

**SITE PLAN ATTACHED**

**05. THE BRENTWOOD TRAINING CENTRE ESSEX WAY WARLEY ESSEX CM13 3AX**

**DEMOLITION OF THE EXISTING BUILDING AND CONSTRUCTION OF 50 RESIDENTIAL DWELLINGS, (10 HOUSES AND 40 FLATS) INCLUDING AFFORDABLE HOUSING, IN BUILDINGS EXTENDING TO BETWEEN TWO AND FOUR STOREYS IN HEIGHT, TOGETHER WITH ASSOCIATED LANDSCAPING, PARKING AND INFRASTRUCTURE WORKS.**

**APPLICATION NO: 15/01379/FUL**

<b>WARD</b>	Warley	<b>8/13 WEEK DATE</b>	12.01.2016
<b>PARISH</b>		<b>POLICIES</b>	NPPF NPPG LT8 H14 H6 H9 CP1 T2 C7
<b>CASE OFFICER</b>	Mrs Charlotte White	01277 312500	

**Drawing no(s) relevant to this decision:** SCHEDULE OF ACCOMMODATION /A; CONSTRUCTION METHOD STATEMENT /A; TRANSPORT STATEMENT ; APPRAISAL OF PARKING PROVISION ; SUSTAINABILITY STATEMENT ; ENERGY STATEMENT ; SUNLIGHT AND DAYLIGHT REPORT ; PLANNING STATEMENT ; BAT SURVEY ; REPTILE SURVEY ; EXTENDED PHASE 1 HABITAT SURVEY ; DESK STUDY & SITE INVESTIGATION REPORT ; ARBORICULTURAL IMPACT REPORT ; 8128 01 ; 8128 02 ; 8128 03 /A; 8128 04 /A; 8128 05 ; 8128 06 ; 8128 07 ; 8128 10 /B; 8128 11 /B; 8128 12 /B; 8128 13 /B; 8128 14 ; 8128 15 ; 8128 16 /A; 8128 17 ; 8128 20 /A; 8128 21 ; 8128 30 /A; 8128 31 /A; 8128 32 /A; 8128 33 /A; 8128 35 /A; 8128 36 /A; C100 /P7; C200 /P6; C600 /P3; C601 /P3; C700 /P1; 8128 DS01 ; 8128 DS02 ; 8128 DS03 ; 8128 DS04 ; 8128 34 ; DRAINAGE STATEMENT REPORT /A; ARTIST VISUAL IMPRESSIONS ; C602 /P3; PRO65 01 B ; DESIGN AND ACCESS STATEMENT ;

## 1. Proposals

Planning permission is sought to demolish the existing buildings on the site and to redevelop the site for residential purposes with a mixture of 3-bedroom houses and 1 and 2-bedroom flats. In total 10x 3-bedroom houses are proposed in three small terraces and 40 flats are proposed, with 15x 1-bedroom flats and 25x 2-bedroom flats. With the exception of 2 flats above a car port (flat over garage or FOG units), the flats will be provided within a roughly 'L' shaped building which rises to 4 storeys in height.

All of the houses proposed and 22 of the 40 flats (6x 1-bed units and 16x 2-bed units) will be for open market sale, with 18 affordable flats to be provided constituting 7x 2-bedroom social rented flats and 9x 1-bed and 2x 2-bed flats for intermediate, shared ownership housing.

The development has been designed with flat and mono-pitched roofs, with some of the flats benefiting from balconies. The development is to be constructed using Hanson blue bricks and a buff coloured brick, (the details of which are yet to be confirmed), metal profile roofing panels and grey UPVC windows, doors, rainwater goods, fascias and soffits.

In total 84 parking spaces will be provided on the site, located in parking courts, to include visitor parking spaces. 2 motorcycle parking bays are proposed and cycle parking is also to be provided at a ratio of 1 cycle space per residential unit. The parking includes some undercroft parking provisions and some tandem parking. The 1-bedroom market flats will be provided with 1 parking space, the 2-bedroom market flats and 3-bed market houses will be provided with 2 allocated parking spaces and the 1 and 2-bedroom affordable flats will be provided with 1 allocated parking space each. 8 visitor spaces will be provided.

Each of the 3-bedroom houses will have its own private amenity space. There will be some very limited areas of outside space within the wider development to the south of the site, near the turning head and to the east of the site. The landscaping includes the retention of many of the existing trees to the boundaries and new planting. The hard landscaping proposed constitutes charcoal colour block paved private drives and autumn gold colour block paved shared surfaces.

The site will have a new vehicular access road into the site from Essex Way running north-south with new residential properties either side and will constitute a shared surface. A new pedestrian link to Evelyn Walk to the south of the site will be provided.

The application has been submitted with full plans and artist impressions, a construction methodology, a transport statement, a parking provision appraisal, a sustainability statement, an energy statement, a sunlight and daylight report, a planning statement, a Design and Access Statement, a bat survey, a reptile survey, an extended phase 1 habitat survey, a phase 1 and 2 desk and site investigation report from geosphere environmental limited, an arboricultural impact assessment and a drainage statement report.

This application is presented to Planning Committee given the nature and scale of the proposal.

## **2. Policy Context**

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

Local Plan Policies

LT8 - Use of redundant institutional, recreational and community buildings

H6 - Small unit accommodation

H9 - Affordable housing on larger sites

H14 - Housing density

CP1 - General development criteria

T2 -New development and highway considerations

C7 - Development affecting preserved trees, ancient woodlands and trees in Conservation Areas.

## **3. Relevant History**

- 12/00614/FUL: Change of use from Adult Education Centre to Boxing Academy - Application Permitted

## **4. Neighbour Responses**

46 neighbour letters were sent out, two sites notices were displayed one in Essex Way and one in Evelyn Walk and the application was advertised in the press. To date, 4 neighbour letters have been received which make the following summarised comments:

- Density too high.
- 4 storeys is too high.
- Block sunlight and reduce natural light.
- Overdevelopment.
- Loss of privacy and overlooking.
- Light pollution.
- Noise pollution.
- Air pollution.

- Out of keeping with the area - apart from Gibraltar house, housing is 2 storeys.
- Overcrowding.
- Insufficient parking and parking already problematic in the area.
- Will be imposing and oppressive.
- Shared space is dangerous.
- Cash sum given to Council given lack of community centre - residents of Warley have right to know where that money is going to be spent.

A letter of objection from Cllr Hubbard has also been received which makes the following summarised comments:

- Original plans of 38 homes was excellent - 50 is a mistake.
- Transport Study is disingenuous.
- Insufficient parking.
- Inaccuracies in information submitted.
- Some parking spaces cannot be accessed.
- Already extreme parking congestion in area due to commuter parking,
- Many residents contacted me about parking concerns before this application.
- Will exacerbate parking problem unless made a resident parking area for outset.
- Excessive.

## **5. Consultation Responses**

- **Highways England:**

No objection;

- **Highway Authority:**

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following requirements;

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

- i the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are

related to the use of the development unless otherwise agreed with the local planning authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. The headroom at the entrance to the parking courts should be a minimum of 2.1 metres.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner 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. Each vehicular parking space shall have dimensions of 2.9 metres x 5.5 metres.

Reason: To prevent on-street parking, in the interests of highway safety and in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. The cycle parking facilities as shown on the approved plans for the proposed flats are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. The powered two wheeler parking facilities as shown on the approved plans are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate powered two wheeler parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

Reason: To provide adequate inter-visibility between vehicles using the road junction / access 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.

9. 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.

10. The developer shall provide a Real Time Passenger Information facility at the nearby northbound bus stop on The Drive.

Reason: To encourage trips by public transport in the interest of accessibility in accordance with Policies DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

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

Informative

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](mailto:development.management@essexhighways.org) or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex CM13 3HD.

- **Environmental Health & Enforcement Manager:**

I do not have any objections to this application.

Can you please put the following condition on.

1. In view of the report produced by Geosphere Environmental Ltd; a remediation scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to the Local Planning Authority for approval prior to the commencement of any development of the site. The agreed remediation scheme will be implemented prior to the commencement of any other part of this planning permission (unless the scheme or parts of it require commencement of other parts of the permission). Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site. A signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the conditions above.

2. Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed in accordance with condition 26 and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

- **Essex & Suffolk Water:**

No comments received at time of writing report.

- **Anglian Water Services Ltd:**

No comments received at time of writing report.

- **Environment Agency:**

No comments received at time of writing report.

- **Arboriculturalist:**

15/01379/FUL The arboricultural and landscape details will combine to both maintain and improve the planted component of the development.

- **Natural England:**

Natural England has no comments to make on this application.

- **National Grid:**

No comments received at time of writing report.

- **Housing Services Manager:**

Please find below the agreed mixed tenure type for this development;

9 x 1B - Shared Ownership

7 X 2B - Affordable Rent

2 x 2B - Shared Ownership

- **Schools, Children Families Directorate:**

Thank you for providing details of the above full planning application for up to 50 new homes. From the information I have received, I have assessed the application on the basis of 10 houses and 40 flats. Assuming that all of these units are homes with two or more bedrooms, a development of this size can be expected to generate the need for up to 2.7 Early Years and Childcare (EY&C) places; 9 primary school, and 6 secondary school places.

The proposed development is located within the Warley Ward. According to Essex County Council's childcare sufficiency data, published in July 2015, there is insufficient evidence that the EY&C places generated from this development would require there to be additional provision, therefore I will not be requesting a contribution at this time.

This proposed development is located within the priority admissions area of Warley Primary School which is part of the Brentwood Primary Forecast Group 1 (Brentwood Town) set out in Essex County Council's document 'Commissioning School Places in Essex'. The Forecast group has an overall capacity of 4,668 places. The Brentwood forecast planning group 1 is forecast to have a deficit of 62 places by the school year 2019-20.

Prior to the implementation of the revised Community Infrastructure Levy Regulations on the 6th April 2015 the County Council would have sought a developer contribution from this proposed development for additional primary school places. However, the implementation of the revised Regulations now restrict the pooling of contributions for a specific item of infrastructure, such as the expansion of a school, to contributions from five separate planning obligations. Under these changed circumstances the County Council has decided not to request a contribution for the provision of additional primary school places from this proposed development. This is because the scale of this development is relatively small and the impact on pupil places is limited. Seeking contributions from a number of small developments might, in the future, preclude the County Council from seeking a contribution from a larger development, should there already be 5 contributions allocated to a particular project to add school places in the area.

With regards to secondary education needs, this proposed development is located within the priority admissions area of Brentwood County High School which is, for the purposes of forecasting part of the Brentwood Secondary Planning Group 1 (set out in 'Commissioning School Places in Essex'. The Group has an overall capacity of 6,844 places. The Brentwood secondary forecast planning group 1 is forecast to have a surplus of 890 places by the school year 2019-20. No contribution for additional secondary school places will, therefore, be requested.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution; however, the developer should ensure that safe direct walking and cycling routes to local schools are available.



- **Design Officer:**  
Proposal

Demolition of the existing building and construction of 50 residential dwellings, (10 houses and 40 flats) including affordable housing, in buildings extending to between two and four storeys in height, together with associated landscaping, parking and infrastructure works.

#### Background & Development Context

The proposals within this application have been subject to a series of Pre-application meetings.

#### Discussion

The development site concerns the now disused former training centre at Warley. The proposals involve the demolition of the existing structures to accommodate 50 residential units and associated parking. The demolition of the existing architecture at the site is not objected to; it is of no significant architectural merit within the current context of the post modern estate; which includes a sawtooth layout of dwellings within Essex Way itself, a post modern exemplar. It is evident from the submitted information a good level of contextual analysis has been conducted and has informed the design development prior to submission.

The site is approximately 0.6ha; the layout proposes a split of unit typologies with houses to the west and a greater density of flatted development at the east - these are divided by a spine road which will facilitate both vehicular and pedestrian access. One of the key principles in the design of this site has been the introduction of pedestrian permeability; creating linkage within the context; I am pleased to advise this has been incorporated.

The immediate context of the site is dominated by Gibraltar House (See drawing 8128/05) which evidently has influenced the four storey block proposed at the key corner within the development site in respect of scale and density. The forms are subsequently lowered to three storeys upon the thoroughfare of Essex Way returning into the spine road of the development itself at a consistent scale. Adjacent to the three story forms are three sets of terraces I advise these relate acceptably with the lower scale of The Gables (to the west). The proposed roofscape is consistent with the contemporary narrative; with a mixture of flatted and monopitch coverings (refer to drawing 8128/16). Overall the proposed scale and density I find to be acceptable within this context.

In respect of the elevational treatment, a post modern language has been adopted which has given consideration to the utilitarian architecture of the post modern estate; the detail intent with the lead of brick materials and simple façades are in keeping with the local distinctiveness; I advise the design detailing for the balcony should be subject to further development should permission be granted in order to refine the aesthetic further at a greater drawing scale. This is particularly relevant for the balconies at the boundary of Gibraltar Close, the key introductory corner to the development which also contains a brick relief detail upon the elevations; adding interest to this simple modern design; this aspect should not be value engineered (see drawing 8128/17 North East Elevation Corner of Essex Way).

I have also reviewed the landscape proposals in relation to the architectural style and I appreciate the arboricultural officer will advise in more detail; however from an urban design perspective it is positive to see this has been considered within the applicants design development criteria.

### Summary

Having assessed the submitted information in respect of Design, I advise the architectural language, scale and resultant proposed development is appropriate to its context.

Conditions of planning should include details of windows, brick work relief, eaves/roof profile and boundary treatments to ensure the development contributes to its location.

### Recommendation

Consequently I support this application subject to Conditions and have no objections on Design Grounds.

- **Essex Wildlife Trust:**

No comments received at time of writing report.

- **ECC SUDS:**

Thank you for your email received on 25 November 2015 which provides this Council with additional information giving us a further opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned 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:

- o Non-statutory technical standards for sustainable drainage systems
- o Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- o The CIRIA SuDS Manual (C753)
- o BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the FRA and the above mentioned documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition 1

No development shall take place until a detailed surface water drainage scheme for the site, based on the approved surface water drainage strategy, sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation.

Reason

- o To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- o To ensure the effective operation of SuDS features over the lifetime of the development.
- o To provide mitigation of any environmental harm which may be caused to the local water environment

Condition 2

No development shall take place until further ground investigation has taken place, during winter months, to demonstrate that ground water levels do not pose a significant risk to the development. Following ground investigation, if necessary, a scheme for appropriate mitigation of ground water flood risk should be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved prior to occupation.

Reason

To mitigate against groundwater flooding by ensuring that sufficient information is in place to fully understand the risk associated with the development.

### Condition 3

The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

### Reason

The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate against increased flood risk to the surrounding area during construction therefore, there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

### Condition 4

Prior to commencement of the development the applicant must submit a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

### Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

### Condition 5

The adopting body responsible for maintenance of the surface water drainage system must record yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

## Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

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.

## Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- o Sequential Test;
- o Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- o Safety of the building;
- o Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- o Whether insurance can be gained or not;
- o Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

- **NHS Property Services Ltd:**

Further to a review of this application and the GP practice likely to be affected by this development. We can confirm that at the current time this practice has capacity to accommodate the patient growth generated by the proposed development. Therefore NHS England have no objection to this development and will not be requesting mitigation from the developer.

Please note this information is current as of today's date and is subject to change

- **Open Space Strategy Coordinator:**

With reference to the above planning application and the request for comments in response to it, I am now in a position to offer the following comments:

In terms of the overall style of the development this is outside of my field of remit and so I have no comments to make on this. Looking at the site itself an attempt has been made to provide some private formal open space in the form of a private gardens to the rear of the new houses , and a small communal area for the flats with associated balconies for higher levels but I feel the term 'generous' that is used within the design statement is somewhat out of context considering the actual size of space given. There is no general publicly accessible amenity space within the site even though the Replacement Local Plan specifically asks for developments of 50 units or more to provide 15% of the site to such use.

I appreciate that considering the size of site it is not financially viable to meet the Council's density requirements AND provide 15% on site open space, however there is a significant piece of publicly accessible open space in the form of Warley Playing Fields which is located a few hundred metres from the development itself and so would provided sufficient accessible open space within a reasonable distance.

I also note that as the development consists of more 50 individual dwellings and is in excess of 0.5 h.a. that it will trigger a contribution of funds via a Section 106 agreement to existing open space provision under current local planning obligations. Under the current Replacement Local Plan it stipulated that:

'Within larger housing area (sites of 50 units and above) at least 15% of the site area should be set aside for public open space, part of which should be suitably hard surfaced. In areas deficient in open space or having densities and/or smaller gardens more open space will be sought.'

In addition to this it also states:

'Developers of residential sites of between 0.4 and 1.0 ha. (or 20 to 50 units) will normally be required to provide a LAP with a minimum area of 100sq.m (either on-site or off-site) and make a financial contribution towards the provision of a LEAP and a NEAP.'

With regards to the financial contribution, due to the approved design of the scheme it is not going to be possible to integrate a play area on the development and there are already play facilities located a short distance away. Also the Council is undergoing a review of its play provision and as such is not commissioning the installation of any new play facilities for the short term. In light of this decision any financial contribution will be used to improve existing open space provision firstly in and around the development area and then elsewhere in the Borough on a priority basis.

In terms of the value of the contribution, this is placed at £125,000 and is broken down as follows:

- o Cost to provide contribution towards a LEAP with fencing, footpaths and ancillary items such as furniture - £50,000 (overall cost to provide such a facility would be in excess of £90,000)
- o Cost to provide a LAP (minus land cost) - £5,000
- o Cost to provide contribution towards a NEAP - £70,000 (overall cost to provide such a facility would be in excess of £120,000)

At this stage there is no initial objection from an open spaces perspective, however, further comment will be retained until more details of the planting specifics is released by the developer in particular the future maintenance and management of any planting as to whether this will be via the Council or by an appointed private arrangement.

In addition to this I also attach works programmes from Member approved management plans for surrounding sites that the contribution would be expended on. At this stage I am unable to advise of specific projects as this will depend greatly on progress made by the Council on existing commitments and also when the contribution is made available as to what works remain outstanding.

- **Assets Manager:**

No comments received at time of writing report.

- **Bats:**

No comments received at time of writing report.

- **Essex Badger Protection Group:**

I have checked my records and do not have any details of badger setts or their activities within the site . However I do feel that this site should be surveyed for badgers, before any planning application is approved.

This is something I am quite happy to do, if the Council would wish me to.

- **Planning Policy:**

The application site has previously been put forward for consideration as part of preparing a new Local Plan for the Borough. The site (Ref: 013A and 013B) is being considered as a potential site for new housing development. In the Council's Local Plan Preferred Options consultation (2013) the site was identified as a preferred site for housing.

Following this consultation it became clear that other local planning authorities plans were being found unsound on the basis of not meeting full objectively assessed needs. Given our neighbouring authorities indicated in their consultation responses that they would not be able to pick up any of Brentwood's shortfall in their area the Council decided reconsider this issue. The Council decided to reevaluate the work that had been done so far by seeking views on the establishment of a Local Plan that met full needs.

The Strategic Growth Options consultation (January 2015) provided the opportunity for comments to be made on where this level of growth in the borough could be met. This document also set out all of the proposed development sites that had been suggested to the Council, including site 013A and 013B, Warley Training Centre. No decision has yet been made on which sites will be allocated to meet the full needs. The next consultation stage is the Draft Local Plan, which is due to be available for comment in January 2016, and will set out the preferred strategy and sites.

In principle the development of this site for housing would be welcomed as it currently constitutes previously developed land which is preferred over the release of Green Belt for development. On this basis it will be important to consider the most appropriate density to most efficiently use brownfield development opportunities as they come forward. However, it is noted that appropriate design and density according to neighbouring development and car parking provision may constrain the density to a certain level. It is also noted that the level of affordable provision being proposed would exceed the Local Plan requirement of 35%, which is supported.

- **Operational Services Manager:**  
No comments received at time of writing report.

## **6. Summary of Issues**

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise: the Brentwood Replacement Local Plan 2005. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are material consideration in planning decisions.



## Site Description

The application site is located on the southern side of Essex Way and is currently occupied by a disused and vacant training centre and its grounds including parking and soft landscaped areas. The site backs onto Evelyn Walk. To the west is 'The Gables' which constitutes a two storey development of apartments and to the east is a garage block, a staggered row of terraced dwellings with a high rise block of flats; 'Gibraltar House' beyond. Opposite the site are further staggered rows of two storey terraced houses. Within the wider surrounding area there is a two storey nursing home, and a mixture of dwellings including bungalows, houses and flats. The flats within the wider area include three storey, flat roofed blocks. The area has a distinct character, and with the exception of the more modern nursing home, the majority dwellings in the area have fairly similar materials, with large blocks of grey and light bricks.

The site is located in an area allocated for educational institution (LT8) purposes in the Local Plan and as such the main considerations in the determination of this proposal are;

1. The principle of the proposal;
2. Sustainability;
3. Housing policies;
4. Design and character of the area;
5. Residential amenity;
6. Living conditions;
7. Parking and highway considerations;
8. Flooding and drainage;
9. Trees, landscaping and ecology,
10. S106 contributions
11. Conclusion

### The principle of the proposal

The application site was previously used as a training centre and was used for a temporary period by a boxing academy but has clearly been vacant for some time. The site constitutes previously developed land in an urban area. One of the core planning principles in the NPPF is to; encourage the effective use of land by reusing land that has been previously developed, providing that is not of high environmental value.

The site is allocated as an educational institution site in the current Local Plan, and Policy LT8 states that permission for the change of use or development of such sites will only be granted where the proposed use addresses local community needs, or where these needs are met elsewhere can be used to meet housing needs.

In this instance, it is recognised that there is no community need for this site; it is owned by the Council but has been vacant for several years and the Council is seeking to sell the redundant site. The site has been/is to be considered within the draft Local Plan(s) for housing purposes and a development brief has been prepared for the redevelopment of the site for residential purposes. There are also other community uses within the vicinity.

As such, it is clear that the site is no longer required for community purposes and the Council's desire is to see the site developed for residential purposes. As such, in this instance, no objection is raised to the loss of the site for community purposes, especially considering that the NPPF actively encourages the re-use of redundant, previously developed sites of this nature. No objection is therefore raised to the principle of developing this site for residential purposes, subject to other considerations, such as design and residential amenity considerations.

### Sustainability

In terms of suitability, the transport statement submitted with this application indicates that within easy walking distance of the site are playing fields, a leisure centre, playground, public transport services, neighbourhood stores, primary schools, health facilities and employment. It comments that there are bus stops close by on The Drive, Warley Hill and Pastoral Way, which are served by regular bus routes. Brentwood Rail Station is approximately 1.4km from the site, with the bus routes along The Drive and Warley Hill providing access to the Train Station. As such, it is considered that the site would be located in a sustainable location and the occupiers of the development would not be completely reliant on their cars as the only means of transportation to and from the site, in accordance with the aims and objectives of National and Local planning policy.

### Housing Policies

In terms of density it is important to ensure previously developed, brownfield sites in sustainable areas of this nature are used as effectively as possible, as advocated by the NPPF and to relief pressure on the Green Belt within Brentwood. However, it is also necessary to ensure that the density is appropriate to the site's context and the existing character of the area. The proposed density of this development is 77 dwellings per hectare (dph) which is a high density. However, it has been clearly demonstrated within the Design and Access Statement that such a density would not be out of keeping with the existing density and character of the area. It is also noted that the Design Officer raises no objection to the density proposed. As such the proposed density is considered acceptable in this instance and no objection is therefore raised on this basis in terms of the NPPF and Policy H14 of the Local Plan.

In terms of affordable housing, this proposal seeks to provide 18 affordable flats; 9 1-bedroom flats and 9 2-bedroom flats. 7 of the 2-bedroom flats will be social rent units and the other 2-bedroom flats and the 9 1-bedroom flats will be shared ownership units. Policy H9 of the Local Plan states that 35 percent affordable housing should be provided on sites on this size and nature. The 18 units to be provided for affordable housing represent a 36 percent provision of affordable units, which is slightly above the policy requirement.

The Council's Housing Department have commented that the mix of affordable units is acceptable. At S106 meetings, the housing department have also verbally confirmed that the level of affordable housing proposed, the size, scale, locations and tenure mix of the units are acceptable. Subject to a S106, legal agreement the offer of affordable housing meets policy requirements.

In terms of housing mix, the proposal seeks to provide 10x 3-bedroom houses and 40x 1 and 2 bedroom flats. Policy H6 of the Local Plan states that for developments of this size a minimum of 50 percent of the units should be 1 or 2 bed units. In this instance 80 percent of the units proposed are 1 or 2 bed units in accordance with this Local Plan Policy.

#### Design and character of the area

Following the comments received from the Design Officer, which are outlined earlier in the report, there is no objection to the demolition of the existing buildings on the site and it is considered that the design proposed has been informed by the context of the surrounding area, with a post-modern elevational treatment adopted which has given consideration to the existing architecture in this post-modern estate, with the detailing in keeping with the local distinctiveness of the area. However, conditions are needed, requiring further balcony details, brick relief details, window and eave and roof profile details to ensure that the development contributes to its location. The pedestrian permeability through to Evelyn Walk is positive, and the scale and density proposed is acceptable, with the greatest scale being located at a key corner, close to the tower block in Gibraltar Close, with the scale reducing to 2 storey dwellings close to The Gables which has a lower established scale.

It is noted that the neighbour concerns raised include the scale of the development, particularly the four storey element. However, this scale would create a 'landmark' to the development and the scale has been carefully considered to reflect the character of the area. There are other examples of flats in the area, apart for Gibraltar House, including a three storey, flat roofed buildings in Wilmot Green. As such the scale of this development is acceptable and no objection is raised in terms of the design. It is considered that this development would enhance the character and appearance of the area. No objection is therefore raised in terms of Chapter 7 of the NPPF and Policies CP1(i) and CP1(iii) of the Local Plan.

## Residential amenity

In terms of overlooking and loss of privacy, the 10 houses proposed back on to The Gables, however, the rear walls of the dwellings would be located in excess of 15m from the rear boundaries of the sites with an eye-to-eye distance of a minimum of some 23m. At this separation, it is not considered that proposed dwellings would result in any undue harm to the residents of The Gables in terms of material overlooking or loss of privacy.

Given the isolation space between the flats fronting Essex Way and the houses opposite in Greenfields Close, it is not considered that the proposal would result in any undue overlooking or loss of privacy to these residents. It is also noted that these existing dwellings do not front Essex Way and have no flank windows facing the development site.

Similarly, given the distance between the proposed dwellings and their locations in comparison to the existing dwellings in Evelyn Walk, it is not considered that the proposal would result in material harm to the residential amenity of the occupiers of the dwellings in Evelyn Walk in terms of overlooking or loss of privacy.

The 'FOG' units (flats over garage units) proposed would be located fairly close to 1-5 Gibraltar Close. However, the rear windows have been designed to be high level windows, with 2 of the 4 first floor rear windows to be obscure glazed. As such, it is not considered that these windows would cause any material harm to the occupiers of the dwellings in Gibraltar Close in terms of overlooking or loss of privacy. Given the isolation spaces between the main block of flats and the dwellings in Gibraltar Close, it is not considered that the proposal would result in significant or demonstrable overlooking or loss of privacy to the existing occupiers.

It is also noted that having windows overlooking areas such as Evelyn Walk and Greenfield Close will increase natural surveillance in the area which is positive for crime prevention. However, this natural surveillance would not result in any material overlooking or loss of privacy.

The proposed units have been designed in a manner that would not result in material overlooking between the units proposed.

In terms of dominance and an overbearing effect, the layout of the development has been carefully considered in relation to the existing dwellings, with the built form proposed located a minimum of some 11m from the existing dwellings. The proposed 4 storey element is located adjacent to garages in Gibraltar Close, with the part of the development that directly backs onto the dwellings being two storey in nature (the FOG units). It is therefore considered that the proposal would not result in any material harm to the existing residents in terms of dominance and an overbearing impact.

It is noted that some neighbours have raised concerns about the proposal resulting in loss of daylight. However, this application has been submitted with a sunlight and daylight report which considers the impact of the proposed development on the existing dwellings in Gibraltar Close and concludes that all window casements to the existing dwellings are well in excess of the good practice figure of 80% of the pre-development values with any change being minimal and unnoticeable to the human eye with the garden areas exceeding the best practice significantly pre and post development. As such, it is not considered that the proposal would result in any material harm to the residential amenity of the adjoining residents in terms of loss of light or outlook. No objection is therefore raised on this basis.

In terms of noise and disturbance, whilst it is noted that there have been some neighbour concerns raised in this regard, given that the area is already largely residential in area and given the previous use of the site it is not considered that the proposal would result in any significant or demonstrable harm in this regard. Whilst parking is proposed close to the boundaries of the site, the existing site has large areas of parking within and close to the boundaries. As such it is not considered that this proposal would result in material increases in vehicle or other noise over and above that of the existing development. It should also be noted that the Environmental Health Officer (EHO) has raised no objection to the proposal.

#### Living conditions

The 3-bedroom houses proposed are provided with between 65-106 sq. m of private amenity space, some flats have balconies between 5-12 sq. m and there are some small areas of open space within the site. As such, the proposal provides limited outside amenity space for the occupiers of this development. However, the site is located close to existing public open space and existing areas of children's play equipment. As such, subject to a S106 contribution towards these existing areas of public open space and play equipment to compensate for the increased demands that will be placed on these areas as a result of this development, no objection is raised on this basis.

In terms of the sizes of the units, some of the flats proposed are slightly below the minimum size required by the DCLG technical housing standards, however, this document has not been formally adopted by the Council and it is considered that the size of the dwellings hereby proposed would be adequate and would provide adequate living conditions for any future occupiers of the site.

All habitable rooms will be provided with windows to provide light ventilation and outlook, with most flats having dual outlook which is positive. The daylight and sunlight report submitted indicates that whilst some of the rooms as a result of this development would be provided with slightly less light than usually expected, this is largely due to the provision of balconies and has been mitigated with the use of large Juliette balcony doors. The report concludes that overall the daylight provision on a site-wide basis meets good practice and is therefore acceptable.

No objection is therefore raised on this basis in terms of the fourth bullet point of paragraph 17 of the NPPF.

An environmental impact assessment has been submitted with this application which comments that a potential contamination source and pathways to potential receptors have been identified, which, although the risk posed to end users is considered to be generally low, it would be prudent to undertake a post-demolition site investigation. A remediation method statement should be produced to detail remedial procedures to reduce the risk from contamination to end users. As such, subject to the conditions recommended by the Environmental Health Officer in this regard, no objection is therefore raised on this basis.

#### Parking and highway considerations

In terms of parking, a total of 84 parking spaces are to be provided as part of this development, 2 powered-two-wheeler spaces are to be provided and each unit will be provided with 1 cycle parking space. The 3-bedroom dwellings will be provided with two parking spaces per unit with the 1 bed-flats provided with 1 space per unit and the market 2-bed flats provided with 2 allocated parking spaces. The 2-bed affordable flats will only be provided with 1 parking spaces. However, a further 8 visitor spaces will be provided on the site.

The information provided in the Transport statement submitted indicated that the development is deficient in 9 parking spaces for the two-bed affordable units and has a deficiency of 5 visitor parking spaces. As such, in total the development has 14 spaces less than the parking standard would require.

A new vehicle access will be provided from the north of the site and a pedestrian access into Evelyn Walk will be provided. A 43m visibility splay will be provided onto Essex Way.

The Transport Statement submitted indicates that the proposal will result in additional AM and PM peak period trips compared with the extant education use. However, the site access and Essex Way have ample capacity to accommodate the proposals. The junction of The Drive/Essex Way has sufficient capacity to accommodate the proposed development in the future and the development proposals can be accommodated on the highway network without increasing delay for other road users.

The application has also been submitted with an appraisal of parking provisions document which comments that whilst the development is 14 car parking spaces short, car ownership in Warley is lower than the average across the county, with car ownership within the immediate vicinity of the site lower again with only 0.91 cars per household compared to an average of 1.37 across Essex. Within this development it is proposed to provide 84 parking spaces which equates to an average car ownership level of 1.68 cars per household. Census data also shows that car ownership amongst occupiers of flats is normally lower than for houses and that car ownership amongst occupiers of affordable units is lower than for private market housing. Affordable housing in the Warley area typically have a car ownership level of approximately 60 percent of private housing. As such the parking appraisal concludes that the provision of 84 parking spaces is ample to accommodate the expected demand. It is also noted that the site is accessible by walking and public transport, and a residential travel pack will be issued to each household upon first occupation to promote sustainable transport.

In terms of parking and highway considerations, the Highway Authority have been consulted on this application. The Highway Authority comment that from a highway and transportation perspective the development is acceptable subject to conditions. The conditions recommended include the provision of a construction method statement (CMS), however a CMS has already been submitted with this application. In this regard the Highway Authority has subsequently commented that the submitted CMS is acceptable. No objection is therefore raised on this basis and no such condition is therefore needed in this regard.

Other conditions that are necessary and reasonable that have been recommended by the Highway Authority include that the development should not be occupied until the parking area has been surfaced and marked out in parking bays, that the powered two wheeler and cycle parking must be provided prior to occupation, and shall be constructed in accordance with the parking standards, that there should be no discharge of surface water onto the highway and that the visibility splays should be provided.

The Highway Authority have also requested a condition be imposed that requires the headroom to the parking courts require a minimum of 2.1m. However, the submitted plans indicate that parking court access and undercroft parking areas exceed 2.1m in height (around 2.5m) and as such, such a condition is not required in this instance. This is also the case for the condition recommended by the Highway Authority in terms of the bay sizes of the parking spaces.

The Highway Authority have requested travel information packs which the applicant states in the submission will be provided to encourage sustainable transport. To further encourage sustainable transport, the Highway Authority require the developer to install a real time passenger information facility at the nearby bus stop. Subject to such a condition, no objection is raised on this basis.

As such, whilst it is noted that the proposal provides 14 parking spaces less than the parking standards require, given the information submitted, the sustainable location of the site and the Highway Authority comments, whilst it is noted that parking is problematic in the area, it is not considered that this proposal would result in any significant harm to highway safety as a result of this small under-provision of parking. Subject to the appropriate conditions as outlined by the Highway Authority above, whilst the neighbour concerns are noted, no objection is raised on this basis.

#### Flooding and drainage

The application was originally submitted with a Drainage Statement Report (ref. 150235/TG/PH Rev.1.4). However, ECC LLFA (Essex County Council Lead Local Flood Authority) originally raised concerns regarding the development and objected to the proposal, commenting that the surface water drainage strategy was inadequate. Following receipt of these comments, the applicant submitted a revised drainage statement report (ref. 150235/TG/PH Rev. 1.5).

The revised drainage report indicates that various methods to control surface water peak flows at the source will be utilised to reduce the overall peak demand on the existing sewer network to alleviate direct discharge of surface water to the sewers and watercourse. This proposal seeks to utilise a combination of concrete pipes and manholes and privately maintained permeable pavements and cellular tanks within the communal areas.

Following submission of this revised drainage statement report, the ECC LLFA have now raised no objection to the proposal, subject to conditions. Subject to the conditions recommended no objection is therefore raised on this basis.

#### Trees, landscaping and ecology

In terms of trees and landscaping, the application has been submitted with a landscape masterplan and an arboricultural impact assessment. There are 2 trees on the site that are protected by a Tree Preservation Order. The existing site benefits from trees and vegetation mainly located on the boundaries of the site.

As part of this proposal it is sought to retain but carry out some pruning works to the two protected trees on the northern boundary and to remove the trees and bund adjacent to The Gables, although new planting will be subsequently undertaken on this boundary. Some trees on the southern boundary with Evelyn Walk will also be removed and the eastern boundary trees are to be removed and replaced. However, the arboricultural report submitted indicates that the trees to be removed have low to moderate amenity value only. The trees that are to be retained will be protected during construction and any new hardstandings and boundary walls within the root protection areas (RPAs) will be carefully designed and constructed.



New planting proposed includes a formal 1.5m high beech hedge on the western boundary adjacent to The Gables, a row of conifer and deciduous trees on the eastern boundary, with ornamental and new planting within the site. The developer will also be providing a S106 contribution for off-site tree planting, given that some trees on the north-eastern corner of the site will be lost as a result of this development.

The Council's Tree Officer has commented that the arboricultural and landscape details will maintain and improve the planted component of the development. No objection is therefore raised on this basis. Details of the hard and soft landscaping are included in the Design and Access Statement, subject to a condition requiring the development to be constructed in accordance with these details no further landscaping conditions are required.

In terms of ecology, the application has been submitted with a habitat survey, which concludes that the proposal is unlikely to affect any designated sites and recommends that whilst the proposal will not harm or require any further surreys for invertebrates, amphibians, badgers, otters, water voles or white clawed crayfish and that it is not anticipated that any other legally protected species will be impacted by this development, that a reptile and a bat survey are required. The habitat survey also recommends that vegetation clearance occurs outside the bird nesting season or if not possible, an ecologist will need to check for nesting birds prior to clearance.

As a result of this ecology survey, this application has been submitted with a bat and a reptile survey.

The bat survey submitted concludes that no bat roosts were recorded and it is unlikely that bats are roosting on the site and the development is unlikely to result in the loss of any bat roosts. Bat foraging activity on the site was very low and the site is not of significant importance to local bat populations. However, the report recommends some mitigation measures such as through landscaping and provision on bat boxes and minimise levels of artificial light. In terms of reptiles, the reptile survey submitted concludes that no reptiles were discovered during the surveys undertaken.

The Essex Badger Group has commented that there are no details of badger setts or activities within the site, but comments that a badger survey should be undertaken on this site. However, the ecology report found no evidence of badgers on the site, such as footprints, latrines, hairs or snuffle holes. There was no evidence of badgers accessing the site along any of the boundaries and no badger setts present or immediately adjacent to the site. As such, it is not necessary to require the applicant to undertake a badger survey for this site.

Subject to a condition requiring the development to be completed in accordance with the ecology, bat and reptile surveys submitted no objection is therefore raised on this basis.

## S106 planning obligations

The Planning Statement submitted indicates that S106 contributions will include the affordable housing provision, a contribution towards the nearby play spaces, a contribution towards the planting of trees within the vicinity of the site and a contribution towards highways works in the vicinity of the site. In this case, the Highway works can be secured by condition, as such, subject to a S106 agreement requiring the necessary contributions for affordable housing, open space and off-site tree planting it is considered that the relevant policy and infrastructure requirements will be met. In terms of open space and play equipment, S106 discussions are still ongoing with the developer yet to agree the exact amounts to be paid in this regard to the Council and it is therefore recommended that the sum to be agreed is delegated to the Head of Planning subject to a resolution for approval.

## Other matters

The majority of the neighbour comments received and the comments from the Ward Cllr have already been considered including; density, height and design, residential amenity consideration and parking and highway safety considerations. In terms of concerns raised about light pollution, given the existing developed nature of the surrounding area, it is not considered that any light pollution caused as a result of this development would be material. The sustainability statement submitted also indicates that the whole scheme will be designed to reduce light pollution. In terms of concerns about air pollution, the EHO has raised no objection on this basis. In terms of the money the Council will receive from this site and what this will be spent on, this is not a material planning consideration and is a matter for the asset department/Council, rather than the Local Planning Authority. With regard to the Cllr's comments that the area should be made a residents parking area, this would be a matter for the Highway Authority and cannot be a condition of this development.

## Conclusion

This proposal will result in the redevelopment of a redundant, brownfield site in a residential, sustainable area. The provision of 50 units on the site, including a large number of smaller sized units (1 and 2 bed apartments) and a provision of 36% affordable housing on-site will help to boost the supply of market and affordable housing in the Borough. The development constitutes sustainable development and subject to conditions and a S106 legal agreement, the application is recommended for approval, in accordance with the NPPF's presumption in favour of sustainable development.

## 7. Recommendation

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

### 1 U11810

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

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

### 2 U11811

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

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

### 3 U11906

No development above ground level shall take place until samples of the buff coloured brick to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

### 4 U11812

The development shall be finished in Hanson blue smooth with coloured mortar to match with a bucket joint and the approved buff brick as per condition 3 above, with coloured mortar to match with a bucket joint, metal profile roofing panels and grey UPVC or metal windows only as shown on drawing number 8128/06 without the further formal consent of the Local Planning Authority

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

### 5 U11813

Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), and with the exception of those approved as part of this permission, no walls, fences or other means of enclosure shall be erected within the application site.

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

6 U11814

Aside from those indicated on the approved drawings, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows, glazed doors or rooflights shall be constructed without the prior grant of specific planning permission by the local planning authority.

Reason: To safeguard the living conditions of the occupiers of neighbouring dwellings.

7 U11815

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

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

8 U11816

In view of the report produced by Geosphere Environmental Ltd; a remediation scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to the Local Planning Authority for approval prior to the commencement of any development of the site. The agreed remediation scheme will be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any other part of this planning permission (unless the scheme or parts of it require commencement of other parts of the permission). Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers. A signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the conditions above.

Reason: In the interest of the living conditions of the future occupiers of the site. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

9 U11817

Should contamination be found that was not previously identified during any stage of the application hereby approved or not considered in the remediation scheme that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed and a separate remediation scheme shall be submitted for approval by the Local Planning Authority. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

Reason: In the interest of the living conditions of the future occupiers of the site. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

10U11819

The development hereby permitted shall not be carried out except in complete accordance with the construction method statement submitted with this application, without the further formal consent of the local planning authority.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt and in the interest of the residential amenity of the adjoining residents.

11U11820

The development hereby approved shall not be occupied until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the local planning authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

12U11821

The cycle parking facilities as shown on the approved plans for the proposed flats are to be provided prior to the first occupation of the development and retained at all times without the further formal consent of the local planning authority.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity and to encourage sustainable transport choices.

13 U11822

Cycle parking facilities for the proposed houses shall be provided in accordance with the EPOA Parking Standards. The approved facilities shall be secure, convenient, covered and provided prior to occupation and retained at all time without the further formal consent of the local planning authority.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity and to encourage sustainable transport choices.

14 U11823

The powered two wheeler parking facilities as shown on the approved plans are to be provided prior to the first occupation of the development and retained at all times without the further formal consent of the local planning authority.

Reason: To ensure appropriate powered two wheeler parking is provided in the interest of highway safety.

15 U11824

Prior to commencement of the development, excluding demolition and enabling works, the site access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the compass point in each direction, as measured from and along the nearside edge of the carriageway as per drawing number C700 Rev P1. Such vehicular visibility splays shall be provided before the site access is first used by vehicular traffic and retained free of any obstruction at all times.

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

16 U11825

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.

17 U11826

The development hereby approved shall not be occupied until the developer has provided a Real Time Passenger Information facility at the nearby northbound bus stop on The Drive, the details of which shall be submitted to and approved in writing by the local planning authority prior to its installation.

Reason: To encourage trips by public transport in the interest of accessibility and sustainability.

18U11827

Prior to occupation of the development hereby approved, the Developer shall be responsible for the provision of a Residential Travel Information Pack for sustainable transport to include six one day travel vouchers for use with the relevant local public transport operator, the details of which shall be submitted to and approved in writing by the local planning authority prior the occupation of any of the units.

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

19U11828

No development excluding demolition and enabling works, shall take place until a detailed surface water drainage scheme for the site, based on the approved surface water drainage strategy, sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

20U11829

No development excluding demolition and enabling works, shall take place until further ground investigation has taken place, during winter months (between December and April), to demonstrate that ground water levels do not pose a significant risk to the development. Following ground investigation, if necessary, a scheme for appropriate mitigation of ground water flood risk should be submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved prior to occupation.

Reason: To mitigate against groundwater flooding by ensuring that sufficient information is in place to fully understand the risk associated with the development. This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

21U11830

The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate against increased flood risk to the surrounding area during construction therefore, there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

This issue is fundamental to the development hereby permitted and the application as submitted provides insufficient information to demonstrate that the proposal would not be unacceptably harmful in this regard. In the absence of a condition requiring the approval of these matters before the commencement of the development it would have been necessary to refuse planning permission.

22U11831

Prior to the occupation of the development the applicant must submit to and have approved in writing, a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies to the Local Planning Authority.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

23U11832

The adopting body responsible for maintenance of the surface water drainage system must record yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.



24U11833

The replacement trees to be planted on the eastern boundary adjacent to the dwellings in Gibraltar Close shall be planted within 1 month of the removal of the existing trees, unless formally agreed by the further formal consent of the local planning authority.

Reason: In the interests of the character and appearance of the area and the residential amenity of adjoining residents.

25U11834

The development hereby permitted shall not be carried out except in complete accordance with the recommendations of the ecology, reptile and bat survey and arboricultural impact assessment submitted, without the further formal consent of the local planning authority.

Reason: In the interests of ecology and biodiversity and the visual amenity of the area.

26U11835

Additional drawings that show details of proposed windows, eaves and roof profiles, balconies and brick relief detail to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved by the Local Planning Authority in writing prior to their installation. The development shall be carried out in strict accordance with the approved details.

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

27U11836

The development hereby permitted shall not be carried out except in complete accordance with the hard and soft landscaping details included within this submission, including those submitted within the Design and Access Statement, without the further formal consent of the local planning authority.

Reason: In the interests of the visual amenity of the area.

28U11873

No development above ground level shall take place until sample panels of both bricks proposed of no more than 500mm in height have been erected on site to show areas of the new, exterior walling and have been approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

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

## Informative(s)

### 1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: LT8, H14, H6, H9, CP1, T2, C7 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 U02760

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](mailto:development.management@essexhighways.org) or by post to: SMO3 - Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex CM13 3HD.

## *BACKGROUND DOCUMENTS*

## **DECIDED:**