

SITE PLAN ATTACHED

05. LAND AT 141 TO 147 HIGH STREET BRENTWOOD ESSEX

**CONSTRUCTION OF PART FOUR/PART FIVE STOREY BUILDING
COMPRISING OF 17 NO. ONE BEDROOM FLATS AND A3 RESTAURANT ON
GROUND FLOOR.**

APPLICATION NO: 14/00608/FUL

WARD	Brentwood West	8/13 WEEK DATE	02.09.2014
PARISH		POLICIES	CP1 C14 T2 TC3 TC4 TC5 H6 NPPF NPPG C18
CASE OFFICER	Kathryn Mathews	01277 312616	
Drawing no(s) relevant to this decision:	001 P0; 101 P1; 102 P2; 103 P1; 200 P1; 202 P1; DESIGN & ACCESS STATEMENT ; 001 P1; 104 P0; 105 P0; 106 P0; 201 P1;		

1. Proposals

Construction of part four/part five storey building comprising of 17 no. one bedroom flats and A3 restaurant on ground floor (the latter being 348sq.m. in floor area).

The proposed building would have a footprint measuring a maximum of 34m in width and 27m in depth, with a maximum height of 18.3m. The footprint of the building would virtually fill the site. It would consist of four story elements along its boundaries with existing development and three five storey elements within the central part of the site's road frontage. The majority of the building would be flat roofed with parapet walls. The central, highest element would have a pyramid style roof.

The materials to be used to construct the external surfaces of the building would consist of a mixture of brick, render and stone for the walls and slate for the roof, and timber windows and doors.

There would be no off-street parking provided as part of the proposal but provision would be made for 11 cycle parking spaces within the ground floor of the building. Unloading is proposed along the High Street frontage within part of the feeder lane for Weald Road.

It is stated that the proposal would create 10 full time jobs.

The opening hours of the proposed restaurant are 9am to midnight Monday to Saturday and 9am to 11pm on Sundays and Bank Holidays.

The area of the site is stated as being 0.053ha.. There is a difference in ground levels across the site of around 1.5m, east-west.

The building would accommodate a Class A3 restaurant use at ground floor level along with pedestrian access to the flats proposed. The residential accommodation would be provided across the first, second, third and fourth floors of the building. There would also be a small mezzanine area within part of the roofspace of the building.

The application is accompanied by a Design and Access Statement within which reference is made to the highly sustainable location of the site being within reach of train and bus services and ready access to shops, services and employment opportunities. The site was cleared following the demolition of former buildings (the Sir Charles Napier Public House, a bookshop at 143 High Street and a medical use at 145-147 High Street) to facilitate improvements to the road junction and was subsequently sold by Essex County Council being surplus to the road widening scheme.

2. Policy Context

Policy Context

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. This Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

On 6th March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning applications.

Local Plan Policies

CP1 (General Development Criteria) Requires development to satisfy a range of criteria covering the following considerations: Character and appearance of the area; Residential amenities; Access; Highway safety; Environmental protection; and the Natural and Historic Environment.

T2 (New Development and Highway Considerations): requires an assessment of the impact of the proposal on the transport system and that a proposal complies with current Country Highway Authority guidance.

H6 (Small Unit Accommodation): aims to ensure that 50% of units are one or two bedroomed in new larger housing developments

C14 (Development Affecting Conservation Areas): requires that special attention is given to the need to preserve or enhance the character or appearance of Conservation Areas.

C18 (Ancient Monuments and Archaeological Sites): aims to ensure that archaeology is properly considered in the planning process.

TC3 (Mixed Use Development): encourages mixed use development within the areas allocated for residential/offices/shops and in any other redevelopment proposals involving commercial development outside the residential/offices/shops allocation.

TC4 (Use of Upper Floors above Commercial Development): encourages the use of accommodation above existing commercial premises in the town centre for residential use provided that the development does not result in demand to replace storage space lost.

TC5 (Type of Accommodation): requires all new housing within the town centre inset plan area to be one or two person units.

3. Relevant History

- 08/00001/CON: Conservation Area Consent For Demolition Of Buildings At 141-147 High Street, Levelling Of Site And Erection Of Temporary Hoarding -Application Withdrawn
- 08/00003/CON: Conservation Area Consent For Demolition Of Buildings At 141-147 High Street, Fill Basement Areas To Ground Level And Erection Of Temporary Construction Hoardings -Application Permitted

4. Neighbour Responses

A site notice was displayed at the site and a press notice published. 60 letters of notification were sent out. Five letters of representation has been received which raise the following concerns:-

- inadequate provision for delivery and waste disposal bins - the applicant states that the slip road would be used for this purpose but such use of the slip road would be dangerous for pedestrians.
- Weald Road is a natural break from the food and catering establishments on the main High Street as this area is mainly residential but proposal includes a restaurant
- fumes and smells from extractor and ventilation shafts would impact on the area
- proposal has no car parking spaces so this would impact on the already over parked neighbourhood
- queries whether an emergency/fire escape is required as none shown
- queries whether sufficient bin storage is proposed and asks how and where will the bins be emptied
- Design and Access Statement suggests that 22 flats are proposed - overcrowding on a small plot of land
- users of proposed amenity area would overlook Leigh House car park and cause noise
- proposed windows would overlook Leigh House
- would cause maintenance issues for Leigh House with a gap of 0.25m-0.3m to Leigh House
- may incur cost for providing ventilation measures within Leigh House car park if closed in by new building
- object to height of proposed building and effect this will have on natural light to all floors of Leigh House
- potential safety hazard would result from site access
- mass, bulk and proximity of rear elevation would be overbearing and intrusive element to users of Leigh House and to the occupiers of flats to the rear of the site

5. Consultation Responses

- **Highway Authority:**

The Highway Authority has considered the above planning application in relation to the highway aspects, particularly with regard to the proposed lack of private vehicle parking and the Essex County Council's Parking Standards - Design and Good Practice document which has been adopted by Brentwood Borough Council as Parking Authority.

The site is located within the main town centre of Brentwood which has good public transport links via local bus services and the train station nearby, together with easy access to local amenities and facilities within the town. The site is therefore considered to be within a highly accessible location and as such a reduction in highway safety as a result of a lack of provision is considered to be unlikely. As such it is the view of the Highway Authority that a reduction in parking standards is considered acceptable in line with the adopted parking standards.

Where private vehicle trips and associated parking may be required in connection with the proposed development, this can be accommodated at the public car parking areas nearby in William Hunter Way and Coptfold Road. On street parking associated with the site is not considered likely given the extensive parking restrictions in the vicinity. From a highways and transportation perspective the proposed development would be acceptable to the Highway Authority subject to the following:

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

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 Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. There shall be no deliveries to the development during the road network peak hours i.e. between 07.30 to 09.30 and 16.30 to 18.30.

Reason: To ensure that the highway is not obstructed during the network peak hours in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3. Service vehicles delivering to the restaurant shall be restricted in size to no larger than small goods vehicles (Transit type vans)

Reason: To ensure that the left turn lane from the High Street to Weald Road is not obstructed in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4. The developer to pay for the necessary Traffic Regulation Orders together with provision of the associated signing and lining to control the location of deliveries in the vicinity of the site.

Reason: To control the location of service vehicle deliveries to the site to minimize congestion in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

5. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, 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 policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

6. The developer to provide cycle parking spaces within the development. The number of bicycle parking spaces shall be in accordance with those standards set down within Essex County Council's Parking Standards Design and Good Practice, September 2009.

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

Informatives:

- The above conditions are required in order to ensure that the proposals conform to the County Council's Development Management Policies published February 2011.
- The conditions contained above should be imposed by way of negative planning conditions and/or planning obligations as appropriate.
- All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO3 - Essex Highways, Childerditch Highways Depot ,Unit 36, Childerditch Hall Drive, Brentwood. CM13 3HD.
- The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

- **Environmental Health & Enforcement Manager:**

I do not in principle have any objections to this application, however, if permission is granted, I would recommend that the following conditions be imposed:

1. The extraction system will require adequate odour control and noise attenuation measures and will normally be required to terminate at least 1m above the highest roof level and the efflux velocity of the discharge shall be a minimum of 15m/sec. A suitable flue termination such as Scandinavian sleeve must be provided. This Service, as a matter of course with such applications, would require an activated carbon filtration system to be installed.
2. The rating level of the noise emitted from the extraction unit shall be lower than the existing night time background level (23.00 to 06.00) by at least 5 dB. The noise levels shall be determined at the nearest noise-sensitive premises. The measurements and assessment shall be made according to BS4142:1990. It is recommended that the services of a qualified acoustics engineer are engaged in order that an inspection/report can be submitted.
3. A suitable and sufficient grease trap shall be installed within the foul drainage system.
4. Details of any plant and machinery shall be agreed with the local planning authority with regard to its acoustic performance.
5. No deliveries should be made before 7 am and after 6pm.

- **Historic Buildings And Conservation Officer:**

Significance

141 to 147 High Street Brentwood is a prominent corner site located on the north side of Brentwood High Street at the western entry to the Brentwood Town Centre Conservation Area. The site is located opposite a Grade II listed building.

Proposal

Construction of part four/part five storey building comprising of 17 no. one bedroom flats and A3 restaurant on ground floor.

Background

Pre-application has been undertaken. The application site is presently redundant following the demolition of the Charles Napier public house and associated Georgian brick built buildings. Hoardings are in place. The site is not presently supportive of character to the Conservation Area. Pre-application advice stated it was important both heritage assets upon which these proposals impact; the Conservation Area and the listed building opposite were to be fully considered in the design approach both in massing terms and design intent.

Discussions

The proposals within this application relate to a ground floor restaurant and 17 residential units over four and five storeys. In terms of massing, the primary tower is of a significant scale (18.3m to the apex of the pyramid roof) I would not regard this as harmful to the Conservation Area given the adjacent development at the corner of Hart Street and as the existing site levels fall away travelling east. I advise this location can accommodate the massing of the proposed form.

The design intent within the submitted drawings, seeks to reflect an architecture which is not outwardly contemporary. The architecture proposed has a variety of elevation treatments derived from heritage buildings. By creating this variety of elements, which includes parapets and various fenestration types, there is interplay of treatments and details on the principal elevations as they wrap the corner location. Cohesion is expressed through the proposed materials.

By the introduction of heritage materials such as Welsh Slate and leadwork, there is a high quality to the proposed finishes; I would regard this to be an enhancement to the Conservation Area. In order for the design intent to be implemented successfully, this high standard of detailing and materials must be implemented.

With regards to my initial concerns regarding this application, these have been addressed by the project architect; these were as follows:

Firstly the introduction of the glazed balustrade at the upper storey and upon the canopy was slightly incongruous. Revised drawings have addressed these, along with the roof covering for the canopy which is now proposed to be covered in lead. The courtyard element is perhaps something which could have been pushed further as an outdoor area, however given this will have retractable openings I have no further objection on this aspect of the application.

Signage and fascia treatment is to be the subject of a separate application (see DAS 4.12).

Summary

Having conducted a series of site visits and reviewed all aspects of this application I advise these proposals will be an enhancement to the Conservation Area.

Conservation Areas are 'Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance' (Planning (Listed Buildings and Conservation Areas) Act 1990). In order to protect the integrity of the Conservation Area I advise conditions include the following:

- Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges and cills by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted and approved in

writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

- A schedule of all external surface materials including walls and roofs, and a schedule of all external joinery, indicating the proposed finish and decoration to be used, shall be submitted and approved by the local planning authority in writing prior to the commencement of any works.
- Details of paving and hard landscaping must be approved by the local planning authority before work starts.
- No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building without prior written approval of the local planning authority.
- All new brickwork shall be constructed to give the appearance of Flemish bond.
- All rainwater goods shall be black and made of cast metal
- The pitched roof shall be clad in welsh slate, samples of which shall be submitted to and approved in writing by the local planning authority before development commences.
- The rooflights shall be of low profile conservation type, the specification to be approved by the local planning authority before work starts. The window frames shall be set into the brickwork by at least 70mm behind the face of the bricks and with concealed trickle vents.

Recommendation

Consequently I recommend approval.

- **Anglian Water Services Ltd:**

No response at the time of writing report.

- **Essex & Suffolk Water:**

We have no objection to the proposed development.

We would advise you that our existing apparatus does not appear to be affected by the proposed development. We give consent to this development on the condition that a metered water connection is made onto our Company network for each new dwelling (flat) and the restaurant for revenue purposes.

As the development involves a commercial property (restaurant), the following applies:

Essex & Suffolk Water are the enforcement agents for The Water Supply (Water Fittings) Regulations 1999 within our area of supply, on behalf of the Department for the Environment, Food & Rural Affairs. We understand that a planning application has been made for the above premises which are Notifiable under Regulation 5 of the Water Supply (Water Fittings) Regulations 1999. Please see the copy of the Water Regulations Information Sheet No. IS - 0014 attached for more detailed information.

- **County Archaeologist:**

The above planning application has been identified by the Historic Environment Advisor of Essex County Council as having archaeological implications.

The Essex Historic Environment Record (EHER) shows that the proposed development lies within the medieval settlement of Brentwood (EHER 525), which was first mentioned in 1176. In addition to this possible medieval activity there is a line of properties are marked on the 1st edition OS mapping; meaning these buildings pre-date 1880. While these properties were demolished when the road junction was improved there may be further settlement evidence to the rear of these properties and it is likely that the remains of earlier buildings and an indication for activity associated with the medieval settlement at Brentwood may survive on the development site. These deposits may be destroyed or disturbed by the proposed development.

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

Recommendation: Full condition

'No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority'.

A professional team of archaeologists should undertake the archaeological work. The District Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief outlining the level of investigation will be issued from this office on request.

- **Operational Services Manager:**

No response at the time of writing report.

6. Summary of Issues

The application site is located on the western side of the junction of Weald Road and High Street at the southern end of the town centre. Most of the site is within Brentwood Conservation Area. The site is located opposite a Grade II listed building. The site is also within an area allocated for residential/offices/shops in the Local Plan.

The site is located in an area of mixed use (including residential, offices and retail uses). The residential uses within the immediate vicinity of the site are flats but there are terraced dwellinghouses further along Weald Road to the north-west. The site adjoins an office block and associated car park to the north and retail units with flats above adjoin the western boundary of the site. Both these adjoining properties are located outside the Conservation Area. The remaining, curved boundary along the eastern/southern boundary fronts the junction of Weald Road and High Street.

The main issues which require consideration as part of the determination of this application are the principle of the development, the impact the proposal would have on the character and appearance of the area which is a Conservation Area, the impact the development would have on the amenity of the occupiers of any neighbouring residential properties, the quality of life for the occupiers of the proposed flats, highways/parking issues and archaeology.

The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is now a material consideration in planning decisions. The weight to be given to it will be a matter for the decision makers planning judgement in each particular case. This Framework replaces all the national planning guidance documents as stated in the NPPF, including Planning Policy Guidance Notes and Planning Policy Statements. Notwithstanding this, the NPPF granted a one year period of grace for existing adopted Local Plan policies which has now ended, but, the NPPF advises that following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

On 6th March 2014, the government published Planning Policy Guidance (NPPG) which, along with the NPPF, is a material consideration in the determination of planning applications. The NPPGs of particular relevance to the determination of the current application are 'Conserving and enhancing the historic environment' and 'Design' which have been taken into account in the following assessment of the development proposed.

Principle

The site is allocated for mixed use in the Local Plan. The proposed development, as it would consist of a mixture of retail with residential use above, would accord with this allocation along with Policies TC3 and TC4.

The residential units proposed would also be one bedroom units which would accord with Policies TC5 and H6.

Impact on the Character and Appearance of the Conservation Area

Based on the advice of the Conservation Officer, it is considered that the proposal would enhance the character and appearance of the Conservation Area and, therefore, would accord with the NPPF (section 12), the NPPGs referred to above as well as Policies CP1 (criteria i, iii and viii) and C14, subject to the imposition of conditions.

Impact on Residential Amenity

It is understood that there are residential flats at first floor level within the building adjoining the western boundary of the site (149 High Street) and there are also residential properties beyond this adjacent block and the commercial premises immediately to the north of the site which front Weald Road and Tower Hill.

The proposed building would be up to five storeys high in parts and would contain habitable room windows and external walkways along the building's rear elevation, along with an area of amenity space at first floor level. However, the adjacent flats do not have a formal area of outdoor amenity space. The dwellings further to the north and north-west are located at a sufficient distance for material harm by reason of overlooking, dominance, loss of outlook, loss of daylight or loss of sunlight not to be caused. There are also existing, intervening buildings which would further reduce any potential adverse impact. Furthermore, the proposed external amenity space could be provided with a suitable privacy screen if necessary.

Based on the advice of the Environmental Health Officer, the proposal would not have an adverse impact on the amenity of existing residents and other occupiers as a result of the restaurant use proposed subject to the imposition of conditions requiring further details of extract and ventilation equipment, and limiting hours of deliveries. An extraction system is shown as part of the submitted application but, based on advice from the Environmental Health Officer, this would not be satisfactory as the extraction system would normally be required to terminate at least 1m above the highest roof level. However, following discussions between the applicant, Environmental Health officers and the Design Officer, it is considered that a satisfactory scheme could be achieved, the details of which could be required by condition.

As a result, it is considered that none of the occupiers of any of these residential properties within the vicinity of the site would be materially adversely affected by the development proposed as a result of the size, height, design and position of the building proposed. Therefore, the proposal would comply with the NPPF (paragraph 17) and Policy CP1 (criterion ii).

Quality of Life for the Occupiers of the Proposed Flats

The proposed flats would be provided with a limited amount of outdoor amenity space and two of the flats would have a balcony area measuring around 18sq.m. but no off-street parking would be provided. However, all of the proposed flats would be greater than the recommended minimum size for one bedroom flats (i.e. all have a floorspace of greater than 40sq.m.) and provision for bin storage and cycle parking would be made at ground floor level. As a result, and given the town centre location of the development, it is considered that the quality of life for the occupiers of the proposed flats would not be below an acceptable level.

On the basis of the above, it is considered that the occupiers of the proposed flats would be provided with an adequate quality of life, in accordance with the NPPF (paragraph 17 and Section 6) and Policy CP1 (criterion ii) as well as Policy TC4 which requires that reasonable facilities and amenities are provided for prospective occupiers.

Highways/Parking

The adopted parking standards state that one bedroom flats should be provided with a minimum of one parking space each. On this basis, a total of at least 17 spaces would need to be provided to comply with this standard. However, the parking standards also state that in urban areas consideration can be given to a reduction in this standard. The proposal does not include any off-street parking spaces but given the town centre location of the site and the size of the flats proposed, it is considered that a reason for refusal based on the lack of provision of off-street parking could not be sustained. On the basis that the occupiers of the proposed flats would have access to local services and facilities as well as public transport without the need for use of a private car, and provision would be made for cycle storage within the proposed building, it is considered that the provision of no off-street parking could be justified in this case. The Highways Officer supports this view subject to the imposition of conditions including one requiring the provision of a Residential Travel Information Pack for sustainable transport to each dwelling.

With respect to servicing arrangements for the proposed restaurant, the applicant proposes that delivery vehicles temporarily stop in front of the proposed building within part of the dedicated left hand turn lane leading from the High Street into Weald Road. The Highway Officer has not raised an objection to the proposal on the basis of the servicing arrangements proposed, subject to the imposition of conditions relating to a limit on the hours within which servicing can take place, the size of vehicle which can be used and appropriate Traffic Regulation Order, signage and lining being put in place.

As a result, it is considered that the proposal complies with the NPPF (section 4), Policy T2 and Policy CP1 (criteria iv and v), in this respect.

Archaeology

Based on the advice of Essex County Council, it is considered that the archaeological interest of the site could be adequately addressed through the imposition of a suitably worded condition as recommended, in compliance with the NPPF (section 12) and Policy C18.

Other matters

The concerns raised by a local resident relate to highway safety, the acceptability of the restaurant use proposed in this location, potential nuisance resulting from the extraction and ventilation systems proposed and a query relating to emergency/fire escape provisions. All these matters have been covered above except for the matter of emergency/fire escape and bin storage provision. Means of escape would be a matter for Building Control who have verbally advised that there may need to be some adjustments to the rear of the building in terms of the proximity of bedroom windows and flat entrance doors to the walkways or the width of the walkways and providing means of escape for the mezzanine floor proposed but there may be an alternative engineering approach such as internal sprinkler systems for each flat. An area for bin storage has been shown at ground floor level on the submitted drawings and the comments on the proposed bin storage have been sought from the relevant Council Officer but no response has been received to date. Potential maintenance problems for the neighbouring property and any impact on the use of the adjacent car park at Leigh House are not material planning considerations.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 TIM01 Standard Time - Full

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

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

2 U08637

No development shall take place until additional drawings that show details of proposed new windows, doors, eaves, verges, cills, external balustrading and external staircase handrail by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

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

3 U08640

No development shall take place until details of a privacy screen to be erected along the outer edge of the external amenity space proposed have been submitted to and approved in writing by the local planning authority. None of the flats hereby permitted shall be occupied until the approved privacy screen has been constructed. The approved privacy screen shall thereafter be permanently retained.

Reason:- In the interests of the amenity of the occupiers of the proposed flats and neighbouring properties.

4 U08638

No development or preliminary groundwork's of any kind shall take place until a programme of archaeological work has been completed in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason: Due to the archaeological potential of the site.

5 U08639

Notwithstanding the submitted details, no development shall take place until details of an extraction system for the proposed restaurant has been submitted to and approved in writing by the local planning authority. The extraction system will require adequate odour control and noise attenuation measures and will normally be required to terminate at least 1m above the highest roof level and the efflux velocity of the discharge shall be a minimum of 15m/sec. A suitable flue termination such as Scandinavian sleeve and an activated carbon filtration system must be provided. Beneficial use of the restaurant hereby permitted shall not commence until the approved extraction system has been installed and is fully operational. The approved system shall be permanently retained as approved.

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

6 U08707

The restaurant hereby permitted shall not be open for customers outside the following hours: 09:00-00:00 Mondays to Fridays, 09:00-00:00 Saturdays and 09:00-23:00 Sundays.

Reason: To safeguard the living conditions of nearby residents.

7 U08708

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

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

8 U08709

A suitable and sufficient grease trap shall be installed within the foul drainage system.

Reason: To ensure satisfactory drainage from the site.

9 U08710

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

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

10 U08711

There shall be no deliveries to the site made before 7 am and after 6pm.

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

11 U08712

No development shall take place until a schedule and samples of all external surface materials including walls and roofs, and a schedule of all external joinery, indicating the proposed finish and decoration to be used, has been submitted to and approved in writing by the local planning authority. All new brickwork shall be constructed to give the appearance of Flemish bond. All rainwater goods shall be black and made of cast metal. The pitched roof shall be clad in Welsh slate. Development shall be completed in accordance with the approved details.

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

12 U08713

No development shall take place until details of all paving and hard landscaping have been submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details.

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

13 U08714

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

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

14 U08715

The rooflights shall be of low profile conservation type. No development shall take place until details of the specification of the rooflights have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The window frames shall be set into the brickwork by at least 70mm behind the face of the bricks and with concealed trickle vents.

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

15 SIT01 Site levels - to be submitted

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

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

16 U08749

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

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

Reason: 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.

17 U08750

There shall be no deliveries to the development during the road network peak hours i.e. between 07.30 to 09.30 and 16.30 to 18.30.

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

18 U08751

Service vehicles delivering to the restaurant shall be restricted in size to no larger than small goods vehicles (Transit type vans).

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

19 U08752

No development shall take place until details of the location of a loading bay for delivery vehicles servicing the site have been submitted to and approved in writing by the local planning authority. The use of the restaurant hereby permitted shall not commence until the loading bay has been provided in accordance with the approved details which shall include the gaining of any necessary Traffic Regulation Orders, signing and lining.

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

20 U08753

Prior to occupation of the proposed development, the Developer shall provide a Residential Travel Information Pack for sustainable transport, details of which shall be submitted to and approved in writing by the local planning authority before any development takes place, with information covering local public transport travel and including six one day travel vouchers for use with the relevant local public transport operator, to each dwelling.

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

21 U08754

Notwithstanding the submitted details, details of cycle parking for the proposed development shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and permanently retained as such.

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

22 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.

Informative(s)

1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, C14, T2, TC3, TC4, TC5, H6, C18 the National Planning Policy Framework 2012 and NPPG 2014.

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 U02124

A professional team of archaeologists should undertake the archaeological work. The archaeological condition will have financial implications for the applicant. An archaeological brief outlining the level of investigation will be issued from the relevant office at Essex County Council on request.

5 U02125

It is recommended that the services of a qualified acoustics engineer are engaged in order that an inspection/report for the extraction system can be submitted.

6 U02136

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO3 - Essex Highways, Childerditch Highways Depot, Unit 36, Childerditch Hall Drive, Brentwood. CM13 3HD.

7 U02137

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

BACKGROUND DOCUMENTS

DECIDED: