior to the application being determined the LPA will need to be confident that the scheme can deliver the landscape management works needed to bring the communal spaces into a good quality condition and maintain them in the long term.

SECOND RESPONSE

In terms of landscape character the large car park is already a negative feature and the introduction of the residential, while visible and adverse, could not be assessed as a significant effect given its limited scale and the surrounding land uses.

I agree that any visual effects would be very limited due to the existing trees and buildings bounding the site. It would only be visible from a short section of Great Warley Street where there are existing residential properties.

I agree that I would not consider the visual effect on openness to be overly detrimental as views through the site are limited and contain several existing buildings and areas of hardstanding.

The note on the proposed Estate Management Plan confirms that the open space areas will be retained by the company and funded through resident service charges. If the scheme is permitted there will need to be a condition requiring the full Landscape Management Plan to be submitted which will establish the amount of work that will be required. Will the provision of the open space form part of a s106?

As I concluded in my previous comments I do not have any significant objections to the proposal on landscape or ecology grounds, and consider that if properly resourced the scheme could result in positive improvements the gardens and woodland areas.

- **Environmental Health Manager**

Noise

In accordance with the Noise Impact Assessment, a good internal noise environment would be achieved for the properties in the middle and to the West of the development using the proposed glazing and natural ventilation: Wall: x2 100mm Block (90mm Filled Cavity + Butterfly Tie, Windows: Standard Double Glazing Units, Trickle Ventilators: Trimvent 4000

Therefore, these materials, or similarly performing materials (including concealed trickle vents) should be used within the construction, ensuring the calculated internal noise levels presented can be achieved.

The houses on the East of the development, closer to the B183 road require a further 9dB of sound attenuation to achieve the same performance as the acoustic properties of the other dwellings. The use of acoustic double glazing and acoustic trickle vents with acoustic ratings of 33dB Rw or better would achieve the internal noise requirements of BS8233:2014, along with considering the location of noise sensitive rooms. If similar acoustic attenuation can be achieved using concealed trickle vents, these are also appropriate to use.

Noise in external amenity areas recorded above the recommended BS8223:2014 standards, which suggest external amenity areas should be between 50 and 55dB(A). A barrier should be added to the eastern boundary of any amenity space proposed to border the site along the eastern boundary will cause attenuation to reduce noise levels to appropriate standards. The barrier should be a close-boarded timber fence / clay brick wall, at least 1.8m in height. This should be solid and imperforate and have a minimum mass per surface area of 12 kg/m². Where timber is to be used, the barrier should be close-boarded using good quality wood without holes, knots or damage. The sheets should be 20mm thick in all places and where timber overlaps there should be a minimum overlap of 25mm.

Construction and Vibration

Once demolition method statements have been drafted, full and dedicated noise and vibration assessments should be undertaken to ensure both compliance and minimal adverse effect on surrounding residences. I would request to see this documentation. This could be accomplished by the submission of a Construction Environmental Management Plan (CEMP) for approval prior to works commencing. The CEMP should as a minimum deal with the control of dust during construction and demolition 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.

- **Operations Manager (chased)**

No response received.

- **Great Warley Conservation Society (chased)**

No response received.

- **Highway Authority (Essex County Council)**

The documents accompanying the application have been duly considered and a site visit was carried out when assessing earlier applications. In terms of impact on the

highway, the changes from the two previous applications are immaterial. Consequently, the Highway Authority would offer the same comments as before. They are as follows; The development upgrades an existing access onto the highway and complies with the minimum parking standards for residential developments, as adopted by Brentwood Borough Council. The proposals are also not expected to result in an increase in trip numbers to and from the site compared to its existing permitted use when fully operational. Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to a number of conditions.

- **Essex County Council (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 conditions

- **Essex County Council (ECC) Education**

No response received.

- **Essex County Council (ECC) Archaeology**

In view of the historic value of the site, the officer recommends that a number of conditions are attached to any consent.

- **Mid & South Essex Health Care**

The ICB has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests that these are secured through a S106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local healthcare services.

- **Essex Police**

No response received.

- **Essex Badger Protection Group**

This reports the presence of five badger setts - all of which are claimed to be "outlier" setts and were considered to be potentially dormant based solely on a visual inspection. The Essex Badger Protection Group currently has records of eight badger setts within a 1km distance of the application site, in addition to the five reported by the applicant's ecologist and is of the view that the area contains considerable badger activity. We would also highlight the difficulties in assessing sett activity based solely on a visual inspection. Outlier setts do not always have fresh spoil/digging and an assessment of activity levels is more properly made via an extended 21-day survey using camera traps.

Badgers live in close knit groups, referred to as clans, with each clan usually having multiple setts within its territory. A territory will generally have a single 'main' sett - which is occupied by some of the clan throughout the year - and other setts of varying classifications depending mainly on size and distance from the 'main' sett. Unusually, in this case we are led to believe that there are five 'outlier' setts within a relatively small

space to the south of the site. Very little information is actually given to support this classification assessment. No photographs are provided and no formal 21-day surveys have been undertaken in order to properly establish the levels of activity at these setts and thereby establish the potential impacts on the badger clan should one or more be closed under licence as seems to be proposed. In fact, the entire mitigation plan is rather vague for a number of reasons.

Whilst it's likely that some of this confusion is purely a result of poor wording and/or typographical error, we believe that these issues should nevertheless be clarified in order to properly understand exactly what's being proposed. We are particularly concerned at the possibility that a "main" badger sett could be being misrepresented as a series of outlier setts instead. Whilst this is of minimal consequence if the sett/setts are to be left unharmed by this scheme, we would still expect full clarity in that regard before any serious consideration is given to the determination of this application. We would also expect to see better justification for a sett closure than simply to accommodate some site landscaping features. Indeed, even the survey itself states "further information is required to make an informed mitigation strategy relating to the landscaping such as how the proposed works will be undertaken. However, the mitigation hierarchy will be followed i.e. avoid, mitigate, compensate, enhance." thereby acknowledging that an informed mitigation strategy has yet to be devised.

Finally, we would expect any badger survey to detail the construction related mitigation measures to be employed during the completion of the project. We would expect the following to be included as a minimum.

- **Natural England**

No response received.

- **Historic England**

No response received.

- **Environment Agency**

No response received.

- **Anglian Water**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask text to be included within your Notice should permission be granted. The foul drainage from this development is in the catchment of Upminster Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. We are unable to provide comments in the suitability of the surface water management.

- **Affinity Water**

No response received.

- **Essex & Suffolk Water**

No response received.

- **Essex Wildlife Trust**

No response received.

7. Summary of Issues

The starting point for determining a planning application is the current development plan, which is the Brentwood Local Plan 2022 ('the Local Plan'). Planning legislation states that applications must be determined in accordance with the relevant development plan policies unless material considerations indicate otherwise. Although individual policies in the Local Plan should not be read in isolation, the adopted plan contains policies of particular relevance to this proposal which are listed in section 3 above.

Additional policies, as relevant material considerations for determining this application, are the National Planning Policy Framework 2021 (NPPF) and National Planning Practice Guidance (NPPG). The planning history of the site, particularly the decision in July 2022 and January 2022 to refuse similar proposals, is a significant material consideration for this application.

Green Belt

The application site is in the Metropolitan Green Belt which washes over the locality and continues a significant distance away from the site.

The government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Green Belt is a spatial designation, not a qualitative one, and the requirement to protect openness applies just as much to less attractive areas of Green Belt as to attractive countryside.

Policy MG02 (Green Belt) seeks to preserve the Brentwood Metropolitan Green Belt from inappropriate development and states proposals in the Green Belt will be assessed in accordance with the provisions of national planning policy (the NPPF). It is noted that the application of Green Belt policies has not changed since the time of the last application.

As was the case for the previous two applications, the proposal falls into three parts:

- 1) Change of use from hotel to residential
- 2) Extension/remodeling of existing building
- 3) New buildings

The NPPF considers changes of use, extensions and redevelopment in different ways. This report considers each part of the proposal against policy compliance, and then considers cumulatively as a whole.

The proposed work for the main hotel comprises the removal of significant modern extensions and the erection of two new rear extensions blocks. The removal of the existing blocks, ensures no net increase in the building footprint of the site and would have a largely neutral effect on the openness of the Green Belt.

The works to reinstate the top of the clock tower would increase its stature, as these works are reinstatement, its effect on the Green Belt would be neutral.

The works proposed for the conversion of the stable building are largely limited to a change of use and internal works.

These works are considered to comply with paragraph 149 of the NPPF, which supports the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building, and preserves the openness of the Green Belt. Whilst the extensions removal do not revert the hotel building back to the original built form, the replacement extensions are more complimentary to the architectural design and urban grain of the original hotel building.

The most significant element of the proposal, in terms of impact on the Green Belt, is the erection of the new 21no. dwellings on the existing car park.

As before, proposals for buildings in the Green Belt are inappropriate development unless they fall within a limited number of exceptions listed in the NPPF. The exception below is relevant to the proposal and is considered in the following paragraphs:

“149(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or*
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*

The car park is previously developed land though its visual impact outside of the site, even when occupied by parked vehicles is minimal, due to the site being highly contained by vegetation. Likewise, the small buildings to the north of the stable building have little impact on the openness of the site or character of the area and their loss would not be a significant benefit.

In contrast the erection of the 21no. two storey dwellings, as proposed, would have a greater impact on the openness of this part of the Green Belt and the character of the area, than the current state of the site.

In this third design iteration, the applicant has been able to demonstrate that most of the proposed development is contained within previously developed land (PDL), as shown on plan ref. 937-PL-61. However, the plan also shows that there are still sections of the residential development to the north-west and south-west which, are beyond the existing previously developed land. While the extent / floorspace of development in these areas has been reduced compared to the refused applications, where there was a much higher proportion of ancillary space to the north and west, outside the PDL, overall the development still has a greater impact on the openness of this part of the Green Belt and the character of the area than the current status of the site. As such, the proposal as before would be more harmful on the openness of the Green Belt than the existing development and therefore is inappropriate development. The applicant acknowledges that the proposal would have a greater impact on the openness of the Green Belt, but contends that its impact on openness would be limited.

Similarly, to the previous application, the proposal is predominantly for market housing and reference to affordable housing in the above section of 149 (g) has limited relevance to the proposal.

The NPPF makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm result from the proposal, is clearly outweighed by other considerations.

As a consequence of the proposed amendments, the impact on openness is considered by officers to be less significant compared to the refused applications:

Openness is both a spatial and visual concept: In terms of the spatial aspect of openness, the proposed layout has been designed so that there is a significant proportion dedicated to ancillary spaces (the private gardens and the two parking areas) that reduce the amount of floorspace. As a consequence, there will be close to 50% reduction in the net hardstanding area of the site from 6564sqm to 3653sqm.

In terms of the visual impact on the openness, the site is largely self-contained by mature planting to the north, west and south. To the east is the boundary wall with Great Warley Street and mature hedgerow, with some direct views into the site. The proposed development will not have a significant impact on local views, even where there are views into the site (by the vehicular entrance), as these would still be experienced in the context of the existing housing along Great Warley Street.

Due to the existing vegetation and buildings, there are no open views across the site. Therefore, there will be no significant harm to the visual openness of the wider site.

Notwithstanding the above considerations, the proposal remains inappropriate and it can only be considered appropriate if justified by Very Special Circumstances (VSC).

Effect on the Great Warley Conservation Area and locally listed building

The Heritage & Buildings Design officer has no 'in principle' objection to the conversion of the Hotel to residential if this is demonstrated as the optimum viable use, noting how Paragraph 197 of the NPPF states that applications should consider *"the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation"*.

The Heritage Statement comments that, as De Rougement Hotel itself is a non-designated heritage asset, paragraph 203 of the NPPF is relevant. This states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Officers are satisfied that the proposed development will cause neutral harm to the significance of the building itself and less than substantial harm to the setting of the non-designated heritage asset. This is outweighed by the benefits of this proposal: refurbishment of the NDHA, improvements of its immediate setting (by removing the existing swimming pool outbuilding and enhancing the landscape of the Italian Garden), and other public benefits discussed later in this report.

With regards to the new dwellings, the Heritage & Buildings Design Officer commented:

"In relation to setting which is proposed to accommodate new dwellings on PDL (Previously Developed Land) I advised previously that the existing car park is not contributory to the setting of the conservation area or the NDHA of De Rougement, whilst this point is not in dispute, an open setting is less harmful than urban intensification and it cannot be argued the tarmac prevents the building being appreciated."

In light of the evolution of the proposal from previous applications, the Heritage & Buildings Design Officer now agrees with the conclusions of the Addendum to the Heritage Statement: that the proposed new buildings will lead to a low level of less than substantial harm to the conservation area (a designated heritage asset).

Paragraph 203 of the NPPF relates to development proposals that would lead to less than substantial harm to the significance of a designated heritage asset, stating that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered that there are sufficient public benefits to this development to outweigh the anticipated low level of less than substantial harm to the setting of the conservation area.

The Heritage & Buildings Design Officer noted that, notwithstanding paragraph 202, in regard to the legislative test, the proposals would as a consequence of the above be considered contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which relates to conservation areas.

Section 72 of the Act requires the decision maker to pay 'special attention [...] to the desirability of preserving or enhancing the character or appearance of that area'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance.

The proposal will lead to a low level of less than substantial harm to the setting of the conservation area, and it must therefore follow that it would not in its entirety preserve or enhance the character or appearance of the area.

This must be weighted in the overall planning balance against real or perceived benefits of the scheme (on the Conservation Area). The impact is considered to be neutral in light of the HBO's comments and assessment. The proposal will deliver important public benefits in the form of the access to the landscaped gardens, play areas and the forest school. On balance, therefore, it is considered that the anticipated impact to the setting of the conservation area is acceptable.

The proposal is subsequently compliant with Policies BE14 (Creating Successful Places), BE15 (Planning for Inclusive Communities) and BE16 (Conservation and Enhancement of Historic Environment), chapter 16 of the NPPF (Conserving and enhancing the historic environment).

Layout

The layout has already been explained above in the proposal section and, has been through several iterations.

There are several improvements compared to the refused application. Having created two dedicated car parking areas, both located to the east of the site, the residential development is no longer car dominated and the proposed units benefit from enhanced defensible space.

The creation of a courtyard to the north and the increased space between units are also positive amendments, which contribute to a more spacious arrangement.

The current proposal has a reduction in the amount of built form along the eastern side of the new build element. In the refused application, two terraced buildings would front

Great Warley Street, at a distance of between 10.8m and 14.9m from the site boundary, appearing prominent in the local townscape.

In the current proposal, there is only one terraced building (plots 23-26) in this location, set further back from the site boundary: the distance from the site boundary now ranges between 17.5m and 20.8m. This, together with additional landscaping, has softened the visual impact of the proposal when seen from Great Warley Street.

The buildings behind the proposed parking lots (plots 27-32 and 36-37) have been located at a significant distance from the boundary: between 17.1m and 20.8m and between 50m and 52.6m respectively. They will therefore not be prominent in local views, with the help of the existing and proposed trees and landscaping.

The setting of the stable building has been improved compared to the refused application, where the south-west corner used to accommodate car parking spaces and is now a mix of private amenity and defensible space.

Officers also consider that from an environmental perspective, basements are not a sustainable form of development, and impact on the overall viability of a scheme, which in turn impacts on the delivery of other contributions such as affordable housing.

Nonetheless, in the overall balance, the layout is considered to be acceptable, and complies with Policies BE14 (Creating Successful Places) and BE15 (Planning for Inclusive Communities).

Density and scale

Policy HP03 (Residential Density) expects new residential developments to achieve a net density of at least 35 dwellings per hectare, rising to above 65 dwellings per hectare in the town centre.

The proposal will deliver 43 units consisting of apartments, detached, semi-detached and terraced properties, with a density of 12.6 dwellings per hectare across the site, or 41.7 dwellings per hectare in its built-up section.

Although it is acknowledged that the proposed density is higher than that seen across the village of Great Warley, it is still considered low and appropriate in a rural location.

The scale of the proposed buildings complements that of the De Rougemont Hotel and stable building and is considered appropriate in this context.

Unit mix

The proposal seeks to provide 43 market dwellings, which would make a welcome addition to the Council housing supply. The following unit mix is proposed:

Table 2 – Unit mix

Size / Type	Total
1 bed apartment	4
2 bed apartment /maisonette	20
3 bed house	11
4 bed house	6
5 bed house	2
Total	43

The overall unit mix is considered acceptable and compliant with Policy HP01 (Housing Mix). All new built units and new extensions to the main building will be constructed to meet requirement M4(2) accessible and adaptable dwellings, as per policy requirement.

In accordance with Policy HP06 (Standards for New Housing), all new units meet the Nationally Described Space Standards.

Not all standards can be met in the units within the hotel and stable conversion. This is acceptable, as it is due to the physical and heritage constraints of the existing hotel and stable buildings.

Affordable housing provision

Policy HP05 (Affordable Housing) requires the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential development sites on proposals of 10 or more (net) units.

This planning application is accompanied by a Financial Viability Appraisal that has been independently reviewed. It concludes that any affordable housing contribution would make the scheme unviable and as a consequence, all the proposed 43 units will be market housing. The independent review by Ark differs stating that 3no. affordable shared ownership units should be provided on site. The application has agreed to this and consequently there will now be 3no. affordable units on site.

Private amenity

All residential units benefit from generous back gardens, which comfortably exceed the standards of the Essex Design Guide.

Landscape

The landscape strategy is embedded in the overall scheme. A detailed hard and soft landscape plan and a landscape management plan has been developed in support of the application.

Compared to the refused applications, this aspect of the proposal has been significantly refined. The landscape strategy is now well articulated, provides significant benefits to the local community and is accompanied by a Landscape Management Statement and an Estate Management Strategy.

It is noted that the site does not currently offer open public access since the grounds and facilities are only available for hotel or paying customers to use.

The applicant confirmed that a total of 23,746sqm sqm of POS is proposed with access and a network of paths for the public. This represents 70% of the site, and excludes all hard standing as well as ancillary residential gardens and defensible spaces. There will also be a close to 50% reduction in the net hard standing area of the site from 6564sqm to 3653sqm.

A new pedestrian entrance is proposed from Great Warley Street into the area of POS, which is a welcome addition to the proposal and will contribute to making the POS accessible to the local community. This together with the new paving to the pedestrian entrance improve the accessibility to the gardens and will be secured within the legal agreement.

To the south-east of the site, the existing Italian Garden will be retained and enhanced through the removal of unsympathetic modern additions and with new seating and planting proposals. A community orchard is also proposed at the front of the site adjacent to the Italian Garden, replacing the existing run-down tennis courts.

To the south of the site, the POS includes the enhancement of the existing pond and lily garden, through clearance of overgrown vegetation, additional planting and the provision of a timber deck. An extensive grass lawn is also proposed, which can be utilised for picnics and community gatherings.

The woodland area in the south-west part of the site will be enhanced through the creation of a nature trail with ecological enhancements, such as bird and bat nest boxes, hibernacula, bug hotels, bee hives and hedgehog boxes.

To the west of the residential development, it is proposed to enhance the existing landscaped buffer by incorporating new tree planting.

To the north of the site, there is a publicly accessible, LAP (Local Area of Play) sized playground which incorporates equipment made of natural materials, in keeping with its woodland setting.

Further north, the tip of the site will be reserved for the creation of a forest school, to be used by the Nappies and Paddies Day Nursery, located on the other side of Great Warley Street, on a peppercorn rent. The local nursery confirmed their interest in renting this space as it would significantly enhance the range of facilities available to their pupils. The nursery is part of a larger group of nurseries located in the proximity of

Great Warley, which would also benefit from using the forest school. The applicant confirmed that, should the local nursery decide to stop using the forest school, the area would be returned to POS.

Forest school details (such as rental agreement, management, and alternative uses) will need to be included in the section 106 agreement.

To conclude, this aspect of the proposal is a significant benefit of the proposal, as it will provide substantial community benefits for educational purposes, as well as providing new landscaped gardens for the local. It also represents an important improvement compared to the refused application, where the POS offer lacked details and was not supported by any management arrangement.

The Landscape, Ecology and Arboriculture Officer confirmed that there are no significant objections to the proposal on landscape or ecology grounds, and considers that if, properly resourced the scheme could result in positive improvements the gardens and woodland areas. Therefore, a full Landscape Management Plan has been conditioned and it is recommended that open space is included in the legal agreement.

To assess the impact of the proposal on the wider landscape, this planning application is supported by a Landscape Visual Impact Assessment (LVIA), which was not submitted for the refused applications. The LVIA provides an analysis of the baseline conditions of the site, assesses the capacity for landscape change and whether the development proposed can be integrated into the existing landscape.

A series of viewpoints have been analysed, which demonstrate how the site is largely visually self-contained by the mature planting to the north, west and south and how the key direct views into the site are only from Great Warley Street, in proximity to the site entrance.

On the eastern boundary, there is mature hedgerow to the north and south of the hotel and stable building. However, even where there are views into the site (by the vehicular entrance), these would still be experienced in the context of the existing housing along Great Warley Street.

The LVIA comments that the local setting of the site and corresponding area of Great Warley Street aligns more with spatial arrangement and characteristics of the village to the north, than open countryside further to the south. Officers agree with this observation.

The Landscape, Ecology and Arboriculture Officer reviewed the LVIA and commented that, in terms of landscape character, the large car park is already a negative feature. Therefore, the introduction of the residential element, while visible and adverse (compared to the open character of the car park), could not be assessed as a significant effect given its limited scale and the surrounding land uses.

The Landscape, Ecology and Arboriculture Officer confirmed that any visual effects of the proposal on the surroundings would be very limited due to the existing trees and buildings bounding the site. It would only be visible from a short section of Great Warley Street where there are existing residential properties.

Subject to conditions and legal agreement, the proposal complies with Policies BE14 (Creating Successful Places), BE15 (Planning for Inclusive Communities), NE01 (Protecting and Enhancing the Natural Environment), NE02 (Green and Blue Infrastructure), NE03 (Trees, Woodlands, Hedgerows), NE05 (Open Space and Recreation Provision).

Ecology and Biodiversity

The application is accompanied by a Preliminary Ecological Appraisal and Bat Survey as well as Biodiversity Net Gain calculation. It confirms that the site does not fall within or adjacent to any statutory sites and the Impact Risk Zones do not indicate the development will have any likely impact on statutory designated sites.

The site includes priority habitat deciduous woodland, and most of the woodland will be retained and enhanced. The small losses to the woodland will be offset by the enhancements to the existing woodland and new landscape planting.

The proposed development will enhance the existing woodland and includes additional planting, which will result in the development achieving biodiversity net gain. The proposed development will result in a significant 35.69% net gain in habitat units and a 108.85% net gain in hedgerow units.

It is noted that the Environment Act 2021 places greater emphasis on development achieving a measurable biodiversity net gain. The Environment Act will establish, through an amendment to the Town & Country Planning Act that is expected to take place in autumn 2023, a mandatory requirement for development proposals to achieve a minimum of 10% net gain in biodiversity, utilising Defra's Biodiversity Metric.

Therefore, the proposed 35.69% net gain in habitat units is a significant benefit of the proposal, which is strongly supported. It is also an improvement on the refused applications, which only briefly listed proposed ecological enhancements to the site and provided no details.

The woodland provides suitable foraging and commuting opportunities and will be retained as part of the proposed development. The enhancement of the woodland will enhance opportunities for bats post-development. Enhancements and the installation of bat boxes will increase roosting opportunities.

The Landscape, Ecology and Arboriculture Officer supports the proposal, subject to additional bat emergence surveys, details of external lighting and a badger method statement.

Subject to conditions, the proposal complies with Policies NE01 (Protecting and Enhancing the Natural Environment) and NE02 (Green and Blue Infrastructure).

Arboricultural considerations

Tree Survey and Arboricultural Impact Assessment supports this application. This demonstrates that the proposed development can take place without the removal of any category A and B trees. Those trees that are recommended for removal are category C and U trees and of a low landscape significance, with 14 requiring removal because they are decaying and should be removed regardless of the proposed development.

The Landscape, Ecology and Arboriculture Officer confirmed that the removal of these trees is not a constraint to the development.

The proposal complies with Policies NE01 (Protecting and Enhancing the Natural Environment) and NE03 (Trees, Woodlands, Hedgerows).

Access, Parking and Highway Considerations

The proposed development includes the improvement of the current main site access point from Great Warley Street. A 5.5m wide carriageway and 2m wide footway will be extended 15m into the site to enhance accessibility, allowing two cars to pass. The design is compliant with ECC Design Guide for site access roads.

The proposal will include the addition of a pedestrian access gate on Great Warely Street to the south-east of the site for community access, allowing local residents to enjoy the POS without having to enter the residential development. Details of this entrance have been conditioned.

A 2m wide pavement along Great Warley Street, from the main vehicular entrance of the site to its southern boundary, is also proposed to ensure the safety of the new pedestrian entrance. Dropped kerb and tactile paving will be provided at the edge of the existing layby on Great Warley Street, to facilitate crossing. This will improve the permeability of the site for both pedestrians and cyclists.

It is noted that the applicant sought to provide an uncontrolled crossing point alongside dropped kerbs. However, the Highways Officer advised that Great Warley Street would not qualify for such crossing which, therefore, cannot be delivered.

The bus stop on the east side of the road will be reinstated with a pole and a flag along with timetable information and raised kerbs. This is welcomed.

The proposed development includes 93 parking spaces (11 for visitors and 82 for residents) in line with ECC parking standards, which requires 1 parking space per 1 bedroom dwelling or 2 spaces for 2+ bedroom dwellings. Parking for the flats will be

provided in an undercroft at the rear of the building. The undercroft parking has been rationalized to reduce its presence in the surrounding greenspace.

All parking spaces will accommodate electric vehicle charging to maximize the opportunity for the use of low-emission vehicles.

The site has good cycle accessibility with multiple on and off-road cycle routes located in close proximity. As outlined in the Transport Statement, all residents will be provided with cycle parking in accordance with ECC parking standards, which is welcomed and contributes to the use of sustainable transport modes. Charging plugs will also be provided to accommodate electric bikes.

The applicant confirmed that a Residential Travel Information Pack (RTIP) will be prepared and provided to each household at the Proposed Development upon occupation, including six-day travel vouchers for use with the relevant local bus operator. This has been conditioned.

The applicant has also committed to investigate the potential for providing a car club bay within the proposed development which could encourage residents to choose to either reduce the number of cars within the household from two to one or not have a car at all.

The Highways Officer confirmed that the development upgrades an existing access onto the highway and complies with the minimum parking standards for residential developments, as adopted by Brentwood Borough Council. The proposals are also not expected to result in an increase in trip numbers to and from the site compared to its existing permitted use when fully operational.

It is also noted that the 'Nappies and Paddies' nursery, located to the east of the site, will make use of the forest school and will access the site through the main entrance from Great Warely Street, by bus. The bus will also pick up children from other nurseries belonging to the same nursery company, and will have a designated parking space within the development. This will avoid the need for children and staff to cross Great Warley Street.

The Highways Officer confirmed that there are no concerns with regards to this element of the proposal.

Subject to conditions, the proposal is therefore considered to comply with Policies BE13 (Parking Standards), BE11 (Electric and Low Emissions Vehicles), BE12 (Mitigating the Transport Impacts of Development), BE09 (Sustainable Means of Travel and Walkable Streets).

Sustainability

The proposed development will incorporate a number of sustainable features as set out in the Energy and Sustainability Statement which will allow for a 42.8% carbon reduction from a base Part L1 compliance build. Therefore, the proposed development complies with Policy BE01 (Carbon Reduction and Renewable Energy) as the figure significantly exceeds the 10% minimum carbon reduction requirement. This is a very welcomed aspect of the proposal, providing significant benefits to the future residents and contributing to climate change adaptation. It is also an important improvement on the refused application, where this element of the proposal was found to be 'underwhelming'.

As outlined in the Energy and Sustainability Statement, the use of a water consumption calculator tool to manage the final water consumption of the development will allow consumption to be effectively monitored. The proposal therefore complies with Policy BE02 (Water Efficiency and Management) as the target of reaching 110 litres/person/day will be achieved.

Energy efficiency measures will be included to ensure the building is adequately insulated. The proposed development will incorporate glazing with a low shading coefficient to ensure that overheating does not occur in summer months and to allow for adaptation to the effects of climate change. In addition, building fabrics with enhanced 'U' values will be used for the main elements of the development which will surpass the minimum requirements of Part L2A (2013), thus complying with Policy BE04 (Managing Heat Risk).

A condition will be added to the decision notice, should this application be approved, requesting the submission of an updated Energy and Sustainability Statement prior to commencement of development, to confirm how policy requirements are met and exceeded in line with the commitments made at submission, once the design is progressed to a more detailed stage.

Refuse and Recycling

The refuse provision will be primarily in the form of bins kept in rear gardens with rear access or within garages, whilst the apartments will have integral communal bin stores.

Refuse collection for the residential properties will take place through the Council's household waste collection service and the tracking within the Transport Statement demonstrates that a refuse collection vehicle can manoeuvre within the site.

The submitted Estate Management Strategy confirms that general waste and dry recycling bins within the public open space will be inspected and emptied by the Estate Operatives of the management company.

The proposed refuse strategy is appropriate and there are no objections. The proposal is therefore compliant with Local Plan Policy BE14 (Creating Successful Places), which is supportive of developments that sensitively integrate refuse and recycling collection points.

Flood and Drainage

A Flood Risk Assessment and Drainage Strategy has been submitted as part of the previous application and has been reviewed by Essex County Council as the Lead Local Flood Authority (LLFA). The application site is within Flood Zone 1, at low risk of flooding from all sources and is in a designated Critical Drainage Area (CDA).

The proposed SuDS strategy incorporates porous paving within the roads and driveways, below ground storage in cellular systems on the south western part of the site and flow control devices to restrict flow to 2.3 l/s.

The site is at extremely low risk of surface water flooding as identified in the Flood Risk Assessment; the majority of the site has “a less than 1 in 1000 ($\leq 0.1\%$) probability of flooding”. Flooding from all other sources is low and the proposal would not significantly increase flood risk of areas surrounding the site.

The LLFA do not object to the granting of planning permission based on the request of 4 conditions. The proposal is thus considered to comply with Policy BE05 (Sustainable Drainage) and Policy NE09 (Flood Risk).

Noise

A Noise Impact Assessment has been submitted and has been reviewed by the Environmental Health Manager. The assessment confirms that a good acoustic environment can be achieved using common construction methods, with the dwellings along the eastern boundary of site needing acoustic double glazing and acoustic trickle vents with improved acoustic rating.

Noise in external amenity areas recorded above the recommended BS8223:2014 standards. It is therefore proposed to erect an acoustic barrier to the eastern boundary of any amenity space along the eastern boundary, in order to reduce noise levels to appropriate standards. The barrier should be a close-boarded timber fence / clay brick wall, at least 1.8m in height. The Environmental Health Manager concurs with the findings of the Noise Impact Assessment, thus details of the acoustic barrier have been conditioned.

It is also crucial that the acoustic barrier does not lead to a detrimental impact on the character and appearance of the site, and this requirement forms part of the noise condition.

The Environmental Health Manager also recommended the submission of a Construction Environmental Management Plan (CEMP), to include demolition method statements as well as full and dedicated noise and vibration assessments, to minimise any adverse effect on surrounding residences. This has been conditioned.

Archaeology

The development is located in an area of known archaeological remains and in close proximity to the historic settlement of Great Warley. Therefore, the groundworks for the proposed new buildings have the potential to impact medieval/post-medieval archaeological remains related to this historic routeway and settlement, and medieval finds have been previously uncovered nearby.

Essex Archaeology requested a number of conditions to be added to the decision notice, should the application be approved, including a historic building recording and a programme of trial trenching, followed by open area excavation.

The proposal is therefore considered to comply with Policy BE16 (Conservation and Enhancement of Historic Environment).

Local community facilities and loss of hotel use

With regard to Policy PC10 (Protecting and enhancing community facilities) the existing activities are not village halls, community centres, libraries or sports, leisure, healthcare or arts venues, shops, public houses, community halls, petrol filling stations, or medical facilities. The requirements of Policy PC10 do not apply to this proposal.

It is also noted that the loss of a hotel in this location is not considered contrary to policy, and its replacement is not a policy requirement.

Other matters

Information has not been provided relating to Policy BE07 (Connecting New Developments to Digital Infrastructure) but such matters can be addressed by planning condition.

Green Belt and the Planning Balance

Very Special Circumstances

The proposal - as agreed by the applicant – is inappropriate development. Therefore, the acceptability of the proposal is wholly reliant on VSC meeting the threshold set out in the NPPF as below.

“147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

The applicant has summarised the matters it considers to be VSC, some of which are matters raised at the time of the last application. The VSC put forward by the applicant are:

- Proposed provision of dwellings on suitable brownfield land.
- Enhancement of beneficial use of land within the Green Belt.
- Community benefits associated with the proposal.
- Heritage benefits.
- Achievement of in excess of 30% biodiversity net gain, and in advance of the Environment Act becoming a mandatory requirement.
- Achievement of a total carbon reduction which is significantly above the local plan policy requirements.
- Economic benefits associated with the proposal.

Neither the NPPF nor the adopted Brentwood Local Plan provide guidance as to what can comprise VSC, either singly or in combination. However, some interpretation of VSC have been provided by the Courts. The rarity or uniqueness of factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create VSC, i.e. ‘very special’ is not necessarily to be interpreted as the converse of ‘commonplace’. However, the demonstration of VSC is a ‘high’ test and the circumstances which are relied upon must be genuinely ‘very special’.

The table below takes each consideration in turn, ranked in order of significance along with the planning weight that officers have apportioned based on ????

Table 3 – Very Special Circumstances

Very Special Circumstance	Officers’ comments
1. Enhancement of beneficial use of land within the Green Belt WEIGHT: moderate to high	Paragraph 145 of the NPPF states: “145. Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.” The above aspirations are reiterated at point c) of Policy

	<p>MG02 (Green Belt).</p> <p>The site does not currently offer open public access since the grounds and facilities are only available for paying customers to use. It is not a policy requirement to provide for the level of open space offered here which is approximately 70% of the total site area, The proposal includes extensive landscaping and is supported and secured by a management plan.</p> <p>This aspect of the proposal meets the aspirations of aforementioned NPPF paragraph 145 as it will:</p> <ul style="list-style-type: none"> - Provide access to an area which would be otherwise closed to public; - Provide opportunities for outdoor sport and recreation; - Enhance the local landscape through extensive landscaping and biodiversity enhancements. <p>In view of these policy objectives, the commitment made through the proposals to enhance the beneficial use of land within the Green Belt carries moderate to significant weight in favour of the proposal.</p>
<p>2. Community benefits associated with the proposal</p> <p>WEIGHT: moderate</p>	<p>The proposed development will provide an extensive area of public open space with a range of amenities that can be enjoyed by prospective residents of the development, residents of Great Warley, local schools and community groups.</p> <p>The proposal includes:</p> <ul style="list-style-type: none"> - A formal Italian Garden with seating and planting; - A community orchard, with direct access from Great Warley Street; - A woodland area to the south-west with a nature trail with ecological features; - An extensive grass lawn which lends itself to a variety of uses; - A pond and lily garden with a timber deck; - A new play area to the north of the site, with equipment made of natural materials; - A new forest school, to be offered to a local nursery. <p>Overall, the proposal provides an important opportunity to foster the relationship between local residents and nature, and has the potential to be of particular value to children and local groups.</p>

	<p>The local Nappies and Paddies Day Nursery has provided a letter of support welcoming the provision of the forest school.</p> <p>The range of community benefits proposed carry low to moderate weight in favour of the proposal.</p>
<p>3. Achievement of in excess of 30% biodiversity net gain, and in advance of the Environment Act becoming a mandatory requirement</p> <p>WEIGHT: low to moderate</p>	<p>Improving biodiversity is one of the aims of the Green Belt in local and national policies, as set out in VSC no.1 above.</p> <p>Minimizing impacts on and providing net gains for biodiversity is an objective of paragraph 174 of the NPPF, that planning policies and decisions should contribute to.</p> <p>Integrating the natural environment in development, including biodiversity enhancement, is also promoted in Policy B14. Policy NE01 specifically states that all proposals should, wherever possible, incorporate measures to secure a net gain in biodiversity.</p> <p>Finally, the Environment Act will establish, through an amendment to the Town & Country Planning Act that is expected to take place in autumn 2023, a mandatory requirement for development proposals to achieve a minimum of 10% net gain in biodiversity, utilising Defra’s Biodiversity Metric.</p> <p>Whilst the 10% target is not yet a legal requirement, the development seeks to maximise the opportunities to create new habitat on site through the extensive amount and range of planting proposed including the community orchard, wildflower grassland and pond enhancements. A significant uplift in tree coverage is also proposed.</p> <p>The achievement of a net gain of 36% is demonstrated in the Biodiversity Net Gain Assessment, and is also considered to carry substantial weight in favour of the proposal.</p>

In this case, Officers consider that the combination of the above benefits of the proposal, would amount to considerations that would overcome the harm to the green belt through inappropriateness, the harm to openness and the other harm identified

In terms of ‘other harms’, this report has demonstrated that the proposal will result in a low level of less than substantial harm to the conservation area. However, this is

outweighed by the public benefits of the scheme. There are no other harms resulting from the proposal.

Table 3 above demonstrates that the extent of harm to the Green Belt that has been identified would be outweighed by other considerations, and consequently, very special circumstances exist to overcome the in principle inappropriate development.

With regards to the other VSC put forward by the applicant:

Proposed provision of dwellings on suitable brownfield land

The Five Year Housing Land Supply Statement as 1 April 2022 (published in October 2022) confirms that BCC is able to demonstrate a robust five year supply of deliverable housing sites: 6.9 years.

The application site is a windfall site and would provide a moderate number of units towards the Council's housing supply, as such this benefit attracts moderate weight in the overall planning balance.

Heritage benefits

Officers consider the proposed works to the stables and the locally listed building acceptable, and the removal of the old extensions is welcomed. However, any proposal for this site and the locally listed building would have been required to remove any inappropriate or unsightly additions, restore the building in a manner that respects and enhances its significance, and design any additions in a manner that respects and enhances the significance of the Conservation Area. Therefore, attracts low or minimum weight in the planning balance.

Achievement of a total carbon reduction which is significantly above the local plan policy requirements

This is a welcomed element of the proposal and is considered a significant benefit. However, the Energy and Sustainability Statement only relates to this phase of the scheme: design solutions and technical details may need to change once the design is progressed to a more detailed stage. The final carbon reduction on Part L1 may be lower than the currently anticipated 42.8%.

As a consequence, this element of the proposal, albeit positive, attracts low weight in the planning balance.

Economic benefits associated with the proposal

The development of the site will result in short term economic investment through the construction phase. There will be a requirement for local contractors to be employed to deliver the project within the programme delivery timescale, creating employment opportunities for the local skilled labour force.

This will be a short term benefit only. Therefore, this cannot be considered VSC.

Legal Agreement

The applicant has accepted that it will be necessary for certain obligations in respect of the proposed application to be dealt with by way of an Agreement under Section 106 of the Town & Country Planning Act 1990. This is in line with Policy MG05 (Developer Contributions).

The contributions required to make the proposed residential development acceptable in planning terms are currently being discussed between the applicant, Council officers, the Highway Authority, Essex County Council (education) and the NHS. These are expected to include contributions towards highways improvements and mitigation; education; and healthcare provision. The Heads of Terms will also include details of the management company that will maintain and manage the public open space, play equipment and public realm within the development; details of a management plan to deliver biodiversity enhancements that will secure a net gain in biodiversity; and details of the agreement with Nappies and Paddies Day Nursery.

As the legal agreement is outstanding, it is recommended to the Committee that this is delegated to Officers to resolve, should Members be minded to approve the application.

8. Conclusion

The proposal represents a significant improvement on the two schemes that were refused in 2022. Nonetheless, the proposed development remains inappropriate development in the Green Belt and can only be justified by VSC.

Aside from Green Belt considerations, the proposed development is policy compliant, and the low level of less than substantial harm to the conservation area is outweighed by the public benefits of the scheme.

Three VSC have been identified as part of the significant benefits included in this proposal. Having analysed the level of harm on the Green Belt caused by the proposed development, Officers have concluded that this would be outweighed by VSC.

Therefore, subject to conditions listed below and a satisfactory legal agreement being signed, the proposed development is justified by VSC and is recommended for approval.

9. Recommendation

It is recommended that a RESOLUTION TO GRANT PERMISSION is issued subject to S106 legal agreement being resolved, and to the following conditions:-

1 TIM01 Standard Time – Full

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

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

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

3 Archaeology

No demolition, development or conversion works shall take place until a Written Scheme of Investigation for a programme of historic building recording work has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

4 Archaeology

No demolition, development or conversion works shall take place until the satisfactory completion of the historic building recording fieldwork in accordance with the submitted and approved Written Scheme of Investigation. The applicant will submit to the local planning authority an approved report detailing the results of the recording programme in accordance with the approved Written Scheme of Investigation.

Reason: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

5 Archaeology

No development or preliminary groundworks can commence until:

- A programme of archaeological trial trenching evaluation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved by the planning authority.
- The completion of the programme of archaeological evaluation identified in the Written Scheme of Investigation, defined in Part 1 and confirmed by the Local Authorities archaeological advisors.
- A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified is submitted to the Local Planning Authority following the completion of the archaeological evaluation.

Reason: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

6 Archaeology

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

Reason: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

7 Archaeology

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

Reason: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

8 Highway

A Construction Management Plan shall be 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. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities.

Reason: To ensure that on-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 in accordance with Local Plan Policies BE09 and BE12.

9 Highway

Prior to first occupation of the proposed development, the site access shall be upgraded to provide a 5.5m wide carriageway and 2m footway on its southern side in accordance with the Site Plan As Proposed (Drawing 937-PL-03).

Reason: To ensure vehicles and pedestrians can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Local Plan Policy BE09.

10 Highway

Prior to first occupation, a new 2m kerbed pedestrian footway shall be provided along the site frontage on the western side of the B186 from the main site access to the southern boundary of the site along with new dropped kerbs and tactile paving shall be provided for pedestrians to cross the road adjacent to the site access and the retained vehicular access in front of the existing hotel building.

Reason: To enable pedestrian access, the interest of accessibility in accordance with Local Plan Policies BE09 and BE12.

11 Highway

Prior to first occupation, the redundant part of the site access to the front of the existing hotel shall be suitably and permanently closed.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with Local Plan Policies BE12 and BE13.

12 Highway

Prior to first occupation, the existing southbound bus stop opposite the site shall be improved to Essex County Council specifications. This shall include a new flag, pole, timetable information display and raised kerbs to facilitate pedestrian and wheelchair access. A new northbound stop shall similarly be provided to Essex County Council specifications with new flag, pole, timetable information display and raised kerbs with the exact location to be agreed with the LPA in agreement with the Highway Authority.

Reason: To encourage trips by public transport in the interest of accessibility in accordance with Local Plan Policies BE09 and BE12.

13 Highway

Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and the site access visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Local Plan Policies BE12 and BE13.

14 Highway

The proposed development shall not be occupied until such time as the vehicle parking area, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at 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 Local Plan Policies BE12 and BE13.

15 Highway

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

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Local Plan Policies BE12 and BE13.

16 Highway

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

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Local Plan Policies BE09 and BE12.

17 Materials

Notwithstanding the details shown on the drawings hereby approved; 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, of the entrance to the community orchard have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area, in line with Policy BE14.

18 Brickwork Sample Panels

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

Reason: In order to safeguard the character and appearance of the area, in line with Policy BE14.

19 Design Details

Notwithstanding the details shown on the drawings hereby approved; no development above ground level shall take place until details of fenestration (i.e. mullions, typical reveals, concealed vent strips) and balustrades hereby permitted, and of the entrance to the community orchard have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the architectural language is consistent with the architectural period adopted, in line with Policy BE14.

20 Lighting scheme

Prior to occupation a lighting scheme must be submitted for the approval of the Local Planning Authority. The lighting scheme shall be designed to ensure the amenity of local residents, ensure highway safety and protect ecology by preventing excessive light spill onto sensitive habitats. The development shall be implemented in accordance with the agreed details. Reason: To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of local residents, of ecology and of the area generally.

21 Boundary treatments

Prior to commencement of above ground works, a detailed scheme for the siting and design of all boundary treatments and way finding shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the use hereby permitted commences and retained for the lifetime of the development, unless otherwise approved, in writing, by the local planning authority.

Reason: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity.

22 Ecology

The development shall not commence until a bat emergence survey, undertaken by a suitably qualified person, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the recommendations of the survey.

Reason: In order to minimise the risk of harm to protected species. This information is required pre-commencement as any demolition or construction work has the potential harm protected species.

23 Construction Environment Management Plan

No development shall commence, including works of demolition until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (including but not limited to protected species, in particular badgers and nesting birds) as well as protection methods of retained trees. The CEMP should include a method statement to avoid injury to any animals entering the site during construction. The CEMP shall identify that construction activities so far as is practical do not adversely impact amenity, traffic or the environment of the surrounding area by minimising the creation of noise, vibration and dust during the site preparation and construction phases of the development. The demolition and construction works shall be completed in accordance with the information agreed within the CEMP by the Local Planning Authority.

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

24 Landscape and Ecology Management Plan

No development above ground level shall commence on site, until a Landscape and Ecology Management Plan covering the first 5 years of the development has been submitted to and approved in writing by the Local Planning Authority.

The Great Warley Conservation Society and the Essex Gardens Trust will be consulted in preparing the Management Plan given the strong horticultural history within this settlement.

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

25 Ecology

Site clearance and demolition work shall only be undertaken between the months of September and February unless and until a scheme detailing a nesting bird check is submitted to and approved in writing by the local planning authority. The scheme shall include mitigation measures should any nesting birds be identified, including a suitable stand off and /or exclusion zones if nests or nests in construction are identified. The check shall be undertaken by a suitably qualified ecologist.

Reason: To avoid the destruction of habitats in accordance with Local Plan Policy NE01 and comply with relevant legislation.

26 Energy and Sustainability

Prior to commencement of development, an updated Energy and Sustainability Statement shall be submitted to the Local Planning Authority to demonstrate that the development will achieve the predicted 42.8% carbon reduction.

Reason: In the interests of improving resource efficiency to meet the government's carbon targets in accordance with Local Plan Policies BE01, BE02, BE03 and BE04.

27 Noise

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

Monday–Friday.....08.00-18.00 Saturday.....08.00-13.00.

No noisy activities on Sundays or Bank Holidays.

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

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

Where the site is adjacent to residential or business premises, bonfires should be avoided, and all waste materials should be removed from site and suitably disposed of. At no time should any material that is likely to produce dark/black smoke be burnt (eg. Plastics, rubber, treated wood, bitumen etc.)

Radio noise should not be audible at the boundary of the nearest neighbouring property. Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Health Department prior to commencement.

Reason: In order to protect the amenity of neighbouring occupiers.

28 Noise

Prior to occupation of the buildings, details of the proposals for noise mitigation as set out in the submitted Noise Impact Assessment shall be submitted to and approved in writing by the LPA. Such details shall include specifications for the glazing and trickle ventilators to habitable rooms, the external noise barrier and other provisions to reduce noise levels in external amenity areas (these will also need to be shown on a site plan). The details shall be implemented as approved and retained thereafter.

Reason: In order to protect the amenity of future occupiers.

29 Drainage

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:

- Limiting discharge rates to 2.3l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party/ 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 written report summarising the final strategy and highlighting any minor changes to the 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.

30 Drainage

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.

31 Drainage

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.

INFORMATIVES

1 INF05

The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: MG01, MG02, MG05, BE01, BE02, BE04, BE05, BE07, BE09, BE11, BE12, BE13, BE14, BE15, BE16, HP01, HP03, HP05, HP06, PC10, NE01, NE02, NE03, NE05, NE09.

2 INF04

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

3 INF22

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

4 ECC SUDS

Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

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

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

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

The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the

overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

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

5 Highways

All residential 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 commencement of the development must provide guaranteed deposits, which will ensure the new street is constructed in accordance with a specification sufficient to ensure future maintenance as highway by the Highway Authority.

The rural location of the site is such that, for the majority of journeys, the only practical option would be to use the private car. This should be taken into consideration by the Local Planning Authority when assessing the overall sustainability and acceptability of the site.

The applicant is advised that owing to the development size and design of the internal site layout, it is unlikely that the access road would be adopted by the Highway Authority.

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

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.

6 Design

Conservation Accredited Structural Engineer and Planning Heritage Advisors should be employed to advise in repairs and fabric intervention for the locally listed building.

7 Archaeology

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. The Borough Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief detailing the work and the level of investigation required will be issued from this office on request.

8 Secure by Design

Where possible, each element of the proposal shall be constructed to the standard required to achieve Secured by Design accreditation (as awarded by Essex Police) to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime, in accordance with Local Plan Policy BE15 and the aims and objectives of the NPPF chapter 8.

BACKGROUND 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>