

SITE PLAN ATTACHED

**COPPICE BUNGALOW SCHOOL ROAD KELVEDON HATCH BRENTWOOD
ESSEX CM15 0DL**

**DEMOLITION OF EXISTING DWELLING. CONSTRUCTION OF THREE
DWELLINGS. CREATION OF NEW VEHICULAR ACCESS.**

APPLICATION NO: 22/01008/FUL

WARD	Brizes & Doddinghurst	8/13 WEEK DATE	22 August 2022
PARISH	Kelvedon Hatch	POLICIES	EOT TBC
CASE OFFICER	Julia Sargeant		
Drawing no(s) relevant to this decision:	21-102-PL-04/A; 21-102-PL-06; 21-102-PL-02/A; 21-102-PL-01; 21-102-PL-03/A;		

This application has been referred to Planning Committee by Kelvedon Hatch Parish Council on the following basis:

Our Council objected to this proposal most strongly on the grounds of over development, inadequate parking for three, four bedroom houses and the closeness to the adjacent SSSI. The footings of the houses will probably damage the trees in this protected site. This was supported by other bodies who look after these SSSIs.

1. Proposals

The application site relates to a single storey dwelling known as Coppice Bungalow which is located on the northern side of School Road and within Kelvedon Hatch which is noted as a Settlement Hierarchy 3 under policy MG03. Settlement Hierarchy 3 are defined as "*Villages in a sparse rural setting that provide day-to-day needs for local residents in small local centres. These relatively larger villages also tend to have a primary school. They generally have limited, often shared, community and health facilities, local jobs and a variable bus service.*"

The application site is at the end of the row of residential dwellings on the northern side of School Road and to the immediate north and east of the application site is The Coppice which is an ancient and semi-natural woodland that is also designated as a Site of Special Scientific Interest (SSSI). To the west of the application site is a

detached two and a half storey red brick dwelling known as Wilmington. On the opposite side of School Road are detached dwellings known as Whiteoaks and Aosta.

School Road contains a number of individually designed dwellings and at the eastern end there is no particular architectural prevailing character. The western end of School Road is generally higher density with more handed semi-detached properties and those of a similar form and character. The application site is edge of settlement character.

Planning permission is sought for the demolition of the existing dwelling and erection of three new dwellings alongside the creation of a new vehicular access. The dwellings would be detached two and a half storey properties featuring an asymmetric front gable with catslide roof across to the front porch. Each would be finished in a mixture of red brick and render with projecting brick heads above the catslide roof over the porch. Each dwelling would measure a maximum of 6.5 metres wide by 15.2 metres deep (including single storey elements) with a maximum ridge height of 8.4 metres. Internally they would provide four bedrooms (one with en-suite), a bathroom, study, lounge, kitchen/diner and utility.

2. Policy Context

The Brentwood Local Plan 2016 - 2033

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

- MG01 – Managing Growth
- MG03 – Settlement Hierarchy
- BE02 – Water Efficiency and Management
- BE04 – Managing Heat Risk
- BE05 – Sustainable Drainage
- BE07 – Connecting New Developments to Digital Infrastructure
- BE11 – Electric and Low Emission Vehicle
- BE13 – Parking Standards
- BE14 – Creating Successful Places
- HP03 – Residential Density
- HP06 – Standards for New Housing
- NE01 – Protecting and Enhancing the Natural Environment
- NE03 – Trees, Woodlands and Hedgerows
- NE07 – Protecting Land for Gardens

Other Local Documents or Guidance

Essex Parking Standards 2009

National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

3. Relevant History

- No relevant planning history

4. Neighbour Responses

Four letters of objection have been received in relation to this application from two people. The main reasons for objection are summarised below:

- Shared drive for the 3 houses would create parking problem resulting in an overflow in School Road and possible road traffic instances.
- School Road is not wide enough to accommodate parked vehicles.
- This section of School Road does not have pedestrian walkways or public lighting making walking hazardous.
- No garages proposed.
- Houses will generate extra traffic and be detrimental to a small area.

5. 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/>

- **Natural England-**

Natural England's initial screening of this planning application has identified that this proposed development has the potential to adversely affect a Site of Special Scientific Interest (SSSI) designated for its woodland interest, i.e. the relevant Impact Risk Zones have been triggered.

The likely impacts arising from the proposal are straightforward to assess with confidence by following the advice notes provided below, and where necessary, requesting further information from the applicant where uncertainties exist. We therefore advise you to review the planning application under consideration, and apply the principles described, as appropriate.

Standing Advice on ancient woodland and veteran trees

Natural England and Forestry Commission have produced standing advice entitled 'Ancient woodland and veteran trees: protecting them from development' which outlines what planning authorities should consider for developments near ancient woodland and veteran trees. Advice is given on determining impacts and how to avoid, reduce or

compensate for the impacts. Note that planning authorities should refuse planning permission for developments that would lead to loss or deterioration of irreplaceable ancient woodland habitats unless the need for, and benefits of, the development in that location clearly outweigh the loss. This principle is outlined in the National Planning Policy Framework (2019) paragraph 175.

Reasons for Notification of Sites of Special Scientific Interest (SSSI)

Background information on SSSIs and their notified interest features can be found on the Magic map system website. The SSSI citation should be referred to in order to understand the special interest of the SSSI and its sensitivities.

SSSI Impacts which may need to be addressed

- (i) Air quality during construction
- (ii) Increase in access
- (iii) Root compaction
- (iv) Tree surgery works
- (v) Surface water run off
- (vi) Foul water disposal
- (vii) Groundwater changes
- (viii) Development buffering

- **Arboriculturalist-**

First Response

The site currently contains a single, unoccupied bungalow set within a large plot which comprises mainly rough mown grass.

A tree survey has been undertaken and submitted with the application. 15 individual trees, comprising 2 Category A and 3 Category B specimens, one Category B woodland group and one Category C group and one hedge were recorded. One Category C tree (Rhododendron) and one group would require removal to facilitate the development. Other works would be required for to some retained trees which are in third party ownership.

The northern and eastern site boundary abuts The Coppice Site of Special Scientific Interest, an ancient semi-natural broad-leaved woodland. Despite the presence of a statutory designated site immediately adjacent to the site, no ecological assessment has been submitted with the application. Natural England in its response has recommended that the LPA assess the application in accordance with principles set out in the Standing Advice to ensure no loss or deterioration to an irreplaceable habitat as outlined in the NPPF paragraph 175.

The proposed application would not result in the direct loss of any ancient woodland or veteran trees as none are present with the site. The proposal will require some management to trees that overhang the site, particularly on the eastern boundary. Reviewing the SSSI impacts that need to be addressed, it is considered that

- o due to the scale of the development, there would be no air quality issues during construction
- o there would be no new access points into the wood and the number of new residents would not be sufficient to result in any significant increase in recreational pressures within the wood (there is a single bridleway through the wood).
- o Measures have been detailed in the Tree Survey showing how compaction around tree roots can be avoided.
- o The tree survey report details the need for some tree surgery works to the trees on the eastern boundary to facilitate development. While some works have been undertaken in the past to maintain the access to the existing garage, the level of works required would be significantly greater due to the proximity of the third unit.
- o Surface water drainage during construction could be managed through a CEMP, given the small-scale nature of the development.
- o The site is connected to mains drainage.
- o The Coppice was notified an SSSI in part due to its wet-woodland component. The nature of the development should not result in any significant effects on the groundwater supplies to this important habitat feature.
- o Natural England advises that a buffer zone at least 15m is maintained between the development and the SSSI. This is achieved with the existing building and for neighbouring properties in School Road. The purpose of this buffer is to reduce possible impacts from increased noise and lighting and to reduce the need to manage overhanging trees. The proposed three units would result in the third plot being approximately 1m from the eastern boundary and less than 15m of northern boundary. The Tree Survey confirms that tree works would be required to cut back overhanging trees to facilitate development. These reductions would need to be ongoing due to the proximity of the plot to the woods. There is likely to be an increase to light spill into the SSSI from exterior lights, albeit this will be domestic lighting and therefore the effects would not extend far into the wood.

The density of the proposed development means that there are no opportunities to mitigate the effects of the proposal on the woodland. The lack of any form of buffer between the ancient woodland and the new dwellings will result in ongoing pressures to cut back trees within the SSSI. There will be increased lighting close to the woodland, which while of domestic scale, could have some effects for example on commuting and foraging bats associated with the woodland.

On balance I am not able to support this proposal due to the lack of any buffering between the development and the ancient woodland SSSI, which will result in small-scale but ongoing impacts on the statutory protected site.

Second Response

Since my response of 8th September 2022 the agent has sought to address the issues regarding the need for a 15m buffer to the adjacent ancient woodland as set out in the Natural England and Forestry Commission Standing Advice which is a material planning consideration. It is important to note that the standing advice applies to all ancient

woodlands; however The Coppice is a designated Site of Special Scientific Interest which therefore has statutory protection under the Wildlife and Countryside Act.

Despite the proximity of the site to the SSSI no ecological assessment has been undertaken to inform how any effects can be mitigated.

The agent has sought to address the issue of the buffer in this letter of the 18th October 2022. It states that the client's intention is to increase the biodiversity value of the site. The site plan that has been submitted shows minimal new planting with most of the rear gardens being laid to lawn and the area fronting the proposed housing comprising hardstanding. This is a standard urban landscape scheme which does not show any consideration has been given to the sensitive location of the site. There is no evidence to show how this would achieve any increase in the site's biodiversity value.

The arboricultural assessment submitted with the application shows that there would be an incursion into the root protection area of the trees on the edge of the wood as well as a need to cut back overhanging branches. While the scale of the incursion is in accordance with BS5837:2012 it demonstrates even the most basic requirement of the buffer is not being achieved.

There is a general statement saying there would be no spillage of light into the wood however this has not been substantiated.

Given the lack of detailed information to address the points previously raised regarding the proximity of the development to the SSSI ancient woodland I continue to object to the proposal.

Third Response

Since by previous responses to this scheme of 8th September and 14th December 2022 the applicant has amended the building design, reducing the area of their footprints. This slightly increases the separation between the rear elevation and the ancient woodland SSSI beyond the northern boundary.

A preliminary ecological appraisal has been undertaken. The PEA confirmed that the eastern part of the site adjacent to the woodland currently comprises the surfaced access to the garage and other outbuildings.

When I visited the site I also observed several derelict wooden buildings within the wood beside the garage.

On balance I consider that the extent of the incursion into the 15m buffer on part of the eastern boundary would not have a significant adverse effect on the ancient woodland, considering the presence existing development immediately adjacent to the woodland boundary and the wooden buildings within the woodland itself.

I noted that there was soil and other materials pushed up to the woodland boundary that would adversely affect the boundary trees and detract from its appearance.

While I would prefer a greater degree of separation between the third plot and the wood to enable more of the site beside the wood to be cleared of hardstanding and to lessen

the effects on the wood from external lighting, it is considered that the impacts of the proposals would not have significant effects beyond that already experienced. The increase in separation from the northern boundary would be slightly beneficial and help to offset the incursion into the eastern buffer.

If the scheme were permitted, I would require an ecological management plan be developed which sets out measures for minimising adverse effects on the boundary trees and wider woodland. It should include measures to enhance the woodland edge by carefully removing some of the existing hardstanding and tipped materials adjacent to the wood.

A landscape condition would also be required. This should include measures to achieve further biodiversity enhancements.

- **Highway Authority-**

A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal includes demolition of the existing dwelling, subdivision of the site and construction of three new dwellings. The use of the existing vehicle access shall be intensified, and a new vehicle access is included. Subject to conditions, both accesses shall be provided with the required visibility splays. Each dwelling is provided with adequate offstreet parking and a shared turning area, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions relating to the following:

- 1 – Submission of a Construction Management Plan prior to commencement of works
- 2 – Provision of clear to ground visibility splay prior to occupation
- 3 – Both existing and new vehicular accesses to be no more than 6m wide and constructed at right angles to highway boundary. Full details to be agreed.
- 4 – No unbound material.
- 5 – Vehicle parking and turning area to be provided prior to occupation.
- 6 – new boundary planting to be 1metre back from highway boundary.
- 7 – Provision of cycle parking prior to occupation.
- 8 – Provision of Residential Travel Information Pack prior to first occupation.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- **Environmental Health & Enforcement Manager-**

Noise

I would recommend restricting construction activities to the following hours: 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays with none on Sundays and Public Holidays.

I would also recommend the submission of a Construction Environmental Management Plan (CEMP) be submitted to the LPA for approval prior to works commencing. The CEMP should as a minimum deal with the control of dust during construction and 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.

Contaminated Land

The Land Contamination Assessment states there is "no potential risk of contaminated land at or within the vicinity of the property". With this in mind, a watching brief should be kept during groundworks for any unforeseen contamination. If contamination is encountered an intrusive investigation, a risk assessment and a remediation strategy would need to be submitted to the LPA for approval.

Any asbestos containing materials within the existing buildings should be removed by an appropriately licensed contractor before demolition commences.

Bonfires

No bonfires should be permitted during construction.

- **Parish Council-**

After due consideration by Kelvedon Hatch Parish Council, we object to this proposal on two issues:

1. We raise concerns regarding the amount of parking provision in relation to the size of each new dwelling. It is felt that the proposals would be inadequate.
2. The land in question borders the SSSI ("The Coppice") and would have a substantial negative environmental impact and would not constitute a sustainable development as a result.

6. Summary of Issues

Principle of the Development

The Council is required to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70 (2) of the Town and Country Planning Act 1990 (TCPA 1990)).

The NPPF is clear that sustainable development is at the heart of the planning system. The Framework's definition of sustainable development has three interdependent objectives that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental objectives.

As detailed above The Brentwood Local Plan 2016-2033 is the Development plan for the borough and the main relevant policies in relation to this application are listed above in section 2 and although these should not be read in isolation, they are the most relevant to this application.

The Brentwood Local Plan 2016 – 2033, as approved, has been produced in light of the NPPF’s emphasis on sustainable development and strategic policies MG01, MG02 and MG03 set out the overarching strategic strategy for growth within the Borough. The application site is located within a residential area outside of the metropolitan Green Belt and within a Category 3 Settlement (policy MG03 refers). In principle a Category 3 Settlement is an appropriate place for a development of this type and size. There is therefore no objection in principle to the development, however the development needs to be considered as a whole to see if it represents sustainable development or not. The following sections of this report will consider all relevant material considerations in the determination of this application.

Housing Land Supply and Need

As part of the drive to deliver new homes the Government has stated that there is a need for councils to demonstrate that there are sufficient sites available to meet the housing requirements for the next five years; this is known as the Five Year Housing Land Supply (5YHLS).

The Council can demonstrate a five year housing land supply through its new local plan. In November 2022, a Housing Delivery and Supply Monitoring Update was provided to the Planning Committee. This report identified that the Brentwood Local Plan had identified a five year land supply of 5.21 years. Whilst this figure informs the Local Plan, a land supply of 6.9 years has now been identified.

In relation to the Housing Delivery Test (HDT), a 2022 position statement was provided, the first following adoption of the new local plan. Whilst this has not been subject to final verification by DLUHC, through the publication of the annual HDT results, the HDT measurement is anticipated to be 86%, which is in excess of the 85% requirement and the application of the NPPF paragraph 11(d) presumption in favour of sustainable development no longer applies.

It is acknowledged that the 5YHLS is not a cap on development and the addition of two net dwellings within a sustainable location is still acceptable in principle and a benefit of the proposal.

Density

Policy HP03 of the adopted Local Plan relates to residential density and advises that development should take a design led approach to density which ensures schemes are sympathetic to local character and make efficient use of land and

should be expected to achieve a net density of at least 35 dwellings per hectare net or higher, unless the character of the surrounding area suggests that such densities would be inappropriate, or where other site constraints make such densities unachievable.

This proposal would result in a density of 18 dwellings per hectare which whilst lower than the 35 dwellings per hectare sought by policy HP03 is considered acceptable in this location due to the prevailing character of the area and the adjacent SSSI.

Design and Impact upon Character and Appearance of the Area

The area of School Road where the application site is located has a predominantly soft landscaped and rural character. The application site is wider and a more spacious plot than all surrounding dwellings with the exception of Whiteoaks opposite. It is considered that the plot can accommodate the three dwellings proposed without appearing cramped or harming the character and appearance of the area. During the lifetime of the application the design and scale of the dwellings have been amended with the overall bulk reduced and the rear dormer window reduced in size.

There is no prevailing character or architectural style along this section of School Road and the proposed dwellings benefit from architectural interest and detailing ensuring that they are of a standard to compliment this setting. The dwellings will not appear out of character or scale with the immediate locality with other two and a half storey dwellings present. Whilst it is acknowledged that their respective plots will be slightly narrower than those in the immediate locality they will still each be set between 1.6 and 1.8 metres from the plot side boundaries with gaps of 2 metres in between the dwellings themselves to ensure that the spacious character of School Lane is respected. On this basis the proposal is considered to comply with the relevant criteria of policies BE14 and NE07 of the adopted Local Plan.

Residential Amenity

The only immediate neighbouring dwelling is Wilmington to the west. The dwelling proposed closest to Wilmington would be set between 1.6 and 1.8 metres from the shared boundary and would be positioned roughly in line with Wilmington itself with only the single storey rear element protruding beyond the rear building line of Wilmington. Wilmington does not contain any windows within its east facing flank elevation and given the positioning and design of the proposal it is considered that the development will not result in an overbearing impact or material loss of light towards the occupiers of Wilmington.

One window is proposed at first floor level within the west facing flank elevation of the western most dwelling which would serve a hallway and can be conditioned to be obscure glazed and non openable below 1.7 metres to ensure no material loss of

privacy would occur. The ground floor windows within the western elevation would not result in any material loss of privacy subject to appropriate boundary treatments which can be dealt with through a planning condition. Rear first and second floor windows would predominantly offer views over the rear private amenity spaces associated with the development and would not result in any overlooking above what is expected in such residential settings.

In terms of inter-overlooking within the development the use of a boundary treatment condition will ensure no loss of privacy at ground floor level. The dwellings all meet the nationally described space standards in terms of internal room sizes and will provide private amenity space in excess of the minimum requirements at between 180m² and 240m².

It is noted that each dwelling is to have a raised rear patio area with steps down to the garden. The site is sloping from south to north and no levels information has been provided. This can be controlled through a planning condition to ensure that the raised patio areas and finished floor levels of the development as a whole will not result in any material loss of privacy to adjacent occupiers or the development appearing dominant within the street scene.

Access parking and Highway Safety

The existing vehicular access is to be retained and a new access point created to provide a in and out shared driveway. Each dwelling would then benefit from two designated parking spaces each which meets the adopted parking standards as required by policy BE13. Separate cycle parking is to be provided in the rear garden of each dwelling. The frontage would also allow the parking of a visitor off road due to the size of the in and out driveway and whilst it is acknowledged that this is not formally shown the access area is wide enough in practice that a visitor would also be able to park and not block the in and out driveway.

ECC Highways have been consulted on this application and have raised no objection subject to conditions. It is acknowledged that letters of representation have been received in relation to parking and highway safety, however the development meets the policy requirements and ECC Highways have raised no objection to the proposal.

Flood Risk

The application site falls within the lowest flood risk area, Flood Zone (FZ) 1, and is at low risk of flooding. Based on the NPPG flood risk vulnerability and flood zone compatibility table the development is considered 'appropriate' in this low risk flood zone. The development satisfies the Sequential Test based on the site falling within Flood Zone 1. The site is also not at risk of flooding from surface water as shown on the Essex County Council Flood Risk Map. Surface water drainage can

be dealt with via a condition to ensure compliance with policy BE05 (sustainable drainage).

Trees, Landscaping and Ecology

The application site is within a sensitive location adjacent to The Coppice which is an ancient and semi-natural woodland that is also designated as a SSSI.

The site is located in an area that is characterised by a significant amount of soft landscaping and any development on this site would require a comprehensive landscaping scheme to ensure the development will assimilate well into the street scene and soften its appearance. This can be dealt with through the use of a planning condition.

The Council's ecologist and arboriculturalist originally objected to the proposal due to the lack of any buffering between the development and the ancient woodland SSSI, which would result in small-scale but ongoing impacts on the statutory protected site. However during the lifetime of the application the agent has submitted a preliminary ecological appraisal (PEA) and reduced the scale of the dwellings bringing them further from the northern boundary of the site. The PEA confirmed that the eastern part of the site adjacent to the woodland currently comprises the surfaced access to the garage and other outbuildings.

The Council's ecologist and arboriculturalist has now withdrawn their objection to the application as, on balance, they consider that the extent of the incursion into the 15m buffer on part of the eastern boundary would not have a significant adverse effect on the ancient woodland, considering the presence of existing development immediately adjacent to the woodland boundary and the existing wooden buildings within the woodland itself. It is considered that the proposed development would not have significant effects beyond that already experienced.

A condition is recommended requiring an ecological management plan be developed which sets out measures for minimising adverse effects on the boundary trees and wider woodland. It should also include measures to enhance the woodland edge by carefully removing some of the existing hardstanding and tipped materials adjacent to the wood. A landscape condition is also recommended which should include measures to achieve further biodiversity enhancements.

Overall, subject to the conditions noted above, and taking into account the comments received from the Council's ecologist and arboriculturalist as well as the standing advice from Natural England it is considered that the development is acceptable and would accord with the relevant guidance and policies.

Sustainability

The purpose of the planning system is to contribute to the achievement of sustainable development. In determining whether a proposal would represent sustainable development there are three objectives which must be considered;

- An economic objective,
- A social objective, and
- An environmental objective.

Paragraph 38 of the NPPF states that “Decision-makers at every level should seek to approve applications for sustainable development where possible.”

In terms of the economic objective the proposal would result in additional employment during construction, and during the lifetime of the development the additional residents would help support the local economy. The economic objective is therefore considered to be met.

Socially the proposal would provide two additional family homes within a relatively sustainable location where there is no objection to new residential development in principle. The social objective is therefore also considered to be met.

In terms of environmental sustainability the design and appearance of the development is considered to be in keeping with the surrounding area and acceptable as detailed above. Conditions are recommended to ensure that the development meets the adopted policies in terms of water efficiency and management as well as provision of EV charge points. Furthermore, it is considered that subject to conditions the development would not result in any harm to the adjacent SSSI and ancient woodland above and beyond the disturbance and noise that could occur from the existing residential use of the site and the environmental objective is therefore considered to be met. Overall, the proposal is considered to represent sustainable development.

Conclusion

The application site is located within a residential area outside of the metropolitan Green Belt. There is therefore no objection in principle to the development. The design and appearance of the dwellings is considered to be in keeping with the surrounding area and subject to conditions in relation to landscaping and ecology the proposal would not result in detrimental harm to the adjacent SSSI and ancient woodland. As detailed above the proposal is considered to represent sustainable development and in line with government guidance is recommended for approval subject to conditions.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1. The development hereby permitted shall begin no later than three years from the date of this decision.

Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the approved plans and documents listed above.

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

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

Reason: To ensure the use of appropriate high-quality materials in the construction of the development in accordance with policy BE14 of the adopted Brentwood Local Plan.

4. No development shall take place, including any ground works or demolition, until a Construction Environment Method Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. a waste management plan
 - iii. details of measures to minimise noise and vibration during construction and ground works
 - iv. measures to control the emission of dust and dirt during construction
 - v. measures being taken to minimise direct impacts on the adjacent ancient woodland and SSSI and indirect effects such as chemical runoff.
 - vi. route to be used by construction vehicles to and from the site
 - vii. loading and unloading of plant and materials
 - viii. site set-up including arrangements for the storage of plant and materials used in constructing the development
 - ix. wheel and underbody washing facilities
 - x. hours of works

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to minimise the impact of the construction of the development upon the environment.

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

Reason: To prevent the extension of the dwellings hereby approved closer to the ancient woodland and SSSI to the north and east of the site increasing the impact of the development above the level that has been assessed and deemed acceptable.

6. The first floor window(s) in the west facing flank elevation of the building on plot 1 hereby approved shall be: a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the room of which the window(s) is installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition)

Reason: In order to prevent an unacceptable degree of overlooking of nearby residential properties.

7. No works related to the alteration of ground levels at the site and no works above ground level other than demolition of the existing building shall occur until details of existing and proposed ground levels and proposed finished floor levels (including proposed rear patio areas), and their relationship to the adjoining land have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

8. No development shall take place, including any ground works or demolition, until a ecological management plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The plan shall include an arboricultural method statement as well as setting out measures for minimising adverse effects on the boundary trees and wider woodland and should also include measures to enhance the woodland edge by carefully removing some of the existing hardstanding and tipped materials adjacent to the wood.

Reason: To ensure appropriate protection to on and off site trees and hedges and to minimise the impact of the development upon the adjacent ancient woodland and SSSI in accordance with policies NE01 and NE03 of the adopted Brentwood Local Plan.

9. Full details of the provision and subsequent retention of both hard and soft landscape works on the site shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include:
- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
 - 3) Details of the aftercare and maintenance programme.
 - 4) Measures to achieve biodiversity enhancements

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation.

Hard landscape works

- 4) Details of any walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of any street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the first use / occupation of any part of the development hereby approved and retained and maintained as such thereafter.

Reason: In the interest of the character and appearance of the development in accordance with policy BE14 of the adopted Brentwood Local Plan.

10. Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the local planning authority prior to first use/occupation of the development hereby approved. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

Reason: In the interest of the character and appearance of the development and to safeguard the living conditions of nearby residents.

11. No works above ground level other than demolition of the existing building shall occur until details of a surface water drainage scheme incorporating appropriate sustainable drainage systems for the disposal of surface water on site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as agreed.

Reason: To ensure a surface water is disposed of appropriately and in accordance with policy BE05 of the adopted Brentwood Local Plan.

12. Prior to first occupation of the development, at its centre line, each access shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in each direction, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before each access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

13. Prior to first occupation of the development, and notwithstanding the widths shown on the planning drawing 21-102-PL-02A. Both the existing and new shared vehicle accesses shall create an in/out access arrangement and each access shall be provided at a width of no more than 6 metres. Each access shall be constructed at right angles to the highway boundary and existing carriageway and shall be provided with an appropriate vehicular crossing of the highway verge. Full details shall be submitted to and agreed in writing with the Local Planning Authority and the Highway Authority prior to the occupation of the development.

Reason: To ensure that opposing vehicles can pass clear of the limits of the highway and to ensure that vehicles can enter and leave the highway in a controlled manner in the interests of highway safety.

14. No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

15. Prior to first occupation of the development and notwithstanding the dimensions of the parking spaces on planning drawing 21-102-PL-02A. The vehicle parking areas and associated shared turning areas shall be provided. Each parking space shall have dimensions in accordance with current parking standards. The vehicle parking areas and associated turning areas shall be retained in the agreed form at all times.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety and to ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

16. Each dwelling shall have access to at least one electric vehicle charge point.

Reason: To maximise the opportunity for future occupiers and visitors to use electric and low emission vehicles in accordance with policy BE11 of the adopted Brentwood Local Plan.

17. The proposed new boundary planting shall be planted a minimum of 1.0 metre back from the highway boundary and any 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.

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

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

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

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

20. No development shall take place above slab level of the dwellings hereby permitted until details of:

- measures to ensure that the building does not exceed 110 litres per person per day;
- measures to achieve lower water consumption rates and to maximise futureproofing;
- measures to demonstrate the development would not have an adverse impact upon the sewerage network;

have been submitted to and approved in writing by the Local Planning Authority. Where adverse impacts are identified, mitigation measures shall be set out. The development shall be implemented as approved.

Reason: In order to ensure that the proposed development incorporates the sustainable principles in relation to policy BE02 of the Brentwood Local Plan.

21. No dwelling pursuant to this permission shall be occupied until an FTTP (Fibre to the Premises) Statement has been submitted to and approved in writing by the Local Planning Authority detailing a scheme for the installation of a high speed wholly FTTP connection to each premises within the approved development OR supplying evidence detailing reasonable endeavours to secure the provision of FTTP and where relevant, details of alternative provision for superfast broadband in the absence of FTTP. The FTTP infrastructure or alternative provision for superfast broadband in the absence of FTTP shall be laid out at the same time as other services during the construction process and be available for use on the first occupation of any dwelling, or such other date agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP).

Reason: To ensure fast, reliable digital connectivity for the new residential dwellings in accordance with policy BE07 of the adopted Brentwood Local Plan.

22. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses.

Informative(s)

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.

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below. The Council has had regard to the concerns expressed in representations, but the matters raised are not sufficient to justify the refusal of permission.

Attention is drawn to conditions that require the submission and approval of details prior to the commencement of development. Failure to comply with these conditions may result in the planning permission becoming invalid with the possibility of planning enforcement action being taken by the Council.

The developer is reminded that, where applicable, during the construction phase on the building site, no bonfires should be undertaken. The Environmental Protection Act 1990 outlines that smoke arising from bonfires can be considered a statutory nuisance. The Highways Act also outlines smoke drifting onto a public highway is an offence.

The developer is also reminded, where applicable, to ensure that any asbestos containing materials within existing buildings is removed by an appropriately licensed contractor before undertaking any development on site in the interests of health and safety.

ECC Highways Informatives:

- o 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.
- o Any proposed boundary features on the site frontage, including walls, piers or fences shall be set back behind the highway boundary and the visibility splay.
- o The applicant should be made aware of the potential relocation utility apparatus in the highway and any other associated utilities that may be underground. Any relocation shall be fully at the applicant's expense.
- o 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.
- o The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

BACKGROUND DOCUMENTS

DECIDED