

SITE PLAN ATTACHED

**05. LAND ADJACENT TO THE NEW FOLLY BELL MEAD INGATESTONE ESSEX
CONSTRUCTION OF 16 APARTMENTS WITH ASSOCIATED PARKING,
COMMUNITY PARKING SPACES, ACCESS, AND LANDSCAPING.**

APPLICATION NO: 15/00710/FUL

WARD	Ingatestone, Fryerning & Mountnessing	8/13 WEEK DATE	19.08.2015
PARISH	Ingatestone & Fryerning	POLICIES	NPPF NPPG CP1 CP2 H9 H14 H16 C5 C14
CASE OFFICER	Caroline McCaffrey	01277 312500	
Drawing no(s) relevant to this decision:	803-PL-002 /R; FLOOD RISK ASSESSMENT ADDENDUM A /B; 803-PL-001 /C; LS4325 /2; PR038-01 /F; PR038- 02 /D; EXTENDED PHASE 1 HABITAT SURVEY ; BAT SURVEY ; HERITAGE STATEMENT ; PLANNING STATEMENT ; TRANSPORT STATEMENT ; DESIGN AND ACCESS STATEMENT ; FLOOD RISK & DRAINAGE ASSESSMENT ; DFC P 2799 ; DFC P2799 TSP /A; 803- PL-005 ; 803-PL-007 /D; 803-PL-008 /D; 803-PL-009 /A; 803-PL-010 /A; DFC P 2799 TRP /A; DFC P 2799 TPP /C; ARBORICULTURAL IMPACT ASSESSMENT /C; 803-PL- 011 /D; 803-PL-006 /E; 803-PL-013 /C;		

1. Proposals

The site is a rectangular shaped parcel of land located at the southern most part of 'Bell Mead' accessed from Ingatestone High Street, and within the Ingatestone Conservation Area. Immediately to the east boundary is the residential development Summerfield, a collection of predominantly two and three storey blocks of flats. To the south west lies Post Office Road, a private road consisting of detached houses in generous plots with gardens abutting land to the rear of the former Crown Public House.

A watercourse borders the site along the west and south boundaries. To the south is a pocket of shrubland, a public footpath and Fairfield public open space.

The site is currently undeveloped and is covered with mature trees, bushes and vegetation. The land slopes downwards from the High Street towards the south of the site and the gradient decreases from west to east. The proposal would result in the site being cleared from nearly all of the trees and shrubs and full permission is sought for two blocks of 3 storey flats.

The north block would provide 10 units with two separate entrance halls at ground floor. 2 ground floor flats have direct access into garden areas, flats 4, 5, 8, 9 and 10 have balconies or terrace balconies.

The southern block provides 6 units of accommodation with a communal entry point for 5 of the flats and a front door area to flat 11. Balcony areas are provided at first and second floor single point of entry.

Cycle and bin stores are proposed and 21 on-site parking spaces are provided.

A 12 space 'community' car park is proposed immediately adjacent to the northern boundary. To the south, it is proposed to provide a footbridge over the watercourse to the south and a simple pathway through the pocket of shrubland to the public footpath that leads to the railway station.

The application is accompanied by a planning statement, a design and access statement, flood risk assessment, extended phase 1 habitat survey, bat survey, Transport statement, arboricultural method statement and heritage statement. The proposal has been revised since submission to respond to some consultee comments eg provision of foot bridge to the south, revised landscaping scheme; since the withdrawn application the built form to the south has been redesigned as flat rather than the town houses. The north block has not significantly altered since the withdrawn application.

The Committee should be aware that at the time the application was submitted the land owner was Brentwood Borough Council and this is still the case.

2. Policy Context

National Planning Policy Framework (the Framework)
Planning Practice Guidance (PPG)

CP1	General Development Criteria
CP2	New Development and Sustainable Transport Choices
H9	Affordable Housing
H14	Housing Density
H16	Lifetime Homes
C5	Retention and provision of landscaping and natural features in development
C14	New Development affecting Conservation Areas

2. Relevant History

- 15/00008/FUL: - application for 10 flats and 4 three storey dwellings withdrawn by applicant
- 87/00346/OUT: - outline application for 23 flats. Refused on grounds of being outside area allocated for development, lack of information to demonstrate protection of neighbouring/local amenity

4. Neighbour Responses

20 representations were received (several duplicated addresses) and can be summarised as follows:

- Buildings are of an unacceptable scale and massing for the village
- Overbearing, intrusive and visually dominant buildings
- Height of the buildings is excessive
- Unacceptable design of the roof which is not in keeping with other roofs
- Inadequate parking provision on site
- Increased likelihood of flooding to nearby properties from the stream due to inadequate control of additional run off
- Proposed control of additional runoff is inadequate
- More trees should be retained , landscaping proposals are unacceptable
- Damage to wildlife will be extreme
- Balconies and terraces will overlook and impact on privacy
- Infrastructure already overstretches (doctors, schools/nurseries, sewerage) additional dwellings in a small area is inappropriate and will put pressure on these facilities further
- Drawings showing sections are misleading
- Boundary between Summerfield Estate and site does not appear to be sufficient to prevent inappropriate access to Summerfield Estate

5. Consultation Responses

- **Highway Authority-**
The Highway Authority objected to the previous application, and having considered the revised proposal and given the location which has good access to frequent, extensive public transport and the existence of on-street waiting restrictions around the site, it does not object to this application, subject to conditions requiring a construction method statement, a new pedestrian route from the main site access continuing south to Footpath no. 38 and Ingatestone Train Station as shown on the Parking Plan contained within the Design and Access Statement, no discharge of surface water on the Highway.
- **Essex & Suffolk Water-**
The Company have no objection to the proposed development.

- **Anglian Water Services Ltd-**

Wastewater Treatment

The foul drainage from this development is in the catchment of Ingatestone Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network

The sewerage system has available capacity for these flows.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then as a last option connection to a sewer.

The surface water strategy/flood risk assessment submitted with the application is unacceptable to Anglian Water as a final surface water discharge point is not clear. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

Anglian Water therefore request a condition covering a surface water management strategy.

- **Historic Buildings and Conservation Officer-**

The site has historical significance; its trees, foliage and stream (from which the name derives *Bell-Mead*) contribute to the character of the Ingatestone High Street Conservation Area.

This submission follows the withdrawn scheme (application ref: 15/00008/FUL).

In conservation terms I remain concerned for the loss of the verdant quality of this site overall; the removal of trees should be carefully considered. When viewed from the High Street, which is the principal route through the Conservation Area, only the tops of trees can be viewed, mainly due to the change in levels but also because of the hoardings, but the quality of the space is clearly apparent at the south of the site, where there are no hoardings erected.

The design has not been led by retention of existing vegetation— in this regard the arboricultural officer's advice on the removal of vegetation and the new proposal landscaping proposals will be important.

In terms of design I advise the applicant has sought to address concerns highlighted in respect of the previously withdrawn scheme; for example, it is evident the spread of development at the south of the site has been reduced facilitating some increased visual permeability, this has also facilitated limited retention of the existing landscape. It should be noted that whilst the footprint has been reduced, the massing remains substantial to accommodate units over three storeys, but the placement of the massing has considered the adjacent developments. Consequently the dominance of the previous scheme has diminished to an acceptable level under these proposals, in particular the impact upon the neighbouring development of Summerfield and Post Office Road at the south of the site.

In terms of the architectural narrative I advise the contemporary language has validity but is subject to the quality of materials and the finesse of detailing for fenestration. There are no details within this submission to comment further in this regard. Submission of materials can be required by planning condition if permission is granted.

It is positive the boundary treatments have been amended to incorporate knee rails at the south of the site as opposed to close boarded fencing.

Linkage through the Conservation Area would be a benefit in the development of this site and incorporating this method of pedestrian transition is welcomed.

Summary

Consequently I advise these current proposals have in part addressed my previous concerns and subject to the landscaping proposals being accepted and the implementation of the footbridge at the south of the site I have no further objections on Design and Conservation Grounds.

Conditions of planning should include materials, details, landscaping and boundary treatments to be agreed to ensure the development respects its location within the historic core of the settlement of Ingatestone.

- **Arboriculturalist-**

The land at Bellmead is currently occupied with trees and shrub of poor individual worth but which collectively contribute to the overall environment . These will continue to develop as an ecological asset only if the area is retained intact, selecting individuals for retention will do nothing for those trees or the wildlife that the area currently supports. No trees are suitable for individual preservation. There is no category of TPO that could be employed to give protection to the shrub species. The applicant has recognized the screen potential of one group in the

south west corner where it relates to the retained offsite copse and this is to be retained.

No landscape planting, post development, could replace or replicate the existing nature nor screen potential of the site and should elements be retained these would also be ineffective in screening built development, as a result of the way the trees have grown in a closed canopy; lower branching is poor and would require removal. New planting will grow with the age of the development and provide some long term screen which softens the effect in the public perception.

With the foregoing in mind a landscape strategy was suggested that removes all existing vegetation and creates a new soft landscape with an identity that relates to the town centre aspect . The suggested theme is a sensory one that complements the built development with visual and olfactory interest, with specimens suited to the urban nature of the site.

The new planting strategy which relies on a golden/yellow visual theme with strategic climber and ground cover and tree planting creates an urban environment with its own identity related to the town centre and the open nature of the car parking/ public house but with a strong individual theme. The bridge is a link to the less urban features of the offsite land, which would define the limits of the town centre, to which this development naturally relates.

- **Natural England-**

Natural England has no comments to make regarding this application.

- **Housing Services Manager-**

No response received

- **County Archaeologist-**

Recommendation: Condition requiring full programme of archaeological work to be carried out prior to any groundwork or development.

- **Schools, Children Families Directorate-**

No S106 contribution for education is requested (Note: we have a 20 unit or more threshold before we require contributions).

- **ECC Drainage**

Whilst this a major planning application, the impermeable area is only a small area at 0.154ha. The size of the development should have negligible impact on surface water and therefore we will not be commenting on surface water management scheme at this site.

Any new development should comply with 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.

The watercourse forming the development sites western boundary has Main River designation and is under the jurisdiction of the Environment Agency. Therefore any development within 9.0m of the top of the bank will require permission from the Environment Agency under a Flood Defence Consent.

- **Parish Council (Ingatestone & Fryerning) -**

(abridged from all responses):

As a result of further discussions with the Developers it would seem they are now prepared to provide the additional 12 car parking spaces and the footpath connecting to Footpath 38 to the Railway Station. The Parish Council requires confirmation that this path will be lit (by the Developer).

This being the case, our comments on two issues appear to have been satisfied. However, the following Items still represent the Parish Council's concerns and as such we still object to this planning application for these reasons.

Drainage Issues.

Concerns have been expressed by residents in the immediate area that flooding will occur more often when run off from the development is diverted into the brook, as is being proposed. We understand that already occasional flooding occurs in adjacent gardens. In addition when the new sewage pipe is laid steps should be taken to ensure that effluent overflow which we understand is currently experienced at times in some of the properties within The Paddocks is also resolved.

We understand that the Lead local Flood Authority's recommendations (who became a statutory consultee to planning applications of developments exceeding 10 dwellings on the 15th of April 2015) will ensure that the latest proposals by the Developer are able to cope with the additional demand of the development whilst not compounding the problems that already exist. If this cannot be achieved then the application should be refused.

Bulk and Mass

Block A - Revised plan of Block A looks to have retained the same bulk and mass with identical elevations to previous application 15/00008/FUL.

The Parish Council continues to believe that the building containing 10 flats is very large in relation to the size of the site. As a result of its size, height and bulk it will have an overbearing impact on the adjacent flats in the West Court of Summerfield to the detriment of its residents. The roof design in particular is not conducive with other flats and properties in the immediate area.

Block B - The Parish Council notes the reduction in bulk and mass of the second block of flats which replace the originally proposed town houses.

The Boundaries of the Development

Clarification of the developer's proposals for the boundary treatment in new Block A development and Summerfield is required. Currently a wall to protect the property at Summerfield exists and this acts as a barrier between it and the development site. We have been informed that this wall does not have the strength to bear further load. Clarification as to the meaning of the reference word "above" shown on Drawing Number PRO38-01 Rev B is sought and the drawing should be altered to more specifically show the boundary proposals.

Residents Parking Spaces

The lack of a sufficient number of parking spaces for the residents of this proposed development will put even more strain on the very limited parking facilities in this area. Residents may well live close to the Railway Station but will still be car owners as will their visitors.

National and Local Development Plans

The Parish Council welcomes the provision of new homes and, in particular, the construction of "affordable" properties in this location but only if the objections stated above can be overcome by a more considered layout which reflects.

6. Summary of Issues

Principle of development

The starting point for determining a planning application is the development plan. The application must be determined in accordance with the development plan unless material considerations indicate otherwise.

National policy seeks to direct development into built up areas in order to protect undeveloped land elsewhere. The site lies within a built up area of Ingatestone, outside of the Metropolitan Green Belt, and the development of this land is therefore acceptable in principle.

Local Plan policy CP1 (General Development criteria) is supportive of development proposals provided they protect the character and appearance of the area, protect the amenities of neighbours, are of a high standard of design and have satisfactory access and parking and can be accommodated by local highway infrastructure.

LP Policy C14 (Development Affecting Conservation Areas) expects new development to at least preserve the character and appearance of the area. Although adopted some time before the National Planning Policy Framework, these policies are nevertheless considered to be compliant with its objectives and core principles.

Character and appearance

The land currently forms a green backdrop to the Conservation area, and both the Heritage Statement provided by the applicant and the Council's Historic Buildings Conservation & Design Consultant draw attention to the limited views afforded into the site from the High Street, in part because of the existing hoarding but also the change in levels. The site is more readily visible from the south and would abut a small pocket of wooded and shrub land along the southern boundary. The undeveloped nature of the site currently makes it an important contribution to the Conservation Area.

The immediate surrounding context takes in the Summerfield estate to the east; the land levels here are slightly higher than the application site by varying degrees between 280mm and 850 mm, the difference is most significant at the northern end with a difference of about 360mm in the middle of the eastern boundary and 280mm by the southern end. The parking area and eastern edges of the new building would be slightly set into the ground. Summerfield is a mix of two and three storey blocks of flats of no particular architectural merit built in the mid 1980s. Further to the south, adjacent to Fairfield recreation ground is an imposing 3 storey block of flats, set back from the public footpath and in the most part, screened by soft landscaping.

On the west boundary lies a vacant plot of land located to the rear of the former Crown public house, which although land locked, has a recently expired planning permission for 5 new dwellings (ref 11/01109/EXT). To the south and west are the rear gardens of houses along the north side of Post Office Road.

Both new buildings are indicated as being up to 12 m high with the eaves at 7m, but the effect of this would be mitigated by the well articulated effect which would arise from a combination of projecting and stepping back elements, varied finishes and pitched roofs, providing relief to the overall massing in levels. The north building has been designed with a flat 'top hat' element. Although not characteristic of surrounding buildings, it is of a style and form in keeping with the overall design of the development.

The weight of built form is proposed to the east of the site. The Doctors Surgery building has a much lower visual mass, but the intervening parking and landscaping means that the proposed layout would not introduce incongruous massing at this point, but rather be contextually appropriate to the Summerfield development.

To the west of the development site, which is adjacent to the domestic scale dwellings of Post Office Road, there is relief from built form facilitated by landscaping and the pedestrian permeability which leads to the undeveloped area to the south of the site accessed by a new footbridge.

The design is clearly of a contemporary nature and does not reflect the historical local vernacular, but on its own merits is considered to be of 'good design', and the scale and massing is reflective of the immediate context of the site to the east and south boundary. The inclusion of the footbridge connection to the south of the site and urban landscaping scheme will enhance the public space. On balance, it is considered that the proposed development would at least preserve the character or appearance of the Conservation Area and would not be visually unacceptable in its context. This would meet the relevant criteria of Local Plan policies CP1 and C14 and meet the objectives of the Framework that seek to promote or reinforce local distinctiveness but not stifle innovative or original design.

Heritage Asset

Having regard to paragraphs 134 of the Framework, the Heritage Asset in this context is the Conservation Area; it is considered that any harm arising from the development would be less than substantial to its significance and that the wider public benefits would outweigh that harm.

Density and housing Mix

RLP policy H14 makes reference to the need for higher densities within town and district centres. The main body of the site has an area of approximately 0.25 hectares which would equate to 64 dph (16 / 0.25). This is a reasonable density for an urban site within a built up area. The units are entirely one and two bedroom units and this would meet the requirements of RLP policy H6.

Living conditions of the occupiers of the dwellings

All the one bedroom flats would have a minimum gross internal floor area of 40sqm for one bedroom flats and 52sqm for two bedroom flats in line with the guidance set out in appendix 5 of the Brentwood Replacement local plan and the nationally described space standard (DCLG 2015). The majority of the flats will have access to either a garden area or have their own balcony or sitting out area. The town centre location and nearby Fairfield public open space would negate the requirement for further private amenity space. There would be no unacceptable inter-overlooking into private habitable space.

Effect on neighbours living conditions

Letters of objections have been received regarding the impact of the development on living conditions from residents of Post Office Road. These refer to the buildings having an overbearing effect, loss of a view, loss of privacy and loss of light. Objections from the Summerfield Management company relate to structures being placed on top of the boundary wall (which has now been amended) and the buildings having a detrimental impact on the general amenity of the area.

Post Office Road:

The new buildings would be sufficient distance, positioned at an angle from the neighbouring houses and gardens and have an orientation relative to the path of the sun to prevent them from having an overbearing effect or result in a loss of light or overshadowing. The alignment of windows on first and second floor flank elevations would not result in any direct or unacceptable overlooking into residential properties or private amenity areas.

There is one balcony on the first floor west elevation of the south building; one on the south elevation at second floor, and a terrace on the first floor north elevation. The distance between the balcony and foot of the rear garden is around 20m and 30m to the rear elevation of 19 Post Office Road. This distance, together with trees indicated to be retained along the boundary would ensure that there would be no material loss of privacy by overlooking to the occupiers of No. 19. The other terraces and balconies are either too far away and /or are angled in such a way so as not to result in direct or overlooking into private amenity space.

At present, the occupiers of the houses on the north side of Post Office Road have views over the vacant land to the rear of the Crown Public House to the site; beyond the site, the buildings within the Summerfield Estate rise significantly in the hinterground. A 'right to a view' is not a material planning consideration and this objection is considered on the basis of any harm which could be caused by an overbearing development rather than in the sense of a loss of view. While undoubtedly the development would significantly change the outlook from the rear gardens of the nearest properties in Post Office Road, as discussed earlier in the report they would be too far away to have any unacceptable overbearing effect on their living conditions.

Objections based on flooding are discussed further in the surface water drainage section (Flood Risk).

Effect on Summerfield

The two first floor windows on the east flank of the north building are designed as fixed angle directional windows, and there would be no direct overlooking into private amenity areas or the potential for inter-overlooking of habitable rooms.

The south building is of a sufficient distance away from non habitable accommodation to be considered on its own, not to be so overbearing that it would result in harm to the living conditions of the occupiers of Summerfield.

The closest part of the new buildings to occupiers in Summerfield would be the projection on the north building, at a distance of between around 6 and 10 metres away and a height above the ground level of Summerfield of approximately 11 metres. The closest Summerfield blocks have no residential accommodation at ground floor but have accommodation over 1st and 2nd floors, so standing at the window of a 1st floor room of the nearest flat could be likened to facing the flank wall of a two storey high (approx 8m) house.

The stepped back element of the north block along the east boundary would be less overbearing, but overall, the height and proximity of the closer projections would have an imposing presence when standing at ground level (although these areas are hardstanding and mainly given over to car parking) and be very close when standing in the first floor rooms. The orientation in relation to the path of the sun would mean that any overshadowing would not occur until later into the afternoon.

The closest balcony on the front of the north block would be positioned around 10m from the flats, the rear balcony around 14m. However, the rooms facing the east elevations are either bathrooms, kitchens or hallway areas (as indicated on the original approved plans) rather than main habitable space such as living rooms and bedrooms, and it is considered that there would be no loss of privacy or material overlooking to these rooms.

Conclusion – There would be no unacceptable harm to the occupiers of Post Office Road by reason of overbearing effect, loss of light or loss of privacy; with regard to the occupiers of Summerfield, those flats closest to the north building will experience a sense of enclosure created by the new development, but given that the rooms are not living rooms or bedrooms, there would be no material harm arising from a loss of privacy.

Flood Risk

The application site is bounded by watercourses forming the sites western (Main River) and southern (ordinary watercourse) boundaries and the on-line extract from Environment Agency (EA) Risk of Flooding from Surface Water Map for the site confirms that the site is within Flood Zone 1. The Framework indicates that when determining planning applications local planning authorities should ensure that new development is 'safe', that flood risk is not increased elsewhere and the most vulnerable development is located in areas of lowest flood risk.

The application includes a 'Flood Risk and Drainage Assessment' (FRA) report which also confirms that the site is located within Flood Zone 1 and is at a low risk of flooding. The report sets out the existing Greenfield surface water run-off rates from the site and an indication of the post development discharge rates.

Essex County Council is the Lead Local Flood Authority (LLFA). They comment that given the small impermeable area resulting from the development, they expect the management of surface water to comply with the recommended standards according to the documents outlined in their formal response but otherwise have no comments to make on the proposal.

Following a review of the FRA by an independent consultant commissioned by the Council, a revised addendum has been submitted to provide further information

Assessment of Flood Risk to the Site

Letters of objection state that during periods of heavy rainfall, the stream to the south of the site and rear gardens along Post Office Road are prone to flooding.

The submitted FRA makes reference to both the Environment Agency's Indicative Surface Water Flood Mapping and the Brentwood Surface Water Management Plan (SWMP) and while both those documents indicate that part of the site is located within an area of potential risk of surface water flooding, no specific reference is made to historical flooding of the adjacent watercourse or to Post Office Road.

The FRA report sets out that in order to mitigate risk of flooding to the new development, the two residential blocks were sequentially located outside of the area of the site shown to be at risk. The minimum floor levels of the residential blocks have been set to permit suitable disability access and to provide a minimum freeboard of 300mm above the adjacent access road. If permission were to be granted it would be necessary to condition details to be submitted to demonstrate the finished floor levels above the adjacent ground levels.

The FRA Addendum sets out a preliminary site level design indicating that the access road located adjacent to the Main River will remain at its current level. Surface water would drain to the underground attenuation tank, via gullies and channels. In terms of runoff rate, from the developed area the FRA calculates that the total volume will be only marginally higher than the existing Greenfield rate.

The attenuation tank allows the proposed discharge rate into the watercourse to be limited to 2.1l/s which is a level that Anglian Water Authority would accept. In order to ensure that these mitigation measures are acceptable a detailed drainage strategy would need to be submitted and agreed by the local planning authority by condition.

The maintenance responsibility of the Main River currently lies with the Environment Agency, and the ordinary watercourse to the south, the responsibility of the riparian owner of the site. They are therefore responsible for the future clearance and general maintenance of the watercourse. The report however suggests that this maintenance could be dealt with as part of the duties of the management company for the flats which would also be responsible for the long term maintenance of the surface water drainage system.

In response, the Council's consultant has advised that the FRA Addendum now provides much clearer information on site levels, finished floor levels and that the revised report has reduced the proposed site runoff rates to the practical minimum possible. The proposed surface water drainage strategy still complies with the Non-Statutory Technical standards for SuDS.

Subject to the conditions discussed above, and the drainage strategy complying with the Non-Statutory Technical Standards for SuDs, no objection is raised to the redevelopment of the site on flood risk issues.

Parking and Highways Issues

The submitted plans and application form indicate a total of 33 parking spaces to be provided across the site, and it is indicated that 21 of these would be solely for the use of the occupiers of the flats and 12 for general use for the surrounding community.

The site is within a highly sustainable location close to bus and train routes, shops, services and community facilities. Therefore the reduction in provision of the number of spaces for the users from 29 (adopted parking standards) to 21 is considered acceptable by the Highway Authority.

The applicant and Parish Council state that there is a need for the provision of community parking but this assertion has not been demonstrated in any supporting documentation relating to the wider Ingatestone Town Centre. The Parish Council and other representations object to the reduced provision onsite. Officers therefore consider it reasonable to provide for the occupiers and visitors of the new flats to be able to utilise the 12 spaces located along Bellmead and outside of the residential site unencumbered.

Cycle parking is provided for the flats by way of protected cycle stores. The Highway Authority is satisfied that the access and turning head are suitable; separate bin stores are also provided on site for the flats and these are of an acceptable location and size.

Ecology

An extended Phase 1 Habitat Survey has been submitted along with a bat survey. This focuses on the ability of the site to provide habitat and foraging areas for protected species including badgers, bats and reptiles and makes recommendations for the mitigation of any potential impact on these species from the proposed development.

The report indicates that the site has potential for foraging bats and 3 potential badger burrows were identified along the north east bank, assessed as outlier setts. All nesting birds and their nests are protected under the Wildlife and Countryside Act 1981 and the report makes recommendations to avoid the disturbance of a birds nest identified on site until the end of the bird nesting season. The report sets out that no other protected species are likely to be present on the site. It is considered that the measures indicated in the report are carried out prior to and during clearance of the site. It will be for the developer of the site to ensure that during the clearance, should roosting bats or an active badger sett located the necessary licences are obtained.

Landscaping

The landscaping scheme has been revised and enhanced through discussion between officers and the applicant's landscape expert. The intent and objectives are outlined in the section dealing with the arboriculturalist comments. With the exception of a small cluster along the south west boundary the site will be cleared of trees and shrubs; the arboriculturalist advises that the value of the site is based as a group rather than one individual tree as there is no one specimen worthy of retention. The landscaping will provide specimens suited to the urban nature of the site, and when matured, will provide limited long term screen which softens the effect of the development in the wider public place.

Affordable Housing

Local plan policy requires 35% affordable housing on site, which would equate to 5.6 apartments. Five apartments (no. 1 x 3 bed and 2 x 2 bed) within the north block are offered together with a financial contribution of £30,000 towards social housing in the borough to be secured by way of a S106 legal agreement.

The commuted sum has been assessed by an independent surveyor on figures provided by the applicant. Although no comments have been received from the housing officer, the offer is considered to be acceptable in this instance.

Open Space Provision

The applicant has made an offer of £35,000 towards the open space strategy. The Open Space co-ordinator has identified the areas where this contribution is to be used.

Other Matters:

Neighbour objections:

Most of the objections raised have been addressed in the report above. Matters relating to impact on property value are not material planning considerations. The original application suggested a landscape element of a fence to be placed on top of an existing boundary wall along the east elevation (with Summerfields) but this has been removed from the latest iteration and a separate fence and retaining wall feature will be inserted within the boundary line.

The planning balance:

Both local and national policy expects new development to strike a balance between making good use of existing urban sites while at the same time providing a high standard of design that respects its surroundings and provide a good level of amenity to the occupiers of existing and new buildings. The presumption in favour of sustainable development is the golden thread running through the planning decision making process; the three strands of sustainable development, social, economic and environmental are indivisible from each other.

The site would be cleared of shrub land and mature trees that make a contribution to the visual amenity of the local area, along with a limited ecological benefit. However, redevelopment of the site has been a long term goal of the Council, and given the land use residential allocation within the Ingatestone Village Centre, the principle of development is acceptable.

The landscaping scheme has been developed in discussion with Officers and although the majority of trees will be felled, the redevelopment of the site would be severely restricted by restricting such loss of tree cover. Replacement landscaping and the inclusion of the footpath connection, along with the inclusion of maintenance of the watercourses are considered to be a positive benefit that will meet with environmental aims.

The design of the new flats is contemporary and they have an imposing mass but that in itself is not harmful to the character and appearance of the area; rather they are 'read' in context with surrounding development which is also substantial in bulk and height, and to an extent, forge a separate identity. The standard of materials sought for the development would be higher than on adjacent properties as the site is within the conservation area.

The Council cannot currently identify a 5 year housing land supply, and in terms of meeting social and economic goals, the redevelopment of the site would contribute to this shortfall.

The development would result in some harm to the occupiers of the flats closest to the north block by reason of size and proximity but would not be unacceptably harmful in terms of loss of privacy or noise and disturbance.

In conclusion, it is considered that the benefits of the scheme would on balance outweigh any harm identified, subject to conditions and the completion of a S106 legal agreement for the matters outlined in this report.

The Application is therefore recommended for approval subject to the completion of a S106 and conditions:

Heads of terms:

1. Provision and transfer of 5 units of affordable housing plus contribution of £30,000 for (0.60 dwelling) shortfall from 35% onsite provision.
2. Open space contribution £35,000 (LEAP, £10,000; LAP, £5000; NEAP, £20,00) within Seymour Playing Fields / Mountney Close Play Area

7. Recommendation

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

1 TIM01 Standard Time - Full

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

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

2 DRA01A Development in accordance with drawings

The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

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

3 U12576

Notwithstanding the details indicated in the application, no development shall take place above ground level until samples of the materials to be used in the construction of all the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Details shall include but not be limited to window profiles, balconies, bricks and roof tiles. A sample panel of the brickwork and proposed bonding shall be made available to the local planning authority as part of these details. Development shall be carried out in accordance with the approved details.

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

4 U12579

With the exception of the details to be approved as part of the hardstanding areas, the site shall be landscaped in accordance with the landscaping scheme indicated on the submitted drawings and specifications hereby approved. 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 that has been 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.

5 U12580

All existing trees on the site indicated for retention on the approved drawings shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. If prior to the commencement of the development or within five years of the completion of the development, any such trees are removed without such consent, or become severely damaged or diseased, they shall be replaced with others of a species, number, size and in positions to be agreed in writing with the local planning authority. The replacement shall be carried out within the first planting season after the Council's written agreement. Any works to existing trees which may prove necessary shall be carried out in strict accordance with a written scheme to be approved in writing with the local planning authority prior to the carrying out of those works.

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

6 U12575

No development above ground level shall take place until details of the treatment of all boundaries including drawings of any gates, fences, walls or other means of enclosure shall be 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 adjacent occupiers.

7 U12581

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 issue is fundamental to the approval of these matters before the commencement of the development.

8 U12558

No development above ground level shall take place until details of the proposed footbridge and footpath as indicated on drawing 803-PL-002 rev R have been submitted to the local planning authority for approval in writing. The footbridge and pathway shall be constructed in accordance with the approved details prior to the first occupation of the development. Maintenance of the footbridge shall be undertaken by the developer or their successors or by agreement in perpetuity.

Reason: In order to provide a pedestrian route through the site in the interests of sustainable transport methods.

9 U12559

Notwithstanding the details submitted on the proposed landscaping scheme, no development above ground level shall take place until details of all hardstanding including materials have been submitted to and approved in writing by the local planning authority. The access road and areas of hardstanding shall be retained in the agreed form.

Reason: In the interests of the visual amenity of the area, and in the interests of highway safety.

10U12560

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

Reason: To enable archaeological records to be made if necessary on a site that lies within an area of known archaeological interest

11U12562

With the exception of the clearance of the site, no development shall take place until a detailed surface water drainage strategy including calculations, and based on the submitted Flood Risk Assessment Addendum A, rev B has been submitted to and approved in writing by the local planning authority as outlined in the Flood Risk Assessment Addendum A Revision B.

Reason: To prevent flooding to the site and surrounding area by ensuring the satisfactory storage of / disposal of surface water from the site and to provide mitigation of any environmental harm which may be caused to the local water environment.

12U12577

Prior to first occupation 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 where appropriate, watercourses, and the maintenance activities / frequency.

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.

13U12563

The relationship between the height of the buildings hereby permitted and adjacent buildings shall be as indicated on the approved drawing.

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

14U12578

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

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

15U12582

The development shall not be occupied until the access road, vehicle turning areas and parking areas for each plot have been constructed in accordance with the approved layout and approved plans. All parking spaces shall be available for the parking of vehicles that are related to the use of the development.

Reason: To provide appropriate access and vehicle parking in the interest of highway safety and amenity.

Informative(s)

1 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.

2 INF22

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3 U02945

All new development should comply with the following documents:

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

BACKGROUND DOCUMENTS

DECIDED: