

SITE PLAN ATTACHED

07. LAND AT THOBY PRIORY THOBY LANE ESSEX CM15 0TB

OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING STRUCTURES ON SITE AND THE DEVELOPMENT OF 87 RESIDENTIAL UNITS AND FORMATION OF ACCESS ROADS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE RESERVED MATTERS)

APPLICATION NO: 15/00527/OUT

WARD	Ingatestone, Fryerning & Mountnessing	8/13 WEEK DATE	21.07.2015
PARISH	Mountnessing	POLICIES	GB1 GB2 CP1 T2 C5 C18 C16 NPPF NPPG CP2 CP3 CP4 C8 T1 C3 H6 H9 E1 T14 T15 IR3 PC1 PC4
CASE OFFICER	Kathryn Mathews	01277 312616	
Drawing no(s) relevant to this decision:	GEOTECH & ENV SITE INVESTIGATION ; PLANNING STATEMENT ; OUTLINE DRAINAGE STRATEGY ; STATEMENT OF COMMUNITY INVOLVEMEN ; GROUND INVESTIGATION REPORT ; ARCHAEOLOGICAL DESK BASED ASSESS ; P1105-16-00 P4 ; PP1105-17-00 P4 ; PP1105/19-00 P1 ; ARCHAEOLOGICAL EVALUATION ; DESIGN & ACCESS STATEMENT ; LANDSCAPE & VISUAL IMPACT ASSESS ; ARBORICULTURALIST ; ECOLOGICAL APPRAISAL ; TRANSPORT ASSESSMENT ; ECONOMIC VIABILITY ASSESSMENT ; NOISE REPORT ; NOISE REPORT ADDENDUM ; 2591.10 ; 2591.14 ; 2591.15 ; 2591.07 A ; 13935GI THOBY PRIORY ; ESSEX AND SUFFOLK WATER LETTER ;		

1. Proposals

Outline planning application for 87 residential units with all matters of detail reserved for future determination except for access to the site.

The existing dwellinghouse and associated land known as Thoby Priory is owned by a third party and does not form part of the current application.

Access to the site would from Thoby Lane utilising the existing access point and access way (around 400m in length) which would be upgraded to include a 3m cycleway/footpath. This cycleway/footpath would continue along Thoby Lane linking the site with Mountnessing Village cutting across Coronation Playing Fields.

The application is accompanied by an indicative site layout which shows a mixture of lower and higher density areas with an open area around the Scheduled Ancient Monument (SAM) and footprint of the former Mansion House which are both at least partly located within the application site boundary. Two existing ponds are shown to be retained, one within an area of amenity land for ecological enhancement. The housing mix is suggested as 10no. two bedroom dwellings, 5no. two bedroom flats, 19no. three bedroom dwellings and 53no. 4+ bedroom dwellings in a mixture of detached, semi-detached and terraced dwellings. A landscape bund and acoustic fence is indicated along part of the western boundary of the site and a bund is shown along part of the eastern boundary of the site both in the vicinity of the neighbouring agricultural buildings (although this has since been amended - see below under 'Quality of Life for Future Occupiers'). The parking would be provided as a mixture of garage courts and on-plot parking/garaging. It is stated that the scheme will combine existing natural elements with additional features, including along the external boundaries of the site.

The application is accompanied by a number of supporting documents:-

- Planning Statement (see below)
- Design and Access Statement
- Highways and Transport - Primary school in Mountnessing village 1.3km from site. Florist, hairdressers and butchers shop, and village hall in village. The nearest bus stop is on Roman Road 1km from the site. The accessway would be provided with traffic calming. Parking provision indicated would exceed minimum standards and would include provision for visitors to the SAM. Thoby Lane/site access junction and Thoby Lane/Roman Road junctions were capacity tested. The increase in traffic generated by the proposed residential use when compared with the existing use would have a minimal impact on the operation of local junctions - the development would see a net increase of 34 and 10 two-way vehicle movements in each of the morning and evening peak hours, respectively - this is not material.
- Archaeological Statement - utilises a desk-top assessment compiled in 1999 and the results of 23 trenches which were excavated in the area in 2001 and 2002. Two

further trenches were dug in 2014. An area for preservation in-situ has been identified where no construction works affecting the buried remains will be permitted which will incorporate the SAM as well as the known extent of the Priory foundations and cemetery. However, the report concludes that medieval deposits can still be expected outside the suggested preservation in-situ area. The undesignated remains of the Mansion House and associated features are assessed as being of local to regional importance and do not require preservation in-situ. An area of the site has not been investigated but this area is not thought to contain any substantive remains associated with the Priory or post Medieval Mansion House.

- Landscape and Visual impact Assessment - the site is within an area character type F - Wooded Farmland and Doddington Wooded Farmland Character Area F8 in the Mid Essex Landscape Character Assessment 2006. The report concludes that the site has low/negligible landscape sensitivity to a change of the type proposed but is within a wider landscape which is of high/medium landscape sensitivity to change (recognised by its designation as a Special Landscape Area). The magnitude of the change on the site itself would be high but the significance of the effect would be moderate as the change would be beneficial. The magnitude of the change to the wider landscape setting would be negligible. However, it is recognised that the changes to the access lane/junction to the application site and the cycle/pedestrian links along Thoby Lane will involve a degree of change to the view but, in the context of the road corridor, will not appear out of character.

- Tree Survey and Arboricultural Impact Assessment - 102 trees including trees in groups would be lost to facilitate the development - all but 7 of the trees are of poor or low quality and value. These 7 trees are classified as being B category (moderate value). A further 28 trees of poor quality would be removed to allow for landscape improvement works. The report concludes that, in visual terms, the impact of the development from tree loss would be insignificant. An agreed arboricultural method statement would be required to ensure the retention of the remaining trees. Any tree loss will be more than mitigated for over a relatively short period with the planting of new trees.

- Ecological Assessment - 20 buildings present. Japanese knotweed present. The recommendations of the ecological report can be the subject of a planning condition. The Ecological Appraisal concludes that 'two buildings, the hedgerows, trees, woodland and ponds are considered to provide some ecological value and as such appropriate recommendations are set out ... along with safeguards for the protected species bats, Hedgehog, nesting birds and Great Crested Newt' which include the approval of an Ecological Enhancement and Management Plan prior to works commencing on site.

- Ground Condition Survey - concludes that remediation could include the removal of affected soils and/or placement of clean cover systems or barriers to provide a break in pathway between source and receptor, within soft landscaped areas and garden areas. The most recent investigation was carried-out in November 2014 when two trenches were excavated in the vicinity of the former Mansion House. Further investigations will be required across the larger site area, which will consider in detail the geoenvironmental and geotechnical aspects of the scheme, and will include boreholes to 15m in depth.

- Statement of Community Engagement
- Economic Viability Appraisal Report (May 2015) - concludes that the proposed scheme cannot afford to provide a contribution to affordable housing, in addition to the numerous abnormal costs associated with the complexity of the site.
- Letter from Essex and Suffolk Water advising that they cannot foresee any problems with supplying the development.
- Outline Drainage Strategy - neither foul nor surface water drainage exist on site at present. The proposal would be to pump foul water to an existing manhole in Thoby Lane. Surface water would be attenuated to 'greenfield' run-off rates through a combination of below ground attenuation tanks (possibly 6 in total) supplemented by under paving storage.

The Planning Statement provides the following information:-

The existing use of the site is considered to be lawful having been the subject of a number of planning permissions most importantly for an engineering depot in 1965. The uses are uncontrolled by planning conditions.

The site does not serve any of the five purposes of the Green Belt (paragraph 80 of the NPPF).

The site area is 6.52 hectares (excluding the entrance roadway and ecological area - 4.65ha [this would equate to a density of around 19 dwellings per hectare]). The public open space proposed would equate to around 1ha. in total (15% of the site area) which would be managed through a management company.

The extent of built/storage footprint is 34,905sq.m. (approximately 75% of the site) - the proposed residential development (excluding gardens) would comprise 8,000sq.m. (18% of the site).

The existing buildings range up to 10m in height - the proposed housing would have a maximum of 9.5m in height.

It is estimated that the volume of development on site (including external storage) would be some 105,000cu.m - the new housing development would be approximately 55,000cu.m.

In support of the application a number of matters are raised:-

- reduced impact on openness compared to the existing development
- the Council is unable to demonstrate a 5 year land supply for housing and so the Local Plan is not up-to-date
- the protection and restoration of a SAM currently on the 'At Risk' register (to be secured through a S106 Agreement) - access by the public would be provided for the first time - without the proposed development there is a risk that the remains will deteriorate to an irretrievable state of disrepair.

- removal of industrial uses which are capable of being intensified and decontamination of the site
- removal of industrial traffic from the highway network
- countryside footpath/cycle path link
- new wildlife habitats and ecological bio-diversity area
- use of a 'brownfield' site
- economic benefits: provision of employment during construction, support for local shops and services
- social benefits: supplying housing to meet present and future generations needs
- environmental role: protecting the natural environment and improving bio-diversity and help the move to low carbon emissions with a target delivery of Level 3 of Code for Sustainable Homes

The site has low ecological value and lies within Flood Zone 1 (an area of low flood probability).

The existing employment at the site is of low value, many of which will cease to operate following the winding up of their businesses. The applicant advises that the site provides employment for around 15 people.

The site is not considered appropriate for a 50% of small unit accommodation (Policy H6) - the 'scheme intends to deliver a family-orientated residential park with suitable amenity space'.

The applicant considers that the development complies with Local Plan Policies GB1, GB2, CP1, CP2, CP3, CP4, C5, C8, C18, H9, T1, T2, that policies H1, H2, H6 and H14 are out-of-date, and that the site has no agricultural land value (Policy IR3).

The draft head of terms for a Section 106 Agreement suggested by the applicant are as follows:-

- Affordable housing subject to viability analysis
- early years and childcare provision
- primary healthcare provisions within the area
- highway contributions /works
- provisions of open space and/or the provision of the necessary play equipment

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.

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 NPPG 'Design', 'Conserving and enhancing the historic environment', 'Noise' and 'Housing and economic land availability assessment' are of particular relevance to the current application. The NPPGs have been taken into account, where relevant, in the following assessment.

Relevant Local Plan Policies

GB1 - New Development

GB2 -Development Criteria

H6 - Small Unit Accommodation

H9 -Affordable Housing

CP1 -General Development Criteria

CP2 - New Development and Sustainable Transport Choices

CP3 - Transport Assessments

CP4 - The Provision of Infrastructure and Community Facilities

T1 - Travel Plans

T2 - New Development and Highway Considerations

T14 - Cycling

T15 - Pedestrian Facilities

LT4 -Provision of Open Space in New Development

PC1 - Land Contaminated by Hazardous Substances

PC4 - Noise

C3 - County Wildlife Sites, Local Nature Reserves and Other Habitats and Natural Features of Local Value

C5 -Retention and Provision of Landscaping and Natural Features in Development

C8 - Ancient Landscapes and Special Landscape Areas

C16 - Development within the Vicinity of a Listed Building

C18 - Ancient Monuments and Archaeological Sites

E1 - Areas Allocated for General Employment
IR3 - Protecting the Best and Most Versatile Agricultural Land

3. Relevant History

- 15/00543/EIASO: EIA Screening Opinion for 87 dwellings. -Not EIA Development
- 14/00755/EIASO: Screening opinion for 71 dwellings. -Is EIA Development
- 04/00013/S191: Certificate Of Lawfulness In Respect Of An Existing Use Of The Premises As A Haulage And Storage Yard -Application Permitted
- 03/00419/FUL: Access Road -Application Permitted
- 02/00023/FUL: Formation Of Access Roads And The Erection Of 44 Dwelling-Houses And Garages. -Application Refused
- 95/00319/FUL: Continued Use Of Building As Light Industrial Workshop without Complying With Condition 2 Imposed On Planning Approval Brw/13/94. - Application Permitted
- 89/00845/FUL: Retention Of Building And Use As Stores/Office/Workshop - Application Refused

4. Neighbour Responses

Three letters of representation have been received raising the following concerns:-

- would add a huge amount of traffic onto Thoby Lane - the junction will be unable to cope with major increase in traffic which will have a knock-on effect for the junction with Roman Road
- smoothing out the bend in Thoby Lane will increase traffic speed and increase risk of accidents
- removal of several trees to widen the access is a disgrace - they should be protected as site surrounded by Green Belt
- street lighting will turn Green Belt area into an estate
- will be severe pollution due to increase in cars, gas, electricity etc from the dwellings and residents
- e-mail provided on developer's literature incorrect and so has been unable to put their points forward
- would overlook and cause loss of privacy to Thoby Priory
- inadequate parking for visitors
- overbearing nature of proposal and layout and density of buildings not in keeping with Thoby Priory
- 130 trees would be removed - there are covenants affecting the property to not remove or destroy trees around Thoby Priory - can the developer confirm that mature trees will be planted
- loss of trees will result in significant loss of ecological habitat
- the development does not appear to respond to local character and history, and reflect the identity of the local surroundings and materials
- works to the Priory wall would need consent of the proprietor of Thoby Priory and proposed development encroaches on Thoby Priory rights including access, right of

light, and air, use of and access for soil and maintenance etc. thereof, and appropriate agreements have not been met

- no indication of the percentage of affordable housing or the requirement that the small housing quota will be met
- proximity between the access road and the SAM still needs to be addressed
- potential flood risk needs to be addressed

5. Consultation Responses

- **Anglia Water Services Ltd:**

No response at the time of writing report.

- **NHS Property Services Ltd:**

No response at the time of writing report.

- **Parish Council:**

This response is being made by Mountnessing Parish Council in its capacity as statutory consultee. Its response to the proposed footway across the Coronation Playing Field is in a separate document dated 15th June 2015 (see below).

It was agreed at a meeting of the Parish Council, held on the 8th June 2015, that the proposed development is desirable and that it should be approved.

However the Parish does have serious generic concerns about the residential developments that are being proposed in the village, specifically:

1. The current infrastructure supports around 530 dwellings. This will increase by approximately a third if this and the Former Mountnessing Scrapyard development are approved by the Borough Council. In addition the proximity of the Trueloves development, although in Ingatestone, is likely to impact on infrastructure capacity in Mountnessing. It is also understood that other large developments are under consideration. The fundamental concern is that the current provision of water and sewerage resources, roads, schooling and medical facilities will become wholly inadequate.

2. Lack of affordable housing. The proposals for this development only include 17 (out of 87) two bedroom houses and such a modest number will not address the current situation where even small houses are unaffordable for many people especially the younger generation. In particular it is felt in Mountnessing that there is a serious shortage of affordable bungalows and there does not appear to be action planned to deal with the demands of an ever ageing population.

The Parish Council has already made its reservations regarding both infrastructure and affordable housing known in its response dated 17th December 2014 to the Local Plan Strategic Growth Consultation and would again urge Brentwood Borough Council to ensure that the emerging Local Development Plan addresses these fundamental concerns.

Proposed footway through Coronation Playing Field, Roman Road, Mountnessing

This response is made by Mountnessing Parish Council in its capacity as landowner of the Coronation Playing Field. Even though the Parish Council has had serious reservations that a footway would have a detrimental impact on the rural aspect of Coronation Playing Field it is prepared to permit a footway to be constructed provided it is not more than 2 metres wide and is adopted by Essex County Council. The Parish Council is also of the view that the footway will have minimal use by pedestrians after dark as Thoby Priory is in excess of a mile from Roman Road and for this reason would not be prepared to permit lighting to be installed along its length. Extensive discussions have taken place between the Parish Council and both the developer and the responsible Essex Highways officer and they are both aware of its views regarding the width of the path. The plans sent by the developer's transport consultant to the Parish Council on the 5th June showing the revised route of a 2 metre wide footway are acceptable. Mountnessing Parish Council is acutely conscious of its role as custodian of green spaces in the village for both present and future generations and trusts that Brentwood Borough Council and Essex County Council will appreciate its custodial responsibilities and accept its not unreasonable conditions. If this does not turn out to be possible the Parish Council accepts that alternative routes for the footway may have to be considered.

- **Open Space Strategy Coordinator:**

I would suggest that due to the size of site and the number of dwellings we should be seeking an off site contribution of £150,000 which would cover the cost of a LEAP and a contribution towards a NEAP and LAP. I also note that under the local plan the site needs to ensure that 15% of the overall site is laid out to open space. Even if there is insufficient space for play area on site, considering the size of gardens and houses on the development and the access to rural open space around it that this may not be a necessity. If the Council will be expected to take this on board or if a management firm will be instructed. If it is to be the Council then I would need to calculate an additional contribution to cover this.

- **Environmental Health & Enforcement Manager:**

This service has no objections but would recommend the following;

- o Energy saving and renewable technologies should be considered for this development, such as solar panels, ground source heat pumps etc in the interests of carbon saving and energy efficiency.

- o Due to ground contamination at this site, the following condition should be imposed;

CONTAMINATED LAND

1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall

assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within three months of the completion of measures identified in the approved remediation it must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

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

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of an agreed amount of years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority.

The proposed houses will be situated directly adjacent to crop drying barns where the occupiers will be exposed to 24hr noise from the commercial use of these barns. A scheme should be submitted with noise attenuation proposals to ensure noise and vibration levels do not adversely affect the occupiers and I would recommend that the following condition is attached;

Prior to the commencement of the works of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise taking into account the worst case scenario of noise produced by the crop drying barns and associated activities in accordance with BS8233:2014. The following levels shall be achieved: Maximum internal night noise (23:00-07:00) levels of 30dB_LA_{eq,T} for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB_LA_{max}. Acoustic windows and mechanical ventilation will need to be considered and I would strongly recommend that any acoustic ventilation installed as part of the noise protection scheme incorporates heat exchange mechanisms for reasons of energy efficiency.

- **Highway Authority:**

The transport assessment and other accompanying information have been considered in detail. The residential proposal is not expected to generate volumes of traffic that would be unacceptable to the highway authority; 52 total trips are predicted for the morning peak hour and 56 trips in the evening peak. This compares with 18 trips in the morning peak hour and 46 in the evening peak generated by the current use. The county road network has sufficient capacity to accommodate the moderate increase in trip generation and the accident record locally indicates no significant concern in terms of highway safety. The application also includes proposals for a new footway/cycleway connection to the village of Mounnessing with its facilities and access to local public transport services. This is

an essential aspect of the application as it will provide a safe off-road access to the site, encourage residents of the proposed development to travel by sustainable modes of transport and offer an important recreational amenity.

From a highway and transportation perspective the impact of the proposal would therefore be acceptable to the Highway Authority subject to the following:

Prior to Commencement:

1. Prior to commencement a Construction Method Statement shall be 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.

Prior to First Occupation of the Development

2. The developer is to provide a 5.5 metre access road with traffic calming features including build outs as shown on drawing no.2591.07A. The carriageway is to have a minimum width of 3.7 metres at the build outs. Reason: In the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. The developer shall provide improvements to the site access road junction with Thoby Lane including minor widening of Thoby Lane on the inside of the bend as shown on drawing no. 2591.15. Reason: In the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. The developer shall construct the access to the site with a minimum clear to ground visibility of 2.4 metres x 160 metres in both directions along Thoby Lane, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of

obstruction thereafter as shown on drawing no. 2591.07A. Reason: To provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. The developer shall construct a 3 metre wide footway/cycle route along the main site access road from the proposed development continuing along Thoby Lane to Coronation Playing Fields as shown on drawing nos. 2591.10 and 2591.15.

Reason: To facilitate pedestrian and cycle movements between the site and the local area in the interest of highway safety and accessibility in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. The developer shall construct a 2 metre wide hard surface footpath from Thoby Lane in the vicinity of the Pavilion through Coronation Playing Fields to Roman Road as shown on drawing nos. 2591.10 and 2591.14. Reason: To facilitate pedestrian movements between the site and the local area in the interest of highway safety and accessibility in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. The developer shall construct a cycle crossing point with associated dropped kerbs on Thoby Lane in the vicinity of the Pavilion to connect with the proposed 1.5 metre wide cycle link for northbound cyclists as shown on drawing no. 2591.10.

Reason: To facilitate cycle movements between the site and the local area in the interest of highway safety and accessibility in accordance with Policies DM1 and DM9 of the

Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

8. Car and cycle parking facilities for both the proposed residential development and visitors to the Thoby Priory ancient monument shall be provided according to Essex Planning Officers Association's Parking Standards document (September 2009).

Reason: To ensure adequate space for car and cycle parking off the highway is provided in

the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

9. The developer shall provide the first occupier of each new dwelling with a Residential Travel Information Pack. The packs shall include information in support of sustainable transport. Details of the packs shall have been submitted to and approved in writing by the Local

Planning Authority. Each pack shall include six one day travel vouchers for use with the relevant local 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

General

10. The carriageway of the proposed estate road shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstand to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall

be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling. Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

11. The junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, shall be constructed up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials. Reason: To ensure that the junction is constructed to the appropriate standard in the interests of highway safety in accordance with Policy DM1 and Policy DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

12. There shall be no discharge of surface water onto the Highway. Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Informative

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

No permanent part of a development shall overhang the highway.

Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

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

- **Environment Agency:**

We have received your consultation on the above planning application for Thoby Priory, which we have deemed to be low risk. The submitted information indicates that previous uses of the site may have had the potential to cause some contamination on the site. However, we consider that the water environment at this site is of low environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to the water environment from contamination at the site, following the requirements of the NPPF and our Guiding Principles for Land Contamination.

- **County Archaeologist:**

The Historic Environment Record shows that a Scheduled Monument, comprising the remains of Thoby Priory lies within the development area. The Scheduled Monument comprises a single surviving upstanding flint wall and a small area of land around it of the original medieval priory which extends over a much larger area beneath the ground. Following previous applications for residential development on this site and meetings with the present developer, archaeological work was carried out in the form of an updated archaeological desk based assessment followed by a trial trench evaluation. The latest trial trenching evaluation on the site was carried out in January 2015.

The archaeological evaluations have showed that extensive below-ground archaeological remains survive, beyond the designated Scheduled Monument area and the upstanding priory walls. This includes both remains of the Priory, the Priory cemetery and the later mansion. The known extent of the graveyard lies largely in the grounds of the house called Thoby Priory (at present excluded from this development proposal).

The proposed site layout submitted in the Design and Access statement with the planning application shows the area immediately surrounding the Scheduled Area and the former mansion being left as open space. This is a welcome addition to the plans and will improve the setting of the Scheduled Monument and allow management and protection of the below ground archaeology. However, it is likely that the below ground archaeology extends beyond this open area. The previous archaeological evaluations have been hampered and restricted by difficult ground conditions, temporary buildings and scrapped vehicles. Further archaeological trial trenching and excavation will be required at the site should the development receive permission.

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

RECOMMENDATION: A Programme of Trial Trenching followed by Open Area Excavation

1. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.
2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and prior submission of reserved matters.
3. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
4. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

English Heritage have attended meetings with the developer, but their continued involvement is essential and they must be consulted on this application as the site impacts directly a Scheduled Monument.

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.

- **Natural England:**

Natural England has no comments to make regarding this application.

- **Historic England:**

Summary

This outline application is for the proposed development of 87 residential units, on land currently used for various commercial and industrial operations, centred on the site of Thoby Priory, a scheduled monument. Whilst the development would result in a radical change in setting from industrial units to residential housing, rather than restore its historic setting, on balance Historic England considers that the benefits which would accrue to the improved conservation and enhancement of the designated asset, would outweigh any harm to the significance of the heritage asset, arising from the proposals, and therefore meets the aims and aspirations of the NPPF as they relate to the historic environment.

Historic England Advice

The site includes the remains of Thoby Priory, a small Augustinian house founded between 1141-51. A fragment (c. 15m) of the south wall belonging to the presbytery of the priory church survives to a height of 4m. This, and a small area around it, is designated as a scheduled monument (LEN 1005560). Following the dissolution of the priory, its refectory was remodelled to form the core of a post-dissolution mansion, which survived until its demolition in 1953. Two phases of archaeological evaluation, in connection with previous proposals for housing development, have shown that buried archaeological remains extend outside the area which is currently a designated heritage asset. The structural remains form the northern boundary between the residential property of Thoby Priory and the adjacent storage yard to the north. The wall is vulnerable to further loss of fabric and is ranked as being at high risk on the Historic England Heritage at Risk Register. The ownership of the scheduled monument is split between the yard/garden to Thoby Priory and car storage and breakers' yards to the north and west. Its current setting is harmful to its significance. There is no public access to the scheduled monument.

Historic England (as English Heritage) has previously supported proposals for residential development in this location, following archaeological evaluation both inside and outside the scheduled area in 2001-2 (BRW/23/2002). Given your council's refusal of the previous application on green belt grounds, it is important to determine whether the current developments surrounding Thoby Priory are lawful. If your council has now concluded that they are, the proposed development can viewed positively. Although the development would not result in the restoration of the historic agricultural setting for the priory remains, the creation of public open space on and around part of the scheduled monument, and the layout and visual character of the proposed development has the potential to increase the public amenity of the scheduled monument, and secure its conservation and interpretation, via the implementation of a Conservation Management Plan, secured by condition and the conclusion of a planning obligation via a S106 agreement.

The NPPF encourages local authorities to seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations, to take account of the desirability of sustaining and enhancing the significance of heritage assets in determining applications, and to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance (paras 131,137). Historic England considers that the proposals would meet the aims and objectives of the NPPF with regard to the historic environment.

Recommendation

Historic England considers that the proposed development would contribute towards sustaining, enhancing and better revealing the significance of the scheduled monument, in line with NPPF policies regarding the historic environment, subject to the conclusion of the S106 agreement to secure the conservation of the masonry remains and the attachment of planning conditions to cover appropriate archaeological recording and monitoring of the development.

It is not necessary to consult us again on this application. Please send us a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.

- **Highways England:**

No objection.

- **Essex & Suffolk Water:**

No response at the time of writing report.

- **Historic Buildings And Conservation Officer:**

No response at the time of writing report.

- **Arboriculturalist:**

We have inspected the site on two occasions, the arboricultural information is extensive and should be conditioned to the outline permission. I am confident that there will be a need to revise and meet on site on consideration of the detailed landscape proposals.

- **Essex Wildlife Trust:**

No response at the time of writing report.

- **Housing Services Manager:**

No response at the time of writing report.

- **Schools, Children Families Directorate:**

Thank you for sending me details of the above outline planning application for up to 87 dwellings.

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

It is anticipated that this proposed development would generate a requirement for 26.10 primary and 17.40 secondary school places.

This proposed development is located within the Brentwood primary group 2 (Ingatestone/ Mountnessing) forecast planning group. The forecast planning group has an overall capacity of 432 places, of which 15 places are in temporary accommodation. The Brentwood primary group 2 forecast planning group is forecast to have a deficit of 8 permanent places by the school year 2018-19. A contribution for additional primary school places will, therefore, be requested to contribute towards the replacement of temporary accommodation at Mountnessing Primary School.

This proposed development is located within the Brentwood secondary group 1 (Brentwood/ Shenfield) forecast planning group. The forecast planning group has an overall capacity of 6,844 places. The Brentwood secondary group 1 forecast planning group is forecast to have a surplus of 899 places by the school year 2018-19. No contribution for additional secondary school places will, therefore, be requested at this time.

In view of the above I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on education. The formula for calculating education contributions is outlined in our Developers' Guide to Infrastructure Contributions, 2010 Edition. Our standard s106 agreement clauses that give effect to this formula are stated in our Education Contribution Guidelines Supplement, published in July 2010. For information purposes only, should the final development result in the suggested net increase of 87 houses with two or more bedrooms, the primary school contribution sum would be £317,689. This amount would be index linked to April 2015 costs.

If your council were minded to turn down the application, I would be grateful if the lack of education provision in the area can be noted as an additional reason for refusal and that we are automatically consulted on any appeal or further application relating to the site.

- **ECC SUDS:**

Thank you for the correspondence and revised Drainage calculations received from Mr Terry Smith on 27 May 2015 which provided clarity to our earlier reasons for a holding objection on the above outline planning application. As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We are statutory consultee on surface water from the 15th April.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C697)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Outline Drainage Strategy and the revised storage calculations submitted on the 27th of May, that were submitted answering our earlier objection dated 14 May 2015, it is now considered that a surface water drainage scheme has been proposed which demonstrates that surface water management is achievable in principle, without causing flooding on site or elsewhere.

We now consider that outline planning permission could be granted to the proposed development if the following planning condition is included as set out below:

Condition

No development approved by this planning permission shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details in the Outline Drainage Strategy referenced BR/02, March 2015, Clark Smith Partnership and the subsequent Revised Storage calculations (Ref BR/02, 27 May 2015). Reason: To prevent flooding on the proposed site and the local area by ensuring the satisfactory storage of/disposal of surface water in a range of rainfall events and ensure the system operates as designed for the lifetime of the development.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

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

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act (2010) which could be enclosed as an informative along with your response issued at this time.

- **Planning Policy**

Brentwood Local Development Plan

Land at Thoby Priory, Thoby Lane has been included within the ongoing site assessment process to inform the Council's emerging Local Development Plan (LDP site reference 018). While the site assessment process is still being

undertaken, a view can be sought regarding the proposed spatial strategy so far, which considers transport corridors to be the most sustainable places to locate growth (e.g. A12 & London Liverpool Street railway corridor / A127 & London Fenchurch Street railway corridor).

Thoby Priory is divorced from its nearest urban area, Mountnessing village, and entirely within Green Belt. However, the issue of making the best use of previously developed land within Green Belt to meet local needs, and in line with the National Planning Policy Framework, will be a policy issue considered within the Local Development Plan.

Until the latest proposed draft policies are published for public consultation later this year no weight can be applied. When determining the planning application it will be necessary to consider the issue of making the best use of land in light of development needs and the lack of five year housing supply against Green Belt impact.

6. Summary of Issues

The application site is 'previously developed' land within the Metropolitan Green Belt. The site is also within a Special Landscape Area and accommodates part of a Scheduled Ancient Monument (an area approximately 25m x 12.5m) around the upstanding remains of the former Priory which are also Grade II listed and on the 'at risk' register. The Thoby Priory remains were Grade II listed in 1952. The site is also designated within an area of Grade II agricultural value. The site is included in the Council's Strategic Growth Options Consultation 2015.

Thoby Priory was founded between 1141 and 1151. The standing remains of the Priory date to the 14th and 15th centuries and consist of around 15m of the south wall of the presbytery and nave arch through to either a south transept or aisle and a west window, approximately 4m in height, now obscured by creepers and the nave arch has been partially bricked-up. The ownership of the SAM is shared with the neighbouring residential property (Thoby Priory). Extensive below-ground remains of the Priory church and monastic cemetery are also present. A mansion was constructed on part of the Priory site in the mid-16th century, which was pulled down in 1953.

The site accommodates a number of existing buildings being used for a range of industrial/commercial uses as well as a residential property. The external areas of the site are also used for various purposes including the storage of cars, car parts and lorry containers, with associated hardsurfacing. Reference is also made to a timber stockyard, 'chipping' operation and vehicle dismantling. Despite this, as a result of existing tree and vegetation around the boundaries of the site, the existing uses do not visually intrude into the surrounding countryside.

The site is located 0.8km to the north-west of the village of Mountnessing and around 480m from Thoby Lane.

The site is surrounded generally by arable farmland with some woodland. At the northern end of the site, close to the eastern and western boundaries, are two large agricultural buildings. The site is generally level in topography.

The planning history for the site includes the following in addition to that listed above:-

- CHR/225/65 - use as an engineering depot - approved 1965
- CHR/192/67 (APP/1989/A/27214) - light industrial use over part of site - 10 year temporary planning permission 1968
- T/APP/5211/C/79/4769-73/G4 - enforcement notice quashed for continued use for storage and scaffolding and associated parts - permitted 1981 (referred and issued 20 May 1983)
- BRW/375/93 (T/APP/C/H1515/641964) - stationing of portakabin and containers - allowed on appeal 23 April 1997

In addition, the 2000 Ground Investigation Report makes reference to the following:-

- use of the northernmost part of the site comprised an approximately triangular shaped area surrounded by bunding - used for car spares supply industry with car storage 2-3 high, fuel storage tanks, portacabin and racking for parts storage (BAS Spares)
- scaffolding yard - an L-shaped piece of land bordering the site of Thoby Priory understood to be the site of the former Manor House - contained a portacabin, an iron clad Nissan hut and a timber shed, over much of the site there was scaffolding stored
- Mountnessing Auto Spares - western area appeared to be in residential use and included a garage and car storage.
- Thoby Stud - L shaped area in the south-western corner of the site - two storey house, brick shed, barns to the north (brick and breeze block with corrugated sheeting), stable block to the east and barn to the south-east - plant and other storage within buildings
- Douglas Mann Caravans and Graphical Limited - northern end of the western arm of the access road - Graphical Limited in the south western part of the area (portacabin, fuel tank). Douglas Mann Caravans - area immediately to the north which formed an approximate L-shaped area around Graphical Limited - part of area used for car parking - remainder used for caravan storage
- Ideal Motors and Compressor Refurbishment Businesses - east central part - in the north, row of breeze block and corrugated sheeting sheds disused but formerly used for motor salvage. To south of this area land used for vehicle dismantling for racing purposes - offices in an old lorry refrigeration unit, fuel tank , building in south eastern corner, caravan. To south of this and immediately to the north east of the farm was an area used for the refurbishment of compressors (large workshop of steel and corrugated sheeting, portacabins to the north eastern and south eastern corners of this area, a warehouse in the south west as well as storage units

immediately to the north west and to the south of the workshop), considerable external storage

The main issues which require consideration as part of the determination of this application are the principle of the development (including loss of employment land and land classified as good quality agricultural land), the impact of the development on the openness of the Green Belt and the purposes of including the land within the Green Belt, the impact of the development on the character and appearance of the area (including the impact on existing trees), any adverse impact on the amenity of the occupiers of nearby properties as well as the quality of life for the occupiers of the proposed residences, highway safety issues, drainage, contamination, ecology and obligations. A further significant issue is the impact of the development on the SAM, archaeology and the listed building associated with the history of the site as a former Priory and Mansion House.

The Core Planning Principles which form part of the NPPF (paragraph 17) include a requirement to protect the Green Belts around our main urban areas and to recognise the intrinsic character and beauty of the countryside. In paragraph 55, the NPPF advises that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Section 9 of the NPPF refers to 'Protecting Green Belt land' as part of which it is stated that the Government attaches great importance to Green Belts and that the aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are stated as being their openness and their permanence (paragraph 79). Paragraph 87 and 88 refers to the need for very special circumstances to exist before inappropriate development is approved. Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Framework, in paragraph 14, states that the presumption in favour of sustainable development is a golden thread running through plan-making and decision-taking. It sets out the three dimensions of sustainable development and indicates that these give rise to the need for the planning system to perform a number of roles. It is inevitable that from time to time tensions will develop between the economic, social and environmental roles of planning and the Framework provides guidance on how these may be resolved.

Part 7 of the Framework concerns design and states that the Government attaches great importance to the design of the built environment. It goes on to indicate that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. The

use of the term 'built environment' indicates that good design extends beyond the design of buildings.

The NPPF encourages local authorities to seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations, to take account of the desirability of sustaining and enhancing the significance of heritage assets in determining applications, and to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance (paragraphs 131,137).

Principle

The NPPF does exclude the re-development of previously developed sites in the Green Belt from inappropriate development but only where the development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development (paragraph 89).

It is concluded below that the proposed development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

If the development was inappropriate development, there would need to be other matters which clearly outweighed the harm the development would cause by reason of inappropriateness and all other harm for there to be very special circumstances to justify planning permission being granted.

The application site is located in a relatively unsustainable location as the residents of the site would have little alternative in reality to using a private motor vehicle to gain access to most services and facilities such as secondary schools, employment, shops and medical services. However, the existing uses of the site generate a significant amount of traffic and measures would be in place to encourage the new residents to walk or cycle to Mountnessing village with the footpath/cycleway link proposed. There is also a primary school, some shops, a number of public houses and public open space in the village as well as bus services. The development is, therefore, not considered to be unacceptable in principle on the basis of unsustainability for this reason, in compliance with the NPPF (section 4) and Policies CP3 and T1.

The housing mix is proposed as 10no. two bedroom dwellings, 5no. two bedroom flats, 19no. three bedroom dwellings and 53no. 4+ bedroom dwellings in a mixture of detached, semi-detached and terraced dwellings which would not comply with Policy H6 (which relates to small unit accommodation) which requires that at least 50% of new housing is one or two bedroom properties to ensure that the development makes a satisfactory contribution towards the housing needs of the Borough. However, it is understood that the applicant is willing to negotiate the mix of dwellings to include a larger proportion of two bed properties and, in any event,

the application is in outline form and so the final mix of units would be subject to further consideration as part of future applications for approval of reserved matters of scale and layout.

Paragraphs 18 to 22 of the Framework consider the need to build a strong economy and indicate that planning should encourage sustainable growth with emphasis on the needs of business. Paragraph 22 indicates that where there is no reasonable prospect of a site being used for allocated employment, 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. The application site is not an allocated site and the site is not considered suitable for general employment purposes given its rural location, substandard vehicular access, proximity to a residential property (Thoby Priory) and as the existing uses are harmful to the SAM and listed building, and their setting. In these circumstances and as the existing employment is small at around 15 employees, it is not recommended below that the application should be refused on the basis of the loss of employment land.

Whilst the site is included in a wider area classified as good quality agricultural land, the application site itself, as a result of the existing uses/development, does not fall within this category and so the development does not conflict with Policy IR3.

Green Belt Openness

There are a number of buildings within the application site and extensive areas of open storage. Furthermore, the current application is in outline form with all matters other than means of access to the site reserved for future determination and so the size, volumes and heights of the new dwellings have not been specified. However, the site has an extensive history of commercial uses and estimates have been provided by the applicant's agent, as follows:-

- the extent of built/storage footprint is 34,905sq.m. (approximately 75% of the site)
- the proposed residential development (excluding gardens) would comprise 8,000sq.m. (18% of the site).
- the existing buildings range up to 10m in height - the proposed housing would have a maximum of 9.5m in height.
- it is estimated that the volume of development on site (including external storage) is some 105,000cu.m - the new housing development would be approximately 55,000cu.m. (although the proposed acoustic barriers/bunds along parts of the eastern and western boundaries of the site and the inevitable ancillary buildings/structures (fencing, domestic paraphernalia etc) would add to this volume).

This suggests that the proposal would result in an increase in the openness of the site compared to the buildings and open storage which exists and the reduction in the built/storage footprint would contribute positively towards one of the purposes of including the land within the Green Belt i.e. to assist in safeguarding the countryside from encroachment. On this basis, as stated above, it is considered that the

proposed development would not constitute inappropriate development in the Green Belt, in compliance with the NPPF (section 9), Policy GB1 and Policy GB2.

Character and Appearance

The twelve core planning principles set out in paragraph 17 of the Framework indicate, amongst other things, that planning should recognize the intrinsic character and beauty of the countryside.

The application is accompanied by a Landscape and Visual impact Assessment.

As a result of the nature and scale of the current use and development within the application site, the site currently detracts from the character and appearance of the rural area although the harm beyond the boundaries of the site is limited as a result of the extent of vegetation along the site's boundaries. The proposed development, when compared to that which exists, would improve the character and appearance of the area, especially on the basis that the re-developed site would be as well screened from the surrounding countryside. The highway improvement works required to the accessway and along Thoby Lane (in particular the construction of a footpath/cycleway link to the village) and the acoustic barrier which is likely to be required (see below) would detract from the rural character and appearance of the area. However, in the context of the development as a whole, it is considered that this harm would not be significant enough to justify planning permission being refused and is necessary to ensure a satisfactory quality of life for the occupiers of the proposed dwellings as well as highway safety and accessibility of the development.

Based on the advice of the Arboriculturalist, it is considered that the development would not have an adverse impact on any existing visually important trees on the site, in compliance with Policy C5.

The scale, layout, landscaping and external appearance of the proposed dwellings are a reserved matter and so would be the subject of future applications seeking approval of these reserved matters. However, it would be expected that the development would be of a particularly high quality of design and materials and landscaping, to reflect its sensitive location surrounding a SAM/listed building and its rural surroundings i.e. to protect the character and local distinctiveness of the location.

On this basis, it is considered that the development would not conflict with the Framework or Policy CP1 which seek to safeguard the character of the countryside, in compliance with the NPPF (section 7, NPPG and Policy CP1 (criteria i, iii and viii)).

Archaeology

English Heritage and Essex County Council Archaeology have been consulted on the proposal and neither object to the principle of the development now that a 'no-dig' area covering the area believed to contain the most significant archaeological remains has been identified and excluded from the residential area proposed. During demolition there is unlikely to be significant impact on the archaeology of the site as the archaeological remains are mainly below ground. During remediation, the extent of contamination is not known at this stage but the expectation is that the impact on the archaeology could be mitigated subject to appropriate, detailed proposals.

ECC Archaeology have advised that the Historic Environment Record shows that a Scheduled Monument, comprising the remains of Thoby Priory lies within the development area. The Scheduled Monument comprises a single surviving upstanding flint wall and a small area of land around it of the original medieval priory which extends over a much larger area beneath the ground. ECC advise that the archaeological evaluations have showed that extensive below-ground archaeological remains survive, beyond the designated Scheduled Monument area and the upstanding priory walls and that further archaeological trial trenching and excavation will be required at the site should the development receive permission. In view of this, it is recommended that a programme of trial trenching is carried-out followed by open area excavation.

Whilst the development would result in a radical change in setting from industrial units to residential housing, rather than restore its historic setting, on balance Historic England considers that the benefits which would accrue to the improved conservation and enhancement of the designated asset, would outweigh any harm to the significance of the heritage asset, arising from the proposals, and therefore meets the aims and aspirations of the NPPF as they relate to the historic environment. A 'no-dig' area has been identified which includes the Scheduled Ancient Monument, the remains of Priory and the later mansion. The Priory cemetery is excluded from the application site. On this basis, it is considered that the development is now unlikely to have a significant impact on the archaeological remains within the site and would not have a significant adverse affect on the setting of the Scheduled Ancient Monument.

In addition, Historic England has recommended that a Conservation Management Plan is secured by S106 Agreement.

On the basis of the above, it is considered that the development would not be contrary to the NPPF (section 12), the NPPG and Policies CP1 (criterion viii) and C18.

Setting of the Listed Building

The Grade II listed building (the upstanding remains of the Priory) are currently in a poor state of repair and the use of the area around the listed building for open storage seriously detracts from the listed building's setting. The proposed development would remove this open storage and provide an opportunity to repair and preserve the listed building for the long term, subject to further details being approved. On this basis, it is considered that the development would comply with the NPPF (section 12), the NPPG and Policies CP1 (criterion viii) and C16.

Neighbours' Amenity

It is considered that the indicative layout submitted demonstrates that the development could be designed in such a way so as not to cause harm to the amenity of the occupiers of any neighbouring residential property (Thoby Priory) by reason of dominance, loss of sunlight, loss of daylight, loss of outlook or loss of privacy, in compliance with the NPPF (paragraph 17) and Policy CP1 (criteria ii).

Quality of Life for Future Occupiers

It is considered that the indicative layout submitted with the application demonstrates that the development could be designed in such a way so as to provide an adequate quality of life for the new residents in terms of provision of private amenity space, outlook, off street parking provision and privacy, in compliance with the NPPF (paragraph 17) and the Policy CP1 (criterion ii).

However, there are two large agricultural buildings, the closest being around 50m from the eastern and western boundaries of the site with an unimplemented planning permission for a third (reference 12/01161/FUL) within the adjoining Woodlands Farm. These buildings are equipped with crop drying equipment which can be in operation 24 hours, 7 days a week during the drying season, the length of which depends on weather conditions. The acoustic reports submitted indicate that there would be a potential adverse impact on external garden areas of the closest plots during the day and a significant adverse impact during the night. However, the report concludes that this impact can be adequately mitigated through silencing at source (subject to the agreement of the adjacent land owner) or a combination of an acoustic fence along most of the western boundary of the site and part of the site's eastern boundary along with all properties being provided with double glazing and alternative ventilation to open windows. Based on the advice of the Environmental Health Officer, a condition would need to be imposed to ensure that adequate noise mitigation measures are incorporated into the detailed scheme, in compliance with the NPPF, NPPG and Policy PC4.

Contamination

The application has been accompanied by a number of documents which set out the results of investigations into the contamination of the site given its existing and previous uses for, for example, vehicle storage and breakers as well as the recent wood fire. Based on this information and the advice of the Environmental Health Officer, it is considered that the proposed development would not pose an unacceptable risk of pollution from contamination, subject to the imposition of conditions as recommended by the Environmental Health Officer. On this basis, the proposal complies with the NPPF (paragraph 121) and Policy PC1.

Highway Safety

The indicative layout submitted as part of the application demonstrates that each of the proposed dwellings would be provided with off-street parking (at least 2 spaces) which would comply with the adopted parking standards.

The Highways Officer recommends that planning permission is granted subject to conditions and the Highways Agency raises no objections to the proposal. It is anticipated that the proposed development would not cause harm to highway safety (subject to the imposition of appropriate conditions and a S106 Agreement to extend the footway/cycleway from the site along Thoby Lane to join the existing footway along Roman Road in the vicinity of the Village Hall), in compliance with the NPPF (section 4) and Policies T2 and CP1 (criteria iv and v). The conditions would need to include requirements for a Construction Method Statement, access road details, visibility splays and a Residential Travel Information Pack. Details of the provision of car and cycle parking would need to be submitted as part of an application seeking approval of reserved matters. Off-site works would be best secured through a Section 106 Agreement rather than conditions as recommended by the Highways Officer as third party land, as well as highway land, would be required.

Drainage/Flooding

The application has been assessed by Essex County Council as SUDS Authority for the area who is satisfied that any drainage issues could be satisfactorily addressed through the submission of further details at a later date. On this basis, it is considered that the development would not be unacceptable for drainage/flooding reasons provided that careful consideration of surface water management is given as part of the detailed scheme for the site. It is considered that this matter could be addressed through the imposition of a suitably worded condition attached to any planning permission granted to ensure that a satisfactory scheme for surface water drainage from the site is provided.

Ecology

The application is accompanied by an ecological report. The recommendations of the report can be the subject of a planning condition. The Ecological Appraisal concludes that 'two buildings, the hedgerows, trees, woodland and ponds provide some ecological value and as such appropriate recommendations are set out along with safeguards for the protected species bats, Hedgehog, nesting birds and Great Crested Newt'. On the basis of this report, it is considered that the ecological issues could be adequately addressed through the imposition of a condition requiring the approval of an Ecological Enhancement and Management Plan prior to works commencing on site, in compliance with the NPPF (section 11) and Policies CP1 (criterion viii) and C3.

Obligations

It is recommended that any planning permission granted is subject to all interested parties first entering into an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the following obligations:-

- off-site highway works as follows:-

- i. The developer shall construct a 3 metre wide footway/cycle route along the main site access road from the proposed development continuing along Thoby Lane to Coronation Playing Fields as shown on drawing nos. 2591.10 and 2591.15. to facilitate pedestrian and cycle movements between the site and the local area in the interest of highway safety and accessibility
- ii. The developer shall construct a 2 metre wide hard surface footpath from Thoby Lane in the vicinity of the Pavilion through Coronation Playing Fields to Roman Road as shown on drawing nos. 2591.10 and 2591.1 to facilitate pedestrian movements between the site and the local area in the interest of highway safety and accessibility
- iii. The developer shall construct a cycle crossing point with associated dropped kerbs on Thoby Lane in the vicinity of the Pavilion to connect with the proposed 1.5 metre wide cycle link for northbound cyclists as shown on drawing no. 2591.10 to facilitate cycle movements between the site and the local area in the interest of highway safety and accessibility

- affordable housing, subject to the outcome of the assessment of the Viability Assessment submitted

- a financial contribution of £317,689 towards the provision of primary school places

- a Conservation Management Plan for the Priory remains (which would also need to be subject to listed building and scheduled monument consents) including means of public access and interpretation

- provision and maintenance of public open space within the application site and financial contribution towards off-site provision/maintenance (at a level to be determined)

A financial contribution towards medical provision may also be required but a response from the NHS is awaited.

The applicant has confirmed that they would be willing to enter into a Section 106 Agreement to secure all of the above, in accord with the NPPF, NPPG and Policies CP4 and LT4.

To comply with Policy H9, it would be expected that 35% of the units proposed (i.e. at least 31) would be affordable units but no affordable housing is currently being offered. A Viability Report for the development has been submitted which concludes that the development cannot support any affordable housing on-site and that, in their view, there is a clear case for the scheme to be granted planning permission without any obligations in respect of affordable housing. The Viability Report is in the process of being independently assessed on the Council's behalf by Mass and Co. and their report is expected prior to the date of the Planning Committee. Members will be updated verbally at the Committee regarding the conclusions of the assessment. However, in the meantime, it is not currently recommended below that the application is refused due to a lack of affordable housing provision contrary to the NPPF, NPPG and Policies CP4 and H9.

Other Matters

As stated above, Officers are of the view that the development does not constitute inappropriate development.

The applicant has made reference to the following matters in support of their proposal which all weigh in favour of the proposal:

- The proposal would make a contribution towards meeting Borough's housing need
- The development would remove unsightly, derelict buildings that currently occupy the site
- The development would provide an opportunity to protect and restore the SAM and listed building and facilitate public access to this historic site

Other matters which weigh in favour of the proposal include the benefits of decontaminating the site, improving the amenity of the occupier of Thoby Priory, removing industrial traffic from the highway network, ecological improvements, economic benefits (employment during construction and support for local shops and services) and as the new dwellings would be constructed to Level 3 of the Code for Sustainable Homes (although there is currently no adopted Local Plan policy which would justify requiring the latter).

The concerns raised as part of the representations received have already been addressed above. Any civil matters would need to be resolved privately between the relevant parties. Most of the Parish Council's concerns have also been covered above. With respect to their concerns regarding the provision of water and sewerage resources, roads, schooling and medical facilities, a financial contribution towards primary schools would be secured through a S106 Agreement. The relevant consultees regarding the other matters have either raised no objections to the proposal or their comments are still awaited.

The application has been publicised as a departure from the adopted Local Plan. Therefore, to comply with the Town and Country Planning (Consultation) (England) Direction 2009, if the Council were minded to grant planning permission for the development proposed, the Secretary of State would first need to be consulted to provide him/her with an opportunity to consider whether or not the application should be determined by them.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 U10511

Approval of the details of the scale, layout and appearance of the buildings and the landscaping of the site that are reserved for later approval (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority before the development is commenced and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 TIM03 Standard Time Outline - 3 years

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3 TIM04 Standard Time Outline - Time Limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4 U10483

No application for approval of reserved matters shall be made without a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The approved scheme shall subsequently be implemented in accordance with the approved details including those in the Outline Drainage Strategy referenced BR/02, March 2015, Clark Smith Partnership and the subsequent Revised Storage calculations (Ref BR/02, 27 May 2015).

Reason: To prevent flooding on the proposed site and the local area by ensuring the satisfactory storage of/disposal of surface water in a range of rainfall events and to ensure the system operates as designed for the lifetime of the development.

5 U10480

- i. No application for approval of reserved matters shall be made before a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and gained the prior approval of the local planning authority.
- ii. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and no later than the submission of the application for approval of reserved matters.
- iii. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and written confirmation of the satisfactory completion of fieldwork has been gained from the local planning authority.
- iv. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance in writing with the Planning Authority). This assessment shall include a complete post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and a publication report.

Reason: In order to ensure the satisfactory investigation and mitigation of the archaeology within the site.

6 U10481

CONTAMINATED LAND

A. Site Characterisation

No application for approval of reserved matters shall be made without an assessment of the nature and extent of contamination across the whole application site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

B. Submission of Remediation Scheme

No application for approval of reserved matters shall be made without a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within three months of the completion of measures identified in the approved remediation scheme a validation report must be submitted to the Local Planning Authority.

D. Reporting of Unexpected Contamination

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

An assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition B.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition C.

E. Long Term Monitoring and Maintenance

No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of an agreed amount of years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority within 3 months of the completion of the measures identified.

Reason: To ensure that any contamination is remediated in the interests of the health of existing and future occupiers, ecology and the water environment.

7 U10484

No development shall take place until an Ecological Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved Plan.

Reason: In order to ensure that the existing ecology of the site is protected and enhanced. This matter 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 local ecology. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

8 U10514

The site shall be cleared of all existing open storage, hard surfacing, chattels, fencing and existing buildings. All materials arising shall be permanently removed from the site prior to the first occupation of any part of the development hereby permitted.

Reason - In the interests of maintaining the openness of the Green Belt, the character and appearance of the area and residential amenity.

9 U10521

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: In the interests of highway safety, visual and neighbour amenity. This matter 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 residential amenity or highway safety. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

10 LAN01 Landscaping - outline

The scheme of hard and soft landscaping to be submitted pursuant to condition 1 above shall indicate the existing trees, shrubs and hedgerows to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted or transplanted, those areas to be grassed and/or paved. The landscaping scheme shall include details of all surfacing materials and existing and proposed ground levels. The landscaping scheme shall be completed during the first planting season after the date on which any part of the development is commenced or in accordance with a programme to be agreed in writing by the Local Planning Authority. Any newly planted tree shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased, within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.

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

11 U10510

No application for approval of reserved matters shall be made without an Arboricultural Survey and Method Statement Report. The development shall be completed in accordance with the approved Report.

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

12 U10507

Prior to the first occupation of the development the developer shall:-

- i. provide a 5.5m wide access road with traffic calming features including build outs as shown on drawing no.2591.07A. The carriageway is to have a minimum width of 3.7m at the build outs.
- ii. provide improvements to the site access road junction with Thoby Lane including minor widening of Thoby Lane on the inside of the bend as shown on drawing no. 2591.15.
- iii. construct the access to the site with a minimum clear to ground visibility of 2.4m x 160m in both directions along Thoby Lane, as measured from and along the nearside edge of the carriageway. The visibility splays shall be retained free of obstruction thereafter as shown on drawing no. 2591.07A.
- iv. construct the carriageway and footways of the proposed estate road up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstand to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
- v. construct the junction with the existing highway, inclusive of cleared land necessary to provide the visibility splays, up to and including at least road base level and be available for use prior to the commencement of any other development including the delivery of materials.

Reason: In the interests of highway safety by providing adequate inter-visibility between vehicles using the road junction and those in the existing public highway, ensuring that roads/footways are constructed to an appropriate standard and ensuring that the junction is constructed to the appropriate standard.

13 U10517

There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

14U10518

The developer shall provide the first occupier of each new dwelling with a Residential Travel Information Pack. The packs shall include information in support of sustainable transport. Details of the packs shall have been submitted to and gained the prior approval in writing by the Local Planning Authority. Each pack shall include six one day travel vouchers for use with the relevant local transport operator.

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

15U10519

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 no later than the submission of any application for approval of reserved matters. Construction shall be in strict accordance with the approved details.

Reason: To safeguard the character and appearance of the area, the openness of the Green Belt and the living conditions of nearby residents.

16U10520

No application for approval of reserved matters shall be made without a detailed acoustic report on the existing noise climate at the development site with particular reference to noise from the adjoining agricultural plant and equipment. The report shall include a scheme of noise mitigation for the site and insulation measures for all residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to the following standard:

Maximum internal night noise (23:00-07:00) levels of 30dB_LA_{eq,T} for living rooms and bedrooms, for bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB_LA_{max}.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of The National Planning Policy Framework, BS8233:2014. The approved scheme shall be implemented prior to the occupation of the site and be permanently maintained thereafter.

Reason: In order to ensure that an adequate quality of life is provided for the occupiers of the proposed dwellings and the use of the adjoining barns would be restricted.

17U10522

The development shall not be commenced until details of the treatment of all boundaries including drawings of any gates, fences, walls, bunds or other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be completed prior to the first occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In the interests of safeguarding the character and appearance of the area and living conditions of future occupiers. This matter 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 character and appearance of the area, the openness of the Green Belt or the setting of the listed building and SAM. In the absence of a condition requiring approval of this matter before the commencement of the development it would have been necessary to refuse planning permission.

18DRA01A 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 U02470

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: GB1 GB2 CP1 T2 C5 C18 C16 NPPF NPPG CP2 CP3 CP4 C8 T1 C3 H6 H9 E1 T14 T15 IR3 PC1 PC4; 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 INF21

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the

presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

4 U02466

- car and cycle parking facilities for both the proposed residential development and visitors to the Thoby Priory ancient monument will need to be provided according to Essex Planning Officers Association's Parking Standards document (September 2009) to ensure adequate space for car and cycle parking off the highway is provided in the interest of highway safety

- All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

- No permanent part of a development shall overhang the highway.

- Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.

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

5 U02468

The applicant's attention is drawn to the implications of the Flood and Water Management Act 2010.

6 U02469

A professional team of archaeologists should undertake the archaeological work which will have financial implications. An archaeological brief outlining the level of investigation will be issued by Essex County Council Archaeology on request.

BACKGROUND DOCUMENTS

DECIDED: