



Agenda

Planning Committee

Tuesday, 26 November 2024 at 7.00 pm

Council Chamber, Town Hall, Ingrave Road, Brentwood, Essex CM15
8AY

Membership (Quorum – 4)

Cllrs Mynott (Chair), M Cuthbert (Vice-Chair), Baldock, Barber, Dr Barrett, Mrs N Cuthbert, Gelderbloem, Gorton, Laplain, McCheyne, Naylor, Patel and Sunger

Agenda

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A handwritten signature in black ink, appearing to read 'Jonathan Stephenson', is written over a horizontal line.

Jonathan Stephenson
Chief Executive

Town Hall
Brentwood, Essex
18.11.2024

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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these activities, in their opinion, are disrupting proceedings at the meeting.

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.



Minutes

Planning Committee
Tuesday, 22nd October, 2024

Membership/Attendance

Cllr Mynott (Chair)	Cllr Gorton
Cllr M Cuthbert (Vice-Chair)	Cllr McCheyne
Cllr Baldock	Cllr Naylor
Cllr Barber	Cllr Patel
Cllr Mrs N Cuthbert	Cllr Sunger
Cllr Gelderbloem	

Apologies

Cllr Dr Barrett	Cllr Laplain
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Substitute Present

Cllr Barrett
Cllr Mayo

Also Present

Cllr Mrs Pound
Cllr Worsfold

Officers Present

Zoe Borman	- Governance and Member Support Officer
Caroline Corrigan	- Corporate Manager (Planning Development Management)
Emma Goodings	- Director of Place
Claire Mayhew	- Acting Joint Director of People & Governance & Monitoring Officer
Kathryn Williams	- Consultant Planner

LIVE BROADCAST

[Live stream will commence at 7.00pm and available for repeated viewing.](#)

219. Apologies for Absence

Apologies were received from Cllrs Dr Barrett and Laplain. Cllrs G Barrett and Mayo were substituting.

220. Declarations of interest

Cllrs Mynott, Gorton and Gelderbloem declared an interest as members of the Essex Wildlife Trust.

221. Minutes of the Previous Meeting

The Minutes of the last meeting held on 8th October 2023 were agreed as a true record with the following changes:

- (i) Minute 186 - Mr Ivan Armstrong's name is changed to reflect his surname.
- (ii) Minute 186 – Mr Armstrong is to be consulted by neighbour notification letter for comments regarding the details of the condition discharge (condition 4 of application 24/00528/FUL)
- (iii) Minute 186 - To add that the matter should be referred back to committee if the mitigation measures are not satisfactorily resolved.

222. APPLICATION NO: 24/00332/FUL LAND EAST OF ALEXANDER LANE SHENFIELD ESSEX

Ms Kathryn Williams presented the report.

Mr Roche, local resident, addressed the Committee objecting to the application. Mr Baines, Chelmsford Road Residents Association, also spoke in objection to the application.

The Committee then heard from Mr Kwan, representing the applicant, in support of the application.

Cllr Mynott then read a statement from Cllr Gordon, Ward Councillor, giving his reasons why he could not support the application.

Ward Councillor Worsfold addressed the Committee stating his reasons for objecting.

Following discussion Cllr Barrett **MOVED** and Cllr Naylor **SECONDED** a motion to **DEFER** to an alternative meeting on "Mindful to Refuse" (against officer recommendation) Part 5, 7.3 (Constitution).

Following a full discussion Members voted as follows:

FOR: Cllrs Baldock, Barber, Barrett, M Cuthbert, Mrs N Cuthbert, Mrs Gelderbloem, Gorton, Mayo, McCheyne, Mynott, Naylor, Patel, Sunger (13)

AGAINST: (0)

ABSTAIN: (0)

The motion to **DEFER** to an alternative meeting on “Mindful to Refuse” (against officer recommendation) Part 5, 7.3 (Constitution) was **RESOLVED UNANIMOUSLY**:

A report is to come back to Committee to provide further information on the following matters:-

- Highways’ access/safety – footpaths and width on Alexander Lane;
- Parking availability – parking on site and issues of commercial vehicles/refuse vehicles on site;
- Biodiversity – net gain – off site
- Oak Tree T1 and T2b
- Improvement to PROW
- Affordable Housing

223. Planning Appeals Update (March 2024 - September 2024)

This report provided the committee with a summary of recent planning appeal decisions in the borough. It also provides comparative data (as appendix one), from statistics collected by DLUHC (now MHCLG), on the performance of other local planning authorities in the County. This is published once a year and was last reported to the committee in June 2023.

Mrs Corrigan summarised the report.

Members requested an extra column be added to the report depicting whether authorities were adhering to a Local Development Plan.

The report was noted by Members.

224. Urgent Business

There were no items of urgent business.

The meeting concluded at 21.20

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ADDENDUM COMMITTEE REPORT

LAND EAST OF ALEXANDER LANE SHENFIELD ESSEX

NEW RESIDENTIAL DEVELOPMENT COMPRISING THE CONSTRUCTION OF 38 NO. DWELLINGS TOGETHER WITH NEW VEHICULAR AND PEDESTRIAN ACCESS FROM ALEXANDER LANE, CAR PARKING, PRIVATE GARDENS, OPEN SPACE, LANDSCAPING, SUDS ATTENUATION AND ASSOCIATED DEVELOPMENT.

APPLICATION NO: 24/00332/FUL

WARD	Shenfield	8/13 WEEK DATE	17/06/2024
PARISH	N/A	Extension of Time	31 October 2024
CASE OFFICER	Kathryn Williams		

1.0 Summary of Planning Matters

The planning application was heard on 22 October 2024 planning committee and the item was deferred, minded to refuse, requesting additional information on the following items:

- a. Highways access and safety concerns relating to footpaths and the width of the carriageway on Alexander Lane.
- b. Lack of parking provision and concern with ability for refuse and fire vehicles to manoeuvre on site.
- c. Biodiversity Net Gain (BNG) credits being delivered off-site and outside of the Borough.
- d. The loss of oak trees T1 and T2b.
- e. Requirement to improve the PRoW.
- f. Departure from the affordable housing policy HP05 and inability to meet the tenure split.

1. Highways: Access and Parking

Access

- 1.1 The site access is from Alexander Lane; the junction design incorporates localised widening of the Alexander Lane carriageway and fully complies with

highway standards. It has also undergone and passed a satisfactory road safety audit.

- 1.2 The western edge of Alexander Lane abutting third party ownership is untouched – all widening works are accommodated either in the existing highway or on land put forward within the application scheme for enhancements. The road will be widened to 5.5 metres, carriageway alignment to maximise visibility for drivers and pedestrians, and the introduction of a 3.5 metre foot / cycle way within the application scheme. Essex County Council Highways are fully supportive of the scheme in terms of deliverability and safety.
- 1.3 The proposed access is in full accordance with Manual for Streets – national planning guidance for street design. The access point demonstrates safe visibility for 43 metres in either direction. This is aided by the road widening works – by increasing the width of the road into the site and introducing a 3.5m wide foot/cycle way along the site frontage visibility for drivers and pedestrians is significantly improved on the current situation. Thus, the access is safe and is supported by Essex County Council.
- 1.4 It is also important to highlight that the proposal includes 4 x new pedestrian linkages to the wider area, which offers pedestrians multiple points of connectivity. By way of example, the newly created pedestrian link on the eastern boundary of the site provides pedestrians with a convenient separate opportunity to walk onto Alexander Lane – there is no reliance on this single point for all pedestrian traffic and this is accommodated by the new 3.5m footway.
- 1.5 The delivery of the scheme represents a significant improvement to the present safety position on Alexander Lane. Highway visibility is improved, pedestrians are provided with safe access into the scheme from the site frontage on Alexander Lane and new pedestrian links are created across the site to offer safe wider connectivity.

Parking

- 1.6 The adopted Parking Standard suggests 1no. car space per 1 bedroom unit, and 2no. car spaces per 2+ bedroom unit for residential development. This totals 72no. car spaces for this application.
- 1.7 The proposed residential parking is provided at 1no. car spaces per apartment and 2no. spaces per dwelling for all other dwelling types. This totals 67no. car spaces. **The reduction reflects that the 2 bed apartments have 1 car parking space each, and not 2.**
- 1.8 The adopted Parking Standard suggests 0.25 visitor parking spaces per dwelling and this totals 9no. visitor parking spaces for this application. The proposed layout presented in the October planning committee initially included 4no. visitor car parking spaces. **A revision has been made to the**

layout to respond to member's concerns and the proposal now includes a total of 7no. visitor car parking spaces.

- 1.9 All parking spaces will be provided with an active electric vehicle charging point.
- 1.10 The proposed parking is slightly below ECC standards, in light of the site being so close to Shenfield station, and to reduce carbon emissions. ECC Highways has accepted this as there will be a condition for a Traffic Regulation Order (TRO) should any on-street parking result from the development.
- 1.11 A dedicated cycle store, with cycle racks is provided within the proposed apartment building.
- 1.12 Therefore, the proposal on balance meets the requirements of Policy BE11: Electric and Low Emissions Vehicles and Policy BE13: Parking standards and is supported.

2. Biodiversity Net Gain

- 2.1 The application is subject to mandatory biodiversity net gain requirements. The submitted assessment indicates a 50% net loss of habitat units and a 71.99% gain in hedgerow units. While the creation of the attenuation basin contributes to biodiversity, it is not feasible to fully mitigate the loss of habitat units and provide the 10% biodiversity net gain on site.
- 2.2 In event of this, Environment Act 2021 enables developers to pursue a combination of on-site enhancement and purchasing off-site habitat units measures to achieve the 10% biodiversity net gain.
- 2.3 It is calculated that 3.46 habitat units will need to be secured offsite. BBC's Tree and Ecology Officer considers this acceptable and an off-site contribution will be secured as a planning condition.
- 2.4 It is considered that if both the on-site and off-site measures are implemented, the site can deliver a 10% biodiversity net gain and comply with Policy NE01: Protecting and Enhancing the Natural Environment.

3. Trees

- 3.1 The site currently contains a total of 74 trees categorised as follows:
- 6 high-value trees (known as Category A)
 - 26 moderate-value trees (known as Category B)
 - 36 low-value trees (known as Category C) and
 - 6 trees deemed unsuitable for retention (known as Category U).

- 3.2 These trees are predominantly located along the site's boundary, which has informed the layout. The buildings have been positioned carefully to ensure that there is no impact on the high-value trees. Policy NE03: Trees, Woodlands, Hedgerows aims to preserve existing trees, woodlands, and hedgerows that contribute positively to the local landscape, biodiversity, or possess significant amenity value. The proposal aligns with this aspect of Policy NE03.
- 3.3 The proposal includes the removal of the following trees:
- 0 Category A trees
 - 1 Category B tree
 - 6 Category C trees, 1 Category C hedgerow group and
 - 4 Category U trees
- 3.4 The majority of the Category C and Category U trees for removal are located at the site's frontage to create safe visibility for access. This is considered acceptable.
- 3.5 The only Category B tree (T1, as shown on the Tree Protection Plan in the submitted Arboricultural Impact Assessment Report) proposed for removal is situated near the entrance. Its removal is justified to facilitate the creation of a high-quality, well-used public open space at this location.
- 3.6 T1 has a wide and low crown, which obscures daylight and sunlight, adversely affecting the amenity of nearby units. Given its low crown, it lacks amenity value, as it does not provide a suitable environment for people to gather and enjoy the public open space. Instead of undertaking a significant crown reduction that could harm the tree, removal, and replacement with new trees is considered more suitable. The proposal includes the planting of two large extra heavy standard field maples at this location, which will enhance the amenity value in this area. BBC's Tree and Ecology Officer conducted a site visit and agreed to this approach. The removal of this tree is therefore considered acceptable.
- 3.7 As part of this development, a total of 29 new trees will be planted, resulting in a net gain of 21 trees. Policy NE03 mandates that when tree loss is unavoidable, measures should be implemented to compensate for that loss. The compensation is proposed at an approximate ratio of 1:2.64 (11 lost trees and 29 new trees). While there is no specific policy requirement for a compensation ratio, the proposal exceeds the Woodland Trust's recommended compensation ratio of 1:2.
- 3.8 Overall, it is considered there is no harm to high-value trees, and the loss of moderate and low-value trees is appropriately justified and mitigated. The proposal complies with Policy NE03 and is supported by the Planning Officer.

4. Public Right of Way

- 4.1 It was requested that the applicant upgrade the Public Right of Way, which would be subject to a separate (PRoW) application. Essex County Highways have not requested that any works are required to the PRoW in order to make the development acceptable in terms of highway impact. As such, it would be unreasonable to request such works be undertaken.

5. Affordable Housing Tenure

- 5.1 The proposal includes 38 residential dwellings, of which 13 units are affordable dwellings. This complies with Policy HP05: Affordable Housing's requirement for the provision of 35% of the total number of residential units.
- 5.2 Policy HP05: Affordable Housing requests the proposal should be made up of 86% affordable/social rent and 14% shared ownership (information from the 2016 Strategic Housing Market Assessment Part 2 – Objectively Assessed Need for Affordable Housing) or pay regard to the most up to date housing evidence. The most up to date housing evidence is a material consideration in the decision-making process.
- 5.3 The latest formal housing evidence paper, the 2022 South Essex Strategic Market Housing Needs Assessment (SE SMHA), does not suggest a new tenure split, but states a change to the mix of units with a high provision of one and two-bedroom units. See table below.

Table 2 – Comparison of housing size mix between 2016 and 2022 documents

	One-bed	Two-bed	Three-bed	Four-bed
Figure 6.2 of the Local Plan document Policy HP05	30%	26%	20%	24%
2022 SMHA Appendix 4	48%	37%	15%	1%

- 5.4 However, BCC's Housing Officer advised that the SMHAA 2022 does not accurately reflect the current affordable housing needs of the borough and recommends development proposals prioritise affordable units with two or more bedrooms.
- 5.5 There is a pressing need for providing larger affordable homes to accommodate families. Specifically, there is a shortage of two-bedroom units, a more significant shortage of three-bedroom units, and an even greater shortage of four-bedroom units. This shortage is evident from the latest Housing Register.

- 5.6 Demand for these larger units is high, and people requiring such accommodation often face long waiting periods, as reflected on the Housing Register.
- 5.7 The Housing, the Planning Policy and the Development Management team reviewed this information collectively and as both the SMHAA and Housing Register are material considerations, requested that the development provide a higher percentage of two, three, and four bedroom affordable units than recommended by the 2022 SHMA, in response to the Housing Register.
- 5.8 Therefore, the proposed tenure responds directly to the most up to date housing evidence. The tenure split provides 45% affordable rent and 55% shared ownership. This adjustment helps mitigate the potential impact on viability due to the increased provision of larger affordable units.
- 5.9 As a result of the above efforts, the proposal includes a total of 13 affordable units, consisting of 6 units for affordable/social rent and 7 units for shared ownership. The detailed breakdown of unit sizes, tenure split, and corresponding percentages is provided in the table below.

Table 3 – Proposed affordable housing size and tenure mix

Tenure	Split	Size			
		One bedroom	Two bedrooms	Three bedrooms	Four/+ bedrooms
Affordable /Social rent	6 units	0 units	1 unit	3 units	2 units
Percentage	46.15%	0.00%	16.67%	50.00%	33.33%
Shared ownership	7 units	0 units	0 units	7 units	0 units
Percentage	53.85%	0.00%	0.00%	100.00%	0.00%
Overall affordable housing provision	13 units	0	1	10	2
Percentage	100%	0	7.69%	76.93%	15.38%

- 5.10 In addition to the above, as mentioned in paragraph 9.39 of this report, the proposed affordable units include two-bedroom units designed to accommodate up to four persons and three-bedroom units designed to accommodate up to five persons. This seeks to provide flexibility for growing families. For example, a couple residing in a two-bedroom affordable unit could continue to live in the same property after having one or two children, without the immediate need to move to a three-bedroom unit. Likewise, the three-bedroom units, accommodating up to five people, offer greater adaptability for larger families.

- 5.11 BBC's Housing Officer has reviewed the proposed affordable housing mix and expressed support for the approach taken.
- 5.12 In summary, the proposal has regarded to the most up to date housing evidence and is considered to be in compliance with Policy HP05: Affordable Housing.

6. Recommendation and Conditions

- 6.1 It is recommended that a RESOLUTION TO GRANT PERMISSION is issued with S106 Agreement and the following planning 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 below and specifications.

- P22-2094_DE_001-01 Location Plan
- P22-2094_DE_021-01 AF Planning Layout
- P22-2094_DE_021-03 AF Material Distribution Plan
- P22-2094_DE_021-04 AF Public Open Space Plan
- P22-2094_DE_021-05 AF Enclosures Plan
- P22-2094_DE_021-06 AF Parking Plan
- P22-2094_DE_021-07 AF Tenure Plan
- P22-2094_DE_021-08 AF Private Amenity Plan
- P22-2094_DE_021-09 AF Hard Surfaces Plan
- P22-2094_DE_021-10 AF Storey Heights Plan
- P22-2094_DE_021-11 AF Part M Compliance Plan
- P22-2094_DE_021-12 AF Presentation Layout
- P22-2094_DE_021-14 AF Schedule of Accommodation
- P22-2094_DE_022-01G Proposed Street Scenes
- P22-2094_DE_010M House Type Portfolio
- P22-2762_EN_0003_E_0001 ILMP Landscape Masterplan
- 231369-CON-XX-00-DR-C-0010 Rev P02 Construction Access Plan
- 231369-CON-XX-00-DR-C-0011 Rev P02 Construction Access Plan
- SHA1194 TPP Tree Protection Plan
- 231369-CON-XX-00-DR-C-1000 Rev 03 Drainage Strategy
- DAS and Compliance Statement Rev C 12.06.24 - P22-2094-G002v2 DE
- Construction Environmental Management Plan Rev 2 including:
 - 231369-CON-XX-00-DR-C-0101-P02
 - 231369-CON-XX-00-DR-C-0011-P02

- Transport Statement – CCE/ZA1717/TS02
- Air Quality Assessment – 65211106-SWE-ZZ-XX-T-AQ-0001 Rev P01
- Noise Assessment - 65212512-SWE-XX-XX-T-U-0001 Rev C01
- Ecological Impact Assessment – J001667 – Rev B
- Biodiversity Net Gain Design Stage Report – J002145 – Rev A
- Phase II Site Appraisal - ALS-PPC-00-XX-RP-G-0002
- Final Gas Risk Assessment - ALS-PPC-00-XX-RP-G-0014 - HA/FGRA/11811

REASON:

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

3 CEMP

No development shall commence, until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (including but not limited to protected species, in particular badgers and nesting birds), protection methods of retained trees, and adhere to the Proposed Badger Construction Safeguards set out in the Ecological Impact Assessment prepared by SES Ecology in March 2024. The CEMP should include a method statement to avoid injury to any animals entering the site during construction.

The CEMP shall identify that construction activities so far as is practical do not adversely impact amenity, traffic or the environment of the surrounding area by minimising the creation of noise, vibration and dust during the site preparation and construction phases of the development. The CEMP should identify where the parking of construction vehicles and site operatives' vehicles is to take place during the construction period.

REASON:

To ensure that appropriate measures are undertaken to ensure any disturbance to protected species is mitigated and to ensure trees are not harmed in the interests of visual amenity. 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 in accordance with Local Plan Policies BE09 and BE12.

4

4 HIGHWAYS

Prior to first occupation of the proposed development, the Alexander Lane 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 in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the 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 access and those in the existing public highway in the interest of highway safety and in accordance with Local Plan Policy BE12.

5 HIGHWAYS

Prior to occupation of the proposed development, the site access shall be provided as shown in principle in the Proposed Access Drawing ZA171 - PL - SK – 200 Rev P02 within the Transport Assessment. It will incorporate localised widening of the Alexander Lane carriageway to 5.5 metres and provide a dropped kerb pedestrian crossing of the road adjacent to Farm Cottage. However, given the findings of the safety audit and the short nature of the facility, the proposed footway / cycleway across the site frontage shall be limited to just 2 metres instead of 3.5 metres to accommodate pedestrians only.

REASON:

To ensure that vehicles can enter and leave the highway in a controlled manner and allow safe pedestrian access, in the interests of highway safety and in accordance with Local Plan Policy BE12.

6 HIGHWAYS

The proposed development shall not be occupied until such time as the vehicle parking areas 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 and associated turning 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 Local Plan Policy BE12.

7 HIGHWAYS

Cycle parking for flatted developments shall be provided in accordance with Brentwood Borough Council's adopted standards, Parking Standards Design and Good Practice (September 2009), or any subsequently adopted document that contains the most current standards to be utilised by Brentwood Borough Council if adopted before the first occupation of the block of flats.. 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 Local Plan Policy BE12.

8 HIGHWAYS

Prior to occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable

transport to each dwelling, as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

REASON:

In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Local Plan Policy BE12.

9 SURFACE WATER DRAINAGE

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on 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 should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in 2 accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 2.7l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event subject to agreement with the relevant third party.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- Final modelling and calculations for all areas of the drainage system.
- The MADD Factor should be set to 0 for all drainage calculations.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features. An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

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.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with

surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

10 FLOOD RISK

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON:

The National Planning Policy Framework (2021) paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

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 increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

11 SURFACE WATER DRAINAGE MAINTENANCE

Prior to occupation 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 on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

12 SURFACE WATER DRAINAGE MAINTENANCE

The applicant or any successor in title must maintain 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.

13 HARD AND SOFT LANDSCAPE

No development above ground level shall commence on site, until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall indicate and include:

- details of any new trees, hedges and other new planting;
- the location and species of all new trees, shrubs, hedgerows, herbaceous plants and grasses to be planted or transplanted, those areas to be grassed and/or paved;
- the existing trees shrubs and hedgerows to be retained;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including cycle stands, signs);
- external hard surface materials for parking spaces, pedestrian accesses, etc

The landscaping scheme shall be completed in accordance with a programme to be agreed in writing by the local planning authority.

Any newly planted tree, shrub or 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.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

14 LANDSCAPE MANAGEMENT PLAN

Prior to the occupation of the development a Landscape Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan should cover a minimum of the first 5 years of the development and set out likely management works for 10 years.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

15 ARBORICULTURAL METHOD STATEMENT

Prior to the commencement of the development, An Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

16 EXTERNAL LIGHTING

Prior to the occupation of the development a lighting scheme must be submitted for the approval of the Local Planning Authority. The lighting scheme shall be designed to ensure the amenity of local residents, ensure highway safety and protect ecology by preventing excessive light spill onto sensitive habitats. The development shall be implemented in accordance with the agreed details.

REASON:

To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of local residents, of ecology and of the area generally.

17 OFF-SITE BIODIVERSITY GAIN

Prior to the occupation of the development, an Off-Site Habitat Management and Monitoring Plan for the offsetting of biodiversity impacts at the site, offsetting a total value of not less than 3.46 Habitats Biodiversity Units, must be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements.

The Off-Site Habitat Management and Monitoring Plan must be prepared in accordance with the latest version of Natural England's Habitat Management and Monitoring Plan template, as well as the most current version of the Biodiversity Gain Plan template issued by the Department for Environment, Food & Rural Affairs.

The arrangement necessary to secure the delivery of the offsetting measures shall be executed prior to written approval by the Local Planning Authority. The Off-Site Habitat Management and Monitoring Plan shall thereafter be implemented in accordance with the requirements of the approved scheme.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be maintained in that manner for a period of not less than 30 years from the creation or enhancement of the habitat.

REASON:

In order to demonstrate measurable net gains and In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy NE01: Protecting and Enhancing the Natural Environment.

18 ON-SITE BIODIVERSITY GAIN

Prior to the commencement of development, an On-Site Habitat Management and Monitoring Plan must be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site.

The On-Site Habitat Management and Monitoring Plan must be prepared in accordance with the latest version of Natural England's Habitat Management and

Monitoring Plan template, as well as the most current version of the Biodiversity Gain Plan template issued by the Department for Environment, Food & Rural Affairs.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner for a period of not less than 30 years from the creation or enhancement of the habitat.

REASON:

In order to demonstrate measurable net gains and In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy NE01: Protecting and Enhancing the Natural Environment.

19 ARCHAEOLOGY

No development or preliminary groundworks can commence until a programme of archaeological trial trenching evaluation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved by the planning authority.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

20 ARCHAEOLOGY

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the Written Scheme of Investigation defined in Part 1 and confirmed by the Local Authorities archaeological advisors.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

21 ARCHAEOLOGY

A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified shall be submitted to the local planning authority following the completion of the archaeological evaluation.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

22 ARCHAEOLOGY

No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

23 ARCHAEOLOGY

The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

24 BROADBAND

No residential unit shall be occupied until a Fibre to the Premises (FTTP) Statement has been submitted to and approved in writing by the local planning authority detailing a scheme for the installation of a high speed wholly FTTP connection to each premises within the approved development OR supplying evidence detailing reasonable endeavours to secure the provision of FTTP and where relevant, details of alternative provision for superfast broadband in the absence of FTTP. The FTTP infrastructure or alternative provision for superfast broadband in the absence of FTTP shall be laid out at the same time as other services during the construction process and be available for use on the first occupation of each premise, or such other date agree in writing by the local planning authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP).

REASON:

Enable the enhancement of the Council's digital infrastructure in order to comply with Local Plan Policy BE07.

25 ENERGY STRATEGY

The development hereby approved shall be carried out in full accordance with the Energy and Sustainability statement titled 'Alexander Lane, Shenfield Energy & Sustainability Statement' by Daedalus dated March 2024.

REASON:

To ensure that the development incorporates measures to minimise the effects of, and can adapt to, a changing climate in line with the objectives of the Planning Policy Position for Net Zero Carbon in Operation for Greater Essex.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.
- Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
- A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
- No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
- The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose

access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

- The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 86 (Brentwood Parish) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.
- Owing to the design of the main site access road and parking arrangements, it is unlikely that the Highway Authority would adopt any of the internal layout.
- Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 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

Appendix 1 – Heads of Terms

SITE PLAN ATTACHED

LAND EAST OF ALEXANDER LANE SHENFIELD ESSEX

NEW RESIDENTIAL DEVELOPMENT COMPRISING THE CONSTRUCTION OF 38 NO. DWELLINGS TOGETHER WITH NEW VEHICULAR AND PEDESTRIAN ACCESS FROM ALEXANDER LANE, CAR PARKING, PRIVATE GARDENS, OPEN SPACE, LANDSCAPING, SUDS ATTENUATION AND ASSOCIATED DEVELOPMENT.

APPLICATION NO: 24/00332/FUL

WARD	Shenfield	8/13 WEEK DATE	17/06/2024
PARISH	N/A	Extension of Time	31 October 2024
CASE OFFICER	Kathryn Williams		

Drawing no(s) relevant to this decision:

- P22-2094_DE_001-01 Location Plan
- P22-2094_DE_021-01 AF Planning Layout
- P22-2094_DE_021-03 AF Material Distribution Plan
- P22-2094_DE_021-04 AF Public Open Space Plan
- P22-2094_DE_021-05 AF Enclosures Plan
- P22-2094_DE_021-06 AF Parking Plan
- P22-2094_DE_021-07 AF Tenure Plan
- P22-2094_DE_021-08 AF Private Amenity Plan
- P22-2094_DE_021-09 AF Hard Surfaces Plan
- P22-2094_DE_021-10 AF Storey Heights Plan
- P22-2094_DE_021-11 AF Part M Compliance Plan
- P22-2094_DE_021-12 AF Presentation Layout
- P22-2094_DE_021-14 AF Schedule of Accommodation
- P22-2094_DE_022-01G Proposed Street Scenes
- P22-2094_DE_010M House Type Portfolio
- P22-2762_EN_0003_E_0001 ILMP Landscape Masterplan
- 231369-CON-XX-00-DR-C-0010 Rev P02 Construction Access Plan
- 231369-CON-XX-00-DR-C-0011 Rev P02 Construction Access Plan
- SHA1194 TPP Tree Protection Plan
- 231369-CON-XX-00-DR-C-1000 Rev 03 Drainage Strategy
- DAS and Compliance Statement Rev C 12.06.24 - P22-2094-G002v2 DE
- Construction Environmental Management Plan Rev 2 including:
231369-CON-XX-00-DR-C-0101-P02
231369-CON-XX-00-DR-C-0011-P02

- Transport Statement – CCE/ZA1717/TS02
- Air Quality Assessment – 65211106-SWE-ZZ-XX-T-AQ-0001 Rev P01
- Noise Assessment - 65212512-SWE-XX-XX-T-U-0001 Rev C01
- Ecological Impact Assessment – J001667 – Rev B
- Biodiversity Net Gain Design Stage Report – J002145 – Rev A
- Phase II Site Appraisal - ALS-PPC-00-XX-RP-G-0002
- Final Gas Risk Assessment - ALS-PPC-00-XX-RP-G-0014 - HA/FGRA/11811

1. **Summary**

- 1.1 This planning application is submitted by Stonebond Properties and seeks full planning consent for the development of 38 dwellings (including 35% affordable housing), a new vehicular and pedestrian access from Alexander Lane, footpaths, car parking, public open space, landscaping and sustainable drainage attenuation basin.
- 1.2 The site forms a part of Site R03: Land North of Shenfield (also known as Officer's Meadow), allocated within Policy R03 of the adopted Brentwood Borough Council (BBC) Local Plan. This policy expects Site R03 to deliver a mix of housing, employment, a primary school and a care home. Alongside the applicant, Croudace Homes, Countryside Properties, Redrow Homes will deliver the site R03. Detailed information on the background and context of this application is provided in Section 2.
- 1.3 The proposed development this application is to deliver is as follows:
 - 38 dwellings, of which 13 units (35%) are affordable housing
 - 3 areas of public open space
 - Sustainable drainage
 - Trees
 - Biodiversity Net Gain
 - New access and highway works
 - Energy Strategy
- 1.4 The report is divided into the following sections:
 - Section 2 – Background of the proposal
 - Section 3 – Site and Surroundings
 - Section 4 – Proposal
 - Section 5 – Relevant History
 - Section 6 – Neighbourhood Responses
 - Section 7 – Consultee Responses
 - Section 8 – Relevant Planning Policies
 - Section 9 – Analysis
 - Section 10 – Recommendation and Conditions
 - Appendix 1 – Heads of Terms

1.5 Section 9 contains the analysis of the following aspects of the proposal:

- Principle of Residential Development
- Layout
- Density and Building Height
- Appearance
- Public Open Space
- Connectivity
- Transport and Access
- Parking
- Housing Standards
- Housing Mix
- Affordable Housing Mix
- Landscape
- Trees and Hedgerow
- Ecology
- Biodiversity
- Flood Risk
- Drainage
- Air Quality, Noise and Contamination
- Energy and Sustainability
- Refuse and Recycling
- Archaeology
- Health Impact Assessment
- Compliance with Policy R03
- Legal Agreement

2. **Background of the proposal**

Site R03: Land North of Shenfield

2.1 LP Policy R03 allocates the site subject to this planning application and its surroundings for a residential-led, mixed-use development. The full wording of Policy R03 is:

Land north of Shenfield, known as Officer's Meadow and surrounding land is allocated for residential-led mixed-use development.

1 Amount and Type of Development

Development should provide:

- a. *around 825 new homes;*
- b. *around 2.1 hectares of land for a co-located primary school and early years and childcare nursery;*
- c. *around 60 bed residential care home or an appropriate mix of specialist accommodation to meet identified needs, in accordance with policy HP04;*

- d. *5% self-build and custom build across the entire allocation area; and*
- e. *around 2ha of land for employment purposes which may include light industrial, offices, research and development (within class E) or other sui generis employment uses which are compatible with the residential development.*

2 Development Principles

Development should:

- a. *be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward;*
- b. *be of a design quality and layout that reflects its key gateway location, particularly on land near to Junction 12, A12;*
- c. *provide vehicular access via Chelmsford Road (A1023) and Alexander Lane;*
- d. *allow if possible for the diversion of Alexander Lane to create a quiet lane for pedestrians and cyclists, with the provision for new and improved route through the development site linking to Chelmsford Road;*
- e. *enhance walking, cycling and public transport services with Shenfield station and local services and facilities in the wider area, including Brentwood Town Centre;*
- f. *provide well-connected internal road layouts which allow for good accessibility;*
- g. *provide new multi-functional green infrastructure including public open space in accordance with Policies NE02 and NE05;*
- h. *maintain and enhance Public Rights of Way within the site and to the wider area;*
- i. *protect and where appropriate enhance the Local Wildlife Site (Arnold's Wood).*
- j. *provide for appropriate landscaping and buffers along sensitive boundaries adjoining the A12 and railway line.*
- k. *maintain the same amount of existing playing field provision on site or, where this cannot be achieved, provide replacement playing fields (including supporting ancillary facilities) of equivalent or better provision in terms of quantity and quality in*

a suitable location prior to commencement of development on the playing field. Any replacement playing field provision should not prejudice Shenfield High School or the community from meeting their playing pitch needs; and

- l. be designed to ensure a coherent functional relationship with the existing development, which should be well integrated into the layout of the overall masterplan.*

3 Infrastructure Requirements

Proposals should:

- a. provide pedestrian and cycle crossing points across Chelmsford Road (A1023) where appropriate;*
- b. provide an improved bus service;*
- c. as the site is located within a Critical Drainage Area, development should minimise and mitigate surface water runoff in line with Policy BE05 Sustainable Drainage.*

4 Infrastructure Contributions

Applicants will also be required to make necessary financial contributions via planning obligations towards:

- a. off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with policies MG05 and BE08 (the planning obligation will determine the level and timing of payments for these purposes);*
- b. 'quiet way' cycle routes connecting transfer hubs to schools in Brentwood Town Centre.*

2.2 It is important to note that the R03 site has a number of physical constraints, the most significant ones being flood risk and drainage, which had not been fully explored in detail before the allocation of the site in the LP. Further survey work confirmed that it is not possible to deliver the 825 homes originally anticipated and set out in Policy R03 (1.a), as no buildings can be located within the Critical Drainage Area (CDA) which crosses the Croudace and Stonebond parcels. The site is also constrained by the high number of trees that need to be retained.

2.3 Therefore, BBC officers and Place Services actively encouraged the developers to use a variety of housing typologies and urban design solutions, in order to maximise the number of new dwellings delivered on the four parcels and achieve an efficient use of land. At the time of writing this report, it is expected that the R03 site will comprise a total of 718 units.

Masterplan

- 2.4 Although not formally adopted, the Development Framework (DF) is a material consideration when determining this application. The production of a DF is required by LP Policy R03(2.a), which states that the development of the allocated site should “be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward”. As the policy does not set out any requirement for the DF to be adopted, and thus the document does not form part of BBC Development Plan.
- 2.5 The DF has been prepared by the four developers and although not subject to public consultation, it has been informed by stakeholder feedback following several revisions. A high-level Masterplan was presented to the Planning Officer in June 2022, revisions were submitted in December 2022, and further revisions in February and May 2023. The DF has been scrutinised by the Essex Quality Review Panel in June 2023. BBC officers (Planning, Housing, Strategic Policy, Tree, Landscape and Ecology, Environmental Health) and Place Services Urban Design team have reviewed and provided comments to all the DF iterations.
- 2.6 The DF defines the vision for the site as “a new neighbourhood within a significant landscaped area that will provide improved biodiversity, new areas of play, a number of pockets of open spaces and a network of pedestrian and cycle routes that will link to Shenfield and the rail station to optimise use of the new Elizabeth Line service”.
- 2.7 The DF is an important document as it ensures that there is an over-arching strategy for the future development of the entire allocated site, that all 4 developers need to meet. Matters such as land use, phasing, landscape, ecology, connectivity within the site and with the wider area (pedestrian, cycle and vehicular), flood mitigation, impact on traffic, have all been looked at holistically. The DF sets out development principles, and defines the location of key internal roads; connections between parcels; areas of public open space and play areas (among other things) and includes a design code applicable to each character area.
- 2.8 Specifically, the DF provides overarching guidance on the following:
- Nature
 - Green and Blue Infrastructure
 - Ecology and Biodiversity
 - Flood mitigation and Sustainable Urban Drainage (SuDS)
 - SuDS, public open space and play areas
 - Public Spaces
 - Overall Strategy
 - Open Space
 - Play Areas
 - Connectivity
 - Public Transport Plan
 - Pedestrian and Cycle Links
 - Vehicular Movement Plan
 - Car Parking

- Identity / Character Areas
 - Urban Edge
 - Green Street (Boulevard Streets Character)
 - Green Street (Mews Streets Character)
 - Green Edge (Woodland Edge Character)
 - Green Edge (The Lanes Character)
- Built Form
- Land Uses
 - Housing
 - School
 - Employment / Care Home
- Sustainability
- Delivery and Phasing

2.9 The DF aligns with the requirements of LP Policy R03 and incorporates input from both BBC and ECC officers, providing a clear starting point for developers to create their proposals. It ensures that approved applications contribute to a cohesive urban extension rather than fragmented development. The DF includes a contextual analysis of local features, such as building heights, materials, parking, and architectural details, which inform the overall design of the site and individual planning applications. This approach helps ensure that future developments integrate smoothly into the wider urban area.

Pre-application discussions

2.10 This specific part of the allocated site and the details have been subject to extensive pre-application discussions during 2022-2023 with Brentwood Borough Council (BBC) officers, including Planning, Housing, Strategic Policy, Landscape, Ecology, Environmental Health, and Essex County Council (ECC) officers, including Place Services and Highways.

Engagement

2.11 Community engagement has been undertaken in conformity with objectives of the Localism Act 2011, the National Planning Policy Framework (2023) and the BBC "Statement of Community Involvement" (SCI) (Adopted 2018).

3. Site and Surroundings

3.1 The site is located to the north of Shenfield and measures 1.36ha. The site comprises of agricultural land, with a large mature tree located in the southern part, close to the entrance.

3.2 Anglian Water owns a triangular piece of land along the site's eastern boundary, creating an irregularly shaped site boundary. There is a consistent and even fall in topography from the south-west to the north-east.

3.3 The site is bound by mature vegetation on all sides. The trees and vegetation that frame the site to the north, east and south connect to a tree belt that runs along the railway to the south. This tree belt extends to the north-east of the site, becoming the southern boundary for the Croudace and Redrow parcels.

- 3.4 Vehicular, cycle and pedestrian access into the site is from Alexander Lane to the south-west. A Public Right of Way (PROW 272_86) is located to the south-east and runs parallel to the railway tracks, connecting Alexander Lane with Chelmsford Road further to the north.
- 3.5 The surrounding area comprises of greenfield land to the north and north-east (the Croudace parcel); the PROW, tree belt and railway tracks to the east and south-east; detached and semi-detached houses to the south-west along Alexander Lane and Oliver Road; the Alexander Lane Recreation Ground and Shenfield High School to the west.
- 3.6 The closest bus stops are along Chelmsford Road, 750m to the west and approximately 1km to the north-east, providing regular services to Brentwood, Shenfield and Chelmsford.
- 3.7 The heart of Shenfield, with local shops and facilities, is approximately 1 km to the south-west. This is where Shenfield Railway Station is located, providing regular services to London, Southend, Colchester, Chelmsford and Ipswich. The Elizabeth Line provides connections from Shenfield Station to Central London and Heathrow Airport.

4. Proposal

- 4.1 The proposal consists of 38 new dwellings, including a mix of flats, terraced houses, and semi-detached houses, with 13 new affordable housing dwellings.
- 4.2 A new access point will be created from Alexander Lane, with the dwellings arranged along a central spine road, extending from this access point.
- 4.3 Highway improvements include the construction of a pedestrian footway within the site, following along Alexander Lane.
- 4.4 Three areas of public open spaces are proposed: one near the site entrance to the south, another in the east, and a third in the north, which includes an attenuation basin.
- 4.5 The development will incorporate sustainable drainage systems, tree planting, and biodiversity net gain through a combination of on-site enhancements and off-site habitat units.
- 4.6 The site is also supported by an Energy and Sustainability Statement, and air source heat pumps will be installed in new homes for energy efficiency.

5. Relevant History

- 5.1 There is no planning history available for the site.

6. Neighbour Responses

- 6.1 Where applications are subject to public consultation, those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>
- 6.2 At the time of writing this report, 29 objections have been received for this application, including a letter from the Chelmsford Road Area Residents Association. Some residents submitted more than one objection.
- 6.3 The objections are summarised as follows:
- Insufficient infrastructure to support the development
 - Increasing Alexander Lane lacks the width to accommodate significant traffic volume safely
 - No footway or cycle way provision on the development frontage
 - Inappropriate design and does not align with the character of the area
 - Loss of mature trees and biodiversity
 - Exacerbating the flooding issues
 - Lack of co-ordination between developers
 - No provision of local amenities such as shops
- 6.4 The application is accompanied by a Statement of Community Involvement (SCI), which provides details on the public consultation exercise carried out by the applicant prior to the submission of the application.

7. Consultee Responses

- 7.1 Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>.

1) Planning Policy

The application site forms part of residential-led allocation R03 in the Local Plan, as such the principles of residential development on this site are supported in line with the Local Plan's spatial strategy and strategic objectives. Local Plan Policy R03 provides the basis for how development is expected to come forward and key considerations.

Part 4 of Policy R03 sets out the identified key pieces of site-specific infrastructure required to support the development of allocation R03, making its development acceptable in planning terms. Additionally, the relevant infrastructure requiring contributions from allocation R03 are listed in the IDP Part B. As set out within Chapter 15 of the IDP in apportioning costs to developers; costs will be apportioned based on the level of impact or generated demand e.g., the number of houses delivered, or additional trips generated. Contributions should also be equable between developers, in proportion to their level of impact or generated demand.

Based on the Council's apportionment methodology, the estimated costs to be requested from Stonebond's parcel of allocation R03 are provided. They are

based on the peak two-way vehicle movements (AM and PM) within the applications accompanying transport assessment.

With regards to contributions to M25 Junction 28 & 29 and A12 J12 (IDP ref T28, T29 and T31), National Highways should be consulted to provide more detailed comments on the potential impacts of development on the highways network which will determine the level of contributions.

As part of the detailed consideration, there may be additional specific requirements towards off-site highway infrastructure improvements to mitigate the impacts from development to an acceptable level; however, Essex County Council as the Local Highways Authority would be more appropriate to advise should that be the case.

2) Place Services

We are encouraged by the applicant's efforts to address many of the concerns raised in our previous letter, and we acknowledge that the revised proposal represents a positive uplift from the previous scheme. The improved overlooking of the public open space by plots 21 to 24, as well as the redesign of the parking court to allow plots 20, 27, and 28 to overlook it, demonstrate a willingness to create a safer and more cohesive environment. Additionally, the proposed building heights being supported by the research and Lidar Data Analysis demonstrates an appropriate response to the surrounding context.

However, several key issues remain unresolved. The layout of plots 21 to 24 still presents challenges with respect to street activation and passive surveillance, and the placement of parking courts continues to compromise the quality of the public realm. The attenuation basin, while addressed in part, still lacks a clear and practical function as a usable public open space. The proposed use of FOGs is also questioned given there would be no road to access the ground floor garages.

Moreover, we encourage the applicant to further refine elements such as the flank elevations of plots 20 and 21 to incorporate active frontages, improve the layout of parking allocations for plots 23 and 24, and address the boundary treatment around the attenuation basin. Revisiting the terminating vistas and enhancing the design of these key focal points would also contribute significantly to the overall character and legibility of the development.

3) Housing Manager

The current submission includes for 13no affordable homes in a context of a 38No unit scheme. This is compliant with policy. The policy requirement for the affordable split is 86% Affordable/Social Rent and 14% other forms of affordable housing. The current submission gives a change in the tenure split to 46% Social Rent and 54% AHO, this is in response to housing's request for the provision of more family housing and, in agreement with the policy team, we are happy to support this change to deliver more family homes. The Housing team support this application.

4) Tree / Landscape / Ecology

First response

The scheme has been subject to pre-application advice to refine the design of the scheme. Subsequently in this application there have been significant changes made to the proposed layout of the area north of the entrance from Alexander Lane, which are detrimental in terms of its landscape and visual effects.

Throughout the process it had been intended to retain the large oak T1 (page 22 of the Masterplan has a photo of it) and to use it as a focal point for an amenity space to mark the entrance to the site. The revised layout would remove this gateway tree and significantly reduce the size of the amenity space, leaving a small patch of grass with a large block-paved access to the dwellings fronting this space being the dominant feature. The patch of grass is shown on the Public Open Space plan would not have any useful function. No justification of this significant change has been made.

The Proposed Street Scenes plan Section A-A still shows a mature tree on the north side of the road. This does not accurately represent what is proposed and should be changed if the applicant persists with the revised layout as there would be no tree present in that location. Changes to the rest of the scheme are relatively minor.

An ecology technical note has been submitted to address concerns regarding the age of the survey data included in the EclA, particularly regarding more mobile species, such as badgers and bats. This confirms that additional surveys were undertaken in June 2023 as part of the BNG assessment and that pre-commencement surveys would be undertaken for badgers and bats.

The BNG assessment has calculated that there would be a 50% net loss of habitat units and a 71.99% gain in hedgerow units. It calculates that 3.46 habitat units will need to be secured offsite. If the scheme is permitted details of this offsite provision should be secured by condition.

At present I am unable to support this revised layout due to the impacts on the Oak and surrounding amenity green.

Second response

In my previous response of 22nd April, I raised concerns regarding the removal of the oak tree close to the site entrance and how the revised layout had reduced the functionality of the open space at the entrance. There was also concern at the dominance of the proposed access to plots 37 & 38.

A revised layout and further detail have now been provided following further discussions with the applicant.

The oaks have a very wide crown compared to their height. I undertook a site visit to consider whether it could be feasible to try to retain these trees; however given the scale of crown reduction that would be required, reluctantly it is agreed that it would be better to remove the trees but provide two large extra heavy standard field maples to provide feature trees with good amenity value. Other trees would also be provided in this open space.

The revised landscape masterplan shows a new path through the amenity area, with some seating and informal play features. The vehicle access to plots 37 & 38 have been redesigned and is now less dominant.

New tree planting is proposed south of plot 37, which would help contribute to the streetscape.

I do not have an objection to the proposal on landscape or ecology grounds. It will be necessary to have conditions to:

- secure the detail of the hard and soft landscape scheme,
- a landscape management plan,
- an arboricultural method statement
- details of external lighting

The statutory BNG condition will apply and this will be where the details of the offsite BNG will be confirmed.

5) Highway Authority (Essex County Council)

The documents submitted with the planning application have been duly considered and a number of site visits have been carried out. It is noted that the site is included within Brentwood Borough Council's adopted Local Plan of March 2022 (Site R03).

The site location is within reasonable walking distance of Shenfield centre with all its facilities including good public transport services. This should help to restrict private car trips in the immediate area.

The proposals entail the provision of a site access onto Alexander Lane. The junction incorporates localised widening of the Alexander Lane carriageway and it fully complies with highway standards. It has also been satisfactorily safety audited.

Parking provision for the proposed development falls slightly below the level to fully comply with Brentwood's adopted standards. However, Brentwood Borough Council, in their role as the parking authority, have indicated their wish to reduce carbon emissions and have not insisted on the full provision. The Highway Authority is prepared to accept this on the condition that, should any issues with parking on the highway outside the site arise post development, the applicant should fund the cost of a Traffic Regulation Order to restrict such practice and thus ensure the future safety of all highway users.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions.

6) National Highways (Previously Highways England)

We have now reviewed the material submitted in the application and are content that this application on its own will not have a severe impact on the A12 or J12.

The local plan evidence base indicated that signal would be required if all the proposed development came forward therefore it recommended that this development contributes a proportion of scheme cost if that scheme were ever to come forward.

7) Essex County Council SUDS

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a do not object to the granting of planning permission based on planning conditions.

8) Environment Agency

We have reviewed the documents as submitted and have no objection to this proposal.

9) Mid & South Essex Health Care

The ICS has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests that these are secured through a s106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local healthcare services.

The terms set out above are considered appropriate having regard to the formulated needs arising from the development and the ICS is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

10) Essex County Council Education

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on Primary and Secondary Education, and Libraries.

In addition, a contribution toward Education Land, as referenced above, will also need to be secured.

11) Environmental Health Manager

The application proposes the construction of 41 dwellings with access from Alexander Lane Shenfield.

The principal concerns relate to air quality, land contamination and noise.

The air quality assessment produced by Sweco for Stonebond indicates that the likely impacts from construction work, i.e. airborne dust and particulate matter, can be significantly reduced by the implementation of suitable mitigation measures; I would therefore recommend that the recommended measures for the construction phase are implemented.

The impact of the site on the surrounding area is considered to be insignificant and the monitored pollutant concentrations near to the site are below the air

quality objectives and therefore I am satisfied that the impact of the development and the existing air quality is acceptable.

The applicant has submitted a Phase I and Phase II Site Appraisal (Patrick Parsons report 11811 – Alexander Lane Shenfield) which advises that there is some evidence of made ground associated with the railway embankment, two tanks within 500m of the site and some recent industrial land use. The primary concern in the risk assessment was inhalation of asbestos from existing buildings on site. The conceptual site model contained within the Phase II assessment requires removal of identified ACMs (asbestos containing materials) and recommendations for further investigation are contained in section 12.0 Further Investigation.

I would therefore recommend that a Remediation Strategy is produced to specify the works identified and to ensure that appropriate steps are taken to remove contamination from the site.

The site runs adjacent to the main Chelmsford-Shenfield rail line and there is expected to be potential for noise disturbance from rail noise. At a further distance the A12 may have an impact from road traffic noise.

The applicant has provided a Residential Noise Impact Assessment from Sweco which indicates that mitigation measures will need to be incorporated into the detailed building design, including suitable glazing and ventilation specifications. Table 4 of the report provides an assessment of the required sound reduction performance in order to meet with the Residential Internal Ambient Noise Level Guidance recommended in BS8233:2014 summarised in Table 3 of the Sweco report.

The recommended specifications for noise mitigation measures, including ventilation and insulation details contained in the Sweco report should be incorporated into conditions for the development on approval.

The Construction Environmental Management Plan (CEMP) contains mitigation measures for noise and dust control from site construction activities and I would also recommend that the CEMP is accepted and implemented.

12)Public Health Officer

At the time the HIA document was submitted the group could only comment on the information provided. As long as these have been addressed through the application package, then the group will not need to be reconsulted. The only items that would need possible further input is if the concerns had not been addressed through the application process.

13)Essex County Council Archaeology

As accurately attested by the submitted Archaeological Desk-Based Assessment (DBA) and the Essex Historic Environment Record (EHER), the proposed development site lies 420m to the west of a Roman road running through Essex, joining Brentwood to Mountnessing (and latterly Colchester to London; EHER 5428). The site of a possible Roman building has been identified

some 1km to the west of the proposed site (EHER 5485), suggesting activity in the general vicinity related to the historic routeway. However, as noted in the DBA, very little archaeological fieldwork has been undertaken in the vicinity of the site, which makes determining the archaeological potential of the development a difficult prospect.

Given this, it is this office's recommendation that a programme of archaeological trial-trenching is undertaken on the site prior to the commencement of development. This should aim to assess the presence of archaeological features or deposits on the site and the likely level of impact upon them from the groundworks associated with the development.

In view of the above, this office recommends that conditions are attached to any consent, in line with the National Planning Policy Framework, paragraph 211 and Brentwood Local Plan, policy BE16.

A professional and accredited team of archaeologists should undertake the archaeological work, which will initially comprise a trial-trenching evaluation of the proposed development site to assess the survival and presence of any archaeological remains. This may then be followed by a programme of archaeological excavation and/or monitoring, depending on the results of the trenching.

The Borough Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief detailing the work will be issued from this office on request and should be acquired prior to the production of a Written Scheme of Investigation.

14) Sport England

The Council has confirmed that following recent advice from Sport England on the amount of financial contributions that should be sought, that the Council intends to secure financial contributions. The contributions would align with Sport England's advice as they derive from the demand generated by the estimated population of the development which has been calculated using Sport England's Playing Pitch Calculator and Sports Facility Calculator

I can therefore advise that Sport England's objection is withdrawn subject to the above contributions being secured through a planning obligation. The contributions will need to be ring fenced in an obligation for the relevant sports facility types and index linked. The obligation will also need to detail the potential projects that the contributions will be used towards.

15) Essex Badger Protection Group

Point 6 of the Executive Summary which precedes the accompanying Ecological Impact Assessment initially states that "no setts or evidence of badgers has been recorded within the site" but then, in the very next sentence, acknowledges that "One partially active outlier sett was recorded within the vicinity of the site." For clarity, we would point out that the words "outlier" and "partially" in this context are largely irrelevant and should not be taken to indicate something of lesser importance which can be ignored for planning

purposes. Any sett which is being used by badgers has legal protection, irrespective of its perceived classification or degree of use. The map, which forms Appendix 12, actually shows 2 offsite setts close to the railway embankment, with badger foraging signs indicated on the opposite side of the site. Finally, there is a suggestion that at least one of the setts is actually a rabbit warren.

Ultimately, we are unable to give the mitigation measures within this report our support since we don't know exactly what's being proposed, whether there are any badger setts on site or whether there are any setts within 20m of the application boundary. The report suggests there are, but we have no clear indication of the suggested way forward.

Although the Ecological Impact Assessment report is dated March 2024, point 1.5 (page 1) acknowledges that the surveys which are used to inform it were actually undertaken some time earlier, between June and November 2022. Point 2.12 confirms that the badger survey was undertaken on 10th October 2022 and therefore expired last Autumn.

In my view, the PEA remains confusing in terms of the badgers on and/or around the site and what is being proposed toward them. A walkover survey prior to commencement does not satisfy these concerns since this is something we would likely wish to see anyway, in addition to, a proper badger survey with photographs and a clear indication of precise distances between setts and the construction and a clear breakdown of the mitigation measures being proposed. Without this information, which ought to be easily provided by the ecologist if surveys did indeed take place in March 2024, we do not know the full extent of the risk toward badgers, a protected species.

Response from BBC's Tree and Ecology Officer in response to comments from Essex Badger Protection Group

I undertook the survey on the morning of 2nd May 2024 in response to the objection raised by EBPG regarding the lack of up-to-date surveys for badgers and to better understand the information that had been provided within the EcIA prepared by SES dated March 2024.

The survey involved walking around the whole of the Stonebond site looking for setts and any field signs typical of badgers. The survey included inspecting the northern side of the north boundary from within the Croudace site. The areas adjacent to the public footpath outside the southern boundary were also inspected.

Appendix 12 of the EcIA comprises a plan which identified two 'Partially active badger setts. E2 appears to be on the railway embankment and E1 within a wooded area to the south of the site. I was not able to find any evidence of active setts however there were small rabbit holes around the area of E1.

The plan in Appendix 12 does not show the watercourse that flows just outside the red line boundary which forms a physical barrier between the development site and the locations of the E1 & E2. Animals could still access the

development site by travelling southwest along the footpath and enter the site; however, there is no direct link between the site and E1 & E2.

The Stonebond site is generally quite wet with flora indicative of wetter soils such as Lady's-smock and soft rush being scattered across the site. The site could be used for foraging but appears unsuitable for sett construction.

I looked for the snuffle holes around the large oak on the northwest part of the site but I could only find signs of rabbit activity with the scraped areas containing rabbit droppings

There is a small rabbit warren in the boundary hedge immediately to the north.

During the survey I was not able to identify any evidence of badgers accessing the site or of active setts in the vicinity. I am satisfied that no further badger surveys are required before the application is determined. If the application is permitted a condition securing the implementation of the badger method statement which would include an up to date walkover survey should be placed on the permission.

16) Essex Wildlife Trust

It is not clear whether the applicant intends to deliver the required offsite BNG units on land which they control, or whether the intention is to purchase offsite biodiversity units on the market, or to purchase statutory credits. Statutory credits should be a last resort. The biodiversity metric incentivises off-site gains close to the development site. This is to ensure that nearby communities benefit from the increase in biodiversity. Off-site gains in a neighbouring LPA will be worth fewer biodiversity units, and off-site gains beyond the neighbouring LPA will be worth even fewer.

The applicant must include the details of how they will provide offsite biodiversity units in their biodiversity gain plan. This document is a statutory requirement, and the applicant cannot start work on the development until the gain plan has been approved by the LPA.

Officer Comments in response to comments from Essex Wildlife Trust

The BNG report states that "Currently, the strategy for the scheme is to procure/purchase 3.46 habitat units to achieve 10% for the scheme. Of these units, 0.24 are required to relate to individual trees to offset the trading summary.

17) Essex Police

Essex Police considers that it is important that, if approved, this construction project is designed incorporating the maximum achievable benefit of CPTED for which Secured by Design (SBD) is the preferred enabler.

We continue to strongly recommend that the developer seeks to achieve the relevant Secured by Design accreditation detailed within the current Secured by Design Homes guide for the development, (<https://www.securedbydesign.com/guidance/design-guides>) provides full details.

Comments were made on physical security and access control, cycle storage/bin store, mail delivery arrangements, lighting, landscape and perimeter treatment.

We would also like to highlight to both the applicant and the Planning Department that, due to the proximity of the railway that there are security considerations regarding both safety and opportunity for crime that should be brought to the attention of Network Rail and the British Transport Police.

Consequently, we have contacted British Transport Police in relation to this matter and they may comment separately to Essex Police on this application.

18) British Transport Police

British Transport Police recommends the applicant engage with the Essex Designing Out Crime Officer with a view to applying for and subscribing to Secured By Design certification and standards to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.

British Transport Police suggests one condition for fencing standards.

19) Essex County Fire & Rescue Service

Access for Fire Service purposes has been considered in accordance with The Essex Act 1987 - Clause 13 (1)(a)(b) and The Building Regulations 2010. The proposal itself does not affect Fire Service access to existing premises in the vicinity and therefore in compliance with Clause 13 (1)(b) of The Act.

Fire Service vehicular access to the proposed dwellings will be expected to meet the requirements of The Building Regulations Approved Document B Fire Safety Volume 1 Section B5 or equivalent recognised Approved Document (and so address Clause 13(1)(a) of The Act). Such access appears to be largely achievable. However, please note the model fire appliance used to demonstrate access is smaller both in length and turning radius than the pumping appliances currently in use within Essex.

Please consider emergency services vehicular access in general when approving access road detail / widths etc along with parking allocations so as to reduce as reasonably practical the amount of future on street parking to help ensure unimpeded access to the dwellings and turning heads at all times where approval is given.

Subject to the above observations being confirmed the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority has no objection to the application.

20) Anglian Water

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the

layout of the site. Anglian Water would ask that an informative be included within your Notice should permission be granted.

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

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

21)National Grid

Regarding planning application 24/00332/FUL at site location 'Land of Alexander Lane ' there are no National Gas assets affected in this area.

22)Natural England

Natural England has no specific comments to make on this proposal or issue.

23)Affinity Water

Affinity Water has no comments to make regarding planning application 24/00332/FUL.

24)UK Power Networks

No comments received.

25)Royal Society for the Protection of Birds

No comments received.

26)Cadent Gas

No comments received.

27)Historic England

No comments received.

28)Essex & Suffolk Water

No comments received.

8. Relevant Planning Policies

8.1 Adopted Brentwood Local Plan (LP) 2016-2033:

- Policy R03: Land North of Shenfield
- Policy MG01: Spatial Strategy
- Policy MG04: Health Impact Assessment
- Policy MG05: Developer Contribution
- Policy BE01: Carbon Reduction and Renewable Energy
- Policy BE02: Water Efficiency and Management
- Policy BE03: Establishing Low carbon and Renewable Energy Infrastructure Network
- Policy BE04: Managing Heath Risks

- Policy BE05: Sustainable Drainage
- Policy BE07: Connecting New Developments to Digital Infrastructure
- Policy BE08: Strategic Transport Infrastructure
- Policy BE09: Sustainable means of travel and walkable streets
- Policy BE11: Electric and Low Emission Vehicles
- Policy BE12: Mitigating the Transport Impacts of Development
- Policy BE13: Parking Standards
- Policy BE14: Creating Successful Places
- Policy BE15: Planning for Inclusive Communities
- Policy HP01: Housing Mix
- Policy HP03: Residential Density
- Policy HP05: Affordable Housing
- Policy HP06: Standards for New Housing
- Policy NE01: Protecting and Enhancing the Natural Environment
- Policy NE02: Green and Blue Infrastructure
- Policy NE03: Trees, Woodlands, Hedgerows
- Policy NE05: Open Space and Recreation Provision
- Policy NE08: Air Quality
- Policy NE09: Flood Risk
- Policy NE10: Contaminated Land and Hazardous Substances

8.2 Supplementary Planning Document (SPD):

- BBC Planning Obligations SPD, 2023
- ECC Developers' Guide to Infrastructure Contributions, 2023

8.3 Other material consideration:

- BBC Infrastructure Delivery Plan (IDP), 2021
- Masterplan Development Principles Framework, 2023

8.4 National Policy:

- National Planning Policy Framework (NPPF) 2023
- National Planning Policy Framework (NPPF) Revisions being Consulted upon 2024
- Planning Practice Guidance (PPG)
- National Design Guide (2021)

9. **Analysis**

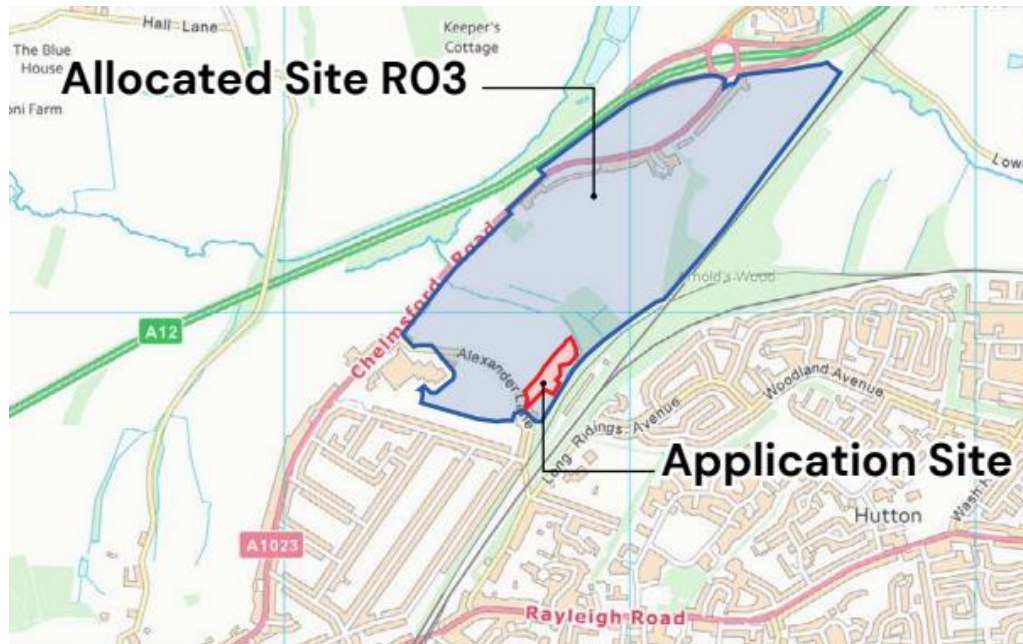
- 9.1 The starting point for determining a planning application is the current development plan, which is the Brentwood Local Plan 2022. Planning legislation states that applications must be determined in accordance with the relevant development plan policies, unless material considerations indicate otherwise. Additional policies, as relevant material considerations for determining this application, are the NPPF and the PPG. Although individual policies in the Local Plan should not be read in isolation, the adopted plan contains policies of particular relevance to this proposal, which are listed in section 3 of this report.

- 9.2 As already explained, the masterplan is a material consideration in the determination of this planning application.

Principle of residential development

- 9.3 The site is part of Land North of Shenfield allocated for housing delivery within the Brentwood LP as shown in the figure below. Therefore, the principle of development for residential use is supported.

Figure 1 – Site location



Layout

- 9.4 The proposed development features a spine road running centrally through the site, with residential units positioned around this route. Notably, the northern portion of the site is identified as a flood zone; therefore, the proposed units have been sited to avoid this area. The proposed layout drawing is provided below.

[illegible]

- 9.5 The proposed dwellings are oriented to face the spine road and the public open spaces wherever feasible. This design choice enhances natural surveillance and contributes to a sense of community, while the front elevations of the buildings are designed to provide visual interest, promoting an engaging streetscape.
- 9.6 Place Services as the Council's design consultants, have suggested refinements to Unit 24, a flat over a garage unit. The positioning on the first floor relates to the critical drainage and flood zone. The ground-floor garages, which are less vulnerable to flooding are located within this zone which is considered to be appropriate. Furthermore, the design provides natural surveillance over the northern open space and creates a well-defined enclosure. This approach is considered appropriate and effective in addressing both flood risk and design quality for the site.
- 9.7 The proposed spine route features a meandering design, with two pinch points to help naturally calm traffic and to provide tree planting. This design is positively received by officers. It is considered that it will create an environment with a pedestrian-friendly neighbourhood and an attractive tree-lined streetscape. ECC Highways has raised no objections, as outlined in the Transport section of this report.
- 9.8 The parking layout has been developed with input from Place Services, to minimise the visual impact on the spine road and to avoid a car-dominated environment. Parking spaces are strategically positioned to the sides of buildings, in garages, or in dedicated parking courts, thereby enhancing the aesthetic appearance of the development, which is welcomed.
- 9.9 To ensure convenient access to the public open spaces, a network of footpaths is proposed, which is supported. This aspect of the proposal will be addressed in more detail under the Connectivity section.
- 9.10 The layout of the proposed development has been subject to several revisions during pre-application discussions. Following these revisions, it is considered that the layout creates a safe and attractive community for the future residents and is supported by officers and the proposal complies with Policy BE14: Creating Successful Places.
- 9.11 Units 1-9 comprise a west and north-facing apartment block that provides an active frontage and natural surveillance along Alexander Lane and the southern open space. The inclusion of this generous green frontage acts as a communal amenity space, enhancing the visual interest along Alexander Lane. The parking for these units has been placed behind the building, minimising car dominance in the streetscape.
- 9.12 Units 10-12 consist of a pair of semi-detached houses with drive-through garages, while Unit 13 is a detached house with its own garage. These units are positioned to front of the main route, with views over landscaped features on the opposite side, offering an attractive outlook and contributing to the overall streetscape design.

- 9.13 Units 13-15 are a set of three terrace houses, accessible from the northwest, northeast, and southeast. The design of these homes provides variety in access points, ensuring natural surveillance of the spine route, the parking court, and the open space.
- 9.14 Units 16-20 and Units 25-36 present a mix of housing types fronting the spine route. Where possible, buildings are set back from the spine route, allowing for the inclusion of front gardens and landscaped green spaces. This design provides opportunities for tree planting along the spine road, contributing to a pleasant, tree-lined street that enhances the overall visual quality of the development.
- 9.15 Units 21-23 (a set of three terraced houses) and Unit 24 (a standalone flat over garages) are positioned around the northern parking court. This arrangement creates a well-defined enclosure. The grouping of the two buildings enhances the sense of place and improves legibility within the development.
- 9.16 Units 37 and 38 are semi-detached houses with drive-through garages, positioned to overlook the southern open space. Their setback from the spine road allows for a more expansive view of the green space, enhancing both the public realm and the residential environment.

Density and Building Height

- 9.17 Policy R03 outlines an expectation for the entire R03 site to deliver approximately 825 units. However, due to various site constraints discussed in the section 2 of this report, this will not be achieved, and the overall unit numbers achieved will be around 718. Policy HP03: Residential Density expects densities of at least 35 dwellings per hectare. The net development area of the site, excluding open spaces, is 1.02 hectares; with a total of 38 units, equates to a density of 37.25 dwellings per hectare. This density is considered suitable and compliant with Policy HP03: Residential Density.
- 9.18 Street scenes are provided below illustrating the building height of the proposal.

Figure 3 – Street scene: Looking at the site from Alexander Lane



Figure 4 – Street scene: Looking west (Plots 25-36) from the proposed main spine route



Figure 5 – Street scene: Looking south from the northern public open space



Figure 6 – Street scene: Looking east (Plots 13, 16-20, 21) from the proposed main spine route



- 9.19 The site consists of a mix of two, two and a half, and three storey houses, plus a partially two-storey, partially three-storey apartment building located in the south, with the two-storey section facing Alexander Lane. A building height analysis has been submitted for this application.
- 9.20 The proposed houses are up to 9.9 metres tall, which is consistent with the heights of nearby dwellings, which typically range from 7.6 to 10.5 metres.
- 9.21 The apartment is part 7.8 metres and part 10.5 metres. It has been strategically designed to act as a focal point and entrance to the development. The reasons that are considered to be acceptable are set out as follows.

- 9.22 Firstly, the southern part of the site has been identified as the Green Edge character area in the DF, where increased density is appropriate. Given the site's context, closest to Shenfield town centre (approximately 0.6 miles), this location is deemed suitable for moderate-density housing. This typically involves either slightly taller buildings (two and three storeys as opposed to single-storey bungalows) or homes with slightly smaller spaces between them (as opposed to detached houses with large curtilages).
- 9.23 Additionally, Place Services have also recommended that a continuous building frontage would benefit this area, as it would provide natural surveillance for pedestrians along Alexander Lane and create a harmonious streetscape, ultimately enhancing the walking experience.
- 9.24 An apartment building is able to effectively achieve both of these, offering a positive high-quality design. Additionally, its ability to accommodate more residential units, and also include generous communal amenity areas, reinforces this as a suitable location for moderate density housing. As such, a part 2-storey, part 3-storey apartment building is considered to be appropriate.
- 9.25 In assessing the relationship between the proposed apartment building and its surroundings, the proposed apartment building reaches heights of 7.8 meters for the 2-storey section and 10.5 meters for the 3-storey section, both of which are consistent with building heights commonly found in the local Shenfield area. In particular, buildings west of Alexander Lane, opposite the site, range from 7.6 to 10.5 meters in height. Therefore, the three-storey design is in-keeping and in harmony with the surrounding built environment and appropriate for the local context.
- 9.26 Overall, the proposal density and building heights are suitable for the local area and comply with Policy HP03: Residential Density and Policy BE14: Creating Successful Places.

Appearance

- 9.27 A contextual analysis of the local area was conducted during the preparation of the masterplan, and the findings are included in the appendix of the DF. The proposal has been developed in accordance with this analysis and features warm, sandy-coloured buff bricks, red bricks, black timber boarding, and grey roof tiles. These proposed materials align with the character of Shenfield and are present throughout several neighbouring streets, such as Chelmsford Road..
- 9.28 The proposed development includes a variety of architectural details, such as door canopies, window frames, and different styles of detailed brickwork decoration. These elements are shown in the submitted street scene and house type drawings that accompany the planning application, representing a positive aspect of the design.
- 9.29 Place Services have suggested refinements to the size and proportions of the proposed windows in some house types. These revisions are not considered to

be necessary as the proposed elevational treatment is proportionate, symmetrical and considered to be appropriate.

- 9.30 Overall, the appearance of the proposal and design is consistent with the character of Shenfield and contributes positively to the area through its choice of materials and architectural details. The proposal is compliant with Policy BE14: Creating Successful Places.

Public Open Space

- 9.31 The proposed layout incorporates three areas of public open spaces, each serving a distinct purpose.
- 9.32 The northern public open space functions as an attenuation basin, designed to manage surface water, while enhancing the site's ecological value. It features a mown footpath, wetland wildflowers, and marginal planting, creating an inviting area for walking and appreciating the landscaping.
- 9.33 An easement zone is located within the eastern public open space. This area provides essential access for Anglian Water and the Environmental Agency, ensuring they can maintain their adjacent assets. These are also accessible for future occupants to use for walking.
- 9.34 The southern public open space, positioned near the site entrance, serves as a focal point for the development. This area includes seating and informal play facilities, offering a functional open space along Alexander Lane that promotes social interaction and relaxation for both future residents and visitors.
- 9.35 All three areas of open spaces are connected by footpaths, with residential units overlooking them, ensuring a safe environment for users with natural surveillance. The proposed areas of public open spaces comply with Policy BE14: Creating Successful Places and Policy NE05: Open Space and Recreational Facilities.

Connectivity

- 9.36 A number of footpaths are proposed within the site, detailed as follows:
- 9.37 A footpath runs through the northern area of open space, which connects through to the pedestrian route along Alexander Lane.
- 9.38 Another footpath extends into the eastern area of public open space, originating from the shared surface and passing through the parking court. This path will be separated by amenity grassland, to provide a visual separation from the parking areas, thereby enhancing both safety and the visual aesthetic quality of the development.
- 9.39 A mown path encircles the attenuation basin, complemented by a tarmac footpath/cycleway, that connects the site to adjacent developments, ensuring a comprehensive connectivity with the adjoining nearby developments.

- 9.40 Additionally, a footpath is proposed between Units 32 and 33 as shown in the figure below, which officers requested, to link the development to surrounding areas and enhance connectivity with the wider community. It is essential for the Shenfield R03 development to prioritise the creation of an inclusive and integrated community. Establishing this footpath would facilitate easier walking connections from the site to adjacent developments, which is particularly beneficial for vulnerable and disadvantaged groups.

Figure 7 – Footpath between Units 32 and 33



- 9.41 The proposal provides access to areas of public open spaces and the wider community and is designed for inclusive usage by the wider neighbouring areas. It is considered that these areas will contribute positively to the permeability and integration of the site with the surrounding area. The proposed development complies with Policy BE15: Planning for Inclusive Communities and Policy BE09: Sustainable Means of Travel and Walkable Streets.

Housing Mix & Standards

- 9.42 All proposed units meet the requirements outlined in the Nationally-Described Space Standard. The proposal complies with Policy HP06: Standards for New Housing.
- 9.43 The proposed market housing size mix is provided in the below table.

Table 1 – Market housing size mix

	1 bed	2 bed	3 bed	4 bed	Total
Number of units	2	12	7	4	25 units
Percentage	8%	48%	28%	16%	100%

- 9.44 Notably, the two-bedroom affordable units are designed to accommodate up to four persons (exceeding the minimum standard for three persons), while the three-bedroom affordable units are designed to accommodate up to five persons (exceeding the minimum standard for four persons). This design approach follows the advice received from BBC's Housing Officer and aims to maximise the ability to house families, offering flexibility to accommodate various household types within the affordable housing provision.
- 9.45 All of the proposed houses are designed with private gardens, varying in size from 36 sqm to 184 sqm, while the apartments feature 5 sqm private balconies for units above ground level and 5 sqm patios for those at ground level. In addition, the development benefits from three parcels of public open space within the site, which equate to 0.29 hectares.
- 9.46 The explanatory paragraph 6.51 of Policy HP06: Standards for New Housing recommends at least 25 sqm of private external space for each home on sites larger than 0.1 hectares or with densities exceeding 50 dwellings per hectare. The proposed housing exceeds this standard, providing ample private external space.
- 9.47 This paragraph also suggests a gross floor area of 5 sqm per balcony for apartments with more than one bedroom if private external space requirements are not met. All proposed flats comply with this recommendation. Additionally, the flats benefit from 466 sqm of communal amenity space at ground level.
- 9.48 Therefore, the proposal complies with Policy HP01: Housing Mix, Policy HP06: Standards for New Housing and Policy R03: Land North of Shenfield.
- 9.49 All of the proposed units have been designed to meet the M4(2) standard for accessible and adaptable dwellings. One affordable unit (5% of all affordable units) has been designed to meet the M4(3) standard for wheelchair accessibility. These provisions comply with Policy HP01: Housing Mix.
- 9.50 Given that the proposal forms part of a larger local plan allocation exceeding 100 units, it includes two custom-build units (5% of the total), aligning with the requirements of Policy R03: Land North of Shenfield and Policy HP01: Housing Mix.

Affordable Housing Mix

- 9.51 The proposal includes 38 residential dwellings, of which 13 units are affordable dwellings. This complies with Policy HP05: Affordable Housing's requirement for the provision of 35% of the total number of residential units.

- 9.52 Policy HP05: Affordable Housing requests the proposal should be made up of 86% affordable/social rent and 14% shared ownership (information from the 2016 Strategic Housing Market Assessment Part 2 – Objectively Assessed Need for Affordable Housing) **or pay regard to the most up to date housing evidence**. The most up to date housing evidence is a material consideration in the decision-making process.
- 9.53 The latest formal housing evidence paper, the 2022 South Essex Strategic Market Housing Needs Assessment (SE SMHA), does not suggest a new tenure split, but states a change to the mix of units with a high provision of one and two-bedroom units. See table below.

Table 2 – Comparison of housing size mix between 2016 and 2022 documents

	One-bed	Two-bed	Three-bed	Four-bed
Figure 6.2 of the Local Plan document Policy HP05	30%	26%	20%	24%
2022 SMHA Appendix 4	48%	37%	15%	1%

- 9.54 However, BCC's Housing Officer advised that the SMHAA 2022 does not accurately reflect the current affordable housing needs of the borough and recommends development proposals prioritise affordable units with two or more bedrooms.
- 9.55 There is a pressing need for providing larger affordable homes to accommodate families. Specifically, there is a shortage of two-bedroom units, a more significant shortage of three-bedroom units, and an even greater shortage of four-bedroom units. This shortage is evident from the latest Housing Register.
- 9.56 Demand for these larger units is high, and people requiring such accommodation often face long waiting periods, as reflected on the Housing Register.
- 9.57 The Housing, the Planning Policy and the Development Management team reviewed this information collectively and as both the SMHAA and Housing Register are material considerations, requested that the development provide a higher percentage of two, three, and four bedroom affordable units than recommended by the 2022 SHMA, in response to the Housing Register.
- 9.58 Therefore, the proposed tenure responds directly to the most up to date housing evidence. The tenure split provides 45% affordable rent and 55% shared ownership. This adjustment helps mitigate the potential impact on viability due to the increased provision of larger affordable units.
- 9.59 As a result of the above efforts, the proposal includes a total of 13 affordable units, consisting of 6 units for affordable/social rent and 7 units for shared

ownership. The detailed breakdown of unit sizes, tenure split, and corresponding percentages is provided in the table below.

Table 3 – Proposed affordable housing size and tenure mix

Tenure	Split	Size			
		One bedroom	Two bedrooms	Three bedrooms	Four/+ bedrooms
Affordable /Social rent	6 units	0 units	1 unit	3 units	2 units
Percentage	46.15%	0.00%	16.67%	50.00%	33.33%
Shared ownership	7 units	0 units	0 units	7 units	0 units
Percentage	53.85%	0.00%	0.00%	100.00%	0.00%
Overall affordable housing provision	13 units	0	1	10	2
Percentage	100%	0	7.69%	76.93%	15.38%

- 9.60 In addition to the above, as mentioned in paragraph 9.39 of this report, the proposed affordable units include two-bedroom units designed to accommodate up to four persons and three-bedroom units designed to accommodate up to five persons. This seeks to provide flexibility for growing families. For example, a couple residing in a two-bedroom affordable unit could continue to live in the same property after having one or two children, without the immediate need to move to a three-bedroom unit. Likewise, the three-bedroom units, accommodating up to five people, offer greater adaptability for larger families.
- 9.61 BBC's Housing Officer has reviewed the proposed affordable housing mix and expressed support for the approach taken.
- 9.62 In summary, the proposal has regarded to the most up to date housing evidence and is considered to be in compliance with Policy HP05: Affordable Housing.

Transport and Access

- 9.63 The site access is from Alexander Lane; the junction design incorporates localised widening of the Alexander Lane carriageway and fully complies with highway standards. It has also undergone and passed a satisfactory road safety audit.
- 9.64 ECC, as the Highway Authority, has reviewed the proposed details and made sites visits, and have confirmed that the proposal is acceptable, subject to conditions 4-13, which are attached to this report.
- 9.65 National Highways has also been consulted and raised no objections, as the proposal is not expected to significantly impact the A12 or Junction 12, due to the scale of the development.

Parking

- 9.66 The adopted Parking Standard suggests 1no. car space per 1 bedroom unit, and 2no. car spaces per 2+ bedroom unit for residential development. This totals 72no. car spaces for this application.
- 9.67 The proposed residential parking is provided at 1no. car spaces per apartment and 2no. spaces per dwelling for all other dwelling types. This totals 67no. car spaces.
- 9.68 The adopted Parking Standard suggests 0.25 visitor parking spaces per dwelling and this totals 9no. visitor parking spaces for this application. 4no. visitors car parking spaces are proposed.
- 9.69 All parking spaces will be provided with an active electric vehicle charging point.
- 9.70 The proposed parking is slightly below ECC standards, in light of the site being so close to Shenfield station, and to reduce carbon emissions. ECC Highways has accepted this as there will be a condition for a Traffic Regulation Order (TRO) should any on-street parking result from the development.
- 9.71 A dedicated cycle store, with cycle racks is provided within the proposed apartment building.
- 9.72 Therefore, the proposal on balance meets the requirements of Policy BE11: Electric and Low Emissions Vehicles and Policy BE13: Parking standards and is supported.

Landscape

- 9.73 A Landscape Masterplan has been submitted with this application. The proposed landscape strategy incorporates a mix of planting, including the establishment of new trees, hedgerows, shrubs, and amenity grass areas. All of these measures will be secured by conditions to ensure perpetuity.
- 9.74 The proposed planting types and densities are considered appropriate for the site, and the integration of public amenities such as seating and play facilities is welcomed.
- 9.75 The Landscape Masterplan has been reviewed by BBC's Tree and Ecology Officer and no objection was raised.

Ecology

- 9.76 The Ecological Impact Assessment that accompanies this application confirms that the site is not subject to any statutory ecological designation.
- 9.77 Surveys for bats, reptiles, great crested newts, badgers and dormice have been carried out in 2022. A Technical Note has been submitted, which explains that additional surveys have been undertaken in June 2023 as part of the BNG assessment and that pre-commencement surveys would be undertaken for badgers and bats. BBC's Tree and Ecology Officer considers this acceptable.

- 9.78 Protected and priority species are known to be associated within the wider allocation site including bats, birds and reptiles. The site also comprises habitats suitable for hedgehogs, common toads and brown hares. However, the surveys have not found any of these species on the site.
- 9.79 Although no setts or evidence of badgers has been recorded within the site, based on the comments of the Council's ecology officer and as a precautionary measure it is considered appropriate to attach planning conditions in order to protect badgers utilising the site for foraging and commuting during the construction process.
- 9.80 No great crested newts were found from ponds within 250m of the site.
- 9.81 Mitigation and enhancement measures are proposed as follows:
- Retention and protection of boundary habitats
 - Provision of compensatory and enhancement planting using native and locally appropriate species
 - Industry standard pollution prevention measures
 - Implementation of a sensitive lighting strategy
 - Precautionary measures for badgers and notable mammals
 - Vegetation clearance to be undertaken outside of the nesting bird season or following a nesting bird check by a suitably experienced ecologist
 - Works affecting dormouse habitat to be undertaken under a Natural England licence
 - Pre-works inspections of buildings and specified trees by a licence bat ecologist
 - Exclusion and translocation of reptiles
 - Provision of enhancement measures for protected and notable species (e.g. bat boxes, bird boxes, reptile hibernacula).
- 9.82 The Ecological Impact Assessment and the Technical Note have been reviewed by BBC's Tree and Ecology Officer and no objections have been raised.
- 9.83 In summary, it is considered the proposal will not have an adverse impact upon protected and priority species and impact on habitats will be mitigated. The proposal complies with Policy NE01: Protecting and Enhancing the Natural Environment.

Biodiversity

- 9.84 The application is subject to mandatory biodiversity net gain requirements. The submitted assessment indicates a 50% net loss of habitat units and a 71.99% gain in hedgerow units. While the creation of the attenuation basin contributes to biodiversity, it is not feasible to fully mitigate the loss of habitat units and provide the 10% biodiversity net gain on site.

- 9.85 In event of this, Environment Act 2021 enables developers to pursue a combination of on-site enhancement and purchasing off-site habitat units measures to achieve the 10% biodiversity net gain.
- 9.86 It is calculated that 3.46 habitat units will need to be secured offsite. BBC's Tree and Ecology Officer considers this acceptable and an off-site contribution will be secured as a planning condition.
- 9.87 It is considered that if both the on-site and off-site measures are implemented, the site can deliver a 10% biodiversity net gain and comply with Policy NE01: Protecting and Enhancing the Natural Environment.

Trees and Hedgerows

- 9.88 The site currently contains a total of 74 trees categorised as follows:
- 6 high-value trees (known as Category A)
 - 26 moderate-value trees (known as Category B)
 - 36 low-value trees (known as Category C) and
 - 6 trees deemed unsuitable for retention (known as Category U).
- 9.89 These trees are predominantly located along the site's boundary, which has informed the layout. The buildings have been positioned carefully to ensure that there is no impact on the high-value trees. Policy NE03: Trees, Woodlands, Hedgerows aims to preserve existing trees, woodlands, and hedgerows that contribute positively to the local landscape, biodiversity, or possess significant amenity value. The proposal aligns with this aspect of Policy NE03.
- 9.90 The proposal includes the removal of the following trees:
- 0 Category A trees
 - 1 Category B tree
 - 6 Category C trees, 1 Category C hedgerow group and
 - 4 Category U trees
- 9.91 The majority of the Category C and Category U trees for removal are located at the site's frontage to create safe visibility for access. This is considered acceptable.
- 9.92 The only Category B tree (T1, as shown on the Tree Protection Plan in the submitted Arboricultural Impact Assessment Report) proposed for removal is situated near the entrance. Its removal is justified to facilitate the creation of a high-quality, well-used public open space at this location.
- 9.93 T1 has a wide and low crown, which obscures daylight and sunlight, adversely affecting the amenity of nearby units. Given its low crown, it lacks amenity value, as it does not provide a suitable environment for people to gather and enjoy the public open space. Instead of undertaking a significant crown reduction that could harm the tree, removal, and replacement with new trees is considered more suitable. The proposal includes the planting of two large extra heavy standard field maples at this location, which will enhance the amenity value in this area. BBC's Tree and Ecology Officer conducted a site visit and

agreed to this approach. The removal of this tree is therefore considered acceptable.

- 9.94 As part of this development, a total of 29 new trees will be planted, resulting in a net gain of 21 trees. Policy NE03 mandates that when tree loss is unavoidable, measures should be implemented to compensate for that loss. The compensation is proposed at an approximate ratio of 1:2.64 (11 lost trees and 29 new trees). While there is no specific policy requirement for a compensation ratio, the proposal exceeds the Woodland Trust's recommended compensation ratio of 1:2.
- 9.95 Overall, it is considered there is no harm to high-value trees, and the loss of moderate and low-value trees is appropriately justified and mitigated. The proposal complies with Policy NE03 and is supported by the Planning Officer.

Flood Risk

- 9.96 The site slopes gently from southwest to northeast, with an approximate 4.9 metre elevational change from the access point at Alexander Lane to the lower portion of the site, where an attenuation basin is proposed. As a result of this gradient, surface water naturally flows toward the attenuation basin.
- 9.97 Shenfield Brook, a designated Main River, is located at the lower end of the site. The brook flows westward across the railway line, turning northward along the site boundary, before diverting westward and away from the boundary.
- 9.98 The northern area of the site is designated as Flood Zone 2 on the Flood Map for Planning. However, the proposed buildings are situated away from this area and are entirely within Flood Zone 1. In the case of a 1 in 1,000-year flood event with an additional 25% flow (known as Flood Zone 2 event), the submitted Flood Risk Assessment shows any flooding would be contained within the banks of the brook along the eastern and northern site boundaries. The Flood Risk Assessment also confirms that the proposed development would not be impacted by a 1 in 100-year flood event, even with a 65% increase due to climate change (known as Flood Zone 3 event).
- 9.99 Therefore, it is considered that the proposed development is not at risk of flooding from this watercourse, which is confirmed by the no objection from the Environment Agency.
- 9.100 The topography of the site suggests a low risk of flooding from surface water and surface water sewers for the proposed development.
- 9.101 Groundwater flood risk is also considered unlikely, as site investigations indicate groundwater levels are 3 to 4 metres below ground level. Therefore, the site is not expected to be at risk from localised groundwater build up.
- 9.102 ECC, as the Local Lead Flood Authority, have reviewed the Flood Risk Assessment and accompanying documents submitted with the application and have raised no objections.

9.103 In summary, the proposed development is not expected to be significantly affected by flooding from the identified sources. The proposal is considered to comply with Policy NE09: Flood Risk.

9.104 The management of water flow across the site is addressed in the Drainage section.

Drainage

9.105 Ground investigations reveal that the site is composed of clay, which is unsuitable for infiltration. As a result, the proposal suggests discharging surface water runoff into Shenfield Brook, with discharge rates restricted to the 1-in-1-year greenfield rate. This restriction is maintained across all storm events, including up to a 1-in-100-year storm plus an allowance for climate change, achieved through the implementation of a sustainable drainage system. This approach aligns with the requirements set out in Policy BE05: Sustainable Drainage.

9.106 The proposed sustainable drainage system consists of an attenuation basin located at the northern end of the site. This basin will attenuate and treat surface water to allow it to be gradually discharged to Shenfield Brook at the specified rate. In addition to managing water flow, the attenuation basin offers amenity and biodiversity benefits, which are considered positive and supported.

9.107 Foul water drainage is proposed to connect to the nearby Anglian Water sewers. Anglian Water has confirmed that there is adequate capacity within the existing sewer network to accommodate the development's foul water discharge.

9.108 The Drainage Strategy has been reviewed by ECC, as the Local Lead Flood Authority, who have raised no objections. As such, the proposed development is not expected to increase surface water runoff on-site or exacerbate flood risk elsewhere.

9.109 In summary, the proposal is considered to comply with Policy BE05: Sustainable Drainage and Policy NE09: Flood Risk.

Air Quality, Noise and Contamination

9.110 The proposed development is not expected to have a significant impact on air quality and noise. The accompanying Air Quality Assessment and Noise Assessment have been reviewed by BBC's Environmental Health Officer, who has raised no objections.

9.111 The site comprises of green field land where contamination is not considered a concern. A Phase II Geoenvironmental Investigation report has been submitted and reviewed by the Environmental Health Officer, with no objections raised.

9.112 In summary, the proposal complies with Policy BE14: Creating Successful Places, Policy NE08: Air Quality, and Policy NE10: Contaminated Land and Hazardous Substances.

Energy and Sustainability

- 9.113 The proposed development is supported by an Energy and Sustainability Statement. This confirms that the proposal has followed the nationally adopted energy hierarchy of reducing energy demands in the first instance, using energy efficiently, and only then, implementing low carbon and renewable sources where appropriate.
- 9.114 In terms of heating and hot water provision, the development proposes the use of low-carbon air source heat pumps. This solution complies with the requirements of policy BE01, which mandates that major developments supply a minimum of 10% of their predicted energy needs from renewable sources.
- 9.115 The design of the dwellings also aims to reduce energy consumption through enhanced fabric efficiency, featuring high levels of insulation and low air permeability, aligning with policy standards to minimise heat demand and overall energy use.
- 9.116 The proposal is supported and meets Policy BE01: Carbon Reduction and Renewable Energy, Policy BE02: Water Efficiency and Management, Policy BE03: Establishing Low Carbon and Renewable Energy Infrastructure Network, and Policy BE04: Managing Heat Risk.

Refuse and Recycling

- 9.1 Refuse collection will be undertaken on street or from the bin store, located on the ground floor of the proposed apartment building, as it is typical of residential areas across the county. The swept path analysis that supports the proposal confirms that a standard refuse vehicle and fire tender will be able to access all the areas of the development.
- 9.2 No objections have been raised by consultees on this aspect of the proposal, which is therefore supported and in line with LP Policy BE14: Creating Successful Places.

Archaeology

- 9.3 The Archaeological Desk-Based Assessment that supports this application confirms that the proposed development site has the potential to contain archaeological remains. The site is located to the south of the main Roman road between Chelmsford and London (the modern-day Chelmsford Road). It is also located to the north-east of the historic core of Brentwood, and to the south-west of the settlement of Mountnessing, both of which have medieval origins.
- 9.4 Place Services Archaeology confirmed that they have no objections to the proposal. A number of conditions are imposed to ensure that no groundworks could impact on any archaeological features or deposits present on the site. Therefore, subject to conditions, the proposal is in line with LP Policy BE16: Conservation and Enhancement of Historic Environment.

Health Impact Assessment

- 9.5 A Health Impact Assessment (HIA) has been prepared to cover the whole allocated site, which was jointly reviewed by the Public Health Officer and the HIA Steering Group. The officer and the Steering Group highlighted some minor points, which have been addressed within the proposal.
- 9.6 Therefore, the conclusions of the HIA are supported and in compliance with the requirements of LP Policy MG04: Health Impact Assessment.

Compliance with Policy R03

- 9.117 The table below confirms that the proposal has met the relevant requirements of LP Policy R03, Land North of Shenfield.

Table 3 – Compliance with Local Plan Policy R03

LP Policy R03 requirement	Compliance
Amount and Type of Development	
<i>a. around 825 new homes</i>	Contribution made towards 38 units
<i>b. around 2.1 hectares of land for a co-located primary school and early years and childcare nursery</i>	Not relevant to this proposal
<i>d. 5% self-build and custom build across the entire allocation area</i>	Compliant, to be secured via legal agreement.
Development Principles	
<i>a. be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward;</i>	Compliant
<i>b. be of a design quality and layout that reflects its key gateway location, particularly on land near to Junction 12,A12;</i>	Not relevant to this proposal
<i>c. provide vehicular access via Chelmsford Road (A1023) and Alexander Lane;</i>	Compliant
<i>d. allow if possible for the diversion of Alexander Lane to create a quiet lane for pedestrians and cyclists, with the provision for new and improved route through the development site linking to Chelmsford Road;</i>	Not relevant to this proposal
<i>e. enhance walking, cycling and public transport services with Shenfield station and local services and facilities in the wider area, including Brentwood Town Centre;</i>	Compliant, to be secured via Section 106 contribution

<i>f. provide well-connected internal road layouts which allow for good accessibility;</i>	Compliant
<i>g. provide new multi-functional green infrastructure including public open space in accordance with Policies NE02 and NE05;</i>	Compliant
<i>h. maintain and enhance Public Rights of Way within the site and to the wider area;</i>	Compliant
<i>i. protect and where appropriate enhance the Local Wildlife Site (Arnold's Wood).</i>	Not relevant to this proposal
<i>j. provide for appropriate landscaping and buffers along sensitive boundaries adjoining the A12 and railway line.</i>	Compliant
<i>l. be designed to ensure a coherent functional relationship with the existing development, which should be well integrated into the layout of the overall masterplan.</i>	Compliant
Infrastructure Requirements	
<i>a. provide pedestrian and cycle crossing points across Chelmsford Road (A1023) where appropriate;</i>	Not relevant to this proposal
<i>b. provide an improved bus service;</i>	Compliant, to be secured via Section 106 contribution
<i>c. as the site is located within a Critical Drainage Area, development should minimise and mitigate surface water runoff in line with Policy BE05 Sustainable Drainage.</i>	Compliant
Infrastructure Contributions	
<i>a. off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with policies MG05 and BE08 (the planning obligation will determine the level and timing of payments for these purposes);</i>	Compliant, to be secured via Section 106 contribution
<i>b. 'quiet way' cycle routes connecting transfer hubs to schools in Brentwood Town Centre.</i>	Compliant, to be secured via Section 106 contribution

Legal Agreement

- 9.118 The applicant has accepted that it is necessary for certain obligations in respect of the proposed application to be dealt with by way of an Agreement under Section 106 of the Town & Country Planning Act 1990. This is in line with LP Policy MG05 (Developer Contributions).

9.119 The legal agreement is being drafted in order to reach a format agreed by all parties. The agreement will include contributions towards highways improvements and mitigation, education, healthcare provision, open space, outdoor and indoor sport provision, ecology, details of market and affordable housing provision.

9.120 As the legal agreement is outstanding, it is recommended to the Committee that this is delegated to the Planning Officer to resolve, should Members be minded approving the application. Heads of Terms are provided in Appendix 1.

10. Recommendation and Conditions

10.1 It is recommended that a RESOLUTION TO GRANT PERMISSION is issued with S106 Agreement and the following planning 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 below and specifications.

- P22-2094_DE_001-01 Location Plan
- P22-2094_DE_021-01 AF Planning Layout
- P22-2094_DE_021-03 AF Material Distribution Plan
- P22-2094_DE_021-04 AF Public Open Space Plan
- P22-2094_DE_021-05 AF Enclosures Plan
- P22-2094_DE_021-06 AF Parking Plan
- P22-2094_DE_021-07 AF Tenure Plan
- P22-2094_DE_021-08 AF Private Amenity Plan
- P22-2094_DE_021-09 AF Hard Surfaces Plan
- P22-2094_DE_021-10 AF Storey Heights Plan
- P22-2094_DE_021-11 AF Part M Compliance Plan
- P22-2094_DE_021-12 AF Presentation Layout
- P22-2094_DE_021-14 AF Schedule of Accommodation
- P22-2094_DE_022-01G Proposed Street Scenes
- P22-2094_DE_010M House Type Portfolio
- P22-2762_EN_0003_E_0001 ILMP Landscape Masterplan
- 231369-CON-XX-00-DR-C-0010 Rev P02 Construction Access Plan
- 231369-CON-XX-00-DR-C-0011 Rev P02 Construction Access Plan
- SHA1194 TPP Tree Protection Plan
- 231369-CON-XX-00-DR-C-1000 Rev 03 Drainage Strategy

- DAS and Compliance Statement Rev C 12.06.24 - P22-2094-G002v2 DE
- Construction Environmental Management Plan Rev 2 including:
231369-CON-XX-00-DR-C-0101-P02
231369-CON-XX-00-DR-C-0011-P02
- Transport Statement – CCE/ZA1717/TS02
- Air Quality Assessment – 65211106-SWE-ZZ-XX-T-AQ-0001 Rev P01
- Noise Assessment - 65212512-SWE-XX-XX-T-U-0001 Rev C01
- Ecological Impact Assessment – J001667 – Rev B
- Biodiversity Net Gain Design Stage Report – J002145 – Rev A
- Phase II Site Appraisal - ALS-PPC-00-XX-RP-G-0002
- Final Gas Risk Assessment - ALS-PPC-00-XX-RP-G-0014 - HA/FGRA/11811

REASON:

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

3 CEMP

No development shall commence, until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (including but not limited to protected species, in particular badgers and nesting birds), protection methods of retained trees, and adhere to the Proposed Badger Construction Safeguards set out in the Ecological Impact Assessment prepared by SES Ecology in March 2024. The CEMP should include a method statement to avoid injury to any animals entering the site during construction.

The CEMP shall identify that construction activities so far as is practical do not adversely impact amenity, traffic or the environment of the surrounding area by minimising the creation of noise, vibration and dust during the site preparation and construction phases of the development.

REASON:

To ensure that appropriate measures are undertaken to ensure any disturbance to protected species is mitigated and to ensure trees are not harmed in the interests of visual amenity. 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 in accordance with Local Plan Policies BE09 and BE12.

4 HIGHWAYS

Site construction shall be in full accordance with the submitted Construction Environment Management Plan. This shall include a 'before and after' highways condition survey that will be agreed with the Highway Authority in advance of construction.

REASON:

To ensure that on-road parking of construction and site operatives' vehicles in the adjoining roads does not occur, that loose materials and spoil are not brought out onto the highway and the local highway network is protected from damage by construction

vehicles, in the interests of highway safety and in accordance with Local Plan Policy BE12.

5 HIGHWAYS

Prior to occupation of the proposed development, the Alexander Lane 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 in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the 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 access and those in the existing public highway in the interest of highway safety and in accordance with Local Plan Policy BE12.

6 HIGHWAYS

Prior to occupation of the proposed development, the site access shall be provided as shown in principle in the Proposed Access Drawing ZA171 - PL - SK – 200 Rev P02 within the Transport Assessment. It will incorporate localised widening of the Alexander Lane carriageway to 5.5 metres and provide a dropped kerb pedestrian crossing of the road adjacent to Farm Cottage. However, given the findings of the safety audit and the short nature of the facility, the proposed footway / cycleway across the site frontage shall be limited to just 2 metres instead of 3.5 metres to accommodate pedestrians only.

REASON:

To ensure that vehicles can enter and leave the highway in a controlled manner and allow safe pedestrian access, in the interests of highway safety and in accordance with Local Plan Policy BE12.

7 HIGHWAYS

The proposed development shall not be occupied until such time as the vehicle parking areas 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 and associated turning 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 Local Plan Policy BE12.

8 HIGHWAYS

Cycle parking for flatted developments shall be provided in accordance with Brentwood Borough Council's adopted standards, Parking Standards Design and Good Practice (September 2009), or any subsequently adopted document that contains the most current standards to be utilised by Brentwood Borough Council..

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 Local Plan Policy BE12.

10 HIGHWAYS

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

REASON:

In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Local Plan Policy BE12.

14 SURFACE WATER DRAINAGE

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on 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 should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in 2 accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 2.7l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event subject to agreement with the relevant third party.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- Final modelling and calculations for all areas of the drainage system.
- The MADD Factor should be set to 0 for all drainage calculations.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features. An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

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.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

15 FLOOD RISK

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON:

The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

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 increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

16 SURFACE WATER DRAINAGE MAINTENANCE

Prior to occupation 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 on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

17 SURFACE WATER DRAINAGE MAINTENANCE

The applicant or any successor in title must maintain 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.

19 HARD AND SOFT LANDSCAPE

No development above ground level shall commence on site, until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall indicate and include:

- details of any new trees, hedges and other new planting;
- the location and species of all new trees, shrubs, hedgerows, herbaceous plants and grasses to be planted or transplanted, those areas to be grassed and/or paved;
- the existing trees shrubs and hedgerows to be retained;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including cycle stands, signs);
- external hard surface materials for parking spaces, pedestrian accesses, etc

The landscaping scheme shall be completed in accordance with a programme to be agreed in writing by the local planning authority.

Any newly planted tree, shrub or 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.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

20 LANDSCAPE MANAGEMENT PLAN

Prior to the occupation of the development a Landscape Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan should cover a minimum of the first 5 years of the development and set out likely management works for 10 years.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

21 ARBORICULTURAL METHOD STATEMENT

Prior to the commencement of the development, An Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

22 EXTERNAL LIGHTING

Prior to the occupation of the development a lighting scheme must be submitted for the approval of the Local Planning Authority. The lighting scheme shall be designed to ensure the amenity of local residents, ensure highway safety and protect ecology by preventing excessive light spill onto sensitive habitats. The development shall be implemented in accordance with the agreed details.

REASON:

To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of local residents, of ecology and of the area generally.

23 OFF-SITE BIODIVERSITY GAIN

Prior to the occupation of the development, an Off-Site Habitat Management and Monitoring Plan for the offsetting of biodiversity impacts at the site, offsetting a total value of not less than 3.46 Habitats Biodiversity Units, must be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements.

The Off-Site Habitat Management and Monitoring Plan must be prepared in accordance with the latest version of Natural England's Habitat Management and Monitoring Plan template, as well as the most current version of the Biodiversity Gain Plan template issued by the Department for Environment, Food & Rural Affairs.

The arrangement necessary to secure the delivery of the offsetting measures shall be executed prior to written approval by the Local Planning Authority. The Off-Site Habitat Management and Monitoring Plan shall thereafter be implemented in accordance with the requirements of the approved scheme.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be maintained in that manner for a period of not less than 30 years from the creation or enhancement of the habitat.

REASON:

In order to demonstrate measurable net gains and In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy NE01: Protecting and Enhancing the Natural Environment.

24 ON-SITE BIODIVERSITY GAIN

Prior to the commencement of development, an On-Site Habitat Management and Monitoring Plan must be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site.

The On-Site Habitat Management and Monitoring Plan must be prepared in accordance with the latest version of Natural England's Habitat Management and Monitoring Plan template, as well as the most current version of the Biodiversity Gain Plan template issued by the Department for Environment, Food & Rural Affairs.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner for a period of not less than 30 years from the creation or enhancement of the habitat.

REASON:

In order to demonstrate measurable net gains and In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy NE01: Protecting and Enhancing the Natural Environment.

25 ARCHAEOLOGY

No development or preliminary groundworks can commence until a programme of archaeological trial trenching evaluation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved by the planning authority.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

26 ARCHAEOLOGY

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the Written Scheme of Investigation defined in Part 1 and confirmed by the Local Authorities archaeological advisors.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

27 ARCHAEOLOGY

A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified shall be submitted to the local planning authority following the completion of the archaeological evaluation.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

28 ARCHAEOLOGY

No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

29 ARCHAEOLOGY

The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON:

To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

30 BROADBAND

No residential unit shall be occupied until a Fibre to the Premises (FTTP) Statement has been submitted to and approved in writing by the local planning authority detailing a scheme for the installation of a high speed wholly FTTP connection to each premises within the approved development OR supplying evidence detailing reasonable endeavours to secure the provision of FTTP and where relevant, details of alternative provision for superfast broadband in the absence of FTTP. The FTTP infrastructure or alternative provision for superfast broadband in the absence of FTTP shall be laid out at the same time as other services during the construction process and be available for use on the first occupation of each premise, or such other date agree in writing by the local planning authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP).

REASON:

Enable the enhancement of the Council's digital infrastructure in order to comply with Local Plan Policy BE07.

31 ENERGY STRATEGY

The development hereby approved shall be carried out in full accordance with the Energy and Sustainability statement titled 'Alexander Lane, Shenfield Energy & Sustainability Statement' by Daedalus dated March 2024.

REASON:

To ensure that the development incorporates measures to minimise the effects of, and can adapt to, a changing climate in line with the objectives of the Planning Policy Position for Net Zero Carbon in Operation for Greater Essex.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.
- Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
- A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
- No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
- The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have

the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

- All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 86 (Brentwood Parish) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.
- Owing to the design of the main site access road and parking arrangements, it is unlikely that the Highway Authority would adopt any of the internal layout.
- Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 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

Appendix 1 – Heads of Terms

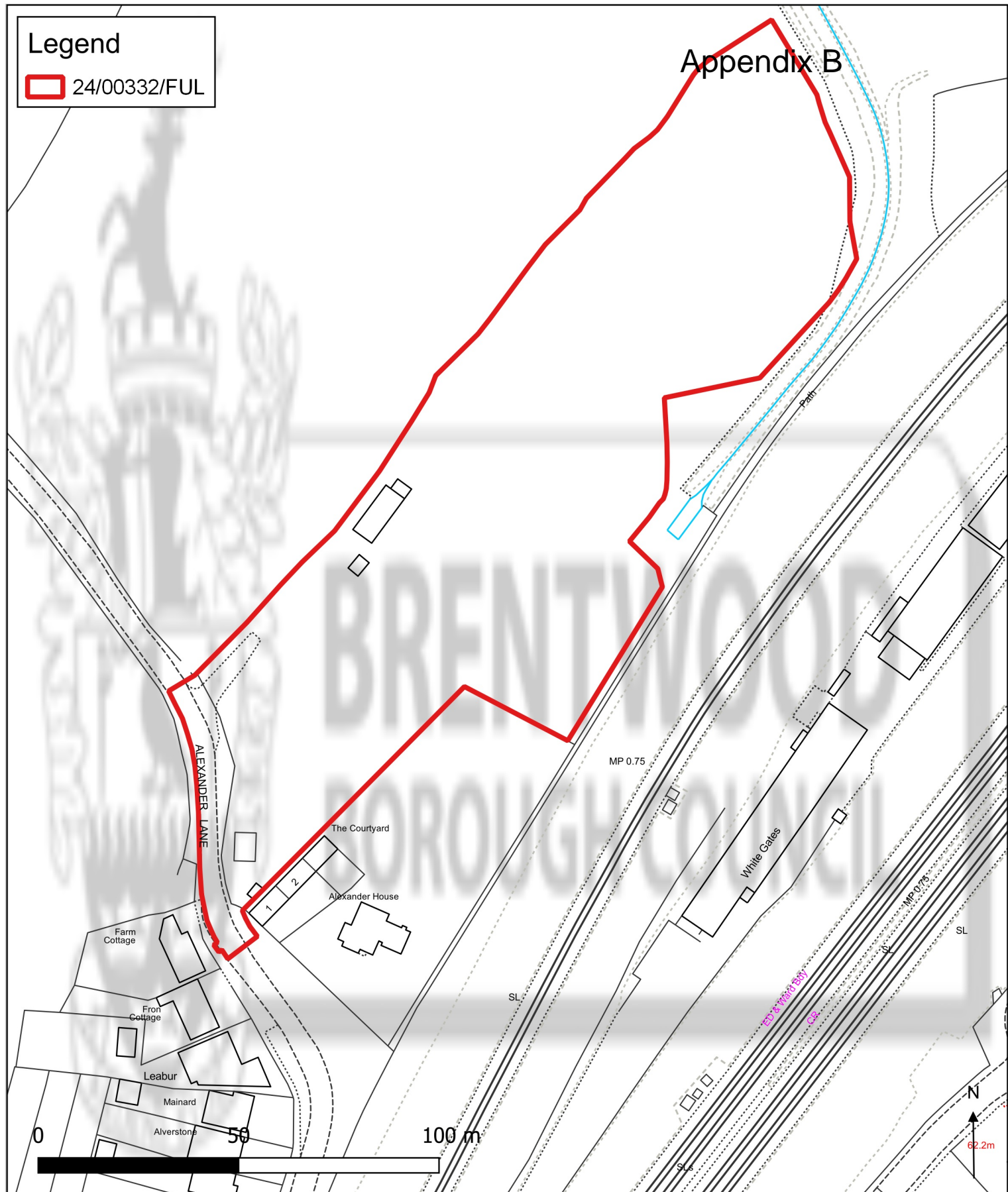
Items	Details
Affordable housing	To provide 13 units of affordable housing, comprised of the following: <ul style="list-style-type: none"> • 7x three-bedroom share ownership unit • 3x three-bedroom affordable rent unit • 1x two-bedroom affordable rent unit • 2x four-bedroom affordable rent unit
Custom build	To provide 2 units of Custom Build Housing.
Healthcare Contribution	To pay £18,800 to the Council on or prior to the occupation of the development.
On-site open space management	To provide an Estate Management Strategy of the public open spaces, trees, non-adopted roads, footways and cycleways, attenuation basins, car parking areas and curtilage of the apartment and to secure their management.
Off-site Biodiversity Gain	To secure the provision of management and maintenance of 3.46 units of habitat biodiversity units on Biodiversity Gain Site/Sites.
On Site Biodiversity Gain	To secure the provision of management and maintenance of habitat and hedgerow units on the application site.
Outdoor Sport Provision	Changing Room Contribution: To pay £51,794 to the Council on or prior to the occupation of the development.
	Playing Pitches Contribution: To pay £38,095 to the Council on or prior to the occupation of the development.
Indoor Sport Provision	Sports Hall Contribution: To pay £18,384 to the Council on or prior to the occupation of the development.
	Swimming Pool Contribution: To pay £20,296 to the Council on or prior to the occupation of the development.
	Indoor Bowls Contribution: To pay £683 to the Council on or prior to the occupation of the development.
Education Contribution	Primary Education Contribution: To pay £226,122 to the County Council on or prior to the occupation of the development.
	Secondary Education Contribution: To pay £173,661 to the County Council on or prior to the occupation of the development.

Education Land Contribution	To pay an apportioned sum to the County Council for them to purchase 50% of the education land within site R03 for the primary school, at a rate commensurate with education use value. The final figure is to be confirmed with the Council and County Council.
Highways Contribution	Signalised Junction Contribution: To pay £14,500 to the County Council on or prior to the occupation of the development.
	Parking Contribution: To pay £10,000 to the County Council on or prior to the occupation of the development.
Sustainable Transport Contribution	Bus Service Contribution: To pay £108,000 to the County Council on or prior to the occupation of the development.
	Public Realm Infrastructure Contribution: To pay £201,737 to the County Council on or prior to the occupation of the development.
	Quietway Cycle Contribution: To pay £91,699 to the County Council on or prior to the occupation of the development.
	Railway Station Cycle Infrastructure: To pay £4,665 to the County Council on or prior to the occupation of the development.
Library Contribution	Library Contribution: To pay the £2956.40 to the County Council prior to Commencement of the Development

Legend

24/00332/FUL

Appendix B



Land East of Alexander Lane, Shenfield

Drawing No. : 24/00332/FUL

Scale at A4 : 1:1250

Drawn by : OSJ

Service : GIS Services

Date : 22nd October 2024

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Jonathan Stephenson
Chief Executive
Brentwood Borough Council
Town Hall
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Brentwood
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Tel.: (01277) 312500

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SITE PLAN ATTACHED

LAND NORTH OF SHENFIELD CHELMSFORD ROAD SHENFIELD ESSEX

CONSTRUCTION OF 191 DWELLINGS (CLASS C3), PUBLIC OPEN SPACE, LANDSCAPING, SUSTAINABLE URBAN DRAINAGE, ACCESS AND ASSOCIATED INFRASTRUCTURE.

APPLICATION NO: 22/01324/FUL

WARD	Shenfield	13 WEEK DATE	15/12/2022
PARISH	N/A	Extension of Time	31 October 2024
CASE OFFICER	Kathryn Williams		

Drawing no(s) relevant to this decision:

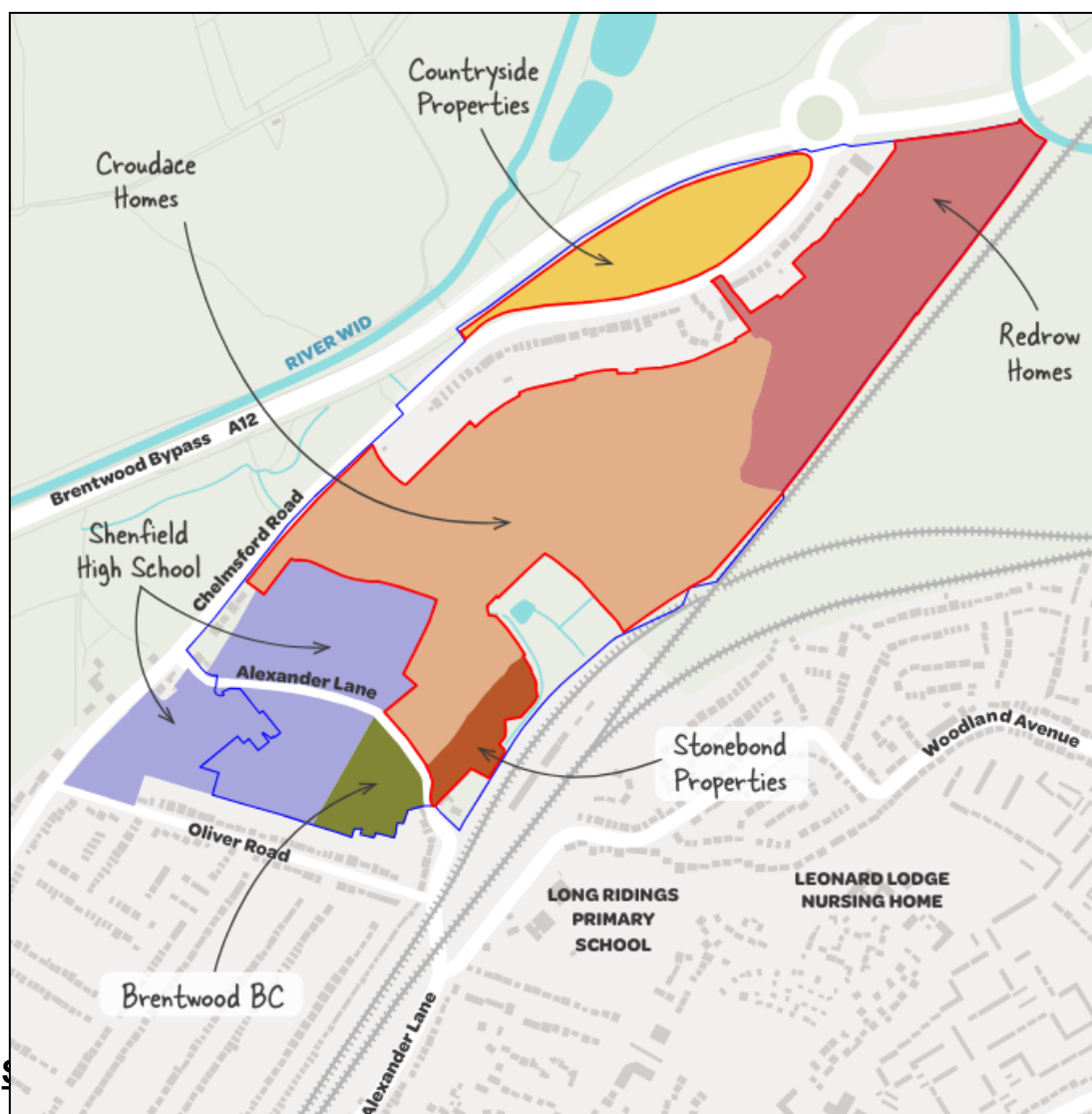
- Proposed drawings (See list of drawings in Condition 2)
- Planning Statement including Affordable Housing Statement
- Design and Access Statement
- Draft Section 106 Heads of Terms
- Schedule of Accommodation
- Statement of Community Involvement
- Landscape Statement
- Transport Assessment and Travel Plan
- Air Quality Assessment
- Noise Impact Assessment
- Archaeological Desk Based Assessment
- Built Heritage Note
- Health Impact Assessment
- Arboricultural Impact Assessment
- Veteran Tree Survey
- Energy Strategy
- Sustainability Statement
- Desk based Heritage Assessment
- Lighting Strategy
- Ecological Assessment
- Biodiversity Net Gain Design Stage Report
- BNG Metric
- Outline Woodland Management Plan
- Flood Risk Assessment
- Land Contamination Assessment

1. Outline of the Proposals

- 1.1 Redrow Homes seeks full planning consent for the development of 191 dwellings (including 35% affordable housing), public open space, sustainable urban drainage access and associated infrastructure.
- 1.1 The site is part of the R03, Land North of Shenfield, allocated within the adopted Brentwood Borough Council (BBC) Local Plan (LP, March 2022) to deliver a mix of housing, employment, a primary school and a care home. Site R03 will be delivered by four developers: Croudace Homes, Countryside Properties, Redrow Homes and Stonebond Properties.
- 1.2 Due to its location in close proximity to services and facilities, and its public transport accessibility, Land North of Shenfield was allocated in the Local Plan as it constitutes a sustainable urban extension to the existing category 1 settlement of Shenfield.
- 1.3 Whilst the four developers have been progressing their proposals through the planning process individually, the combined development is guided by an overarching Masterplan Development Principles Framework (DF), as required by LP Policy R03 (2.a). This ensures that all proposals will have a coordinated and comprehensive approach to matters such as connectivity within the site and with the wider area, flood mitigation, landscape, housing design and impact on traffic.
- 1.4 Policy R03 does not require formal adoption of the DF by the Council but is a material consideration in the determination of this planning application. The weight given to the material consideration is for the decision maker to attribute as such. BBC officers and other key stakeholders, including technical consultees were engaged at length through the production of the DF, and BBC officers are satisfied that the document is acceptable to guide and inform the planning applications for the allocated site.
- 1.5 Figure 1 shows the outline of the allocated site, and the 4 parcels of land that are being brought forward by the individual developers.
- 1.6 This specific part of the allocated site and the details have been subject to a single pre-application meeting in 2022 with Brentwood Borough Council (BBC) officers, including Planning, Housing, Strategic Policy, Landscape, Ecology, Environmental Health, and Essex County Council (ECC) officers, including Place Services and Highways. The application was submitted in September 2022 and revisions were received in January 2023 and subsequently a detailed set of revisions were received in July 2024.
- 1.7 The proposed development this application is to deliver is as follows:
- 191 dwellings, of which 67 units (35%) are affordable housing
 - 4 areas of public open space
 - Sustainable drainage
 - Landscaping
 - Biodiversity Net Gain
 - New access and highway works

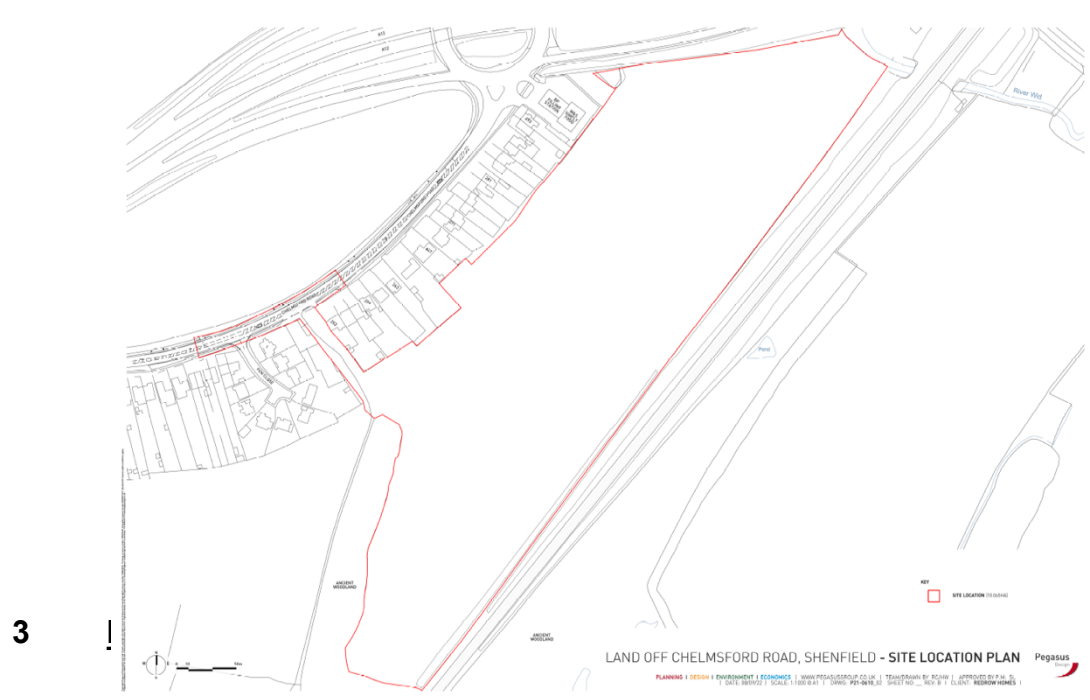
- 1.8 The proposal consists of 191 new dwellings, including a mix of apartments, terraced houses, and semi-detached houses, with 67 new affordable housing dwellings.
- 1.9 A new access point will be created from Chelmsford Road, with the dwellings arranged along a central tree lined spine road.
- 1.10 Highway improvements include the construction of a signalised crossing point along Chelmsford Road.
- 1.11 Four areas of public open space are proposed: one to the south, another in the north which includes an attenuation basin, a central green 'heart' park, as well as a linear park which provides a leisure corridor along the eastern boundary.
- 1.12 The development will incorporate sustainable drainage systems, tree planting, and biodiversity net gain through a combination of on-site enhancements.

Figure 1 – Extract from the Masterplan Development Principles Framework, published in August 2023 (Land Ownership Plan).



- 2.1 The application site is located to the north of Shenfield, measuring approximately 9.8ha in size and currently comprises of an agricultural field (see Figure 2).
- 2.2 The site is bound by the Ingatestone Bypass (A12) and a small section of the River Wid to the northeast. The eastern and southern boundary are bound by an existing woodland belt running parallel to the Great Eastern Main Line and are adjacent to Arnold's Wood, Ancient Woodland.
- 2.3 Directly beyond Arnold's Wood sits the Croudace parcel of the wider allocation. Along the site's western boundary are the rear gardens of existing residential properties and petrol filling station, that front onto Chelmsford Road.
- 2.4 Vehicular and pedestrian access into the site is provided from an existing track via Chelmsford Road, located adjacent to 253 Chelmsford Road and Shenfield Auto Services. This route comprises of an existing Public Right of Way (PROW 272_86). The PROW runs only partially through the site before going southeast, continuing across the remainder of the R03 Allocation to Alexander Lane and beyond.
- 2.5 The heart of Shenfield, with local shops and facilities, is approximately 1 mile to the southwest. This is where Shenfield Railway Station is located, providing services to London, Southend, Colchester, Chelmsford and Ipswich. The Elizabeth Line provides connections from Shenfield Station to Central London and Heathrow Airport.
- 2.6 The closest bus stop to the site is located on Chelmsford Road, 80m to the west of the site which provides regular services to Brentwood, Shenfield and Chelmsford (reduced service of every two hours on Sunday).

Figure 2 – Site Location



3.1 There is no planning history available for the site.

4 Pre-application

4.1 This proposal has been subject to pre-application consultation with BBC and ECC officers (Planning, Housing, Strategic Policy, Tree, Landscape, Ecology, Environmental Health, Urban Design, Highways, Education). The developer has responded to these discussions by providing revisions of drawings and technical reports during the assessment process.

5 Consultation

5.1 Community engagement has been undertaken in conformity with objectives of the Localism Act 2011, the National Planning Policy Framework (2023) and the BBC 'Statement of Community Involvement' (SCI) (Adopted 2018).

5.2 Consultation was undertaken with the members of the public in September 2022 and August 2024, via both letters and site notices.

6 Neighbour Responses

6.1 Where applications are subject to public consultation, those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <https://publicaccess.brentwood.gov.uk/online-applications/applicationDetails.do?activeTab=dates&keyVal=RIIKLODJIBZ00>

6.2 At the time of writing this report, 23 objections and 1 response of support have been received for this application, including a letter from the Chelmsford Road Area Residents Association.

6.3 The objections are summarised as follows:

- Assessments on noise, impact to the environment and transport impacts have been carried out in isolation
- Limited access to local shops/facilities
- Impact of applications should not be looked at in isolation
- No provision of local amenities such as shops
- Lack of co-ordination between developers
- Impact on traffic levels
- Loss of privacy to 253 Chelmsford Rd
- Impacts on local services
- Flood and pollution implications
- Overdevelopment
- Does not meet the targets for affordable housing

- Impact on green spaces and habitats
- Capacity of public transport links to London

- Construction related impacts
- Loss of agricultural land

6.4 The application is accompanied by a Statement of Community Involvement (SCI), which provides details on the public consultation exercise carried out by the applicant prior to the submission of the application.

7 **Consultee Responses**

7.1 Detailed below is a summary of the consultation responses. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <https://publicaccess.brentwood.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RIIKLODJI BZ00>. Only responses from 2024 are recorded below, being the most relevant to the application.

1) Planning Policy

The application site forms part of residential-led allocation R03 in the Local Plan, as such the principles of residential development on this site are **supported** in line with the Local Plan's spatial strategy and strategic objectives. Local Plan Policy R03 provides the basis for how development is expected to come forward and key considerations.

Part 4 of Policy R03 sets out the identified key pieces of site-specific infrastructure required to support the development of allocation R03, making its development acceptable in planning terms. Additionally, the relevant infrastructure requiring contributions from allocation R03 are listed in the IDP Part B. As set out within Chapter 15 of the IDP in apportioning costs to developers; costs will be apportioned based on the level of impact or generated demand e.g., the number of houses delivered, or additional trips generated. Contributions should also be equitable between developers, in proportion to their level of impact or generated demand.

2) Place Services

We remain largely **supportive** of the scheme and consider it to be generally well-designed. There remain some areas that could benefit from further refinement, particularly in relation to the acoustic fencing, which would be considered to impact the quality of the development where these boundary treatments would be visible. [Email correspondence].

The proposed development has been re-considered from an Urban Design perspective considering the recent amendments submitted, including the updated layout plan, proposed acoustic boundary details, and the forthcoming detailed plan pack. We appreciate the revisions made, particularly those addressing several of our previous concerns. The enhancement of desire lines through additional pedestrian links, the relocation of the substation to a more discreet location, and the inclusion of public art at the entrance gateway are commendable improvements.

3) BBC Housing

The application includes for 35% affordable housing, which is compliant with policy. The applicant has taken on board the housing teams request for more family housing and has provided above the requirement set out in the 2022 SHMAA. The mix between rented units and affordable home ownership represents a deviation from the policy mix of 86% rented/14% affordable home ownership. This principle has been agreed with BBC's policy team on other phases of R03 in order to facilitate the provision of more family homes. On the whole, the affordable housing is well distributed across the site. There is one area where clustering is unavoidable due to the provision of apartments. This is accepted by the housing team to avoid mixed tenure blocks. The **housing team is supportive** of the application.

4) Tree / Landscape / Ecology

Following discussions with the applicant, several minor changes have been made to the masterplan. The landscape masterplan has been revised to incorporate the proposed changes including measures such as the proposed doorstep play around the SUDS basin in the northeast of the site. I would be happy for the details of the landscape scheme to be secured through the landscape condition.

I have no objection on landscape grounds to the proposed acoustic fence and boundary treatments.

The revised arboricultural impact assessment does not result in any significant changes to effects on trees.

The latest revision to the biodiversity net gain assessment confirms that it is achieving more than the mandatory 10% net gains for both habitats and hedgerows.

The revisions have no significant changes to the overall landscape and ecological effects of the proposal.

If the scheme is permitted I would require the following conditions:

- landscape – including details of hard and soft landscaping and boundary treatments
- landscape and biodiversity management plan to secure the management of public realm planting and open space areas
- arboricultural method statement
- the final woodland management plan

5) Highway Authority (Essex County Council)

The documents submitted with the planning application have been duly considered and a number of site visits have been carried out. It is noted that the development site forms part of the wider R03 site within in Brentwood Borough Council's adopted Local Plan of March 2022.

The proposals entail the provision of a site access onto the A1023 Chelmsford Road by way of a priority junction which complies with highway standards and has been safety-audited.

The proposals' parking provision fall slightly below the level to fully comply with Brentwood's adopted standards (2-bedroom flats are only provided with one parking space). However, Brentwood Borough Council, in their role as the parking authority, have indicated their wish to reduce emissions and have not insisted on the full provision. The Highway Authority is prepared to accept this on the condition that, should any issues with parking on the highway outside the site arise post-development, the applicant should fund the cost of a Traffic Regulation Order to restrict such practice and thus ensure the future safety of all highway users.

Within the site, the proposals include good pedestrian and cycling facilities and they link with existing facilities outside the development. The applicant is also having to contribute a significant sum towards improved bus services and infrastructure to help link the site to Shenfield, Brentwood and the rest of the local area.

A detailed and robust Transport Assessment has been submitted by the applicant. Along with National Highways and Brentwood's own transport consultants who have also reviewed the impact of the development, we are satisfied that the proposals can be accommodated without a severe impact on the safety and efficiency of the local highway network, which is the NPPF criteria for refusing an application on highway grounds.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the suggested conditions n.b. monetary requirements are incorporated into the Section 106 legal agreement.

6) Essex County Council SUDS

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

7) Essex County Council Green Infrastructure

Having reviewed the Landscape Statement and the associated documents which accompanied the planning application, we **do not object** to the granting of (22/01324/FUL).

8) Environment Agency

Thank you for your consultation we have reviewed the plans as proposed and we have **no objection** to the planning application, providing that you are satisfied that the development would be safe for its lifetime, and you assess the acceptability of the issues within your remit.

9) Mid & South Essex Health Care

The ICS has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests that these are secured through a S106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local healthcare services.

The terms set out above are considered appropriate having regard to the formulated needs arising from the development and the ICS is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

10) Essex County Council Education

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on EY&C, Primary Education and Libraries.

11) Environmental Health Manager

I have reviewed the revised Noise and Vibration Assessment ref A5195/N/02 and note the recommendations for noise mitigation measures, in particular the proposed 3-metre and 2.5m acoustic barriers shown in Figure 7.1.

It is accepted that it will not be possible to achieve external amenity area noise levels of 55dB in all areas due to the existing road traffic noise levels, but the proposed noise barriers should enable the noise levels to be reduced to below 60dB.

Internal noise levels within proposed dwellings can be achieved with the use of appropriate glazing specifications to provide the required attenuation of up to 36dB, as indicated in the examples in Table 7.2.

The assessment of change in road traffic noise in Table 5.4 indicates that there will be a negligible increase in predicted road traffic noise to noise sensitive receptors (NSRs) from predicted change in traffic levels and also due to the proposed development.

I would recommend that all noise mitigation measures outlined in the Accon UK noise report are implemented and that the scheme of proposed glazing

specifications in accordance with Table 7.2 and Figure F.1.5 is required by condition.

The revised Air Quality Assessment and the Land Contamination Assessment have also been reviewed; the Air Quality Assessment indicates that the site will meet the current air quality objectives.

The recommended works indicated in the Land Contamination Assessment can be implemented through conditions following approval.

No objection. A total of 8 conditions are suggested.

12) Essex County Council Archaeology

The Essex Historic Environment Record (EHER) shows that the proposed development is located to the south of the Roman road (EHER 5428) between Chelmsford and London (the modern day Chelmsford Road). It is also located to the north-east of the historic core of Brentwood (EHER 525), and to the south-west of the settlement of Mountnessing (EHER 1353) both of which have medieval origins.

To the north-west of the site is Fitzwalters, a medieval moated manor site (EHER 5346) containing an 18th-century brick-built house (EHER 5347). Additionally, nearby fields contain cropmarks indicating the presence of rectangular enclosures (EHER 18146 to the east and EHER 48286 to the west), which are possibly Roman or prehistoric in origin.

There is the possibility that archaeological remains related to any of the heritage assets detailed above may survive on the development site and will be destroyed or disturbed by the works associated with the proposed development. Accordingly, this office agrees with the conclusions of the submitted desk based assessment, namely that an archaeological trial-trench evaluation is required in advance of the commencement of development in order to assess the archaeological potential of the proposed development site.

The submitted Written Scheme of Investigation has previously been seen and approved by this office, and we agree with the proposed methodology and trench plan.

13) Sport England

No objection to the planning application is made subject to the financial contributions towards community sports facilities referred to in the response being secured through a planning obligation.

14) Essex Badger Protection Group

The latest ecological impact assessment for this particular scheme identifies four setts surrounding the site, three identified in 2021 and one in 2024. All are said to be dormant and all are to be retained. We would fully support this sett retention.

A total of 14 suggestions are requested.

15) Essex Wildlife Trust (180 dwellings no further response provided regarding 191 dwellings)

Holding objection:

- No consideration of impacts on adjacent watercourse
- No consideration of the future management of Arnold's Wood Complex Local Wildlife Site
- No mention of badgers in the EclA

This holding objection has subsequently been reviewed by BBC's Ecology Officer in light of the most recent information who has offered the below commentary:

"River Wid

The river would be buffered by the attenuation basin and open space provision. This will prevent direct impacts on the river. The EA is responsible for water quality and have not raised an issue in relation to pollution risks on the river. The construction would be undertaken in accordance with a CEMP which would minimise any risk during construction.

Arnolds Wood

The management of the wood has been addressed through the management plan.

Badgers

This has been produced"

16) British Transport Police

No comments received.

17) Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that

the diversion works should normally be completed before development can commence.

18) National Highways

No objection

19) National Grid

No comments received.

20) Natural England

No comments to make.

21) Royal Society for the Protection of Birds

No comments received.

22) Cadent Gas

We have **no objection** to this proposal from a planning perspective.

23) Historic England

No comments to make.

24) Designing Out Crime Officer

Lighting

Lighting plays a pivotal role in deterring criminal activity, but also promotes a feeling of safety within the space that is illuminated. The DOCCO would wish to seek clarity regarding future lighting plans, as it is essential that the lighting provision must provide uniform illumination with due consideration given to the spill of light and its' impact on neighbouring properties. For clarity, uniform lighting is always best achieved through column lighting across all areas of the development.

Access control

Further clarity in relation to communal doors and communal spaces within the apartment blocks is sought. We are keen that access to the various levels of the apartment blocks is restricted to residents and persons admitted by them. We point out the danger of "Trades" buttons or unrestricted access in connection with access control as these entry arrangements effectively undermine any security of the buildings. We therefore recommend that access control is included for each separate floor of the apartment blocks.

Mail delivery

In relation to the apartment blocks, we would like to know the proposed arrangements for mail delivery and whether a secure mail locker

incorporating individual post boxes is to be provided within the ground floor entrance areas. Similarly, we are interested in arrangements for parcel delivery and whether a secure storage facility/area will be included in the plans.

Bike and Bin Stores

We would like detail regarding access control and the door and locking mechanisms for the bike and bin stores for the apartment blocks.

Landscaping

The DOCO would welcome the opportunity to liaise regarding the green architecture and the landscaping plan, especially with regard to the use and management of the proposed communal spaces within the development; the success of the development may be compromised if there is no arrangement regarding the management of these green areas. We are also interested in the provision of street furniture and the proposed play equipment within the open public realm spaces.

Boundary treatment

We are interested in the boundary treatment for the southeastern flank of the development and note the comment within the application regarding a proposed 1.8-metre-high timber, close boarded fence (subject to the existing boundary treatment and discussion with adjacent landowners). This forms a boundary with the railway and consequently we have made the British Transport Police Designing Out Crime Officer aware of the application and therefore they may also make separate comment to Essex Police on this matter.

8 Relevant Planning Policies

8.1 Adopted Brentwood Local Plan (LP) 2016-2033:

- Policy R03: Land North of Shenfield
- Policy MG01: Spatial Strategy
- Policy MG04: Health Impact Assessment
- Policy MG05: Developer Contribution
- Policy BE01: Carbon Reduction and Renewable Energy
- Policy BE02: Water Efficiency and Management
- Policy BE03: Establishing Low carbon and Renewable Energy Infrastructure Network
- Policy BE04: Managing Heath Risks
- Policy BE05: Sustainable Drainage
- Policy BE07: Connecting New Developments to Digital Infrastructure
- Policy BE08: Strategic Transport Infrastructure
- Policy BE09: Sustainable means of travel and walkable streets
- Policy BE11: Electric and Low Emission Vehicles
- Policy BE12: Mitigating the Transport Impacts of Development
- Policy BE13: Parking Standards
- Policy BE14: Creating Successful Places
- Policy BE15: Planning for Inclusive Communities

- Policy HP01: Housing Mix
- Policy HP03: Residential Density
- Policy HP05: Affordable Housing
- Policy HP06: Standards for New Housing
- Policy NE01: Protecting and Enhancing the Natural Environment
- Policy NE02: Green and Blue Infrastructure
- Policy NE03: Trees, Woodlands, Hedgerows
- Policy NE05: Open Space and Recreation Provision
- Policy NE08: Air Quality
- Policy NE09: Flood Risk
- Policy NE10: Contaminated Land and Hazardous Substances

8.2 Supplementary Planning Document (SPD):

- BBC Planning Obligations SPD, 2023
- ECC Developers' Guide to Infrastructure Contributions, 2023

8.3 Other material consideration:

- BBC Infrastructure Delivery Plan (IDP), 2021
- Masterplan Development Principles Framework, 2023

8.4 National Policy:

- National Planning Policy Framework (NPPF) 2023
- National Planning Policy Framework (NPPF) Revisions being Consulted upon 2024
- Planning Practice Guidance (PPG)
- National Design Guide (2021)

9 **Local Plan Policy R03, Land north of Shenfield**

9.1 As previously mentioned, LP Policy R03 allocates the site subject to this planning application and its surroundings for residential-led mixed-use development.

9.2 The policy reads:

Land north of Shenfield, known as Officer's Meadow and surrounding land is allocated for residential-led mixed-use development.

1 Amount and Type of Development

Development should provide:

- around 825 new homes;*
- around 2.1 hectares of land for a co-located primary school and early years and childcare nursery;*
- around 60 bed residential care home or an appropriate mix of specialist accommodation to meet identified needs, in accordance with policy HP04;*
- 5% self-build and custom build across the entire allocation area; and*

- e. around 2ha of land for employment purposes which may include light industrial, offices, research and development (within class E) or other sui generis employment uses which are compatible with the residential development.

2 Development Principles

Development should:

- a. be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward;
- b. be of a design quality and layout that reflects its key gateway location, particularly on land near to Junction 12, A12;
- c. provide vehicular access via Chelmsford Road (A1023) and Alexander Lane;
- d. allow if possible for the diversion of Alexander Lane to create a quiet lane for pedestrians and cyclists, with the provision for new and improved route through the development site linking to Chelmsford Road;
- e. enhance walking, cycling and public transport services with Shenfield station and local services and facilities in the wider area, including Brentwood Town Centre;
- f. provide well-connected internal road layouts which allow for good accessibility;
- g. provide new multi-functional green infrastructure including public open space in accordance with Policies NE02 and NE05;
- h. maintain and enhance Public Rights of Way within the site and to the wider area;
- i. protect and where appropriate enhance the Local Wildlife Site (Arnold's Wood).
- j. provide for appropriate landscaping and buffers along sensitive boundaries adjoining the A12 and railway line.
- k. maintain the same amount of existing playing field provision on site or, where this cannot be achieved, provide replacement playing fields (including supporting ancillary facilities) of equivalent or better provision in terms of quantity and quality in a suitable location prior to commencement of development on the playing field. Any replacement playing field provision should not prejudice Shenfield High School or the community from meeting their playing pitch needs; and
- l. be designed to ensure a coherent functional relationship with the existing development, which should be well integrated into the layout of the overall masterplan.

3 Infrastructure Requirements

Proposals should:

- a. provide pedestrian and cycle crossing points across Chelmsford Road (A1023) where appropriate;
- b. provide an improved bus service;
- c. as the site is located within a Critical Drainage Area, development should minimise and mitigate surface water runoff in line with Policy BE05 Sustainable Drainage.

4 Infrastructure Contributions

Applicants will also be required to make necessary financial contributions via planning obligations towards:

- a. off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with policies MG05 and BE08 (the planning obligation will determine the level and timing of payments for these purposes);*
- b. 'quiet way' cycle routes connecting transfer hubs to schools in Brentwood Town Centre.*

9.3 It is important to note that the R03 site has a number of physical constraints, the most significant ones being flood risk and drainage, which had not been explored in detail before the allocation of the site in the LP. Further survey work confirmed that it is not possible to deliver the 825 homes originally anticipated and set out in Policy R03 (1.a), as no buildings can be located within the CDA which crosses the Croudace and Stonebond parcels, and due to the high number of trees to be retained.

9.4 Therefore, BBC officers and Place Services actively encouraged the developers to use a variety of housing typologies and urban design solutions, in order to maximise the number of new dwellings delivered on the four parcels. At the time of writing this report, it is expected that the R03 site will comprise a total of 718 units.

10. **The Masterplan Development Principles Framework**

10.1 Although not formally adopted, the DF is also a material consideration when determining this application. The production of a DF is required by LP Policy R03(2.a), which states that the development of the allocated site should “*be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward*”. The policy does not set out any requirement for the DF to be subject to consultation or formally adopted, and thus the document does not form part of BBC Development Plan.

10.2 Whilst the DF has been prepared by the four developers, it has been informed by stakeholder feedback following several revisions. A high-level Masterplan was presented to officers in June 2022, revisions were first submitted in December 2022, and then February and May 2023. The DF was also presented to the Essex Quality Review Panel in June 2023. BBC officers (Planning, Housing, Strategic Policy, Tree, Landscape and Ecology, Environmental Health) and Place Services Urban Design team have reviewed and provided comments to all the DF iterations.

10.3 The DF defines the vision for the site as “*a new neighbourhood within a significant landscaped area that will provide improved biodiversity, new areas of play, a number of pockets of open spaces and a network of pedestrian and cycle routes that will link to Shenfield and the rail station to optimise use of the new Elizabeth Line service*”.

- 10.4 The DF is an important document as it ensures that there is an overall strategy for the future development of the site, that all 4 developers need to abide to. Matters such as land use, landscape, ecology, connectivity within the site and with the wider area (pedestrian, cycle and vehicular), flood mitigation, impact on traffic, have all been looked at holistically: not only does the DF set out development principles, but it also defines the location of key internal roads, connections between parcels, areas of public open space and play areas (among other things) and includes a design code applicable to each character area.
- 10.5 Specifically, the DF provides overarching guidance on the following:
- Nature
 - Green and Blue Infrastructure
 - Ecology and Biodiversity
 - Flood mitigation and Sustainable Urban Drainage (SuDS)
 - SuDS, public open space and play areas
 - Public Spaces
 - Overall Strategy
 - Open Space
 - Play Areas
 - Connectivity
 - Public Transport Plan
 - Pedestrian and Cycle Links
 - Vehicular Movement Plan
 - Car Parking
 - Identity / Character Areas
 - Urban Edge
 - Green Street (Boulevard Streets Character)
 - Green Street (Mews Streets Character)
 - Green Edge (Woodland Edge Character)
 - Green Edge (The Lanes Character)
 - Built Form
 - Land Uses
 - Housing
 - School
 - Employment / Care Home
 - Sustainability
 - Delivery and Phasing
- 10.6 The approach adopted in the DF guarantees that the individual applications, if approved, will not result in piecemeal development, but in a well-coordinated urban extension, where cumulative impacts are understood and addressed. The components of the DF reflect the requirements set out in LP Policy R03.
- 10.7 The DF also includes a very detailed analysis of the local context that was used to inform the overall layout and design principles for the allocated site, as well as for the individual planning applications.

- 10.8 BBC officers and technical consultees were engaged at length throughout the production of the DF. BBC officers have confirmed that the document is acceptable to guide and inform the planning applications for the allocated site.
- 10.9 With regards to the Redrow parcel, the DF expects it to deliver a residential development (subject to this planning application).

11 Analysis of the Planning Matters

- 11.1 The starting point for determining a planning application is the adopted development plan, which is the Brentwood Local Plan 2022. Planning legislation states that applications must be determined in accordance with the relevant development plan policies, unless material considerations indicate otherwise. Additional policies, as relevant material considerations for determining this application, are the NPPF and the PPG. Although individual policies in the Local Plan should not be read in isolation, the adopted plan contains policies of particular relevance to this proposal, which are listed in section 3 of this report.
- 11.2 As already explained, the masterplan is a material consideration in the determination of this planning application.

Principle of residential development

- 11.3 The site is part of Land North of Shenfield (R03) allocated for housing delivery within the Brentwood LP, as shown in the Figure 1. Therefore, the principle of development for residential use is therefore supported.

Layout and Built Form

- 11.4 The layout has been informed by several existing constraints, which include:
- The existing residential properties along Chelmsford Road.
 - The Ancient Woodland (Arnold's Wood), which runs along the eastern boundary and curls around to the south of the application site.
 - The groups of Category A trees positioned in the south.
 - The access between the PRow and existing residential properties.
- 11.5 Taking account of these constraints, the proposed development has been articulated around a tree lined boulevard, that runs from the southwest centrally up to the northeast. From this, a network of secondary roads (mainly shared surfaces) and pedestrian and cycle links extend throughout the site, providing connections between residential blocks, extensive areas of public open space, attenuation basins, play areas and retained trees.
- 11.6 The proposed layout is characterised by seven components, illustrated in Figure 2.

1 The Entrance

- 11.7 The entrance to the proposed development has a parcel of green space to both the east and west, with a number of category B trees in situ, creating a welcoming attractive green arrival space. On the western side there are two detached dwellings set within this space and a row of detached dwellings to the east. This is the point at which the eastern leisure footpath starts, positioned in front of the dwellings.

2 Woodland Edge

- 11.8 This area contains an area of play space, positioned within the setting of the Ancient Woodland. The leisure route continues past this area, promoting connectivity through the development. This also allows a link south to the Croudace parcel.

3 Urban Edge

- 11.9 This area has an urban character, with taller dwellings at 2.5 to 3 storeys, fronting the eastern leisure footpath. This area is enclosed on the east, with the Ancient Woodland and the railway line along the boundary.

4 Central Green Space

- 11.10 Within the middle of the proposed development, is a central parkland that acts as the heart space, with intertwining footpaths and pockets of public open space. This area is the focal point of the proposal, demonstrating a landscaped approach.

5 Mews Street

- 11.11 Positioned on the western side of the development, the built form has predominantly semi-detached dwellings, with book-end terraces either end of the road. The road format is more compact, with more on-street visitor parking and a staggered road layout, to reduce speeds vehicles can travel.

6 Northern Gateway

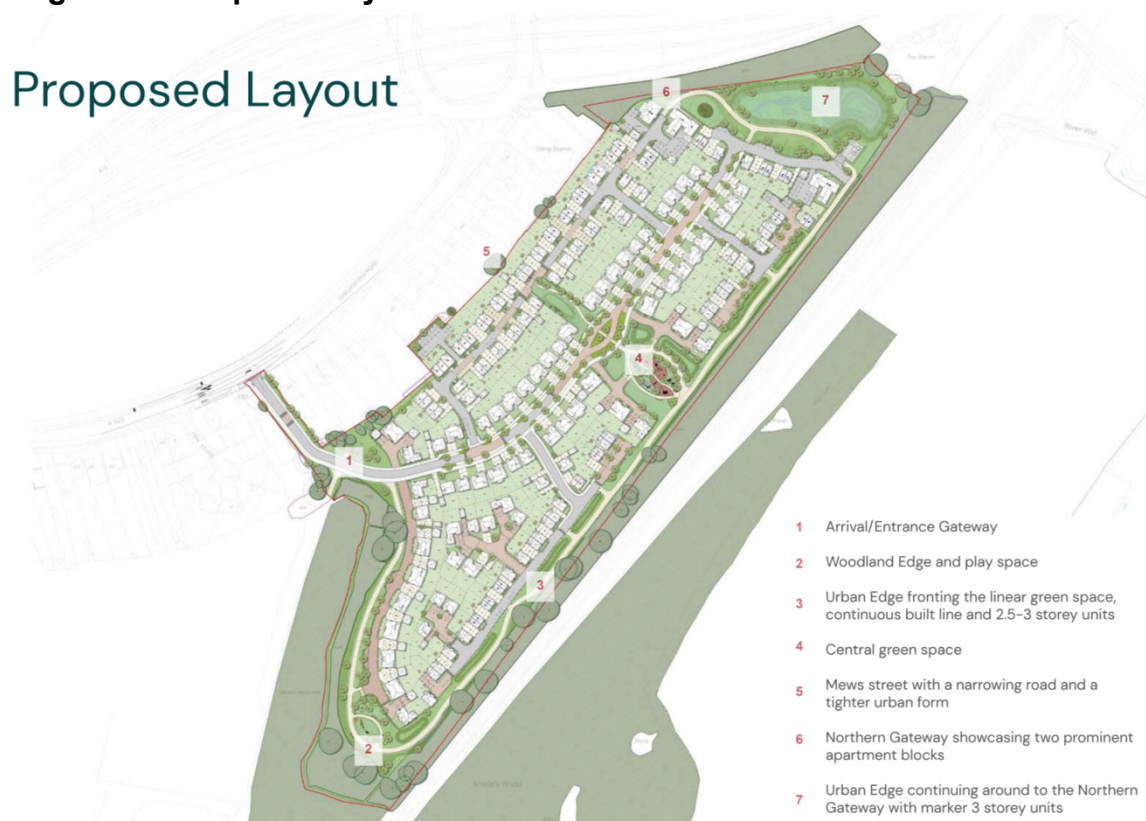
- 11.12 The northern gateway is shown in the DF and to respond to this, this part of the proposed development contains two 3 storey apartment blocks. It is noted the topography of this element is lower than the remainder of the site.

7 Urban Edge

- 11.13 This layout contains 3 storey buildings, that overlook the sustainable urban drainage area, which also contains natural play features and acts as an area of public open space.
- 11.14 The site layout has been subject to extensive discussion and has reached a form that is supported by both BBC officers and Place Services.
- 11.15 The proposal comprises a variety of character areas, all in accordance with the DF, depending on their location, proximity to landscape features, and their function within the site and the wider allocation. Officers welcome the variation to the site layout, avoiding the risk of a monotonous and repetitive large urban development.

- 11.16 The layout has been designed to ensure that all routes are legible and usable for all members of the public, with clear connections between the key points of interest. All residents will live in close proximity to areas of public open space and will have easy access to play areas, which is supported. Along the primary route proposed dwellings are oriented to face the tree line boulevard, with larger detached dwellings on the corners that act as a guide into other character areas of the development. It is considered that the layout has achieved good natural surveillance of the pedestrian routes, the open spaces and the public highway. The proposal has positively orientated dwellings, with windows facing across both the public highway and open spaces, to create this natural surveillance. As such, the proposed layout is acceptable, as presented, and it is noted that no objections or suggestions have been made by the Designing Out Crime Officer in relation to natural surveillance.
- 11.17 The Urban Design team suggested a pedestrian connection through to the adjacent BP petrol filling station. However, the applicant has confirmed that this is not achievable due to constraints including land ownership, topography and the need to remove further scrub and vegetation (impacting on BNG units). Therefore, the applicant has adequately justified why a route to the petrol filling station is not achievable and officers are content that the pedestrian links within the site adequately provide access to the wider area.

Figure 2 – Proposed layout



- 11.18 The PS Urban Design officer suggested that *“that the green spaces adjacent to plots 1 and 8 risk becoming underutilised or neglected spaces.”* Officers have reviewed this and this area has been identified by the landscaping scheme to

include Grass-Species Rich Lawn Seed, areas of tree/hedge retention and planting. These are all features which are deemed acceptable in their context and contribute to the ecological and landscaping improvements associated with the scheme, whilst also helping to create a verdant and biodiverse environment for future occupiers to enjoy. Additionally, these areas are part of the communal landscape area and the ongoing management of these spaces will to be secured via condition by a landscape management plan, ensuring that these spaces will be well maintained.

- 11.19 A contextual analysis of the local area was conducted during the preparation of the masterplan, and the findings are included in the appendix of the DF. It is considered that the proposal has been developed in accordance with this analysis and takes cues from both the masterplan and local context.

Appearance

- 11.20 The appearance, character and built form of the proposal is broken into four-character areas, in accordance with the DF Masterplan and are summarised in Table 1. These should be interpreted with both the character areas set out in Figure 3 and the building types set out in Figures 4 to 7.

Green Woodland Edge

- 11.21 The Green Woodland edge to the site helps to create a soft landscaped entrance gateway to the site, encompassing larger detached dwellings with a softer material palette offering a rural edge to both the entrance gateway and Arnold's Wood Ancient Woodland.
- 11.22 Detached, lower density development (2-2.5 storeys) and increased landscaping in these areas help to create a sense of arrival into the site. Whilst focal buildings include a mixture of accent materials including white render and black half-timber boarding on centrally located and prominent gables.
- 11.23 Focal buildings at plots 2 and 97 are 2.5 storey corner dwellings that lead into the wider development, turning to address both the neighbouring Green Streets Boulevard character area and framing the Green Woodland Edge. As for the wider character area dwellings also include red brick, adding a level of variety along the street scene.
- 11.24 The street layout of this Green Edge is predominantly made up of gentle curves, shared surfaces and; private driveways which are appropriately bordered by on-plot landscaping, hedges and estate railings set off substantial front gardens. These features help curate the green and rural feel of this character area.

Green Streets Boulevards

- 11.25 The Green Street Boulevards character area defines the primary vehicle and pedestrian route through the wider site by providing a tree lined central boulevard and a continuous built form.
- 11.26 Dwellings in this character area are predominantly 2 storey and include a material palette that reflects the locality, this includes bays with render and gable fronts, with black detailing, as well as half timber frontages.
- 11.27 Creating the formal nature of this character area, dwellings are set back from the pavement allowing for formal landscaping and boundary treatments including hedgerows, black estate railings and very occasionally low brick walls.
- 11.28 This formal Boulevard is broken by a splitter island at the 'Green Heart' of the scheme, which allows for traffic calming and improved pedestrian links and permeability west-east across the site.

Green Streets Mews

- 11.29 The Green Streets Mews character areas are secondary areas set off the main Green Street Boulevard, this character area is characterised by a predominantly 2 storey narrow fronted semi-detached dwellings, with regular spaces between dwellings to create order and define character.
- 11.30 These areas include a mixture of intimate streets characterised by shared surfaces, homezones, and pedestrian friendly environments all helping to create short range views for wayfinding. This street pattern is set to create pedestrian and cycle friendly environment creating priority for these users.
- 11.31 Wayfinding throughout these areas is further improved using accent render finishes on corner plots, with a consistent brick finish elsewhere.
- 11.32 Dwellings are to be universally set back and include a side-parking arrangement, with planting and landscaping, adding soft edges to dwelling plots.

Urban Edge

- 11.33 Increasing the density, the Urban Edge character area is made up of a mixture of 2.5-3 storey apartments, semi-detached and detached dwellings of predominantly red brick with consistent gable forms. The increased density in this area and the use of side parking, helps to create a strong continuous frontage that addresses the adjacent open spaces to the east. Again, corner turning dwellings include render to aid in wayfinding.

Table 1 - Character areas

Character Area	Description of Features	Material Palette
Green Edge Woodland	Features substantial swathes of landscape and the entrance gateway. Generally larger, detached dwellings that seek to create a 'rural edge' setting with a softer material palette.	<ul style="list-style-type: none"> • Render • Black half-timber boarding • Waney edge boarding • Red brick
Green Streets Boulevards	Formal setting along the Central Boulevard Road and Central Green Space. This character are includes detached dwellings that are set back from the street creating a continuous built form.	<ul style="list-style-type: none"> • Render • Black half timber boarding • Waney edge boarding • Red brick • Light-coloured boarding
Green Streets Mews	Narrow fronted dwellings and semi detached/terraces defined by shared surfaces zones.	<ul style="list-style-type: none"> • Render • Black half timber boarding • Waney edge boarding • Red brick
Urban Edge	Predominantly semi-detached homes at 2.5 and 3 storeys which provides a strong active frontage to the Linear Park.	<ul style="list-style-type: none"> • Render • Black half timber boarding • Waney edge boarding • Red brick

Figure 3 – Masterplan character areas for Redrow

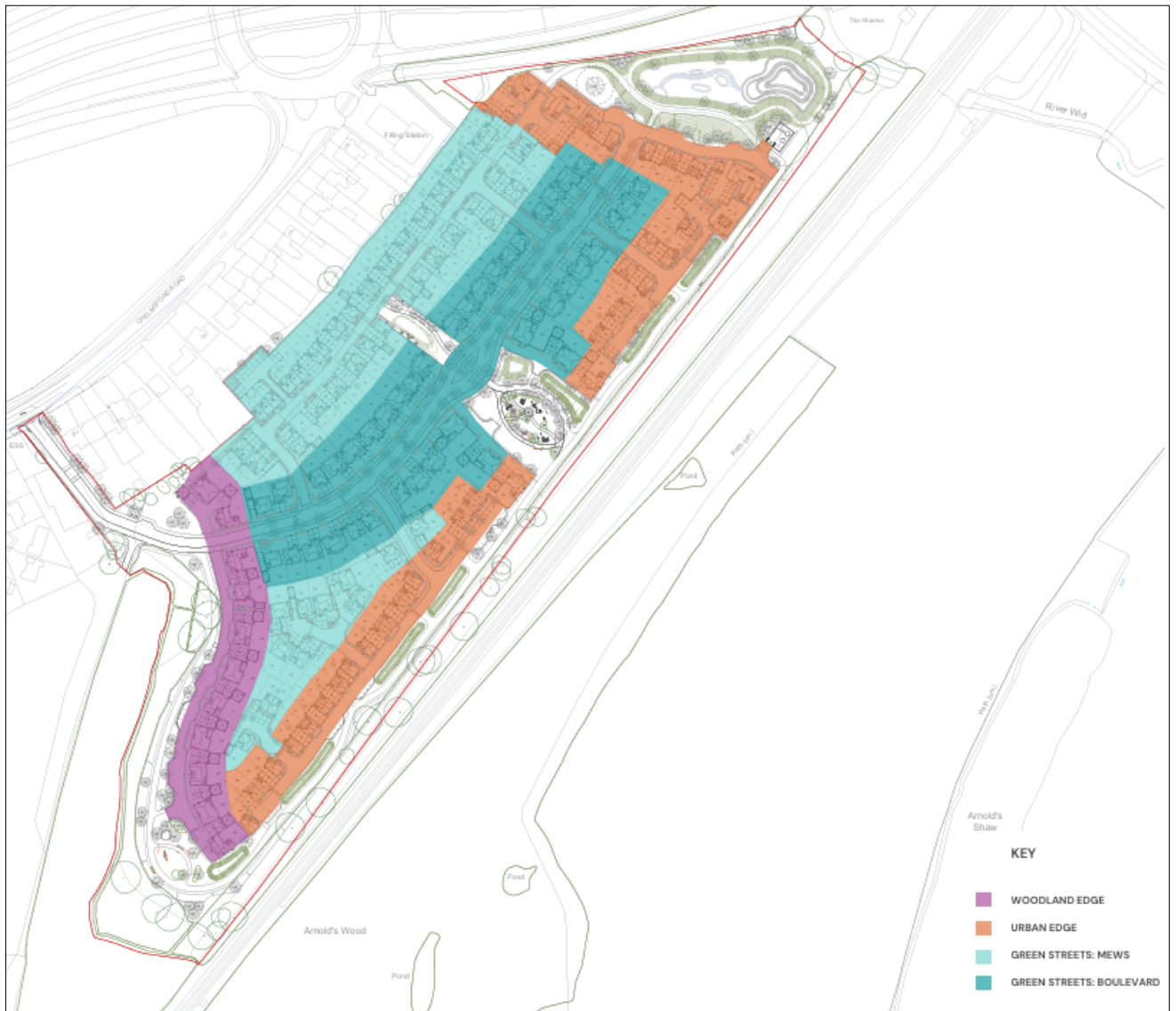


Figure 4 – Green Streets - Entrance



Figure 5 – Green Street Mews



Figure 6 – Urban Edge



Figure 7 – Green Boulevard



- 11.34 The proposed development includes a range of materials, which are similar to those found on Chelmsford Road and other nearby streets. These include brickwork and render, with clay and slate roof tiles. These elements are shown in the submitted Material Plan and correlate with the house type drawings that accompany the planning application. The different character areas provide different architectural styles, with varying heights and fenestration to add visual interest. Officers consider that the appearance of the proposed development is a high quality design and complements the wider surrounding context of Shenfield
- 11.35 In line with the submitted noise assessment, the proposal includes acoustic fencing on a number of plots within the northeastern segment of the site. Place Services have raised concerns with the height and materials of acoustic barriers Type A (Jacksons fencing plots 30 - 36) and Type D (rendered wall plots 54 & 171). A condition requesting the details of the materials, height, width and depth of the acoustic fencing is sought to ensure officers can address this matter. Whilst it is regrettable these materials at present aren't considered appropriate, the overall appearance is generally accepted.
- 11.36 The layout and appearance of the proposed development has been revised several times, in line with officer requests for amends. Whilst there are further suggested amendments from Place Services, they are largely supportive of the scheme. As such, the proposals are overall considered to be high quality design, and are in accordance with Policy BE14: Creating Successful Places.

Density and Building Height

- 11.37 Policy R03 outlines an expectation for the entire R03 site to deliver approximately 825 units. However, due to various site constraints discussed in the section 2 and para 11.4 of this report, this will not be achieved, and the overall unit numbers achieved will be 718. Policy HP03: Residential Density expects densities of at least 35 dwellings per hectare.
- 11.38 The proposed development includes 191 dwellings at 33 dwellings per hectare. Whilst slightly lower than the aspirations of Policy HP03, the proposed densities have evolved over the course of the application through feedback from officers and Place Services. The density has increased from 30 dwellings per hectare. It is considered that the proposal now aligns more closely with the policy parameters and appropriately responds to neighbouring residential properties.
- 11.39 The proposal consists of a mixture of buildings between 2 and 3 storeys, seeking to align with the DF masterplan. The distribution of buildings of 2.5 and 3 storeys are focused along the Urban Edge character area, with the apartment buildings being 3 storeys. This provides an increase in density fronting open spaces and appropriately responds to the Northern Gateway adjacent to the Countryside Parcel. It is also noteworthy that the 3 storey building is largely screened from the highway by the existing BP Garage and extensive vegetation.

11.40 In addition, the topography of the northern segment of the site is considerably lower than the road level adjacent to the petrol filling station, reducing the visual prominence of the northern segment of the site. Furthermore, the position of the existing trees and petrol filling station result in views into the site from the A12/entrance of Chelmsford Road being oblique, restricted to clipped images as shown in Figures 8 and 9 below.

Figure 8 – View of the site with existing vegetation



Figure 9 – View of the site from the BP Petrol filling garage



- 11.41 The rest of the site is the Green Streets character area, which is predominantly 2 storeys, with the inclusion 2.5 storey dwellings at the development entrance. This accords with the DF heights, which details between 2, 3 and 4 storeys for the site.
- 11.42 It is clear that the proposal does not necessarily increase building heights at all key focal points throughout the whole site. Despite this, enhanced legibility is provided through a combined means using materiality, and 2.5 storey dwellings and the placement of larger 5 bed dwellings in these locations (see plots 1, 2, 97, 4, 105, 151, 153, 154, 156, 37-42, 43-51, 176-184, 22, 23, 54 and 171).
- 11.43 The application is supported by a Maximum Relative Height (MRH) Plan, which shows that in general, buildings are of a relative height appropriate to their surroundings (Chelmsford Road). It can be seen that building height increases from northwest to the east across the site, increasing in height the further away dwellings are from Chelmsford Road. This is in line with the requirements of the DF, where height is positioned within the confines of the new housing development.
- 11.44 On balance, the proposed density and building heights are suitable for the local area and comply with the DF Masterplan, Policy HP03: Residential Density and Policy BE14: Creating Successful Places.

Public Open Space

- 11.45 The proposed layout incorporates four main areas of public open spaces, connected by a linear park.
- 11.46 The central open space has been described as the 'heart' of the development and includes a strategic green corridor, seating and a Local Equipped Area of Play (LEAP). It is proposed that the LEAP is for both younger and more independent children and will provide a stimulating play experience with a combination of timber equipment and natural play elements such as landform and sensory planting.
- 11.47 The northeastern public open space functions as an attenuation basin and permanent pond, designed to manage surface water, while enhancing the site's ecological value. It is proposed to include a mown path and seating that overlooks the surface water attenuation basin. The basin is proposed to enhance amenity and biodiversity value, through the provision of habitats, these include permanent water, seasonally wet pools, damp grassland, wildflower grassland and scrub.
- 11.48 Adjacent to the southern boundary of the site there is another open space and Local Area of Play (LAP). The LAP is proposed as an integral part of the semi-natural open space that offers a buffer to the adjacent Ancient Woodland by providing areas of wildflower grassland and scrub that also offers amenity and biodiversity value.

- 11.49 The LAP is intended to be a doorstep play space for younger children through the provision of a combination of low key timber equipment and natural play elements including logs, balance beams, bridges and a story circle. This is seen to encourage imaginative play within a natural setting. It is also proposed that the LAP will include seating and a learn area for children to learn about the habitats within and adjacent to the site.
- 11.50 All three areas of open spaces are connected by a linear park that runs along the eastern boundary; residential units front towards this space offering natural surveillance. The park includes an informal footpath and cycleway which forms part of a circular leisure route that is proposed to run along the eastern perimeter of the site.
- 11.51 The proposed areas of public open spaces comply with Policy BE14: Creating Successful Places and Policy NE05: Open Space and Recreational Facilities.

Connectivity

- 11.52 The internal layout of the site contains a main boulevard route that provides footways on both sides, a 3.5m pedestrian and cycle lane on this route, on the eastern side. This is in addition to the 3.5 metre leisure route to the east, which allows people to use the linear park. This leisure route connects the LEAP, the northeastern open space and LAP to the south of the site.
- 11.53 A splitter island is proposed along the main boulevard, as a means of traffic calming, allowing pedestrian movements across the LEAP/Green 'Heart'. There are other traffic calming measures provided including raised table junctions, which are intended to keep speeds below 20mph to ensure pedestrian safety.
- 11.54 In relation to PROW (272_86) the proposal formalises this route through the Ancient Woodland towards Alexander Lane, subsequently improving public access across the site and the wider R03 allocation.
- 11.55 To connect the site to the wider area, the proposal includes a new 3.5m shared footway/cycleway along the eastern side of Chelmsford Road, which will connect to the existing cycleway on the opposite side of Chelmsford Road via a new crossing point.
- 11.56 It is considered that the pedestrian/cycle connections proposed appropriately integrate the site into the surrounding network allowing travel by sustainable means within the site and also towards the town centre, including the wider R03 allocation.
- 11.57 The proposal can be seen to provide access to public open spaces and the wider community and is designed for inclusive usage. Therefore, the proposal will contribute positively to the permeability of the site in compliance with Policy BE15: Planning for Inclusive Communities and Policy BE09: Sustainable Means of Travel and Walkable Streets.

Transport, Highways and Access

- 11.58 Pedestrian access into the site is provided from an existing track that runs between 253 Chelmsford Road and Shenfield Auto Services. PROW (272_86) currently runs along this track. The PROW cuts through the site to the south, through the area of ancient woodland and then across the remainder of the R03 allocation towards Alexander Lane.
- 11.59 Vehicular and pedestrian access is proposed through the creation of a new priority junction from Chelmsford Road, in the same location as the current access track leading into the site. This would be widened by removing vegetation on both sides to create a 5.5m wide access road, plus a 2m wide pedestrian footway on both sides of the road. The proposed access route complies with highway standards and has been road safety-audited.
- 11.60 A new signalised crossing point is proposed along Chelmsford Road to improve access to the wider R03 allocation and connections to the proposed Countryside Parcel. This new crossing will be secured via condition.
- 11.61 The estimated traffic impact of the scheme on the local highway network is based on the data agreed by the Redrow transport consultant with the Highways Authority at scoping opinion stage. This data has been adopted within the Transport Assessments (TAs) of all the R03 developers, to ensure that they all account for the cumulative impact of the total development in a consistent and appropriate manner.
- 11.62 The data takes into account the following scenarios:
- 2022 base – i.e. what happens today, with Alexander Lane still open.
 - 2028 baseline – i.e. what happens with the other three R03 schemes (the committed developments) but without Croudace, Alexander Lane is still open.
 - 2028 Baseline plus Development – i.e. what happens with committed developments and with Croudace, including the closure of Alexander Lane.
- 11.63 All four R03 site applicants utilise the same transport data and adopt similar modelling approaches. The cumulative impact of the entire R03 site has been reviewed as part of the local plan evidence base exercise conducted by BBC, as detailed in the Brentwood Borough *Local Plan Transport Assessment 2018*. *Section 10.6.1 of this report states, “the transport work identified within this report has demonstrated that through sustainable transport measures and in some cases, limited physical highway improvement works, the impact of the Local Plan can be mitigated and that there are no major residual impacts that might prevent the delivery of the Local Plan development.”* Therefore, the precedent for the development has already been established.
- 11.64 During the course of determination, the applicant provided additional information to substantiate the review of the cumulative impact of the developments on the highway network. The TA demonstrates that the additional traffic generated by the proposed development can be

accommodated on the highway network and *“will not cause any safety or capacity issues”*.

- 11.65 National Highways has also been consulted and raised no objections.
- 11.66 The application is supported by a Transport Assessment which has been reviewed by ECC Highways who are *“satisfied that the proposals can be accommodated without a severe impact on the safety and efficiency of the local highway network, which is the NPPF criteria for refusing an application on highway grounds.”*
- 11.67 As such, ECC Highways offer no objection, subject to the relevant highway’s conditions set out this report.
- 11.68 It is concluded that the proposal, as part of the wider development for the allocated site, will not have an adverse impact on the local transport network. Instead, through a number of contributions agreed with the Highways Authority (some part of the IDP), it will deliver important contributions.
- 11.69 Therefore, the proposal is supported as it is compliant with LP Policies BE08 (Strategic Transport Infrastructure), BE09 (Sustainable means of travel and walkable streets) and BE12 (Mitigating the Transport Impacts of Development).

Parking

- 11.70 Residential parking is provided at 1 allocated car parking space per apartment and 2 allocated car parking spaces per dwelling for 2-bedroom houses and larger. All parking spaces provide an electric vehicle charging point in line with Policy BE11: Electric and Low Emissions Vehicles.
- 11.71 The adopted Parking Standard suggests 1no. car space per 1 bedroom unit, and 2no. car spaces per 2+ bedroom unit for residential development.
- 11.72 The total number of spaces to be provided are 462 spaces. It should be noted that the proposals’ parking provision falls slightly below (14 spaces) the level to fully comply with Brentwood’s adopted standards (two-bedroom apartments are only providing one parking space rather than two). This position has been agreed with BBC to reduce emissions and therefore full provision is not insisted upon.
- 11.73 The Highway Authority is prepared to accept this position subject to the condition *“should any issues with parking on the highway outside the site arise post-development, the applicant should fund the cost of a Traffic Regulation Order to restrict such practice and thus ensure the future safety of all highway users.”*
- 11.74 The proposal includes 48 visitor’s car parking spaces. Visitor and Cycle Parking provision is compliant with Essex County Council Design and Good Practice (2009) and Brentwood Local Plan Policy BE13.

- 11.75 Therefore, the proposal on balance meets the requirements of Policy BE11: Electric and Low Emissions Vehicles and Policy BE13: Parking standards and is supported.

Housing Mix & Standards

- 11.76 All market dwellings are designed to Part M4(2) Standards in accordance with Policy HP01: Housing Mix and meet NDSS in accordance with Policy HP06: Standards for New Housing. 5% of the affordable housing units are proposed to be built to Part M4(3) standards.
- 11.77 The proposed market housing mix is provided in Table 2.

Table 2 – Market housing mix

	1 bed	2 bed	3 bed	4+ bed	Total
Number of units	0	24	47	53	124 units
Percentage	0%	19%	38%	43%	100%

- 11.78 All of the proposed houses are designed with private gardens, varying in size from 50 sqm to 232 sqm, while the apartments are located adjacent to areas of play and public open space. The total area of public open space within the site, equates to 3.39 hectares, including 0.11 hectares of dedicated children's play space.
- 11.79 Therefore, the proposal complies with Policy HP01: Housing Mix, Policy HP06: Standards for New Housing and Policy R03: Land North of Shenfield.
- 11.80 Given that the proposal forms part of a larger local plan allocation exceeding 100 units, it includes 10 custom-build units (5% of the total), aligning with the requirements of Policy R03: Land North of Shenfield and Policy HP01: Housing Mix.

Affordable Housing Mix

- 11.81 The proposal includes 191 residential dwellings, of which 67 units are affordable dwellings. This complies with Policy HP05: Affordable Housing's requirement for the provision of 35% of the total number of residential units.
- 11.82 Policy HP05: Affordable Housing is an 'either or' policy, which requests that the proposal should be made up of 86% affordable/social rent and 14% shared ownership (information from the 2016 Strategic Housing Market Assessment Part 2 – Objectively Assessed Need for Affordable Housing) **or pay regard to the most up to date housing evidence**. The most up to date housing evidence is a material consideration in the decision-making process.
- 11.83 The latest formal housing evidence paper, the 2022 South Essex Strategic Market Housing Needs Assessment (SE SMHA), does not suggest a new

tenure split, but states a change to the mix of units with a high provision of one and two-bedroom units. See table below.

- 11.84 Notably, the two-bedroom affordable units are designed to accommodate up to four persons (exceeding the minimum standard for three persons), while the three-bedroom affordable units are designed to accommodate up to five persons (exceeding the minimum standard for four persons). This design approach follows the advice received from BBC's Housing Officer and aims to maximise the ability to house families, offering flexibility to accommodate various household types within the affordable housing provision.

Table 3 – Comparison of housing size mix between 2016 and 2022 documents

	One-bed	Two-bed	Three-bed	Four-bed
Figure 6.2 of the Local Plan document Policy HP05	30%	26%	20%	24%
2022 SMHA Appendix 4	48%	37%	15%	1%

- 11.85 However, BBC's Housing Officer advised that the SMHAA 2022 does not accurately reflect the current affordable housing needs of the borough and recommends development proposals prioritise affordable units with two or more bedrooms.
- 11.86 There is a pressing need for providing larger affordable homes to accommodate families. Specifically, there is a shortage of two-bedroom units, a more significant shortage of three-bedroom units, and an even greater shortage of four-bedroom units.
- 11.87 This shortage is evident from the latest Housing Register provided by Housing Delivery at BBC on 05/11/2024 (see Table 4), which demonstrates that there are currently 244 home seekers on the register and 267 transfers. These figures are viewed in the context of sizeable waiting times for properties of all sizes but particularly 2, 3 and 4 bed houses.

Table 4 – Housing Register Waiting List

Property size	Average waiting time (years)
Sheltered accomm.	1.83
Studio general needs	1.58
1-bed general needs	2.67
2-bed flat or maisonette	2
2-bed house	4
3-bed flat or maisonette	3
3-bed house	4
4-bed	3

- 11.88 Demand for these larger units is high, and people requiring such accommodation often face long waiting periods, as reflected on the Housing Register.
- 11.89 The Housing, the Planning Policy and the Development Management team reviewed this information collectively and as both the SMHAA and Housing Register are material considerations, it was requested that the development provide a higher percentage of affordable dwellings with two or more bedrooms rather than split that the 2022 SHMA suggests. This difference can be seen as a direct response to households who are presently in need, as identified by the Councils Housing Register.
- 11.90 Therefore, the proposed tenure responds directly to the most up to date housing evidence. The tenure split provides 45% affordable rent and 55% shared ownership.
- 11.91 As a result, the proposal includes a total of 67 affordable units, consisting of 30 affordable rented units and 37 shared ownership units. The detailed breakdown of unit sizes, tenure split, and corresponding percentages is provided in the Table 5 below.

Table 5 – Proposed affordable housing size and tenure mix

Tenure	Split	Size			
		One bedroom	Two bedrooms	Three bedrooms	Four/+ bedrooms
Affordable rent	30 units	5 units	12 unit	11 units	2 units
Percentage	45%	16.67%	40%	36.67%	6.67%
Shared ownership	37 units	3 units	16 units	18 units	0 units
Percentage	55%	8.12%	43.24%	48.65%	0.00%
Overall affordable housing provision	67 units	8	28	29	2
Percentage	100%	11.94%	41.79%	43.28%	2.99%

- 11.92 BBC's Housing Officer has reviewed the proposed affordable housing mix and expressed support for the approach taken, stating:

"The application includes for 35% affordable housing which is compliant with policy. The applicant has taken on board the housing teams request for more family housing and has provided above the requirement set out in the 2022 SHMAA. The mix between rented units and affordable home ownership represents a deviation from the policy mix of 86% rented/14% affordable home ownership. This principle has been agreed with BBC's

policy team on other phases of R03 in order to facilitate the provision of more family homes. On the whole the affordable housing is well distributed across the site. There is one area where clustering is unavoidable due to the provision of apartments. This is accepted by the housing team to avoid mixed tenure blocks. The housing team is supportive of the application.”

- 11.93 In line with the Housing officer requests, officers consider that the Housing Register is an important material consideration and have afforded this weight and on balance, consider that the requirements of Policy HP05 are broadly met.
- 11.94 In limited instances, the group of units exceed the guidance (from the 2023 Planning Obligations SPD 2023) on clustering, which sets out that affordable housing should be provided in groups of no more than 15% of the total number of dwellings being provided (in this case, 29) or 12 affordable dwellings, whichever is the lesser. There are affordable units in the northern segment of the site, primarily in the apartment buildings, that exceeds the 15%. Whilst it is regrettable that the clustering takes place, it is understandable when this is within an apartment building. As such, officers consider that, on balance, this is acceptable due to the nature of providing affordable within an entire apartment building.
- 11.95 In summary, the proposal includes a wide range of house types to cater for all needs and will make an important contribution to the housing supply of Shenfield and BBC, in line with LP Policy MG01 (Spatial Strategy).
- 11.96 The applicant’s willingness to amend the affordable proposal to contribute to easing the pressure on the BBC Housing Need Register is supported.

Landscape

- 11.97 A Landscape Masterplan has been submitted with this application. The proposed landscape plan demonstrates a ‘green’ entrance, a central tree line boulevard, a mix of planting, including the establishment of new trees, hedgerows, shrubs, and amenity grass areas (finer detail on the types of planting proposed can be viewed within the Biodiversity Net Gain Design Stage Report (Rev E)). All these measures will be secured by condition to be maintained in perpetuity.
- 11.98 The entrance gateway to the site will also include a public art installation. Place Services have commended this installation and requested further detail to be secured by condition.

“We commend the initiative with New Life Wood to create public art from removed trees, promoting sustainability and community involvement. However, we would appreciate further details on the artwork’s design and precise location within the development to assess how it would contribute to the site’s identity and enhance the entrance experience.”

- 11.99 The green entrance gateway has been subject to several revisions to include mature landscaping and the re-location of the substation to a more discreet location.
- 11.100 The Landscape Masterplan has been reviewed by BBC's Tree and Ecology Officer and no objection was raised.
- 11.101 Further detail on landscaping areas are also covered within the Play Space section of this report.

Public Open Space

- 11.102 The proposed layout incorporates four main areas of public open spaces, connected by a linear eastern leisure park.
- 11.103 The central open space has been described as the 'heart' of the development and includes strategic green corridors, seating and a Local Equipped Area of Play (LEAP). It is proposed that the LEAP is for both younger and more independent children and will provide a stimulating play experience with a combination of timber equipment and natural play elements such as landform and sensory planting.
- 11.104 The northeastern public open space functions as an attenuation basin and permanent pond, designed to manage surface water, while enhancing the site's ecological value. It is proposed to include a mown path and seating that overlook the surface water attenuation basin. The basin is proposed to enhance amenity and biodiversity value through the provision of habitats, these include permanent water, seasonally wet pools, damp grassland, wildflower grassland and scrub.
- 11.105 Adjacent to the southern boundary of the site there is another open space and Local Area of Play (LAP). The LAP is proposed as an integral part of the semi-natural open space that offers a buffer to the adjacent Ancient Woodland by providing areas of wildflower grassland and scrub that also offers amenity and biodiversity value.
- 11.106 The LAP is intended to be a doorstep play space for younger children through the provision of a combination of low key timber equipment and natural play elements including logs, balance beams, bridges and a story circle. This is seen to encourage imaginative play within a natural setting. It is also proposed that the LAP will include seating and a learn area for children to learn about the habitats within and adjacent to the site.
- 11.107 All three areas of open spaces are connected by a linear park that runs along the eastern boundary; residential units front towards this space offering natural surveillance. The linear park includes an informal footpath and cycleway which forms part of a circular leisure route that is proposed to run along the perimeter of the site.

- 11.108 The proposed areas of public open spaces comply with Policy BE14: Creating Successful Places, Policy NE05: Open Space and Recreational Facilities and Policy NE02: Green and Blue Infrastructure.

Ecology

- 11.109 The Ecological Impact Assessment that accompanies this application confirms that the site is not subject to any statutory ecological designations. A section of Arnold's Wood Complex Local Wildlife Site and Priority Habitat Ancient Woodland is present to the south of the site.
- 11.110 As already explained, Arnold's Wood will be retained and protected and will benefit from a dedicated Woodland Management Plan (an outline strategy has already been submitted). A 15 metre buffer to the Ancient Woodland is also proposed as part of the landscaping scheme for the application.
- 11.111 A number of surveys have been undertaken prior to submission to investigate the presence of protected or notable species (badgers, bats, breeding birds, hazel dormice, reptiles, otters and water vole). The surveys confirmed the presence of badgers, the potential for roosting bats, breeding birds and hedgehog in the vicinity of the site.
- 11.112 Ten trees with suitability for roosting bats were identified on site, three of which are due to be felled to create the access road. The assessment identifies that further survey work will need to be conducted prior to any works on these trees to determine if they are used by roosting bats. If roosting bats are found within these trees, a European Protected Species Mitigation (EPSM) licence will be required to permit the proposed felling.
- 11.113 In relation to onsite habitats, the assessment indicates that existing arable, dense scrub and grassland habitats will be lost as a result of the development. The proposal has the potential to impact retained habitats on site through incidental pollution events, as well as damage to retained trees and their roots.
- 11.114 Despite the loss of habitats on site, the proposal includes significant measures to improve onsite biodiversity. The assessment explains *"This green infrastructure will mitigate recreational impacts on nearby designated sites and create additional opportunities for protected and notable flora and fauna, including the key features identified on site namely badgers, bats, birds and hedgehogs. Strategic habitat creation and enhancement within the application site will ultimately improve connectivity to the wider landscape and across the site in a way that will benefit wildlife as a whole."*
- 11.115 With a net gain in biodiversity expected from the proposal the assessment predicts that the effects upon habitats will be beneficial.
- 11.116 Mitigation and enhancement measures are proposed as follows:
- Provision of areas of open space throughout the development as well as links to existing public rights of way

- Construction to follow a CEMP
- Protection of LWS with Heras fencing during construction
- Provision of areas of open space throughout the development as well as links to existing public rights of way
- Protection of retained woodland and trees Enhancement of retained scrub Creation of attenuation basins and grassland to provide a net gain in biodiversity
- Sensitive lighting strategy
- Standard precautionary measures; covering trenches overnight or installing a plank/mammal ladder, sensible storage of chemicals/equipment, avoidance of littering
- Scrub planting and creation of attenuation basin and grassland
- Traffic control measures such as a reduced speed limit to reduce the risk presented by increased traffic on the new road network
- Scrub enhancement and creation of attenuation basin and grassland
- Aerial inspection of T2, T6 and T7
- Installation of integrated and external bat boxes throughout the development Sensitive lighting scheme
- Appropriate pre-clearance checks if clearance required within breeding season (March to August inclusive)
- Skylark mitigation strategy
- Scrub enhancement and creation of attenuation basins and grassland Installation of nest boxes, swift bricks, and house martin cups throughout the development
- Scrub enhancement and creation of grassland and attenuation basin
- Sensitive vegetation clearance under a method statement
- Installation of hedgehog highways throughout the development

11.117 The proposed mitigation measures set out by the Ecological Impact Assessment are to be secure via condition, to include a method statement to avoid injury to any animals entering the site or any unnecessary environmental harm during construction.

11.118 The Ecology Officer offers no objections to the proposed scheme subject to conditions, this mirrors the position of Essex Badger Protection Group who also raised no objection subject to conditions. On the other hand Essex Wildlife Trust (EWT) offered a holding objection on the original scheme but have not commented on the scheme in its latest form due to capacity issues.

11.119 This holding objection has subsequently been reviewed by BBC's Tree and Ecology Officer in light of the most recent information who has offered the to confirm that the measures proposed would protect all ecological species and areas.

11.120 Whilst it unfortunate that an updated response was not able to be produced by EWT when considering the clarification provided by BBC'S Tree and Ecology Officer, officers are comfortable that the grounds for the holding objection have now been addressed.

11.121 Officers also note the suggestion of several planning conditions put forward by Essex Badger Protection Group, these are to be appropriately addressed via a CEMP condition that has been requested by BBC'S Tree and Ecology Officer as set out above.

11.122 Overall, the proposal complies with LP Policies NE01 (Protecting and Enhancing the Natural Environment) and NE02 (Green and Blue Infrastructure).

Biodiversity

11.123 The application is subject to mandatory biodiversity net gain requirements set out by Policy NE01: Protecting and Enhancing the Natural Environment. Through proposed habitat creation the submitted Biodiversity Net Gain Design Stage Report identifies that the proposal will achieve a 10.12% net gain of habitat units and a 100% gain in hedgerow units.

11.124 Commentary provided by BBC's Tree and Ecology Officer explains that "The latest revision to the biodiversity net gain assessment confirms that it is achieving more than the mandatory 10% net gains for both habitats and hedgerows."

11.125 Considering the above it is considered that the proposals are in line with Policy NE01: Protecting and Enhancing the Natural Environment, Policy NE02: Green and Blue Infrastructure and are in line with the 10% biodiversity net gain requirement set out by the Environment Act.

Trees and Hedgerows

11.126 The Arboriculture Impact Assessment identifies the presence of 62 individual trees, 10 groups of trees, 5 woodlands and 1 hedge onsite, these are categorized as follows:

- 20 Category A trees (High quality)
- 25 Category B trees (Moderate quality)
- 16 Category C trees (Low quality)
- 1 Category U tree (Unsuitable for retention)
- 5 Category B woodland (Moderate quality)
- 1 category B hedge (Moderate quality)
- 10 Category C groups (Low quality)

11.127 The Assessment goes on to set out that the proposal will see the loss of 7 (4 Cat B, 2 Cat C and 1 Cat U) individual trees and 4 groups of trees (Cat C) including the part removal of 3 groups of trees and 1 woodland.

11.128 The Tree Officer notes that *"The loss of these trees is not seen to be a significant constraint. Some groups of mainly small trees that have self-seeded from the boundaries will need partial clearance to facilitate development. It is considered that the proposed landscape scheme would mitigate for these losses."*

11.129 In relation to the proposal the Tree Officer has requested conditions in relation to the following:

- Landscape details including hard and soft landscaping and boundary treatments
- Landscape and biodiversity management plan to secure the management of public realm planting and open space areas
- Arboricultural method statement
- Final woodland management plan

11.130 Subject to above conditions, the proposal is supported and is in line with LP Policies NE01: Protecting and Enhancing the Natural Environment and NE03: Trees, Woodlands, Hedgerows.

Flood Risk and Drainage

11.131 Since the approach to flood risk and surface water drainage for this site are intrinsically linked, the application is supported by a Flood Risk Assessment (FRA) which includes a Conceptual Drainage Strategy.

Fluvial Flood Risk

11.132 The Environment Agency's Flood Map for Planning indicates that the site is located within Flood Zone 1. This means the annual probability of flooding is less than 0.1% chance in any given year. The FRA has also confirmed this position.

Surface Water Flood Risk

11.133 The FRA states that EA's updated Flood Map for surface water identifies varying levels of flood risk across the site that range from 'very low' risk to areas of 'high' risk of surface water flooding.

11.134 The FRA explains that the at risk areas are associated with an overland flow route that flows west to east across the site, including an area of pooling in the southeast of the site. The FRA found that based on topographical survey, depths are not anticipated to exceed 0.4m.

11.135 In relation to the varying levels of surface water flood risk across the site paragraph 8.12 of the FRA states:

"During the development of the site surface water flooding will be alleviated by levelling up the ground levels and through a drainage strategy. Therefore, we would consider the risk following development to be low to medium."

Ground Water Flood Risk

- 11.136 Regarding ground water flooding, according to the FRA there has been no records of groundwater flooding in the Borough whilst a nearby borehole identified no groundwater within a 12.19m deep borehole. The assessment therefore considers the overall risk of groundwater flooding to be 'low'.

Drainage Strategy

- 11.137 The management of surface water across the site is addressed by the Conceptual Surface Water Drainage Strategy.
- 11.138 The Strategy consists of an attenuation basin in the northeast of the site, and explains at paragraph 10.28 that *"The basin will have a low flow channel to help convey surface water flows through the SuDs feature. In the eastern area of the basin next to the outfall, there will be an area of permanent water to aid surface water treatment and enhance biodiversity."*
- 11.139 The basin will reduce peak flow rates and enable flows to be limited to greenfield runoff rates during storm events. An attenuation basin also provides an element of water treatment through the settlement of silts and suspended sediments. The basin will take the form of a depression within the proposed northern landscape area of the application site and it is considered that it will provide aesthetic, amenity and biodiversity value.
- 11.140 In relation to the discharge of surface water, the Drainage Strategy states that infiltration is not suitable due to the underlying geology. As such, discharge water from the basin will be via the adjacent River Wid (consent for this will need to be agreed with the EA).
- 11.141 Measures of discharge will be via a flow control manhole (19.6 l/s restriction) before water then flows into the River Wid through a surface water outfall. The Strategy considers that *"as a result of the proposed measures, there will be an improvement compared to the existing situation whereby the system, will cater for the 1 [sic] in 100 year plus 40% allowance for climate change event, and therefore surface water flood risk within the local area will be reduced overall."*
- 11.142 Foul water drainage is proposed to be collected in the southeast at a foul water pumping station. The FRA explains that Anglian Water has provisionally confirmed that there is adequate capacity at pre-planning enquiry stage.
- 11.143 The Drainage Strategy and FRA has been reviewed by Essex County Council, as the Local Lead Flood Authority, who has raised no objections. As such, the proposed development is not expected to exacerbate flood risk elsewhere. In summary, the proposal is considered to comply with Policy BE05: Sustainable Drainage and Policy NE09: Flood Risk.

Impact on Neighbouring Amenity (Privacy, Noise and Lighting)

- 11.144 The proposal has been designed to avoid any negative impact on the amenity of the existing and proposed dwellings: no units directly abut the residential boundaries of properties along Chelmsford Road. The proposal is designed to include back-to-back gardens and buffered landscaping. As such, the distance between the existing and proposed is not considered to present any issues of overlooking or overshadowing.
- 11.145 It is notable that plot 1 sits slightly closer to the western boundary. However, screening is provided by the presence and subsequent retention of the category B trees in this area.
- 11.146 Further to the south, the site runs adjacent to the northern boundary of the Croudace parcel. Separation between the Croudace and Redrow parcels is guaranteed by Arnolds Wood Ancient Woodland, which provides a buffer between the sites.
- 11.147 The proposed development is for residential use only, and it will not result in any adverse noise or light pollution that could be detrimental to neighboring properties, existing or proposed.
- 11.148 The above confirms that there will be no negative impact on neighbouring amenity, as required by LP Policy BE14 (Creating Successful Places).

Air Quality, Noise and Contamination

- 11.149 A Noise Assessment has been submitted as part of this application. The study found “that the site is of low to medium risk of adverse noise effect during the daytime period and of a medium to high risk of adverse noise effect during the night-time period. With maximum noise levels from railway movements placing those areas of the site closest to the railway line at high risk of adverse noise effect.”
- 11.150 The study concludes that it is not possible to achieve recommended noise levels (55db) in all external amenity areas across the site, due to the high road traffic noise levels and the relative topography between the site and the road. As a result, a scheme of noise barriers has been proposed (isolated to the northern segment of the site) that reduces the noise levels within proposed amenity areas to below 60 dB in all gardens.
- 11.151 The study also concludes that no mitigation measures in relation to vibration levels are required and suggests vibration levels associated with the adjacent railway line are likely to fall within or below the BS 6472-1.
- 11.152 Furthermore, an Air Quality Assessment has also been submitted with the application. The Assessment concludes:

“During the operation phase, the Breeze Roads modelling predicts that there will be no exceedances of the nitrogen dioxide or particulate matter objectives at the sensitive development receptors on the proposed development site.

There are no existing sensitive locations which will exceed the AQAL, as a result of the proposed development. Accordingly, air quality impacts of the proposed development scheme are considered to be acceptable, and mitigation is not required.”

11.153 The accompanying Noise and Vibration Assessment and Air Quality Assessment has been reviewed by BBC’s Environmental Health Officer, who has raised no objections.

11.154 Commentary provided by BBC’s Environmental Health Officer requests that *“noise mitigation measures outlined in the Accon UK noise report are implemented and that the scheme of proposed glazing specifications in accordance with Table 7.2 and Figure F.1.5 is required by condition.”*

11.155 The site comprises of green field land where contamination is not considered a concern. BBC’s Environmental Health Officer requests that *“The recommended works indicated in the Land Contamination Assessment can be implemented through conditions following approval.”*

11.156 In summary, the proposal complies with Policy BE14: Creating Successful Places, Policy NE08: Air Quality, and Policy NE10: Contaminated Land and Hazardous Substances.

Energy and Sustainability

11.157 The proposed development is supported by a Sustainability Appraisal. This confirms that the proposal has followed the nationally adopted energy hierarchy of reducing energy demands in the first instance, using energy efficiently, and only then, implementing low carbon and renewable sources where appropriate.

11.158 In terms of heating and hot water provision, the development proposes the use of air source heat pumps.

11.159 The Sustainability Appraisal explains that the proposed dwelling will *“deliver a 65% reduction in CO2 compared to the 2013 Building Regulations standards. This represents a 34% improvement over and above the requirements of the new Part L, and a 24% improvement over the requirements of Policy BE01”.*

11.160 The measures set out comply with the requirements of policy BE01, which mandates that major developments must supply a minimum of 10% of their predicted energy needs from renewable sources whilst also demonstrating a reduction in carbon emissions of at least 10% above Part L Building Regulations.

- 11.161 The design of the dwellings also aims to reduce energy consumption through enhanced fabric efficiency, featuring high levels of insulation and high levels of air tightness, aligning with policy standards to minimise heat demand and overall energy use.

Refuse and Recycling

- 11.162 Refuse collection will be undertaken on streets, dwelling groups and proposed bin collection points. as it is typical of residential areas across the county. This is demonstrated by the proposed Refuse Strategy.
- 11.163 The swept path analysis that supports the proposal confirms that a standard refuse vehicle will be able to appropriately serve the development.
- 11.164 No objections have been raised by consultees on this aspect of the proposal with discussion between the applicant and ECC Highways confirming that large vehicle movements will be minimal and will not be a material safety issue. As such the proposal is therefore supported and in line with LP Policy BE14: Creating Successful Places.

Archaeology

- 11.165 The Archaeological Desk-Based Assessment that supports this application confirms that the proposed development site has the potential to contain archaeological remains. The site is located to the south of the main Roman road between Chelmsford and London (the modern-day Chelmsford Road). It is also located to the northeast of the historic core of Brentwood, and to the south-west of the settlement of Mountnessing, both of which have medieval origins.
- 11.166 Place Services Archaeology confirmed that they have no objections to the proposal. A number of conditions are imposed to ensure that no groundworks could impact on any archaeological features or deposits present on the site. Therefore, subject to conditions, the proposal is in line with LP Policy BE16: Conservation and Enhancement of Historic Environment.

Health Impact Assessment

- 11.167 A Health Impact Assessment (HIA) has been prepared to cover the whole allocated site, which was jointly reviewed by the Public Health Officer and the HIA Steering Group. The officer and the Steering Group highlighted some minor points, which have been addressed within the proposal.
- 11.168 Therefore, the conclusions of the HIA are supported and in compliance with the requirements of LP Policy MG04: Health Impact Assessment.

Compliance with Policy R03

11.169 The table below confirms that the proposal has met the relevant requirements of LP Policy R03, Land North of Shenfield. Further detail can be viewed in Table 4 of the submitted Planning Statement.

Table 4 – Compliance with Local Plan Policy R03

LP Policy R03 requirement	Compliance
Amount and Type of Development	
<i>a. around 825 new homes</i>	Contribution made towards 191 units
<i>b. around 2.1 hectares of land for a co-located primary school and early years and childcare nursery</i>	Not relevant to this application
<i>d. 5% self-build and custom build across the entire allocation area</i>	Compliant, to be secured via legal agreement.
Development Principles	
<i>a. be accompanied by a comprehensive masterplan and phasing strategy to inform detailed proposals as they come forward;</i>	Compliant, phasing to be secured via condition.
<i>b. be of a design quality and layout that reflects its key gateway location, particularly on land near to Junction 12,A12;</i>	Compliant
<i>c. provide vehicular access via Chelmsford Road (A1023) and Alexander Lane;</i>	Compliant
<i>d. allow if possible for the diversion of Alexander Lane to create a quiet lane for pedestrians and cyclists, with the provision for new and improved route through the development site linking to Chelmsford Road;</i>	Not relevant to this proposal
<i>e. enhance walking, cycling and public transport services with Shenfield station and local services and facilities in the wider area, including Brentwood Town Centre;</i>	Compliant, to be secured via Section 106 contribution
<i>f. provide well-connected internal road layouts which allow for good accessibility;</i>	Compliant
<i>g. provide new multi-functional green infrastructure including public open space in accordance with Policies NE02 and NE05;</i>	Compliant

<i>h. maintain and enhance Public Rights of Way within the site and to the wider area;</i>	Compliant
<i>i. protect and where appropriate enhance the Local Wildlife Site (Arnold's Wood).</i>	Compliant
<i>j. provide for appropriate landscaping and buffers along sensitive boundaries adjoining the A12 and railway line.</i>	Compliant
<i>l. be designed to ensure a coherent functional relationship with the existing development, which should be well integrated into the layout of the overall masterplan.</i>	Compliant
Infrastructure Requirements	
<i>a. provide pedestrian and cycle crossing points across Chelmsford Road (A1023) where appropriate;</i>	Compliant
<i>b. provide an improved bus service;</i>	Compliant, to be secured via Section 106 contribution
<i>c. as the site is located within a Critical Drainage Area, development should minimise and mitigate surface water runoff in line with Policy BE05 Sustainable Drainage.</i>	Compliant
Infrastructure Contributions	
<i>a. off-site highway infrastructure improvements as may be reasonably required by National Highways and Essex County Council in accordance with policies MG05 and BE08 (the planning obligation will determine the level and timing of payments for these purposes);</i>	Compliant, to be secured via Section 106 contribution
<i>b. 'quiet way' cycle routes connecting transfer hubs to schools in Brentwood Town Centre.</i>	Compliant, to be secured via Section 106 contribution

Legal Agreement

11.170 The applicant has accepted that it is necessary for certain obligations in respect of the proposed application to be dealt with by way of an Agreement under Section 106 of the Town & Country Planning Act 1990. This is in line with LP Policy MG05 (Developer Contributions).

11.171 The legal agreement is being drafted and further work is needed to reach a format agreed by all parties. The agreement will include contributions towards highways improvements and mitigation, education, healthcare provision, open space, outdoor and indoor sport provision, ecology, details of market and affordable housing provision.

- 11.172 As the legal agreement is outstanding, it is recommended to the Committee that this is delegated to the Planning Officer to resolve, should Members be minded approving the application. Draft Heads of Terms are provided in Appendix 1.

12 Recommendation and Conditions

- 12.1 It is recommended that a RESOLUTION TO GRANT PERMISSION is issued subject to the completion of a S106 Agreement and the following planning 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.

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 below and specifications.

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

2. CEMP

No development shall commence, until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP should define best practice measures for ecological protection (including but not limited to protected species, in particular badgers and nesting birds), protection methods of retained trees, and adhere to the Proposed Badger Construction Safeguards set out in the Ecological Impact Assessment prepared by SES Ecology in July 2024. The CEMP should include a method statement to avoid injury to any animals entering the site during construction.

The CEMP shall incorporate an Air Quality and Dust Management Plan (AQDMP) to propose measures to control emissions during the construction and demolition phase and management of noise from construction activities on site.

The CEMP shall identify that construction activities so far as is practical do not adversely impact amenity, traffic or the environment of the surrounding area by minimising the creation of noise, vibration and dust during the site preparation and construction phases of the development.

REASON: To ensure that appropriate measures are undertaken to ensure any disturbance to protected species is mitigated and to ensure trees are not harmed in the interests of visual amenity. 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 in accordance with Local Plan Policies BE09 and BE12.

3. HIGHWAYS

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

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

REASON: In the interests of highway safety and amenity, as set out in Local Plan Policies BE12 and BE14

4. HIGHWAYS

Prior to first occupation of the development, the main site access junction on the A1023 Chelmsford Road shall be provided as shown in principle in RPS Drawing JNY10935-01 Rev H within Appendix 8 of the Updated Transport Assessment dated 4th July 2024.

REASON: To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway, ensure that vehicles can enter and leave the highway in a controlled manner and provide safe and suitable access for pedestrians and cyclists, in the interest of highway safety and in accordance with Policy BE12 of the Local Plan.

5. HIGHWAYS

Prior to first occupation of the development and notwithstanding RPS Drawing JNY10935-01 Rev H, a toucan signalised crossing of Chelmsford Road shall be provided by the applicant. Full details including the precise location and design are to be agreed with the Local Planning Authority in conjunction with the Highway Authority prior to its construction

REASON: In the interests of highway safety, to provide a safe and suitable crossing facility for pedestrians and cyclists, in accordance with Policy BE12 of the Local Plan.

- 6 Prior to first occupation of the proposed development, the two bus stops adjacent to Fen Close shall be upgraded to a standard agreed in writing by the Local Planning Authority in conjunction with the Highway Authority. The westbound stop, i.e. towards Brentwood town centre, shall be provided a new flag, pole, raised kerbs, timetable information display and painted bus cage. The eastbound

stop, i.e. towards the A12 intersection, shall be provided with a shelter with lighting, new flag, pole, raised kerbs, timetable display and painted bus cage.

REASON: To encourage trips by public transport and in the interest of accessibility, in accordance with Policy BE09 and BE12 of the adopted Local Plan.

- 7 The 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 and associated turning 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 BE13 and BE14 of the adopted local plan.

- 8 Cycle parking as shown on the approved plans shall be provided in accordance with Brentwood Borough Council's adopted 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 BE09 of the adopted local plan

- 9 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport to each dwelling, as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with BE09 of the adopted local plan.

6. HARD AND SOFT LANDSCAPING

No development above ground level shall commence on site, until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall indicate and include:

- details of any new trees, hedges and other new planting;
- the location and species of all new trees, shrubs, hedgerows, herbaceous plants and grasses to be planted or transplanted, those areas to be grassed and/or paved;
- the existing trees shrubs and hedgerows to be retained;

- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units including cycle stands, signs);
- external hard surface materials for parking spaces, pedestrian accesses, etc
- all boundary treatment

The landscaping scheme shall be completed in accordance with a programme to be agreed in writing by the local planning authority.

Any newly planted tree, shrub or 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.

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

LANDSCAPE MANAGEMENT PLAN

7. Prior to the occupation of the development a Landscape Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan should cover a minimum of the first 5 years of the development and set out management works for 10 years.

REASON: In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

8. ARBORICULTURAL METHOD STATEMENT

Prior to the commencement of the development, An Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority. The method statement shall be implemented as approved.

REASON: In order to safeguard and enhance the character and appearance of the area and preserve the natural environment.

9. ON-SITE BIODIVERSITY GAIN

Prior to the commencement of development, an On-Site Habitat Management and Monitoring Plan must be submitted to and approved in writing by the Local Planning Authority. This should be supported by a biodiversity metric for the site.

The On-Site Habitat Management and Monitoring Plan must be prepared in accordance with the latest version of Natural England's Habitat Management and Monitoring Plan template, as well as the most current version of the Biodiversity Gain Plan template issued by the Department for Environment, Food & Rural Affairs.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner for a period of not less than 30 years from the creation or enhancement of the habitat.

REASON: In order to demonstrate measurable net gains and In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy NE01: Protecting and Enhancing the Natural Environment.

10. WOODLAND MANAGEMENT PLAN

No development above ground level shall commence, until a Woodland Management Plan (WMP) for Arnold's Wood has been submitted to and approved in writing by the local planning authority. The WMP shall include but not be limited to:

- Details of the tree thinning proposed.
- Identify when a Forestry Commission Felling Licence might be required.
- Details of reintroduction of coppicing.
- Details of the buffer zone between the woodland and the development, and how it will be maintained.
- Long term vision and management objectives for the woodland (across at least a 10 year period).
- Woodland survey.
- Details of those responsible for ensuring the implementation of the management plan
- Risk Assessment to consider any potential threats to the woodland.
- Stakeholder Engagement.
- Monitoring and Plan Review.

The plan shall be implemented in accordance with the approved details and reviewed at least every 5 years to incorporate any changes needed to the proposed management.

REASON: To ensure that the woodlands are protected and maintained, ensuring no harm to woodland species.

11. PUBLIC ART

Prior to first occupation, a scheme of details for the proposed public art at the entrance to the site shall be submitted to and approved in writing by the local planning authority. the details shall include the specific design and materials and location and timetable for installation along with maintenance. The approved scheme shall be implemented in line with the approved timetable. policy?

12. ARCHAEOLOGY

No development or preliminary groundworks can commence until a programme of archaeological trial trenching evaluation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved by the planning authority.

REASON: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

13. ARCHAEOLOGY

No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the Written Scheme of Investigation defined in Part 1 and confirmed by the Local Authorities archaeological advisors.

REASON: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

14. ARCHAEOLOGY

A mitigation strategy detailing the excavation/preservation strategy of the archaeological remains identified shall be submitted to the local planning authority following the completion of the archaeological evaluation.

REASON: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

15. ARCHAEOLOGY

No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

16. ARCHAEOLOGY

The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: To safeguard heritage assets of archaeological interest that may survive on the site, in line with Local Policy BE16.

17. GREEN INFRASTRUCTURE

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a Construction Environmental Management Plan (CEMP). Ideally, strategic elements of the GI framework are brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a Construction Environmental Management Plan (CEMP) will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g. SSSI's etc.) will be protected during construction.

REASON: The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work.

18. GREEN INFRASTRUCTURE

No development shall take place until there has been submitted to and approved, in writing, by SuDS and landscape specialists at the Local Planning Authority a landscape ecological management and maintenance plan and work schedule for a minimum of 10 years. Details should include who is responsible for GI assets (including any surface water drainage system) and the maintenance activities/frequencies. We would also expect details on how management company services for the maintenance of GI assets and green spaces shall be funded and managed for the lifetime of the development to be included.

REASON: To ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of the GI assets. Failure to provide the above required information before commencement of works may result in reducing the value of the development, becoming an undesirable place to live that may increase the impacts from climate change, such as flood risk or air pollution from the site.

19. GREEN INFRASTRUCTURE

The applicant or any successor in title must maintain 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 GI 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 the high-quality and multi-functional benefits of GI assets. Any questions raised within this response should be directed to the applicant and the response should be provided to the Essex GI Team 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.

20. URBAN DESIGN

Prior to the first use of the external materials to be used for the finish of the development, a detailed materials schedule which clearly depicts the external materials proposed to be used in the development (including windows, doors, soffits, eaves and rainwater goods etc.) and the exact location of each material, shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and maintained in perpetuity.

REASON: To ensure the external appearance of the development is appropriate to the locality and promotes high quality design in accordance with Policy BE14 of the Council's Local Plan (2022) and the NPPF.

21. URBAN DESIGN

Prior to first occupation, plans and particulars showing precise details of the soft landscaping, boundary treatments and utilities which shall form part of the development hereby permitted, shall be submitted to and agreed in writing by the Local Planning Authority. Any scheme of landscaping details as may be agreed in writing by the Local Planning Authority shall include details of:

- schedules of species, size, density and spacing of all trees, shrubs and hedgerows to be planted, including mature landscape a minimum of 1.5m in height to screen the rear boundary of plot 101 in its entirety;
- planting methods of the trees to be planted, including the use of structural soil cell systems as necessary;
- existing trees to be retained;
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment;
- means of enclosure and other boundary treatments;
- minor artifacts and structures (including street furniture);
- existing and proposed functional services above and below ground level (e.g. drainage, power and communication cables, pipelines, together with positions of lines, supports, manholes etc);

The soft landscaping, boundary treatment and utilities shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in the same location as those removed, in the first available planting season following removal.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site, in the interests of visual amenity.

22. BROADBAND

No residential unit shall be occupied until a Fibre to the Premises (FTTP) Statement has been submitted to and approved in writing by the local planning authority detailing a scheme for the installation of a high speed wholly FTTP connection to each premises within the approved development OR supplying evidence detailing reasonable endeavours to secure the provision of FTTP and where relevant, details of alternative provision for superfast broadband in the absence of FTTP. The FTTP infrastructure or alternative provision for superfast broadband in the absence of FTTP shall be laid out at the same time as other services during the construction process and be available for use on the first occupation of each premise, or such other date agree in writing by the local planning authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP).

REASON: Enable the enhancement of the Council's digital infrastructure in order to comply with Local Plan Policy BE07.

23. ENERGY STRATEGY

With the exception of site clearance and highway works, no further development shall take place until a detailed Energy and Sustainability Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to details of the design and location of any PV/EV Charging and Air Source/Ground Source Heat pumps. The approved PV/EV/ASHP/GSHP shall be installed and retained as approved. REASON: To ensure that the development incorporates measures to minimise the effects of, and can adapt to, a changing climate in line with the objectives of the Planning Policy Position for Net Zero Carbon in Operation for Greater Essex and local plan policies BE01, BE02 and BE04 of the Brentwood Local Plan.

24. ENVIRONMENTALL HEALTH

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

REASON: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present on site.

25. ENVIRONMENTAL HEALTH

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present on site.

26. ENVIRONMENTAL HEALTH

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

REASON: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present on site.

27. ENVIRONMENTAL HEALTH

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition, and where

remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition.

REASON: To safeguard future users or occupiers of this site and the wider environment from irreversible risks associated with the contaminants which are present on site.

28. ENVIRONMENTAL HEALTH

Prior to the commencement of development, a scheme detailing the design, layout, materials, and insulation of the dwellings shall be submitted and approved by the LPA in writing.

The scheme shall be designed to ensure that the internal ambient noise levels within all habitable rooms shall meet the guideline values contained in BS8233:2014 Table 4 i.e., not greater than 30 dB LAeq during the night-time period (23:00 to 07:00) and 35 dB LAeq daytime (07:00 to 23:00).

The scheme shall include specifications for acoustic glazing and design and specifications for mechanical ventilation where necessary to achieve the target internal noise levels and shall be submitted and agreed in writing by the Local Planning Authority and permanently retained and maintained as such except as may be agreed.

REASON: To safeguard the living conditions of future occupiers.

29. ENVIRONMENTAL HEALTH

On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:1999, including adequate ventilation. The following levels shall be achieved: Maximum internal night noise levels of 30dB LAeqT for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB LAmax. Reason: In the interest of the living conditions of the future occupiers of the site.

REASON: To safeguard the living conditions of future occupiers.

30. DRAINAGE

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Ref. HLEF83922 rev 5 dated 09/07/24) and the following mitigation measures detailed within the FRA:

- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 1 in 1 year greenfield rate of 19.6l/s for all storm events up to and including the 1 in 100 year + 45% CC.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASONS:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

31. DRAINAGE

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework (2023) paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

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 increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

32. DRAINAGE

Prior to occupation 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, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

33. DRAINAGE

The applicant or any successor in title must maintain 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.


34. PHASING PLAN

No development shall take place until a phasing plan has been submitted to and approved in writing by the local planning authority. The phasing plan shall include details of what each phase comprises, the timescale for the delivery of the development and the order of the delivery of the proposed phases. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the local planning authority. Any references to a phase of the development within this permission shall be taken to be a reference to phases as identified on the approved phasing plan submitted under this condition.

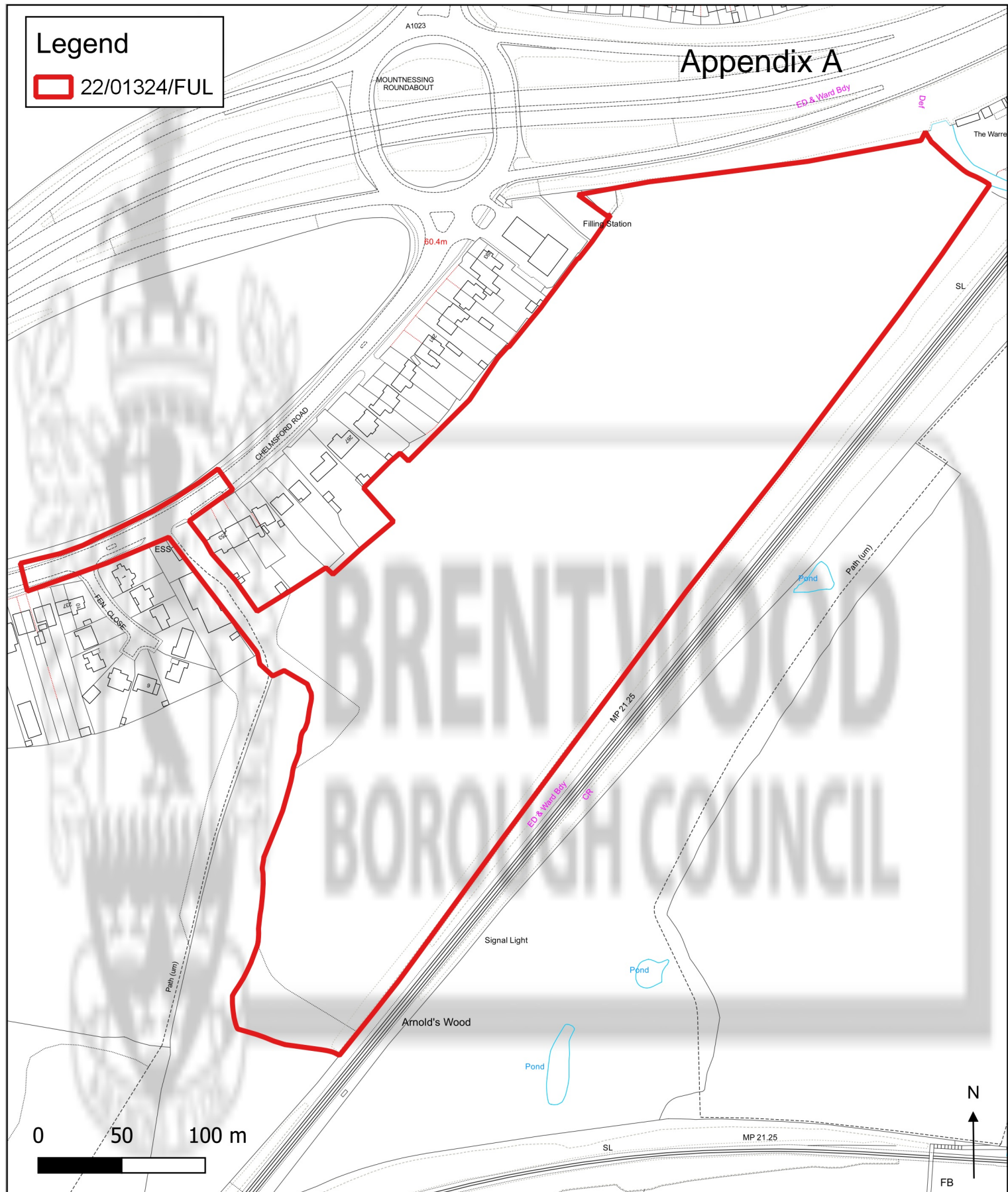
REASON:

To ensure compliance with Policy R03 of the adopted Brentwood Borough Council (BBC) Local Plan.

Legend

 22/01324/FUL

Appendix A



Land north of Shenfield, Chelmsford Road, Shenfield

Drawing No. : 22/01324/FUL

Scale at A4 : 1:3000

Drawn by : OSJ

Service : GIS Services

Date : 28th November 2024

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Jonathan Stephenson
Chief Executive
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY
Tel.: (01277) 312500

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Items	Details
Affordable housing	<p>To provide 67 units of affordable housing, comprised of the following:</p> <ul style="list-style-type: none"> • 5 x one-bedroom affordable rent units • 12 x two-bedroom affordable rent units • 11 x three-bedroom affordable rent units • 2 x four-bedroom affordable rent units • 3 x one-bedroom share ownership units • 16 x two-bedroom share ownership units • 18 x three-bedroom share ownership units
Custom build	<p>To provide 10 units of Custom/self-build Housing.</p> <p>To market and make available Custom/self-build Housing on the Self-Build and Custom Housebuilding Register for a period of no less than 36 months from the grant of planning permission.</p>
Healthcare Contribution	Healthcare Contribution: means the sum of ninety four thousand, seven hundred pounds (£94,700) Index Linked to be paid.
On-site open space management	<p>To provide an Estate Management Strategy of the public open spaces, trees, landscaped areas, non-adopted roads, footways and cycleways, attenuation basins, car parking areas and curtilage of apartments and to secure their management.</p> <p>Open Space: means the Open Space & Play Space Schedule set out in P21-0610_DE_001_04_E - OPEN SPACE AND PLAY.</p> <p>Open Space and Play Space Plan: means the plan numbered P21-0610_DE_001_04_E and marked Open Space and Play showing the Open Space for the development (or such other drawing that may be agreed in writing by the Council from time to time).</p> <p>Management Company: means the company set up for the purposes of managing and maintaining the Open Space on the Property in perpetuity.</p> <p>Open Space Disposal: a transfer of the Open Space to the Management Company to be approved in writing by the Council (approval not to be unreasonably withheld or delayed).</p>
Ancient Woodland Management Strategy	<p>Ancient Woodland: means the area of land identified as ancient woodland with Appendix 8 of the submitted Arboricultural Impact Assessment.</p> <p>Ancient Woodland Management Strategy: means a written report/schedule in accordance with the approved Outline Woodland Management Report submitted to and approved in writing by the Council for the ongoing maintenance and management of the Part of the Ancient Woodland within the Property that covers the first ten (10) years following commencement of Development setting out how the woodland on the Property will be managed.</p> <p>Ancient Woodland Management Company: means the company set up for the purposes of managing and maintaining the Ancient</p>

	<p>Woodland (and which may also be the same company as the Management Company intended to be responsible for the Open Space as set out in Part 1 of the Schedule) and which may (subject to Part 2 of this Schedule) manage and maintain the Ancient Woodland.</p> <p>Ancient Woodland Disposal: a transfer of Ancient Woodland to the Management Company or other body approved as set out in paragraph xxxx to be approved in writing by the Council (approval not to be unreasonably withheld or delayed) and which inter alia shall contain the following provisions:</p> <ul style="list-style-type: none"> • The Owner shall transfer the fee simple estate free from financial charges (save for those set out in the title) • All easements and rights over the remainder of the Property reasonably necessary to provide access to the Ancient Woodland • All easements and rights over the remainder of the Property necessary to implement the Ancient Woodland Management Strategy and Tree Management Strategy and to ensure that long term care and maintenance can be provided • Any exceptions and reservations for the benefit of the Property in relation to access user drainage and services, support and access of light and air for the Property • Any exceptions and reservations over the Ancient that are in accordance with the Ancient Woodland Management Strategy and Tree Management Strategy • Restrictive covenants for the benefit of the Property and the Owner which shall be enforceable jointly and severally not to: • Use or permit the use of the Ancient Woodland for any purpose other than as woodland in perpetuity • Use or permit the use of the Ancient Woodland in a manner which may be or become a nuisance (whether or not amounting to a legal nuisance) annoyance disturbance • A covenant that the Ancient Woodland shall be retained and maintained in accordance with the Ancient Woodland Management Strategy, the Tree Management Strategy and the Planning Permission for the benefit of the public (which for the avoidance of doubt shall not necessarily constitute unrestricted public access other than in accordance with the relevant strategy) <p>Tree Management Strategy: means a written plan submitted and approved in writing by the Council (approval not to be unreasonably withheld or delayed) for the ongoing management that covers the first ten years following Practical Completion setting out how retained trees and tree belts on the Property will be protected, managed and maintained.</p>
On Biodiversity Gain	<p>Site</p> <p>To secure the provision of management and maintenance of habitat and hedgerow units on the application site, including the creation or enhancement of habitat on the Site to generate at least 6.34 Biodiversity Units in accordance with the Biodiversity Net Gain Design Stage Report.</p>

	<p>To submit the On-Site Habitat Management and Monitoring Plan to the Council for its written approval prior to the commencement of development.</p> <p>Not to undertake any of the On-site Habitat Works until such time as the On-Site Habitat Management and Monitoring Plan has been approved in writing by the Council.</p> <p>To submit the Development Commencement Notice to the Council prior to the commencement of development and not to undertake any of the On-site Habitat Works until such time as the Development Commencement Notice has been served on the Council.</p> <p>To complete the On-site Habitat Works in accordance with the approved On-Site Habitat Management and Monitoring Plan.</p> <p>To submit the Development Completion Notice which specifies the Development Completion Date to the Council.</p> <p>Following serving the Development Completion Notice to invite the Nominated Officer to inspect the On-site Habitat Works and thereafter permit the Nominated Officer to be able to inspect those areas of the Site where the On-site Biodiversity Objective is being met to undertake its own monitoring if required.</p> <p>In the event that, following the inspection of the On-site Habitat Works, the Nominated Officer is of the reasonable opinion that the On-site Habitat Works do not conform with the approved On-Site Habitat Management and Monitoring Plan, to carry out such works which, in the reasonable opinion of the Council are required to remedy the non-conformity.</p> <p>To manage and maintain those areas of the Site where the On-site Biodiversity Objective is being met in accordance with the approved On-Site Habitat Management and Monitoring Plan for a period of no less than 30 years from the Development Completion Date, or</p> <p>To procure such the management and maintenance of those areas of the Site where the On-site Biodiversity Objective is being met in accordance with the approved On-Site Habitat Management and Monitoring Plan for a period of no less than 30 years from the Development Completion Date.</p> <p>To provide On-site Monitoring Reports to the Council on the 1st, 2nd, 3rd, 5th, 10th, 15th, 20th, 25th and 30th anniversary of the Development Completion Date.</p>
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Outdoor Sport Provision	<p>Outdoor Sport Contribution: means the Changing Room Contribution and the Pitches Contribution to be paid to the Council</p> <p>Changing Room Contribution: means the two hundred and sixty thousand, two hundred and ninety-pound (£260,290) Index Linked to be paid to the Council.</p> <p>Pitches Contribution: means the sum of one hundred and ninety one thousand, five hundred and thirty nine-pounds (£191,539) Index Linked to be paid to the Council.</p>
Indoor Sport Provision	<p>Indoor Sports Contribution: means the Sports Hall Contribution, the Swimming Pool Contribution, and the Indoor Bowls Contribution to be paid to the Council.</p> <p>Sports Hall Contribution: means the sum of ninety thousand, five hundred and twenty seven-pounds (£92,527) Index Linked to be paid to the Council.</p> <p>Swimming Pool Contribution: means the sum of one hundred and two thousand, one hundred and fifty-pounds (£102,150) Index Linked to be paid to the Council.</p> <p>Indoor Bowls Contribution: means the sum of three thousand four hundred and forty pounds (£3,440) Index Linked to be paid to the Council.</p>
Education Contribution	<p>Early Years and Childcare: To pay a sum of £311,229 linked to Q1-2024 to the County Council on or prior to the occupation of the development.</p> <p>Primary Education Contribution: To pay a sum of £ 1,037,429 linked to Q1- 2024 to the County Council on or prior to the occupation of the development.</p>
Education Land Contribution	<p>To pay an apportioned sum to the County Council for them to purchase 50% of the education land within site R03 for the primary school, at a rate commensurate with education use value. The final figure is to be confirmed with the Council and County Council.</p>
Highways Contribution	<p>Highways Contribution: means the sum of the Signalised Junction Contribution and the Parking Contribution.</p> <p>Signalised Junction Contribution: means the sum of sixty seven thousand five hundred and thirty nine pound (£67,539) Index Linked payable to the County Council.</p> <p>Signalised Junction Contribution Purpose: towards the upgrade and installation of 'MOVA' at the traffic signals at the junction of the A1023 Chelmsford Road / Shenfield Road / A129 Hutton Road as identified in Item T30 of Brentwood Borough Council's Infrastructure Delivery Plan.</p>

	<p>Parking Contribution: means the sum of ten thousand (£10,000) Index Linked payable to the County Council.</p> <p>Parking Contribution Purpose: means the amount towards the implementation of suitable parking restrictions on surrounding roads should it transpire that there are issues with parking overspilling onto these roads after the development is complete.</p>
Traffic Regulation Order	<p>Prior to occupation of the proposed development, the developer shall pay for a Traffic Regulation Order together with the provision of associated signage to extend the existing 30mph speed limit on the A1023 Chelmsford Road to a location close to the A1023 / A12 interchange. The precise location is to be agreed in consultation with the Highway Authority and shall include a gateway feature and road markings.</p>
Sustainable Transport Contribution	<p>Sustainable Transport Contribution: means the sum of the Bus Service Contribution, the Public Realm Infrastructure Contribution, the Quietway Cycle Contribution, and the Railway Station Cycle Infrastructure.</p> <p>Public Transport Contribution: means the sum of four hundred and ninety seven thousand pounds (£497,000) indexed linked payable to the County Council.</p> <p>Brentwood and Shenfield Railway Station Public Realm Improvement Contribution: means the sum one million thirteen thousand, nine hundred and ninety six-pound (£1,013,996) payable to the County Council to which sum the Quiet Way Contribution Indexation shall be added, as identified in Item T8 of Brentwood Borough Council's Infrastructure Delivery Plan.</p> <p>Quietway Cycle Contribution: means the sum of four hundred and sixty thousand, nine hundred and eight-pound (£460,908) payable to the County Council to which sum the Quiet Way Contribution Indexation shall be added as identified in Item T10 of Brentwood Borough Council's Infrastructure Delivery Plan.</p> <p>Railway Station Cycle Infrastructure: means the sum twenty three thousand, four hundred and forty five-pound (£23,445) payable to the County Council to which sum the Quiet Way Contribution Indexation shall be added as identified in Item T12 of Brentwood Borough Council's Infrastructure Delivery Plan.</p>
Library Contribution	<p>Library Contribution: means the sum of £14,859.80 to be paid to the County Council.</p>

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PLANNING COMMITTEE

26 November 2024

APPLICATION NO:	21/01525/OUT
ADDRESS:	Entire Land East of A128 and South of A127, Tilbury Road, West Horndon, Essex
APPLICATION DETAILS:	<p>Dunton Hills Garden Village Outline Application</p> <p>In summary, this is for the creation of a mixed-use garden community comprising up-to 3,700 dwellings (including affordable housing); three care homes; five Gypsy & Traveller pitches; secondary school with Community Sports Hub (including indoor and outdoor sports facilities); up-to three primary schools with early years provision; Employment Hub plus children's nursery/creche; Village Centre with market square, community building, mobility hub, retail, office, healthcare, place of worship, gym, children's nursery/creche, public house, betting shops and hot food take away units; two Neighbourhood Hubs with public space, retail, office and children's nursery/creche and hot food take-away units; cricket ground with pavilion; football hub with changing/social facilities; two all modes accesses from Tilbury Road; modified junction with Station Road/Tilbury Road to create a sustainable corridor connection; pedestrian/cycle connection to the A127; residential and non-residential vehicle and cycle parking with electric charging facilities; Green and Blue Infrastructure including sustainable urban drainage, play areas (MUGAs, LEAPs and LAPs), mobility routes (e.g. footways, cycleways and trim trail), community growing space, orchard, viewing platform, Village Green, biodiversity enhancement and landscaping; noise barrier; primary and secondary electricity sub stations together with foul and surface water pumping stations; and demolition of existing clubhouse with associated parking area, driving range and wind turbine and diversion of overhead powerlines.</p>
SITE PLAN:	Attached
APPLICANTS:	CEG Land Promotions Ltd and landowners Mr P S Dunne & Mrs E A Dunne
WARD:	Herongate, Ingrave & West Horndon
PARISH:	West Horndon
CASE OFFICER:	Emma Goodings

1.0 BACKGROUND

- 1.1 The Planning Committee resolved to grant permission subject to criteria (conditions and s106 planning obligations Heads of Terms) on 29 November 2023.
- 1.2 Since the resolution to grant on 29 November 2023, officers have been working with the applicant and other stakeholders (e.g. County Council) to negotiate s106 planning obligations and to agree planning conditions.

2.0 RECOMMENDATION

- 2.1 The recommendation that the Planning Committee resolve to grant an extension of time to the grant of planning permission for application reference 21/01525/OUT.
- 2.2 To delegate to officers the ability to further extend the time to the grant of the planning permission as may be necessary, in discussion with the Chair, after this first extension without the need to report back to the Planning Committee.
- 2.3 As noted in the officer's report to Planning Committee dated 29 November 2023, Officers already have discretion to extend the application in three-month increments, in discussion with the Committee Chair. The November 2023 report stated any extension to the initial one-year period would be subject to regular quarterly interim updates from officers, as informed by the submitted update from the applicants.

3.0 REASONS FOR RECOMMENDATION

- 3.1 The proposed development has been assessed in relation to relevant material planning considerations and on 29 November 2023, the Planning Committee considered that the proposal would be acceptable and compliant with the Brentwood Local Plan and relevant national planning policy (subject to criteria).
- 3.2 As noted in the officer's report to Planning Committee on 29 November 2023, officers estimated the drafting of s106 legal agreement for this application could be completed within a period of one year. However, despite progress made on this matter, officer negotiations on the s106 agreement and planning conditions requires longer than a year.
- 3.3 Officers therefore recommend that Planning Committee resolves to grant an initial and further extensions of time to the application, to allow officers to conclude s106 negotiations and planning conditions.

4.0 PLANNING CONDITIONS AND OBLIGATIONS

1. Planning Conditions

- 4.1 As noted in the officer's report to the Planning Committee on 29 November 2023, the assessment of the application as well as the EIA confirmed that the proposed development necessitates the imposition of planning conditions in order to secure certain specifications of the scheme to make it acceptable in planning terms (in accordance with NPPF par. 57).
- 4.2 However, it was also recognised in the officer's report to the Planning Committee on 29 November 2023, that there will need to be further consideration e.g. through further engagement with consultees/stakeholders, circulation of additional information and expert review, in order to specify the detail of required enhancements and mitigation, which would inform the detailed drafting of planning conditions. Therefore, it was not appropriate to incorporate full planning conditions with the recommended resolution for the Planning Committee on 29 November 2023.
- 4.3 For this reason, the general topic areas of relevant planning conditions that have so far been established are set out below whilst the detailed drafting will be presented to members before the grant of planning permission. The general planning condition topics include the following.
- 4.4 A Phased approach to submission of reserved matters and the discharging of conditions across the site is expected, as noted in paragraph 7.362 of the officer's report to committee dated 29 November 2023.

General

- 1) Permission expiry
- 2) Required reserved matters applications
- 3) Accordance with approved drawings and documents
- 4) Accordance with EIA
- 5) Accordance with FMD and adherence to the proposed design and landscaping principles
- 6) General accordance with illustrative materials
- 7) Phasing and Implementation Plan
- 8) CEMP

Housing

- 1) Affordable Housing Strategy Local

Economy

- 1) Floorspace quantum per non-residential use class
- 2) Employment Strategy
- 3) Employment and Skills Plan

Stewardship Arrangements**Highways and Transportation**

- 1) Updated site access plans
- 2) Site Wide Parking Strategy
- 3) CTMP
- 4) Physical works associated with West Horndon Byway 67 and West Horndon Footpath 60
- 5) EV charging
- 6) A127 Bridge and Link to Thorndon Country Park
- 7) Station Road Improvements
- 8) A127 / B148 Junction
- 9) A127 / A128 junction
- 10) Secure cycle/footway links to A127 and A127/A128 junction
- 11) Upgraded crossing of A128 at Nightingale Lane
- 12) The reserved matters submissions shall include details of (a) mobility route" along the western edge of the site including a cycleway from the railway bridge in the south to the A127 in the north and (b) the internal mobility routes (cycle and pedestrian routes)
- 13) Occupation restriction in relation to the completion of the relevant highway works specified

Design Matters

- 1) adherence to the proposed design and landscaping principles
- 2) maximum extent of development (EIA assessment)
- 3) Types of landscaping details to be submitted at reserved matters stage

Landscape and Visual Impact

- 1) adherence to the proposed design and landscaping principles
- 2) Phasing and Implementation Plan

Historic Environment

- 1) adherence to the proposed design and landscaping principles
- 2) require further Built Heritage assessment information alongside reserved matters application submissions where relevant
- 3) further archaeological evaluation trenching, with a programme of mitigation excavation and recording if required
- 4) scheme / programme of archaeological investigation, including trial trenching and open area excavation

Sustainability, Carbon Reduction and Renewable Energy

- 1) Updated Sustainability Statement including Renewable Energy Strategy

Ecology and Biodiversity

- 1) Mitigation for construction and operation effect on the Eastlands Spring LWS
- 2) CEMP including Eastland Spring Water Quality monitoring
- 3) Implementation of the Ecological Mitigation, Management and Monitoring Strategy Part 1 (EMMMS1)
- 4) An EMMMS2 is required to provide further detail to the proposed Part 1 strategy.

Arboriculture

- 1) Arboricultural Impact Assessment (including any compensation strategy)

- 2) Securing tree and hedge protection measures during construction
- 3) Avoidance of works to trees and hedges in bird nesting season

Land Contamination

- 1) Soil Management Strategy
- 2) Contamination Mitigation Strategy

Flood and Water Management

- 1) Detailed surface water drainage scheme
- 2) Scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works, and prevent pollution
- 3) Surface Water Drainage Maintenance Plan and management arrangements
- 4) Yearly logs of Surface Water Drainage maintenance

Noise and Vibration

- 1) CEMP
- 2) Supplementary Noise Report(s)
- 3) Requirement to provide the noise barrier

Air Quality

- 1) CEMP
- 2) Updated Air Quality Assessment
- 3) Scheme of Air Quality Mitigation

External Lighting

- 1) External lighting scheme which includes consideration of bat sensitive locations

Refuse and Recycling

- 1) Construction Waste Management Plan
- 2) Compliance with the refuse and recycling design requirements (as per Sustainability Statement)

Digital Infrastructure

1) Digital Infrastructure Strategy

- 4.5 All conditions would be the subject of the tests of necessity set out in the NPPF and the NPPG.

2. Planning obligations

- 4.6 As noted in the officer's report to Planning Committee dated 29 November 2023, the applicant has also accepted that any planning permission granted would necessitate certain obligations in respect of the proposed application to be dealt with by way of a legal agreement under Section 106 of the Town & Country Planning Act 1990. As a matter of principle this would be in line with National and Local Planning Policy MG05 (Developer Contributions) and, as a material consideration not a policy, the Essex Developers' Guide to Infrastructure Contributions.
- 4.7 Notwithstanding the Applicant's initially submitted Section 106 Heads of Terms, the following list of Heads of Terms that has resulted from further consideration and the officer assessment, covers the following general topics, to which the applicant has confirmed in principle agreement, as confirmed in the officer's report to Planning Committee dated 29 November 2023.

General

- 1) Temporary and "meanwhile" development
- 2) S106 Monitoring and Management charges

Housing

- 1) Mix of unit size, type and tenures
- 2) Delivery in accordance with the Affordable Housing Strategy
- 3) Affordable Housing (Type, amount, location, mix of unit size, delivery)
- 4) Affordable Housing Financial Viability Assessment Review (if required)
- 5) Self-Build (Type, amount, mix of unit size, delivery)

Local Economy

- 1) Financial contributions and/or other means to secure delivery of the Employment Strategy and Employment and Skills Plan

Education

Generally securing the delivery of (including any temporary provision):

- 1) 3x Primary School sites with co-located EYCC and SEND provision
- 2) 1 stand-alone EYCC site
- 3) One Secondary School site
- 4) School Transport
- 5) Community use of school facilities
- 6) Co-located Sixth form
- 7) Library Facility and/or Post-16 and Adult Community Learning

Health

- 1) On-site Healthcare including GP capacity
- 2) Contribution towards off-site hospital improvements

Open Spaces, Sports and Recreation Facilities

- 1) Community Sports Hub (dual use with education); Football Hub; formal parks and gardens; allotments and edible landscapes; multifunctional open space; and equipped play areas
- 2) Management of Green Infrastructure
- 3) Community Hall

Community Assets and Stewardship

- 1) Stewardship Arrangements

Highways and Transportation

- 1) Mobility hub together with the required equipment and supporting facilities
- 2) Reservations and safeguarding for the Eastern connecting points
- 3) Contributions to upgrades at West Horndon Station
- 4) Public Transport Services and Infrastructure

- 5) Other improvements required to the off-site active travel routes covered by the CLoS assessment
- 6) Updated Framework Travel Plan/Mobility Strategy (including: Community concierge/Travel Plan Co-ordinator, Monitor and Management details, Transport Review Group)
- 7) Car Club/Car Sharing arrangements
- 8) Commuted Sums
- 9) Financial contributions to any relevant orders including for changes to the status and alignment of PROW
- 10) Implementation of monitor and review
- 11) Additional Measures funding

Ecology and Biodiversity

- 1) Biodiversity Diversity Net Gain Target
 - 2) Visitor Management at Thorndon Country Park and Interpretation at Langdon Hills County Park
- 4.8 The detail of these planning obligations is still to be negotiated and will be secured in the drafted section 106 agreement. This final agreement will be presented to members for consideration and approval prior to the grant of planning permission.
- 4.9 Based on the above assessment and with the appropriate drafting and securing of planning conditions and the S106 legal agreement, it is considered that the Proposed Development would comply with Local Planning Policy MG05 (Developer Contributions) and the guidance contained in the Essex Developers' Guide to Infrastructure Contributions.
- 4.10 As noted in the officer's report to the Planning Committee dated 23 November 2023, officers spoke with the applicants to assess the amount of time that it may take to return to Planning Committee with fully written planning conditions and a draft S106 legal agreement. The matters to be covered are a mix of simple to highly complex, so it is difficult to predict with accuracy at this stage. For this reason, officers recommended that a time limit is set for a maximum one year period within which the application is triggered to be heard by Planning Committee for its second decision (by confirmation of the final pre engrossment S106 legal agreement from the applicant). This timescale would be reviewable by officers, in discussion with the Committee Chair. Any extension to this

period should also be subject to regular quarterly interim updates from officers, as informed by a written update from the applicants. This was included as part of the officer recommendation.

5.0 RECOMMENDATION FOR 21/01525/OUT on 29 November 2023

Decision 1:

5.1 That the Council's Planning Committee resolve to grant planning permission, subject to:

1. Planning conditions, in general accordance with the general topics and remits set out in Section 4 of this report including those which are necessary to secure the mitigation identified by the EIA process and subject to: (i) officers being delegated authority to negotiate the draft conditions with the applicants; and (ii) the final draft conditions being subject a further report to this Committee for approval;

2. A S106 legal agreement first being entered into, in general accordance with the general heads set out in paragraph 7.365 of this report, including the "bookends" and subject to: (i) officers being delegated authority to negotiate the draft Section 106 Agreement with the applicants; and (ii) the final draft Section 106 Agreement being subject a further report to this Committee for approval within one year of this decision (or such longer period as is agreed between officers and the applicants). Officers will have discretion to extend the application in three-month increments, in discussion with the Committee Chair. Any extension to the initial one-year period would be subject to regular quarterly interim updates from officers, as informed by the submitted update from the applicants.

Decision 2

5.2 By default, a refusal of the application would be triggered in case this Committee does not approve a final draft Section 106 Legal Agreement within one year of this first decision (or such longer period as is agreed between officers and the applicants) in accordance with the above. Officers will have discretion to extend the application in three-month increments, in discussion with the Committee Chair. Any extension to the initial one-year period would be subject to regular quarterly interim updates from officers, as informed by the submitted update from the applicants.

6.0 CONCLUSION

6.1 Officers are making substantial progress with s106 and planning condition negotiations with stakeholders. However, officer request that further time is provided to allow these negotiations to successfully conclude. Specifically, officers request a time extension of 3 months in accordance with the officer's report to Planning Committee dated 23 November



2023, which notes that officers have discretion to extend the application in three-month increments, in discussion with the Committee Chair.

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Planning Committee

26TH November 2024

REPORT TITLE:	Fees & Charges
REPORT OF:	Emma Goodings – Director of Place

REPORT SUMMARY

Fees and charges made by the Council for various services are reviewed on an annual basis by the relevant Committee relating to the services provided.

Recommended amendments to the fees and charges are incorporated into the budget setting process to take effect from the following financial year.

RECOMMENDATION

- R1. Agree to the proposed charges for 2025/26 as attached in the Appendix subject to the annual budget setting process.**
- R2. Delegate responsibility for further changes for charges in relation to specialist services, once contract negotiation and review is completed to ensure full cost recovery.**

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

- 1.1 To ensure that adequate resources are provided to ensure services delivered are maintained and costs are recovered.

2.0 BACKGROUND INFORMATION

- 2.1 The Council has a range of fees and charges relating to the services it provides. As part of the budget setting process, these charges are reviewed

on an annual basis. Whilst some of the fees and charges are statutory, and therefore determined through legislation, the Council must review its charges for discretionary services to ensure that they reflect the current costs of service provision. For planning these largely relate to charges for pre application advice, research and copying/printing. Landcharges fees are also considered by this committee.

- 2.3 The individual charges that are being proposed are set out in the Appendix to the report. Planning application fee levels are set centrally and cannot be set by individual authorities. A recent government consultation has indicated that some planning fees may rise but there is no confirmation of that at present.
- 2.4 The proposed discretionary fees are based on a calculation of the costs involved in administering the various areas of work and are expected to be based on a full cost recovery model.
- 2.5 Benchmarking with other local planning authorities in Essex has indicated that Brentwood has amongst the cheapest pre application and other fees in Essex, despite the fact that costs to the authority will be very similar to other LPAs. This means that costs are not being recovered and this is contributing to a significant overspend within the Councils development management budget which is not sustainable.
- 2.6 The planning charging schedule overall has also been revised to better reflect the needs of the service and appropriate charging, this includes the introduction of some new charges and the splitting of other categories to ensure charges are appropriate.
- 2.7 Each LPA offers slightly different services and so there may not be direct read across in all categories, but a selection of the most common services are benchmarked below against a number of our neighbouring authorities. These are charges for this year, taken from the respective Council websites and do not take into account any increase in fees for next year.

Service, including a meeting and written response	BBC current	BBC proposed	Basildon	CCC	RDC	BDC
Householder	£209	£288	£288	£330	£283	£344
1 x homes	£517	£624	£576	£864	£608	£546
Small major (10-49)	£2,798	£3,726	£6000	£3,470	£3,618	£4,802
Strategic major	£4,224	£5,067	£25,000+ PPA only	£5,835	£4,920	£28,800 PPA only

- 2.8 There are many listed buildings or buildings in conservation areas in the District which should also benefit from specialist heritage advice in the course of pre application discussions. The Council does not have an in-house expertise in this matter and therefore relies on consultants to provide this advice. Work to agree fee programmes with these consultants is ongoing and therefore it is requested that delegated authority is granted to the Director of Place to make further amendments to the fee charged by specialist services to ensure that this is based on full cost recovery.
- 2.9 Land charges fees have been benchmarked against other neighbouring authorities and are proposed to be increased by around 3% to account for an increase in staff costs. For a full CON29R search plus LLC1 this results in a rise of £5, all other fees increase by less than this, and most by only £1 or £2.
- 2.10 Within each appendix a covering sheet explains the following:
- a) Objectives and rationale behind the fees and charges
 - b) The proposed change in fee
 - c) Justification for this revision
 - d) Any benchmarking undertaken to aid in informing the level of change
 - e) Whether any consultation needs to be considered.
 - f) Expected income from the proposed fees and charges.

3.0 FINANCIAL IMPLICATIONS

Name & Title: David Dickinson, Strategic Director – Finance (Section 151 Officer)

Tel & Email: 01277 312500/david.dickinson@brentwood.rochford.gov.uk

- 3.1 Financial implications are set out within the report and appendices.

4.0 LEGAL IMPLICATIONS

Name & Title: Claire Mayhew Corporate Manager Democratic Services (Monitoring Officer)

Tel & Email 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk

- 4.1 The Council is able under the relevant legislation to recover costs for services it provides. The Council can charge for discretionary services under the Local Government Act 2003 section 93 and the Localism Act 2011 general power of competence and is able to review the fees and charges in line with these provisions.

5.0 RELEVANT RISKS

- 5.1 There is a risk that the pricing structure reduces demand and income for the coming financial year, price rises are considered against inflation, and benchmarking of similar service where appropriate.

6.0 EQUALITY & HEALTH IMPLICATIONS

Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health

Tel & Email: 01277 312500 kim.anderson@brentwood.gov.uk

- 6.1 The Public Sector Equality Duty applies to the Council when it make decisions. The duty requires us to have regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act make discrimination etc. on the grounds of a protected characteristic unlawful
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and 'civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 6.3 The proposals in this report will not have a disproportionate adverse impact on anybody with a protected characteristic.

7.0 ECONOMIC IMPLICATIONS

Name & Title: Emma Goodings, Director - Place

Email: emma.goodings@brentwood.rochford.gov.uk

- 7.1 There are no economic implications arising from this report.

8.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

Name & Title: Henry Muss, Sustainability Manager

Email: henry.muss@brentwood.rochford.gov.uk

- 8.1 None identified

REPORT AUTHOR: Name: Emma Goodings
Title: Director of Place

Phone: 01277 312500

Email: emma.goodings@brentwood.rochford.gov.uk

APPENDICES

- Appendix A: Planning Fees and Charges
- Appendix B: Land Charges Fees and Charges

BACKGROUND PAPERS

None

Appendix A Planning Fees and Charges

FEES & CHARGES SCHEDULE AND CHARGING DIRECTORIES FROM 2025/26 ONWARDS											
Committee:											
Service Area:											
Objectives/rationale of the fee/charge (e.g. Full cost recovery)											
Full cost recovery											
Is basis still relevant? If full cost recovery, when was this last reviewed; if over 12 months needs full cost check, please attach calculations											
yes											
Business Partners to confirm workings have been done											Y/N
Compare to other authorities, are there any charges we don't have that we could adopt?											
Benchmarking has been undertaken with neighbouring authorities, new charges, or splitting charges up to ensure charges are appropriate											
Proposed change in fee/charge from previous year (%)											
Increase in fees vary, depending on the benchmarking exercise results											
Justification for revised charge (compared to previous year)											
Benchmarking exercise with other authorities in Essex has shown that charges in Brentwood are amongst the cheapest in Essex and so substantial increase in											
What benchmarking has been undertaken to inform level of fee/charge (when and frequency)?											
Benchmarking with all other LPA in Essex											
If significant change in charge, what consultation was undertaken with the general public?											
No consultation has been undertaken but fees will be advertised and key users of the service informed prior to the charges being introduced.											
Expected budgeted income											
Budget income is difficult to predict as fees are discretionary and depend on the applications which are being submitted. However it is hoped that this charge will increase pre app budget by at least 20%											

PLANNING COMMITTEE							
FEES & CHARGES SCHEDULE FROM 1 APRIL 2025							
	DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
				April 2024-March 2025	April 2025-March 2026	April 2024-March 2025	April 2025-March 2026
				Excl VAT	Inc VAT	Excl VAT	Inc VAT
SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT							
CHARGING AREA: Planning Application Fees							
<u>All Outline Applications</u>							
	Site not more than 0.5 hectares	O	S	£578.00	£578.00		
	Up to 2.5 hectare, per 0.1 hectare	O	S	£0.00	£0.00		
	More than 2.5 hectares	O	S	£15,443 +	£15,443 +		
	Each 0.1 hectare in excess of 2.5 hectares to a maximum of £125,000	O	S	£186.00	£186.00		
	Site between 0.5 hectares and 2.5 hectares	O	S	£0.00	£0.00		
		O	S	£624.00	£624.00		
<u>Householder Applications</u>							
	CON 29R including LLC1						
	Alterations/extensions to a single dwelling	O	S	£258.00	£258.00		
<u>Full Applications</u>							
	Single dwellinghouse (or single flat)	O	S	£258.00	£258.00		
	Alterations/extensions two or more dwellings	O	S	£509.00	£509.00		
	Number of dwellinghouses - no more than 10	O	S	£578.00	£578.00		
	New Dwellings (between 10 & 50) per dwelling	O	S	£624.00	£624.00		
	New Dwellings more than 50	O	S	£30,860.00	£30,860.00		
	Each dwelling in excess of 50 to a maximum of £300,000	O	S	£186.00	£186.00		
<u>Erection of buildings (not dwellings, agricultural, glasshouses, plant nor machinery)</u>							
	Gross Floor up to 40sq m	O	S	£293.00	£293.00		
	Gross Floor 40 sq m to 75 sq m	O	S	£578.00	£578.00		
	Gross Floor 75sq m to 3750 sq m each 75 sq m or part thereof	O	S	£624.00	£624.00		
	Gross Floor more than 3750 sq m	O	S	£30,680.00	£30,680.00		
	Each additional 75 sq m in excess of 3750 sq m to a maximum of £250,000	O	S	£186.00	£186.00		
<u>Erection of building (on land used for agriculture for agricultural purposes)</u>							
	Gross Floor Space up to 465 sq m	O	S	£120.00	£120.00		
	Gross Floor 465 sq m to 540 sq m	O	S	£578.00	£578.00		
	Gross Floor 540 sq m to 4215 sq m each 75 sq m in excess of 540 sq m	O	S	N/A	N/A		
	Gross Floor more than 540 sq.m not more than 1,000sq.m	O	S	£578.00	£578.00		
	Each additional 75sq.m in excess of 540 sq.m	O	S	£578.00	£578.00		
	Gross Floor between 1,000 sq.m and 4215 sq m for first 1,00sq.m	O	S	£624.00	£624.00		
	Each additional 75sq.m in excess of 1,000 sq.m	O	S	£624.00	£624.00		
	Each additional 75 sq m in excess of 4215 sq m to a maximum of £250,000	O	S	N/A	N/A		
	Gross Floor more than 4215 sq m	O	S	£30,860.00	£30,860.00		
	Each additional 75 sq m in excess of 4215 sq m to a maximum of £250,000	O	S	£186.00	£186.00		
<u>Erection of glasshouses</u>							
	Gross Floor no more than 465 sq m	O	S	£120.00	£120.00		
	More than 465 sq.m but not more than 1,000 sq.m	O	S	£3,225.00	£3,225.00		
	Gross Floor more than 465 sq m	O	S	N/A	N/A		
	1,000 sq.m or more	O	S	£3,483.00	£3,483.00		
<u>Erection/Alterations/Replacement of Plant and Machinery</u>							
	Site Area not more than 5 hectares - per 0.1 hectare or part thereof	O	S	N/A	N/A		
	Site Area not more than 1 hectares - per 0.1 hectare or part thereof	O	S	£578.00	£578.00		
	More than 1 hectare but not more than 5 hectares for each 0.1 hectare or part thereof	O	S	£624.00	£624.00		
	Site Area more than 5 hectares	O	S	£30,860.00	£30,860.00		
	Each additional 0.1 hectare in excess of 5 hectares up to a maximum of £250,000	O	S	£186.00	£186.00		
<u>Applications other than Building Works</u>							
	Car parks, Service Roads or other accesses	O	S	£293.00	£293.00		
<u>Waste (Use of land for disposal of refuse or waste materials or deposit of amterial remaining after extraction or storage minerals)</u>							
	Site Area no more than 15 hectares per 0.1 hectare	O	S	£316.00	£316.00		
	Site Area more than 15 hectares	O	S	£47,161.00	£47,161.00		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	N/A	N/A		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £105,300	O	S	£186.00	£186.00		
<u>Operations connected with exploratory drilling for oil or natural gas</u>							
	Site area not more than 7.5 hectares each 0.1 hectare	O	S	£686.00	£686.00		
	Site area more than 7.5 hectares	O	S	£51,395.00	£51,395.00		
	Each 0.1 hectare in excess of 7.5 hectares up to a maximum of £250,000	O	S	N/A	N/A		
	Each 0.1 hectare in excess of 7.5 hectares up to a maximum of £405,000	O	S	£204.00	£204.00		
<u>Operations (other than exploratory drilling) for the winning and working of oil or natural gas</u>							
	Site area not more than 15 hectares each 0.1 hectares	O	S	£347.00	£347.00		
	Site area more than 15 hectares	O	S	£52,002.00	£52,002.00		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	N/A	N/A		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £105,300	O	S	£204.00	£204.00		
<u>Operations (winning and working of minerals) excluding oil or natural gas</u>							
	Site area not more than 15 hectares each 0.1 hectares	O	S	£316.00	£316.00		
	Site area more than 15 hectares	O	S	£47,161.00	£47,161.00		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	N/A	N/A		
	Each 0.1 hectare in excess of 15 hectares up to a maximum of £105,300	O	S	£186.00	£186.00		
<u>Other operations (not coming within any of the above categories)</u>							
	Any site area per 0.1 hectares up to a maximum of £1690	O	S	N/A	N/A		
	Any site area per 0.1 hectares up to a maximum of £2,535	O	S	£293.00	£293.00		
<u>Lawful Development Certificate</u>							
	Existing Use or operation	O	S	Same As Full	Same As Full		
	Existing use or operation - lawful not to comply with any condition or limitation	O	S	293.00	293.00		
	Proposed use or operation	O	S	Half normal planning fee	Half normal planning fee		

PLANNING COMMITTEE								
FEES & CHARGES SCHEDULE FROM 1 APRIL 2025								
DESCRIPTION OF CHARGE			VAT	FEE	CHARGES April 2024-March 2025		CHARGES April 2025-March 2026	
					Excl VAT	Inc VAT	Excl VAT	Inc VAT
SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT								
CHARGING AREA: Planning Application Fees								
Prior Approval								
Telecommunications Code Systems Operators			O	S	578.00	578.00		
Larger Home Extensions			O	S	120.00	120.00		
Additional Storeys on a home			O	S	120.00	120.00		
Agricultural and Forestry buildings & operations			O	S	120.00	120.00		
Demolition of Buildings			O	S	120.00	120.00		
Change of Use from Commercial/Business/Service (Use Class E), or Betting Office or Pay Day Loan Shop to mixed use including up to two flats (Use Class C3)			O	S	120.00	120.00		
Change of Use of a building and any land within its curtilage from Commercial/Business/Service (Use Class E), Hotels (Use Class C1), Residential Institutions (Use Class C2A) to a state funded school			O	S	120.00	120.00		
Change of use of a building and any land within its curtilage from an Agricultural Buildings to a State Funded School			O	S	120.00	120.00		
Change of Use of a building and any land within its curtilage from an Agricultural Building to a flexible commercial use within Commercial/Business/Service (Use Class E), storage or Distribution (Use Class B8), or Hotels (Use Class C1)			O	S	120.00	120.00		
Change of Use of a building and any land within its curtilage from an Agricultural Building to Dwellinghouses (Use Class C3)			O	S	120	120		
If it includes building operations in connection with the change of use			O	S	258	258		
Change of use of a building from Betting Office, Pay Day Loan Shop, Launderette; a mixed use combination of these uses and use as Dwellinghouse(s); or Hot Food takeaways to Dwellinghouses (Use Class C3)			O	S	120	120		
if it includes building operations in connection with change of use			O	S	258	258		
Change of Use of a building and any land within its Curtilage from Amusement Arcades/Centres and Casinos to Dwellinghouses (Use Class C3)			O	S	120	120		
if it includes building operations in connection with the change of use			O	S	258	258		
Temporary Use of Buildings or land for the Purpose of commercial film-making and the associate Temporary Structures, Works, Plant or Machinery required in connection with that Use			O	S	120	120		
Provision of Temporary School Buildings on Vacant Commercial Lane and the use of that land as a State-funded School for up to 3 Academic Years			O	S	120	120		
Development Consisting of the Erection or Construction of a Collection Facility with the Curtilage of a Shop			O	S	120	120		
Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roof of Non Domestic Buildings, up to a capacity of 1 Megawatt			O	S	120	120		
Movable structure within the curtilage of a historic visitor attraction, or listed pub/restaurant/etc			O	S	120	120		
Erection, extension or alteration on a closed defence site by or on behalf of the Crown of single living accommodation and/or non-residential buildings			O	S	120	120		
Erection, extension, or alteration of a university building			O	S	120	120		
Reserved Matters								
Application for approval of reserved matters following outline approval			O	S	Full Fee due or if paid £578	Full Fee due or if paid £578		
Approval/Variation/Discharge of condition								
Application for removal or variation of a condition following grant of planning permission			O	S	293.00	293.00		
Request for confirmation that one or more planning conditions have been complied with - Householder			O	S	43.00	43.00		
Request for confirmation that one or more planning conditions have been complied with - Other			O	S	145.00	145.00		
Change of Use of a building to use as one or more separate dwellings houses or other cases								
Not more than 50 dwellings - each dwelling			O	S	N/A	N/A		
More than 50 dwellings			O	S	30,860.00	30,860.00		
Each dwelling in excess of 50 up to a maximum of £250,000			O	S	186.00	186.00		
Other Changes of use of a building or land			O	S	N/A	N/A		
Number of dwellinghouses not more than 10			O	S	578.00	578.00		
Number of dwellinghouses between 10 and 50			O	S	624.00	624.00		
Other Changes of Use								
Building or Land			O	S	£578.00	£578.00		
Advertising								
Relating to the business on the premises			O	S	165.00	165.00		
business			O	S	165.00	165.00		
Other advertisements			O	S	578.00	578.00		
Application for a New Planning Permission to replace an Extant Planning Permission								
Applications in respect of major developments			O	S	0.00	0.00		
Applications in respect of householder developments			O	S	0.00	0.00		
Applications in respect of other developments			O	S	0.00	0.00		
Application for a Non-material Amendment following a grant of Planning Permission								
Applications in respect of householder development			O	S	43.00	43.00		
Applications in respect of other developments			O	S	293.00	293.00		
Application for Permission in Principle								
For each 0.1 hectare of the site area			O	S	503.00	503.00		
For further clarification on the planning fees please refer to the The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 and (Amendment) Regulations 2017								

PLANNING COMMITTEE							
FEES & CHARGES SCHEDULE FROM 1 APRIL 2025							
	DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2024-March 2025		CHARGES April 2025-March 2026	
				Excl VAT	Inc VAT	Excl VAT	Inc VAT
SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT							
CHARGING AREA: Pre-Application Advice							
<u>Planning history advice</u>							
You can use this advice to find out the authorised use of land or a building; the previous applications and consents related to the land or building; whether your property has permitted development rights;							
	Written advice				new service	66.67	80
	<u>High Hedges application</u>	S	S	416.67	500	558.33	670
<u>Pre-Application Advice</u>							
	Householder						
1	Householder - written advice only	S	D	73.33	88.00	87.50	105
2	Up to 1-hour on-line meeting and written summary /with written specialist advice (Where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	S	D	174.16 / 330	209 / 396	240 / 510	288 / 612
3	CON 29R including LLC1	S	D	36.67	44.00	Listed with landcharges	
4	Express Householder Advice - e.g. week turnaround	S	D	517.92	621.50	service discontinued	
<u>Change of Use of a Building or Land where the proposal does not constitute Minor or Major development</u>							
NB this would include a change of use of the land to additional residential garden; paddocks and buildings to non-residential use but excludes construction of a new house/replacement house/outbuilding to annex							
	Written advice only	S	D	183.33	220.00	224.17	269
	Up to 1-hour online meeting and written summary/ with written specialist advice (Where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	S	D	430.83 / 600.41	517 / 720.50	520 / 790	624 / 948
5	Up to 1-hour in person or onsite meeting and written summary/ with specialist advice (where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	S	D	458.33 / 627.91	550 / 753.50	554.17 / 824.17	665 / 989
6	Follow up comments upon per additional set of drawings	S	D	183.33	220.00	224.17	269
7							
<u>Creation of one or two new houses ; a replacement dwellinghouse; an annexe</u>							
	Written advice only/ with specialist advice	S	D		New services	229.17/510	275/612
	Up to 1-hour online meeting and written summary/ with specialist advice (Where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a listed building, specialist advice is required and is charged as follows.	S	D	430.83 / 600.41	517 / 720.50	520 / 790	624 / 948
8	Up to 1-hour in person or onsite meeting and written summary/ with specialist advice Where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a listed building, specialist advice is required and is charged as follows.	S	D	458.33 / 627.91	550 / 753.50	554.17 / 824.17	665 / 989
9	Follow up comments upon per additional set of drawings	S	D	183.33	220.00	224.17	269
10							
<u>Minor Development</u>							
<u>You need this advice if you are building two to ten dwellings or the site area is up to 0.5 hectares</u>							
	Written advice only/ with specialist advice	S	D	430.83 / 600.41	517 / 720.50	520 / 790	624 / 948
11	Up to 1-hour online meeting and written summary/ with specialist advice	S	D	889.16 / 1054.16	1131.02 / 1340.90	1070 / 1340	1284 / 1608
12	Up to 1-hour in-person/on-site meeting and written summary/with specialist advice	S	D	916.66 / 1081.66	1100 / 1298	1140 / 1410	1368 / 1692
13	Additional 1-hour on-line meetings and written summaries/ with specialist	S	D	568.33 / 733.33	682 / 880	500 / 790	600 / 924
14	Follow up comments per additional set of drawings	S	D	206.25	247.50	249.17	299
15							
<u>Small major development (includes Heritage Assets/ Urban Design)</u>							
You need this advice if you are building between 11 to 49 dwellings; the new building has between 1000 and 2499 sqm of floor space							
Or the site is between 0.5 and 1.99 hectares (where you don't know the floor space.							
	Written advice only	S	D		new service	848.33	1018
16	Up to 1-hour online meeting and written summary	S	D	2,543.75	2,798.13	3,105.00	3726
17	Up to 1-hour in person or on-site meeting and written summary set	S	D	2,612.50	2,873.75	3,180.00	3816
Subsequent follow up advice – if you have: already received advice about a similar development on the same site in the last three months or Received a refusal of planning permission for a similar development on the same site							
18	Written advice	S	D	307.08	337.79	290.00	348
19	A subsequent on-line meeting with a planning officer	S	D	1,860.83	2,046.92	2,236.67	2684
<u>Large major development (includes Heritage Assets/ Urban Design)</u>							
If your new building has between 2500 and 4999 sqm of floor space							
Or The site area is up between 2.0 and 4.99 hectares (where you don't know the floorspace)							
20	Up to 1-hour on-line meeting and written summary	S	D	3,107.50	3,418.25	3,900.00	4680
21	Up to 1-hour in person or on-site meeting and written summary set	S	D	3,130.42	3,443.46	3,975.00	4770
Subsequent follow up advice – if you have: already received advice about a similar development on the same site in the last three months or Received a refusal of planning permission for a similar development on the same site							
23	A subsequent on-line meeting with a planning officer	S	D	2,291.67	2,750.00	2,291.67	2750
<u>Strategic Development (Principal Planner)</u>							
Your new building has 5000 or more sqm of floor space							
The site area is 5 or more hectares (where you don't know the floorspace)							
24	Up to 1-hour online meeting and written summary	S	D	3,520.00	4,224.00	4,222.50	5067
25	Up to 1-hour in person or onsite meeting and written summary	S	D	3,547.50	4,257.00	4,297.50	5157
26	A reduced fee for follow up meetings if you have: already had a meeting in relation to the same site in the last three months or received a refusal of planning permission for a similar development on the same site in the last three months	S	D	2,795.83	3,355.00	3,355.00	4026
<u>Planning Performance Agreement - Separate set of Fees</u>							
BBC can offer a tailored service to developers in regard to the above advice types.							
These can include meetings with elected members including ward members and members of the Planning Committee. We can negotiate compliance with conditions during the course of construction and through the redevelopment and conversion of listed buildings with the appropriate specialist advisors offering direct and timely contact with Officer's.							
<u>Post-Application Conditions Advice</u>							
Some developments may result in conditions which you may wish to discuss in more detail with the Planning Officer to consider your options. Particularly where there are requirements for particular materials. Officers can advise on the requirements in consultation with specialist advisors where applicable.							
	Note: Developers are reminded of the provisions of the NPPF with particular regard to paragraph 130.						
27	Written summary only	S	D	155.83	187.00	160.83	193
28	Up to 1-hour inhouse meeting and written summary	S	D	258.50	310.20	266.67	320
29	Up to 1-hour onsite meeting and written summary	S	D	288.75	346.50	297.50	357
Advice from Officers specialising in the Heritage Assets, Urban Design or Landscaping may also be required and is charged separately.							
<u>Post application S106 agreement enquires</u>							
For enquires or requests to agree matters within legal agreements							
	Per item				new service	208.33	250
<u>Enforcement Notice enquiries</u>							
for enquires or requests to ascertain compliance with a notice							
					new service	208.33	250

Appendix B: Land Charges Fees and Charges

FEES & CHARGES SCHEDULE AND CHARGING DIRECTORIES FROM 2025/26 ONWARDS												
Committee:												
Service Area:												
Objectives/rationale of the fee/charge (e.g. Full cost recovery)												
Full cost recovery												
Is basis still relevant? If full cost recovery, when was this last reviewed; if over 12 months needs full cost check, please attach calculations												
Yes												
Business Partners to confirm workings have been done												Y/N
Compare to other authorities, are there any charges we don't have that we could adopt?												
No, all chargeable services are included												
Proposed change in fee/charge from previous year (%)												
A broadly 3% fee increase (rounded)												
Justification for revised charge (compared to previous year)												
Increase fees to account for increased staff costs and inflatio												
What benchmarking has been undertaken to inform level of fee/charge (when and frequency)?												
Benchmarking against fees charged across Essex has been undertaken												
If significant change in charge, what consultation was undertaken with the general public?												
No significant change has taken place												
Expected budgeted income												
Expected to increase the budget income by 3%												

	DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
				April 2024-March 2025		April 2025-March 2026	
				Excl VAT	Inc VAT	Excl VAT	Inc VAT
SERVICE AREA: LAND CHARGES							
CHARGING AREA: Land Charges							
Search Fees							
	LLC1	O	S	23.00	23.00	24.00	24.00
	CON 29R	S	S	108.00	135.00	115.00	138.00
	CON 29R including LLC1	S/O	S	125.60	157.00	135.00	162.00
	CON 290 optional enquiries, except Q22	S	S	13.60	17.00	15.00	18.00
	CON 290 optional enquiries, Q22 only	S	S	15.20	19.00	16.67	20.00
	Any other additional enquiries	O	S	36.00	36.00	37.00	37.00
	Additional parcels of Land	S	S	38.40	48.00	41.67	50.00
# In relation to CON 290, Q.22 only, additonal parcels of land are processed at £1 per parcel, subject to maximum of 6 parcels of land, there being a £20 maximum fee payable in this regard							
	Personal Searches - Self Service			Free	Free		

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Disclosure of Other Registerable Interests

1. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set below), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
2. You must register as an Other Registerable Interest :
 - a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

Disclosure of Non-Registerable Interests

3. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in the table 1 below) a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
4. Where a matter arises at a meeting which **affects** –
 - a) your own financial interest or well-being;
 - b) a financial interest or well-being of a relative or close associate; or
 - c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in paragraph 2 you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.
5. Where a matter (referred to in paragraph 4 above) affects the financial interest or well- being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

- 6. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a member, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Sponsorship Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person

	with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

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Terms of Reference Planning

(a) Town and Country Planning Act 1990 and any related legislation including: -

- (i) determination of planning applications;
- (ii) enforcement of planning control;
- (iii) waste land notices, purchase notices, etc.

(b) Listed Buildings and Conservation Areas Act 1990

- (i) determination of applications for Listed Buildings and Conservation Area consent;
- (ii) enforcement of Listed Building and Conservation Area legislation.

(c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

(i) To guide the Council in setting its policy objectives and priorities.

(ii) To carry out the duties and powers of the Council under current legislation;

(iii) To develop, implement and monitor the relevant strategies and policies relating to the Terms of Reference of the committee.

(iv) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;

(v) To consider and approve relevant service plans;

(vi) To comply with the standing orders and financial regulations of the Council;

(vii) To operate within the budget allocated to the committee by the Council.

(viii) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning.

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