

<b>SITE PLAN ATTACHED</b>
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**11. LAND FORMERLY KNOWN AS NV TOOLS ST JAMES ROAD BRENTWOOD ESSEX**

**REDEVELOPMENT FOR 45 FLATS, LANDSCAPED AMENITY DECK, AND ASSOCIATED CAR PARKING.**

**APPLICATION NO: 15/00142/FUL**

<b>WARD</b>	Brentwood West	<b>8/13 WEEK DATE</b>	18.05.2015
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG CP1 CP2 CP3 CP4 H6 H8 H15 E2 T3 T4 T5 T7 LT5
<b>CASE OFFICER</b>	Caroline McCaffrey	01277 312603	
<b>Drawing no(s) relevant to this decision:</b>	1284/050 P1 Location Plan, 1284/051 P1 Block Plan, 1284/130 Lower Ground Floor Plan, 1284/100 P5 Lower Ground Floor Plan 1284/101 P5 Upper Ground Floor Plan, 1284/102 P4 First Floor Plan, 1284/103 P5 Fifth Floor Plan, 1284/104 P3 Roof Plan, 1284/105 P2 Second floor floor plan, 1284/106 P1 Third floor floor plan, 1284/107 P1 Fourth floor floor plan, 1284/110 P4 South (Inner) Elevation, 1284/111 P4 South Elevation, 1284/112 P5 East Elevation, 1284/113 P5 North Elevation, 1284/114 P4 West Elevation, 1284/120 P1 Street Scenes, 1284/123 P2 Cycle Storage, 1284/124 P1 Refuse Storage, 45765-C-001A, 45765-C-002A, 45765-C-003A. Statement in support of application February 2015, Design and Access Statement February 2015.		

**1. Proposals**

The application site comprises a roughly rectangular area of land at the junction between St James Road and Station Road. The site was cleared many years ago in anticipation of the redevelopment of the former NV Tools site. Brunel House, a residential development to the west, forms part of that redevelopment and the main body of the current application site would complete the development. The land falls from St James Road towards the railway land to the south. The application site is separated from the railway car park by the industrial units in Kings Eight. The site lies on the edge of the commercial area around the station with premises to the east and south being in business use with those to the north and west being residential. The application site includes a narrow strip of land north of the railway west of Warley Hill.

Permission is sought to develop the land for residential flats. 27 two bedroom and 18 one bedroom flats are proposed to be built over six floors. It is indicated that 16 units would be affordable housing with the tenure split to be agreed with the Council and the preferred Registered Social Landlord (RSL). The application indicates that ten would be "affordable" with a further six being "intermediate". The proposal includes 27 car parking spaces on two levels with access being gained to the upper level from St James Road and the lower level from Station Road. Six spaces are proposed to be allocated disabled spaces. 50 cycle parking spaces and 5 motor cycle spaces are identified within the parking areas. The application indicates that an additional 18 car parking spaces will be available at the station car park through the provision of permits secured through a planning obligation for a period of three years.

The main entrance to the building is proposed at the apex of the junction where an entrance hall would provide access to the staircase and lift to upper floors. Two flats are proposed at ground floor level one of which would be fully accessible with level access directly from St James Road. The first and second floors would each accommodate 10 flats including 5 affordable units (3 one-bed and 2 two-bed) with a further 10 flats on the 4th floor. The 5th floor would have three flats within the tallest part of the building nearest to the junction. The "intermediate" flats are indicated to be provided on the 1st, 2nd and 3rd floors - two on each floor.

Amenity space is proposed in the form of balconies (12 units at the rear on 2nd, 3rd and 4th floors), terraces (for the three 5th floor units) and communal amenity decks (714 sq m in total) at roof level and above part of the basement car park.

It is proposed that the walls would be mainly finished in Yellow facing brick and white render to match the existing adjacent development with feature dark blue "Hardie Plank" cladding panels on the chamfered corner as the building turns the junction. The entrance area would be fully glazed.

## **2. 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). The National Planning Practice Guidance (NPPG) is a material consideration in the determination of this application.

The site has an 'Employment - Office' allocation in the Replacement Local Plan (RLP). The following RLP policies are of relevance when considering this application:-

- o CP1 - General development criteria
- o CP2 - New development and sustainable transport choices
- o CP3 - Transport Assessments
- o CP4 - The provision of infrastructure and community facilities
- o H6 - Small unit accommodation
- o H8 - Affordable housing larger sites
- o H15 - Housing densities
- o E2 - Areas allocated for Office purposes
- o T3 - Travel Plans
- o T4 - New development and highway considerations
- o T5 - Traffic management
- o T7 - Parking (general)
- o T16 - Cycling
- o T17 - Pedestrian facilities
- o LT5 - Provision of open space in new developments

### **3. Relevant History –**

#### Overview

The application site has been the subject of a number of proposals for business and mixed use development accommodated within buildings of a similar scale to that now proposed.

The site forms part of a larger site (including the now developed Brunel House). That site was the subject of a number of applications but the most relevant to this proposal was planning permission ref BRW/989/2005. The permission was for a four and five storey building containing 81 residential flats and a six storey office building together with associated parking. The residential part of that development has been built (Brunel House) but the employment element was not commenced.

The permission included a condition (condition 10) requiring the completion of the office accommodation within a fixed time period. Applications have been submitted to extend that period and permission was most recently granted in March 2014 allowing three years from that date to complete the building.

In 2011 an application (ref 11/01195/FUL) was submitted on the current application site for a mixed use development comprising 24 Residential Units, 1270 sq m of B1 office space, 547 sq m of A1 retail space and 115 sq m of D1 creche space, together with associated car parking (comprising 61 spaces) and vehicular access from Station Approach. That application was approved on 3 September 2013. The

permission established the principle of residential development on this site but there remained an element of employment uses.

The most relevant proposals are:-

BRW/989/2005 - mixed use development comprising four and five storey building containing 81 residential flats, a six storey office building (2,995sq.m. net internal floor area), together with associated car parking (comprising 59 office and 43 residential car parking spaces) and vehicular access from St James Road and Station Approach - approved subject to conditions and following completion of S106 Agreement.

BRW/149/2009 - variation of condition 10 of planning permission BRW/989/2005 to extend the period for the completion of the office building from 18 months to 48 months from the occupation of the first residential flat (December 2007) – Approved.

BRW/384/2010 - proposed 71no. dwellings (32no. one bedroom flats and 39no. two bedroom flats) and associated vehicular access from St James Road, car park, cycle store and bin store. Refused.

BRW/1/2011 - variation of condition 10 of planning permission reference BRW/989/2005 in order to extend the period for the completion of the office building. Approved subject to the office building being completed within 36 months.

11/01195/FUL - Mixed use development comprising 24 Residential Units, 1270 sq m of B1 office space, 547 sq m of A1 retail space and 115 sq m of D1 creche space, together with associated car parking (comprising 61 spaces) and vehicular access from Station Approach. Approved.

#### **4. Neighbour Responses**

Two letters of objection from residents of Brunel House.

No objection to principle, welcome the absence of employment uses but concerned about impact it will have on the area and surrounding properties. The inconsistent (from the adjoining property's perspective) and over-bearing height of the building will create a tunnelling effect down St James Road. If the proposed property was the same height and profile of the adjoining property (Brunel House) I would not consider this an overdevelopment, nor would it have the level of parking implications on the area, thus I would not be objecting.

Concerned that due to the height of the property it will block out a lot of natural light to Brunel House. Brunel House looks like it will be extremely overlooked by this new development. The St James Road elevation protrudes 1.25m from Brunel House so that its brickwork is in line with the end of the balconies. This is in deviation from the footprint on application 11/01195/FUL. This will mean that three properties (9, 19 and 29 of Brunel House) will have a significant reduction in natural light thus reducing quality of life for residents.

Density would be 150 properties per hectare. This is significantly larger than the expected than >65 per ha the Local Plan Policy H14 expected in town centres, thus confirming my view that this is an overdevelopment. I would also dispute that St James Road is in Brentwood's town centre.

It is unreasonable for it to be presumed that it is acceptable for only 27 out of 45 flats (60%) to have a dedicated parking space, simply because the preceding overdevelopment was allowed to; this misjudgement by the planning committee cannot be allowed to continue as a 'precedent' for the area. I also wonder how many residents would take up the offer up of paying to park in the unsecure station car park overnight, knowing there is a greater chance of crime and the associated increase in insurance premium costs. I suspect most would try to use the already overcrowded on-street parking. With additional cars trying to park in St James Road, emergency vehicles will struggle to access emergencies. Concerned about anti-social impact additional development will bring to the area. For example, today I was informed that the management agency of Brunel House are moving the bike store due to security concerns.

## **5. Consultation Responses**

- **Highway Authority:**

Transport Statement; the highway authority is satisfied that the number of trips generated by the proposals would be lower than the previously consented application. Consequently, we would have no objection in terms of highway impact.

Parking standards for residential developments of this type indicate the provision of a minimum of 72 spaces plus 11 further spaces for visitors. However, the standards also indicate that a reduction may be considered for urban locations. This site is clearly urban in nature with excellent public transport facilities nearby. It may therefore be reasonable for Brentwood, as the parking authority, to apply lesser standards for a location such as this. Whilst we note that car parking space no 26 is slightly substandard, we would generally consider the proposal to be satisfactory.

- **Environmental Health & Enforcement Manager:**

No objections. There is a car park in the basement and there is no need for the normal contaminated land conditions.

- **Essex & Suffolk Water:**

The Company have no objection to the proposed development.

- **Anglian Water Services Ltd:**

No reply at time of writing report.

- **Arboriculturalist:**

No reply at time of writing report.

- **National Grid:**

No reply at time of writing report.

- **Housing Services Manager:**

No reply at time of writing report.

- **Schools, Children Families Directorate:**

Prior to the implementation of the revised CIL regulations on 6th April the Council would have sought a developer contribution for additional primary school places; however the CIL regs restrict the "pooling" of contributions and therefore no contribution is now sought. There will be sufficient secondary school places to accommodate the secondary aged pupils that would be produced by this development.

- **Historic Buildings Conservation & Design Consultant:**

The proposed development site is located at the junction of St James Road and Station Road Brentwood. New developments to the west include Brunel House (four storeys) and to the north is situated the post modern estate of Railway Square. Site visits evidence this location which is at the south of the town is of varied character with no strong established narrative.

Having assessed these proposals within this varied context and with reference to the extant permissions, I raise no objections in respect of the massing proposed. The site can take the weight of form given the developments in the immediate vicinity and the wider context.

Looking at the elevational treatment proposed, I advise the vertical emphasis of the fenestration and cladding with trailing greenery will facilitate in breaking up the visual impact of the massing; in addition creating interest. This controlled punctuation as part of the architectural treatment demonstrates consideration in design which given the town centre location is an important consideration.

My concerns at initial assessment stage related to the strength of the architectural treatment at the apex of St James Road and Station Road. Given the prominence of the proposed massing and the visibility of the corner junction from the principal thoroughfare of Kings Road; concerns were discussed with the project architect. Consequently design revisions have been submitted (see drawings, 1284:103 REV P05; 1284:113 REV P5; 1284:112 REVP5).

Having assessed these revisions as part of this application I advise the design has improved further resulting in a stronger façade treatment. The revisions include at step back at the pinnacle of the development which is accentuated through the extended wrap around balcony.

To ensure the design intent is achieved, I advise Conditions relating to materials/landscape and fenestration are applied; I recommend the following are included:

- Works shall not be commenced until additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- Works shall not be commenced until a sample panel of 1 square metre minimum shall be erected on site to show areas of new exterior walling, this panel shall indicate: - brick bond, copings, mortar mix, colour and pointing profile.
- Development shall not be commenced until a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the local planning authority.

Summary:

Having assessed the proposals I raise no objections on Design grounds.

**6. Summary of Issues**

Principle of residential development

The Council does not have a five year (+5%) supply of deliverable housing land and therefore its policies as regards the supply of housing land are not up-to-date. In these circumstances paragraph 14 of the Framework indicates that permission (for sustainable development) should be granted unless any adverse effects of doing so would significantly and demonstratively outweigh the benefits when assessed against the policies in the Framework as a whole.

Paragraph 22 indicates that policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose. Paragraph 22 goes on to indicate that "land allocations should be regularly reviewed" and "where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities".

In response to the loss of employment land the original permission for the redevelopment of the "NV Tools" site included a substantial amount of employment floorspace. The residential floorspace within that redevelopment was completed in 2008; however despite some interest the land owners were unable to find a market for the employment element. After four years an amended proposal was submitted for a mixed use scheme including both residential and employment uses. Permission was granted in September 2013 (ref 11/01195/FUL) but the owners have been unable to find occupiers for the employment floorspace.

The applicant has appointed independent surveyors (Glenny LLP) to carry out an employment market review and this is included with the application. The study analyses the office market in Essex and Brentwood and also considers alternative commercial uses (including ground floor retail). It is concluded that there is little if any effective demand for the employment space on the site and that the costs of development of the scheme including the employment element would not be recovered through revenue.

The applicant indicates that 24% of the units could be provided on an affordable basis; however in order to secure the development of the site the applicant is prepared to accept a reduction in developer's profit to provide 35% of the units as affordable housing in line with the Local Plan.

The proposal would result in an addition 21 units over and above the permitted scheme with the number of affordable units increasing from 8 to 16. The site has been empty for many years and the applicant indicates that in the event of permission being granted it would be in a position to proceed with the development.

Taking account of the marketing evidence and the assessment by Glenny it is considered unlikely that the site would be developed in the foreseeable future to include employment uses. In the context of the current shortfall in housing land the additional dwellings arising from this proposal as compared with the 2013 permission is of significant benefit, as is the provision of 16 affordable units.

The proposal would conflict with RLP Policy E2; however in the light of Paragraph 14 the principle of the development must be determined in the context of the Framework as a whole. It is considered that the benefits arising from the additional housing would not be significantly outweighed by any adverse effect of not developing the site for employment purposes and therefore, in principle, permission should be granted.



## Density of development and housing mix

Local Plan Policy H14 states that residential densities will be expected to be no less than 30 dwellings per hectare and that within town and district centres densities in excess of 65 dwellings per hectare will be expected. This proposal of smaller units within the urban area would have a density of about 300 dwellings per hectare. Provided that other aspects of the proposal are acceptable this would represent an efficient use of this site which is within a highly sustainable location close to local facilities, employment and public transport routes. All of the proposed flats would be 1 and 2 bedroom units and therefore the proposal would accord with RLP Policy H6.

Policy H9 of the Local Plan states that on larger sites of 20 units or more the Council will seek to ensure that 35% of the dwellings are "affordable housing". 35.5% of the dwellings proposed here (16 in all) are described as "affordable" or "intermediate". The Housing Officer indicates that this proposal would meet a local need for affordable housing. The application indicates that the affordable homes would be secured through a S106 Agreement. No draft has been submitted but subject to a mechanism to ensure delivery through a planning obligation the proposal would accord with Policy H9. It would also accord with Chapter 6 of the NPPF which encourages the delivery of a wide choice of high quality homes, seeks to widen opportunities for home ownership and aims to create sustainable, inclusive and mixed communities.

## Character and appearance

The position and massing of the proposed building is similar to the permitted schemes. The building would occupy most of the site but the drawings indicate an opportunity for planting on each of the road frontages. It is indicated that planting will be trained up the face of the building on a wire grid to mask the parking beyond. It is considered that the detailing of the exterior of the proposal is an improvement in the 2013 permission. The design consultant considers that the proposal is acceptable for this site and it is considered that it would accord with RLP Policy CP1. It would also be consistent with one of the core principles of the Framework which indicates that planning should always seek to secure high quality design.

## Living conditions of nearby residents

Whilst there are variations in the design and detail the overall bulk and massing of the proposal follows the principles of the previous (and extant) permissions. It is inevitable that any building of this scale would change the outlook from nearby properties and that within a development of this type there would be a degree of inter-visibility between windows and balconies; however in this case directly opposing windows would be more than 40m apart. The relationship between the buildings as now proposed is similar to that of the two approved developments.

Specific concern has been expressed about the relationship between the front wall of the proposal facing St James Road and the front wall of Brunel House. In the original permission (BRW/989/2005) the front walls were on the same line but in the later permission the front of the building on the application site was set forward of Brunel House. In the current application the wall would be 0.7m in front of the wall of Brunel House in a similar position to that approved in 2013 (ref 11/01195/FUL ). However it would be off-set from the glazed doors and it would not infringe a line at 45 degrees from the edge of the doors. The top floor of Brunel House is set back and therefore the flank wall of the proposal would extend further beyond it. It is estimated that the wall would not infringe a line drawn at 45 degrees from the centre of the top floor window. The wall would be a dominant presence alongside the top floor balcony; however it would not be as high as that previously permitted and taking account of the full aspect from the window and balcony it would not unacceptably detract from outlook.

Taking account of the extant permissions it is considered that the proposal would not unacceptably detract from the living conditions of the occupiers of nearby residential properties. It would therefore be consistent with RLP Policy CP1 and with one of the core principles of the Framework which indicates that planning should always seek to secure a good standard of amenity for all existing and future occupants of buildings.

#### Living conditions of occupiers of the proposal

Flat sizes - The Council has not adopted the recently published Housing - Optional Technical Standards; however those standards represent a useful yardstick for the assessment of the size of new dwellings. The proposed flats all exceed the minimum gross floorspace indicated by the guidance for 2 person one-bed units and three-person two-bed units. Seven of the two-bed units would exceed the guideline for four person units.

Amenity space - Three different types of amenity space are proposed for the development. The 2nd, 3rd and 4th floor rear-facing flats would all have balconies. These would be less than the 5 sq m recommended by the Essex Design Guide (EDG) but would allow the occupants to sit outside the flats. The three largest flats on the fifth floor would each have a private terrace. All flats would have access to a top floor 361 sq m roof garden (accessed by lift and staircase) and a first floor 353 sq m deck. This would be accessed by a long (39 step) staircase from the Station Road frontage or by the lift. The 1st floor flats have full height inward-opening glazed doors onto the deck but direct access would be prevented by "Juliette" balconies.

Overall 30 units would be reliant upon the decks to provide communal amenity space. This equates to 24 sq m per unit, which is marginally below the 25 sq m per flat recommended in the Essex Design Guide. The benefit of the decks would be reduced by the access arrangements and, as regards the first floor deck, the proximity of the deck to the windows in the flats. However subject to appropriate detailing and planting the amenity decks could provide attractive and useable outside space. Taking account of the pressure for the provision of housing within the Borough it is considered that the amenity space proposed within the development would be sufficient.

Subject to the measures indicated above it is concluded that the proposal would be consistent with the objectives of RLP Policy CP1 and one of the core principles of the Framework which indicates that planning should always seek to secure a good standard of amenity for all existing and future occupants of buildings.

#### Highways issues and parking

Traffic generation - The highways authority raises no objection to the proposal.

Car parking - 28 parking spaces (including 6 disabled) will be provided. Parking standards for residential developments of this type indicate the provision of a minimum of 72 spaces plus 11 further spaces for visitors. However, the standards indicate that reductions may be considered if the development is within an urban area that has good links to frequent and extensive public transport with easy access to employment and local shops and services. The appeal site has an extremely high accessibility to sustainable transport and local facilities and it is therefore considered reasonable to allow for a reduced number of off-street parking spaces.

In dismissing an appeal at Potential House, Kings Road (ref APP/H1515/A/14/2210935 dated 31 July 2014) the Inspector concluded that the absence of car parking (resulting in a deficiency of 8 spaces) would be likely to result in the occupiers of flats seeking to park on the street. He referred to the existing competition for on-street parking spaces and indicated that the existing parking pressures during the evenings and weekends would be exacerbated. He concluded that this would increase the risk of illegal parking in those roads and add unacceptably to the risk of harm to highway safety.

The extant permission generates a need for a minimum of 44 parking spaces for the residential element. That proposal included 27 spaces for the flats and in addition the applicant offered to provide parking permits for the Brentwood Railway Station car park for some of the residents (which was secured through a planning obligation). In line with that proposal the applicant indicates that, through a planning obligation, 18 off-site parking spaces would be made available through the purchase of parking permits to enable parking at the nearby station car park. In addition the applicant indicates that a car club scheme could be set up for use by residents of the proposal.

Application of the full parking standard would result in a deficiency of 44 spaces and it is considered that this number of cars could not be reasonably accommodated on the nearby residential streets. Taking account of the nature of the units and their highly accessible location it is considered that it would be reasonable to base the assessment of parking on one space per unit; however this would still result in a deficit of 17 spaces. In this respect the proposal would be similar to the extant permission; however the deficiency in that scheme was based on the full standard.

The provision of parking for cycles and powered two wheelers is in accordance with the adopted standards.

When considering the previous proposal the Essex Fire and Rescue Service indicated concern about problems being experienced by emergency vehicles gaining access to scenes of incidents along St James Road and Rollason Way due to the volume of vehicles parked along St James Road. In that proposal the Highways Officer recommended that the Traffic Regulation Order (TRO) relating to the opposite side of St James Road could be amended to extend the existing double yellow lines as far as an existing lay-by. This would prevent on-street parking on both sides of St James Road in this area which was the main cause of access problems for the emergency services. However the planning obligation included no requirement for a TRO and the Highways Authority response gives no indication that a TRO is necessary.

Conclusion on highways and parking - Paragraph 39 of the Framework indicates that if setting local parking standards local planning authorities should take account of a number of factors including the accessibility of the development, the availability of and opportunities for public transport and local car ownership levels. On 25 March 2015 the Secretary of State for Communities and Local Government indicated that paragraph 39 should be read in conjunction with the following text:- "Local planning authorities should only impose local parking standards where there is a clear and compelling justification that it is necessary to manage their local road network". The preamble to that text referred to issues arising from the use of maximum standards and indicated that the market is best placed to decide if additional parking spaces are to be provided. However those comments do not appear in the Framework text.

It is considered that there is a compelling justification for the requirement to provide off-street parking in this location and local parking standards are therefore necessary. The issue for determination is the amount and method of provision of parking in this highly accessible urban area where the standard allows for flexibility.

The management of the road network is a matter for the Highways Authority and in this case that authority raises no objection to the proposal. It is therefore considered that, taking account of all factors, the parking measures proposed (including off-site provision) are acceptable.

## Public open space

RLP Policy LT4 indicates that new residential development should make provision for public open space that is made necessary by and is fairly and reasonably related to the proposed development. Appendix 5 of the RLP indicates that developers of sites of 20 to 50 units would normally be required to provide a LAP either on or off-site and make a financial contribution towards a LEAP and a NEAP. The nature of the proposed development (in common with the extant 2013 permission) would not allow for an on-site LAP and it would therefore be reasonable to expect the applicant to undertake to make such payments as part of a pool of funding for play facilities.

However from 6 April 2015 pooling contributions for infrastructure projects are restricted. Regulation 123(3)(b) of the Community Infrastructure Levy (CIL) Regulations only allows contributions for any particular type of infrastructure or for a specific infrastructure project to be sought from up to five planning obligations that have been entered into on or after 6 April 2010. This number has already been exceeded for public open space in Brentwood. Planning Practice Guidance indicates that once the five obligation limit has been reached, any further planning obligations in respect of a type of infrastructure can no longer constitute a reason for granting planning permission. It goes on to indicate that once the five obligation limit is reached "no more (pooled contributions) may be collected". Therefore, it is clear that Councils are expected not to seek to enforce such obligations. A requirement to make a contribution in this case would be contrary to government policy and should therefore not be sought.

## Other considerations

### Archaeology

The assessment submitted with the application indicates that the proposal is unlikely to have a significant archaeological impact. Based on the advice of Essex County Council received as part of a previous application (reference BRW/384/2010) a requirement for archaeological investigation or recording is not necessary.

### Waste management

The application indicates that the waste storage layout (prepared with guidance from the waste and refuse department at Brentwood Council) provides more than the required level of refuse bins and includes the largest bins. It demonstrates that there is provision for general waste and recycling with room to accommodate further separation should the Local Authority introduce it in the future.

## Energy usage

The Energy Statement indicates that the overall energy efficiency specification of the proposal would significantly improve on the requirements of Part L1A 2010. The proposal demonstrates that all units will achieve a reduction in Dwelling Emission Rates of 11.40% better than a Part L 2010 baseline.

## Conclusion

As a consequence of the shortfall of identified housing land the proposal must be judged against the policies within the Framework. The proposed dwellings would be well designed and in a highly sustainable location. The standard of accommodation would be acceptable and the proposal would not unduly affect the amenities of nearby residents. The proposal would make a significant contribution to housing and affordable housing in the Borough. The development of the site would result in considerable investment which would boost the local economy. For all of these reasons the proposal would accord with the social, economic and environmental dimensions of sustainable development.

Paragraph 14 of the framework indicates that, unless any adverse effects of doing so would significantly and demonstratively outweigh the benefits, sustainable development should be granted permission. Whilst in a number of respects the proposal does not satisfy the adopted local policies and guidelines it is considered that those deficiencies would not significantly outweigh the benefits and that permission should be granted.

The permission should be subject to the conditions set out below and a planning agreement in respect of:- a) the provision of 16 affordable residential units and b) the provision of 18 parking permits for period of three years in the nearby railway car park.

## **7. Recommendation**

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

### 1 TIM01 Standard Time - Full

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

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

## 2 CON1 Construction Method Statement

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of working and hours during which deliveries may be taken at the site

Reason: Taking account of the character of the area including nearby residential and business uses the method of carrying out the development is fundamental to the development permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful to the living conditions of nearby residents, the safety and convenience of highway users and the character and appearance of the area during the construction period. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

3

No development above ground level shall take place until details and samples, where necessary, of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The details submitted shall include:-

- drawings showing details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate.
- a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the local planning authority
- a sample panel of 1 square metre minimum shall be erected on site to show areas of new exterior walling, this panel shall indicate: - brick bond, copings, mortar mix, colour and pointing profile

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

Reason: In order to safeguard the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

4 U10096

Prior to occupation of the proposed development, the first occupiers of each of the flats hereby permitted shall be provided with a Residential Travel Information Pack for sustainable transport, with information covering local public transport travel and including six one day travel vouchers for use with the relevant local public transport operator, within one month of their occupation of their dwelling. Details of the Residential Travel Information Pack shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings hereby permitted.

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

5 U10097

Prior to occupation of any flat the vehicle parking area, including the provision of car, motor cycle and bicycle parking facilities, shall be completed as indicated on the approved drawings. The vehicle parking area shall thereafter be retained in this form and shall not be used for any purpose other than the parking of vehicles associated with the residential occupation of the building.

Reason: To ensure that appropriate parking is provided in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005 in the interests of highway safety and the encouragement of the use of sustainable methods of transport.



6 U10099

No development above ground level shall take place until details of the two amenity decks have been submitted to and approved in writing by the local planning authority. Those details shall include the layout, surface treatment, planting arrangements and any seating or other fixtures. The decks shall be laid out as approved prior to the first occupation of any flat and shall thereafter be retained as approved for use by the occupiers of the flats.

Reason - To ensure the provision of amenity space for the occupiers of the flats in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

7 U10100

No development above ground level shall take place until a landscaping scheme to include details of all surfacing materials, measures to support climbing plants and specification of plant species on the three road frontages of the site, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed in accordance with a programme to be agreed in writing by the local planning authority. Any newly planted tree, shrub or climbing plant that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

Reason - In the interests of the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

8 U10101

The building hereby permitted shall be equipped with a communal TV and radio aerial and satellite dish prior to the first beneficial use. Details of the size, external appearance and the position shall be previously submitted to and agreed in writing with the Local Planning Authority prior to the installation of such systems. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no other satellite dishes or aerials shall be fixed to the building hereby permitted without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and appearance of the area in accordance with Policy CP1 of the Brentwood Replacement Local plan 2005.

9 U10102

None of the accommodation hereby permitted shall be occupied until the facilities to be provided for the storage of refuse/recycling materials have been provided in accordance with the details shown on the approved drawings. Thereafter the accommodation shall not be occupied unless those facilities are retained.

Reason: To ensure that adequate provision is made in order to safeguard the character and appearance of the area.

10DRA01A 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 U02376

Reason for approval: The proposal would not fully accord with the provisions of the Adopted Brentwood Replacement Local Plan; however as a consequence of the shortfall of identified housing land the proposal must be judged against the policies within the National Planning Policy Framework. It is considered that the proposal would represent sustainable development as defined by the Framework and that the benefits of permitting the development would not be significantly and demonstratively outweighed by any adverse effects arising from it. Therefore in accordance with paragraph 14 of the Framework permission should be granted. The Council has had regard to the concerns expressed by residents but the matters raised are not sufficient to justify the refusal of permission.

2 U02378

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, CP2, CP3, CP4, H6, H8, H15, E2, T3, T4, T5, T7, LT5, the National Planning Policy Framework 2012 and NPPG 2014.

3 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.

*BACKGROUND DOCUMENTS*

**DECIDED:**