

Planning Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be webcast and audio recorded.

Date: Tuesday, 10 May 2016

Time: 19:15

**Venue: Council Chamber , Braintree District Council, Causeway House,
Bocking End, Braintree, Essex, CM7 9HB**

Membership:

Councillor R Bolton
Councillor K Bowers
Councillor Mrs L Bowers-Flint
Councillor P Horner
Councillor H Johnson
Councillor S Kirby
Councillor D Mann

Councillor Lady Newton
Councillor J O'Reilly-Cicconi (Vice Chairman)
Councillor Mrs I Parker
Councillor Mrs W Scattergood (Chairman)
Councillor P Schwier
Councillor Mrs G Spray

Members are requested to attend this meeting, to transact the following business:-

Page

PUBLIC SESSION

1 Apologies for Absence

2 Declarations of Interest

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest, or Non-Pecuniary Interest relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the Minutes of the meeting of the Planning Committee held on 26th April 2016 (copy to follow).

4 Public Question Time (See paragraph below)

5 Planning Applications

To consider the following planning applications and to agree whether any of the more minor applications listed under Part B should be determined 'en bloc' without debate.

PART A

Planning Applications:- There are no applications in Part A

PART B

Minor Planning Applications:-

5a	Application No. 16 00070 FUL - Kingsmead Park, Coggeshall Road, BRAINTREE	5 - 9
5b	Application No. 16 00240 FUL - Evangelical Church, The Street, CRESSING	10 - 15
5c	Application No. 16 00347 FUL - Land North of Purls Hill Farm, Purls Hill, GREAT MAPLESTEAD	16 - 22
5d	Application No. 16 00190 FUL - Car Park, Great Notley Country Park, Great Notley Garden Village, GREAT NOTLEY	23 - 30
5e	Application No. 16 00128 FUL - Broadfield Farm, Dunmow Road, RAYNE	31 - 41
5f	Application No. 16 00458 ADV - The Cherry Tree, Cressing Road, WITHAM	42 - 47
6	Planning and Enforcement Appeal Decisions - March 2016	48 - 61
7	Braintree District Council Local List of Heritage Assets	62 - 99
8	Urgent Business - Public Session	

To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

9 Exclusion of the Public and Press

To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

At the time of compiling this Agenda there were none.

PRIVATE SESSION

10 Urgent Business - Private Session

To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

Cont'd

E WISBEY
Governance and Member Manager

Contact Details

If you require any further information please contact the Governance and Members team on 01376 552525 or e-mail demse@braintree.gov.uk

Question Time

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Council's Governance and Members team on 01376 552525 or email demse@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

Health and Safety

Any persons attending meetings at Causeway House are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by a Council officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones

Please ensure that your mobile phone is either switched to silent or switched off during the meeting.

Comments

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended..... Date of Meeting.....

Comment

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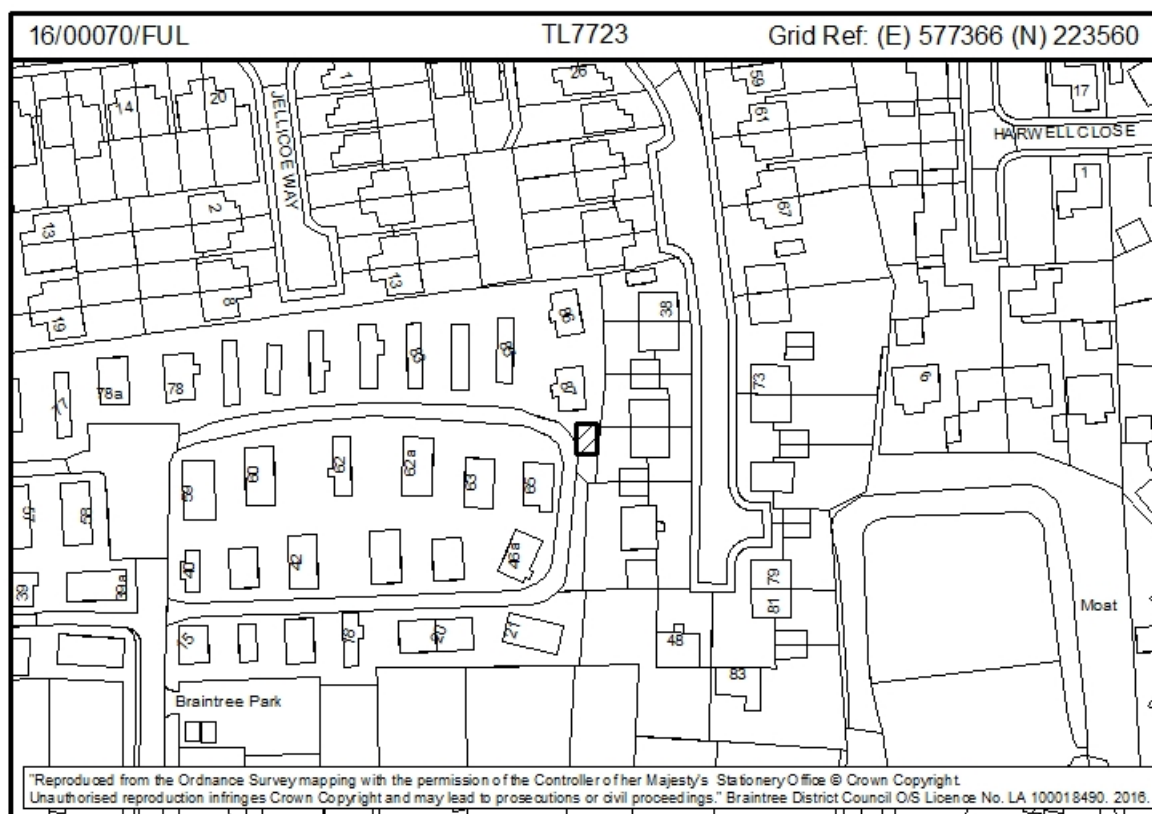
Contact Details:

AGENDA ITEM NUMBER 5a

PART B

APPLICATION NO: 16/00070/FUL
 DATE: 11.02.16
 VALID:
 APPLICANT: Braintree Park Ltd
 C/o Agent
 AGENT: E J Planning Ltd
 Ben Eiser, PO Box 310, Malvern, WR14 9FF
 DESCRIPTION: Retention of site office building
 LOCATION: Kingsmead Park, Coggeshall Road, Braintree, Essex, CM7 9EA

For more information about this Application please contact:
 Mr Sam Trafford on:- 01376 551414 Ext. 2520
 or by e-mail to: sam.trafford@braintree.gov.uk



SITE HISTORY

10/00894/FUL	Proposed office, store, bin store and gates	Refused	11.10.10
10/01511/FUL	Proposed office, store, bin store and gates	Granted	14.12.10

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3 Development within Town Development Boundaries and Village Envelopes
RLP56 Vehicle Parking
RLP90 Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to Committee due to the number of representations received.

SITE DESCRIPTION

The application site consists of a park used to station mobile homes. The site is accessed via a gated private road from Coggeshall Road, situated within the town development boundary of Braintree. At present, the site contains approximately 59 mobile homes.

A site office has been erected along the north eastern boundary of the site, which this planning application seeks retrospective planning permission for.

PROPOSAL

The proposal seeks planning permission for the retention of a site office building, located along the northern boundary of the site. The building is 3.2 metres in height to the ridge, and 2.3 metres in height to the eaves. It measures 3.7 metres in depth, and 3.1 metres in width. The building uses concrete tiles on the roof, cream coloured render on the external walls, and white uPVC windows and doors.

CONSULTATIONS

Environmental Health Officer – No Objections

REPRESENTATIONS

21 letters of representation and a petition with 13 signatures were received during the course of the consultation exercise. The contents of the letters are summarised below. It should be noted that some of the objections raised are not considered material planning considerations, and cannot be taken into consideration in the determination of this planning application.

REPORT

Principle of Development

The site is situated within the Town Development Boundary, where according to Braintree District Local Plan policies RLP3, the principle of development is acceptable where it incorporates appropriate design and materials, does not result in an unacceptable impact on neighbouring residential amenities and where it can satisfy highway criteria.

Taking this into consideration, Officers consider that the principle of development in this location is acceptable, subject to details of design, there being no undue or unacceptable impact on neighbouring residential amenities, and other material considerations, which are discussed below.

Design, Appearance and Layout

Policy RLP90 requires designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance.

The office building is relatively small in size; taking the form of a garden shed size than what would more commonly be associated with an office building. It uses materials which are found within the caravan park, and is quite modestly sized and traditionally proportioned. The design of the building is relatively simple and unassuming and it is considered it does not detract from its surroundings.

Its siting, albeit obscured from view from the wider street scene, is not particularly offensive and doesn't dominate the view from within the caravan park.

It is considered that according to policy RLP90, the application is acceptable from a design perspective.

Impact on Neighbour Amenity

The proposed form of development sits on the north eastern boundary of the caravan park, backing onto the garden of 44 Nelson Gardens. Its eaves, at 2.3 metres in height, are located higher the existing boundary feature along this boundary. Notwithstanding this, 44 Nelson Gardens is separated by a private garden. Furthermore, the short depth and height of the building means there is unlikely to be a loss of light issue. Therefore, from the perspective of the occupiers of 44 Nelson Gardens, it is considered that there is unlikely to unduly harm the residential amenities of this property.

The two closest mobile homes, 87 and 65 Kingsmead, are located approximately 4 metres to the north and east respectively. Given this gap, and the minor nature of the proposed development, it is considered unlikely that the proposed building would result in a harmful impact on their residential amenities.

Highway Issues

All of the representations received raised objection to the loss of parking. It is acknowledged that the land on which the building is located was primarily used for parking, and that there is an ongoing investigation being carried out by the Council's Environmental Health Services in relation to parking. Notwithstanding this, following consultation with the Environmental Health Officer, no objections were raised. Furthermore, at 3.7 metres in depth and 3.1 metres in width, it results in the loss of a single parking space; it is considered that on balance, the impact on parking would not be so unacceptable as to warrant refusal of the planning permission.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Site Plan

Location Plan

Elevations

Plan Ref: CM-00497210

Plan Ref: EJP/BRAIN/16/1-1

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 2 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the operation and maintenance of the site known

as 'Kingsmead Park'. It shall not be sold, transferred, leased or otherwise disposed of as an independent residential unit without first obtaining planning permission from the local planning authority.

Reason

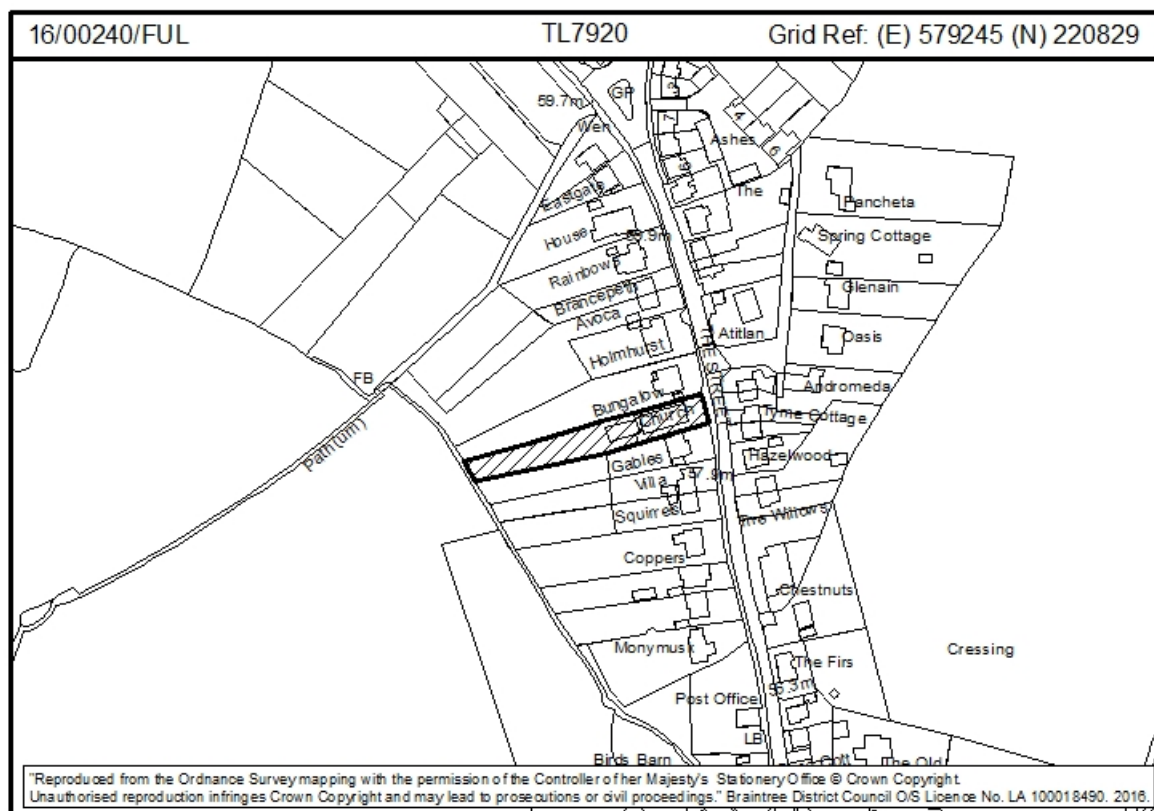
In order to enable the local planning authority to give consideration to any residential use of the property other than as a single dwelling unit.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00240/FUL
 DATE: 11.02.16
 VALID:
 APPLICANT: Cressing Evangelical Church
 Mr D Ivey, The Street, Cressing, Braintree, Essex, CM77 8DQ
 AGENT: Denn Architects
 Mr J Denn, 2 Bridgefoot, Hempstead Road, Radwinter, Saffron Walden, Essex, CB10 2TQ
 DESCRIPTION: Erection of front porch extension and external cladding
 LOCATION: Evangelical Church, The Street, Cressing, Essex, CM77 8DQ

For more information about this Application please contact:
 Mr Sam Trafford on:- 01376 551414 Ext. 2520
 or by e-mail to: sam.trafford@braintree.gov.uk



SITE HISTORY

03/00825/FUL	Proposed replacement windows and bricking up of two windows	Refused	16.06.03
03/02061/FUL	Proposed replacement windows and bricking up of two windows	Granted	30.12.03
97/01292/FUL	Provision of steps from existing fire exit door	Granted	25.11.97
15/01074/FUL	Erection of front porch extension, external cladding and 6 no. rooflights	Withdrawn	23.11.15

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3 Development within Town Development Boundaries and Village Envelopes
RLP90 Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to the Committee as Cressing Parish Council has raised an objection to the proposed form of development.

SITE DESCRIPTION

Cressing Evangelical Church is a single storey detached building, located between two bungalows, on The Street within the village envelope of Cressing. The existing building was constructed in 1909, and is a well-proportioned pitched roofed building presenting a gable end to the street. It is finished in yellow brick, with red brick detailing and brick arches. At present, it offers a positive contribution to the street scene, although standing out somewhat due to its different design to the rest of the street scene. The street scene locally consists of a mix of house types; with modern two storey dwellings opposite, and bungalows adjacent. Further up the road, the street scene turns into higher density two storey development. There is a dominance

of render in the street scene, although weatherboarding and brick is found on some of the houses.

The existing building has been constructed using porous bricks, which are not now in good condition, and have weathered badly.

PROPOSAL

The application seeks planning permission to erect a front porch extension, and to install cladding to the walls in between the brick piers. The front porch would replace the existing canopy and step, and extend forward of the existing building by approximately 3.1 metres. It would consist of a modern design, including a centrally located window on the front elevation in the shape of a cross. It would be clad in grey Welsh slate.

The proposed cladding on the existing building would be grey coloured Marley Eternit. It would be clad in such a way that the existing brick piers would remain.

It is understood that some of the proposed development has already been carried out, but this does not alter the way this planning application is determined as it must be considered on its merits.

The applicant has provided a statement to support the application stating that the bricks have deteriorated and there are now signs of water ingress.

CONSULTATIONS

Environmental Health Officer – No Objections.

REPRESENTATIONS

Parish Council – Object on grounds the proposed form of development would be out of keeping with the existing street scene.

Neighbour Representations – 7 letters of representation were received from 6 neighbours: 3 letters raised objection to the application, whilst 4 letters made comments in support.

REPORT

Principle of Development

Braintree District Local Plan Review policy RLP 3 allows for development within town development boundaries where it satisfies amenity, design, environmental and highway criteria and does not result in material detriment to the existing character of the settlement. It is understood that the proposed cladding is necessary to protect the brickwork underneath, which is porous and creating a problem of water seepage inside the building. The principle of development is acceptable in this location, subject to an assessment of its

design, impact on neighbours and any other material considerations which are discussed below.

Design, Appearance and Layout

Policy RLP90 requires designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance.

The existing building is an attractive and pleasant feature within the street scene; its detailing is typical of its age and the use of yellow and red brick detailing adds interest to its simple design. The Parish Council has raised objection on grounds that the cladding would not be appropriate to the street scene. It is regrettable that any measures to halt the further disintegration of the brick work require some form of cladding but, of the options available (e.g. render, damp-resistant paint) the use of a timber-effect cladding appears the most appropriate to its appearance and would enable the distinctive brick piers and front brick gable end to remain unaltered. Although the change in facing material would down-play the building's original architecture, it is not considered that it would result in an appearance that would be out of place within a mixed streetscape and it will provide a solution that safeguards the future of the building for some years ahead. Nevertheless, the plans submitted with the application do not show clearly how the cladding will sit between the piers and beneath the front gable. This detail needs to be submitted to ensure that the cladding respects these features which will present important indicators of the building's original design. The same applies to the details of replacement windows which need to sit in the same location as the existing and retain a window reveal. Given the deterioration of the building due to the porous bricks and the lack of suitable alternatives, the introduction of the cladding is considered acceptable, subject to the submission of satisfactory details which can be dealt with by way of condition.

The proposed front entrance porch, which would extend approximately 3 metres forward of the front elevation of the existing building, would be centrally located, with an appropriate pitch and simple form. It would have a large window shaped as a cross on the front elevation. This element has been well considered and provides a clear definition of the use of the building.

The plans show the front entrance porch being clad in grey slate. Slate being used in this way is not Essex vernacular, and could detrimentally affect both the building and the street scene. A condition is recommended requiring details of the grey slate, and a plan of the front elevation of the extension showing how the slate would be applied, to be approved by the Local Planning Authority. Given the works have already started, it is recommended a time limit of 8 weeks is applied to this condition, starting from the date of the decision.

Impact on Neighbour Amenity

Two of the representations raised an objection to the window on the front elevation, on the basis it would be illuminated and shine onto the opposite properties. The plans do not indicate that the window would be illuminated, and enquiries to the applicant confirm it would not be illuminated. In this light and given the size of the window and its relationship with neighbouring premises it is not considered that the proposal would result in detrimental impact on neighbouring residential amenities.

Highway Issues

For this type of use, it is expected that many visitors would live locally, and would not use a car. It is apparent that the space in front of the building is used for car parking and although some of it would be lost to accommodate the porch extension, the overall impact is not considered to justify the refusal of the application on parking safety grounds.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Floor Plan	Plan Ref: CEC0715.01	Version: B
Existing Plans	Plan Ref: CEC0715.02	Version: B
Proposed Elevations	Plan Ref: CEC0715.03	Version: B

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Within 8 weeks of the date of this decision,
 - A sample of the proposed slate to be used on the front elevation of the porch;
 - A detailed plan at a scale of 1:100 showing how the front elevation

would be detailed with the slate, including the amount of slate to cover the elevation;

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason

To ensure that the development does not prejudice the appearance of the locality.

- 4 Within 8 weeks of the date of this permission, additional drawings that show details of the new windows by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

Reason

To ensure that the development does not prejudice the appearance of the locality.

- 5 Within 8 weeks of the date of this permission, details shall be submitted showing how the cladding will be fixed to the building, how it will sit in between the piers, and details of how it will sit under the front gable. These details shall be approved in writing by the Local Planning Authority before works start, and the works shall be implemented in accordance with the approved details.

Reason

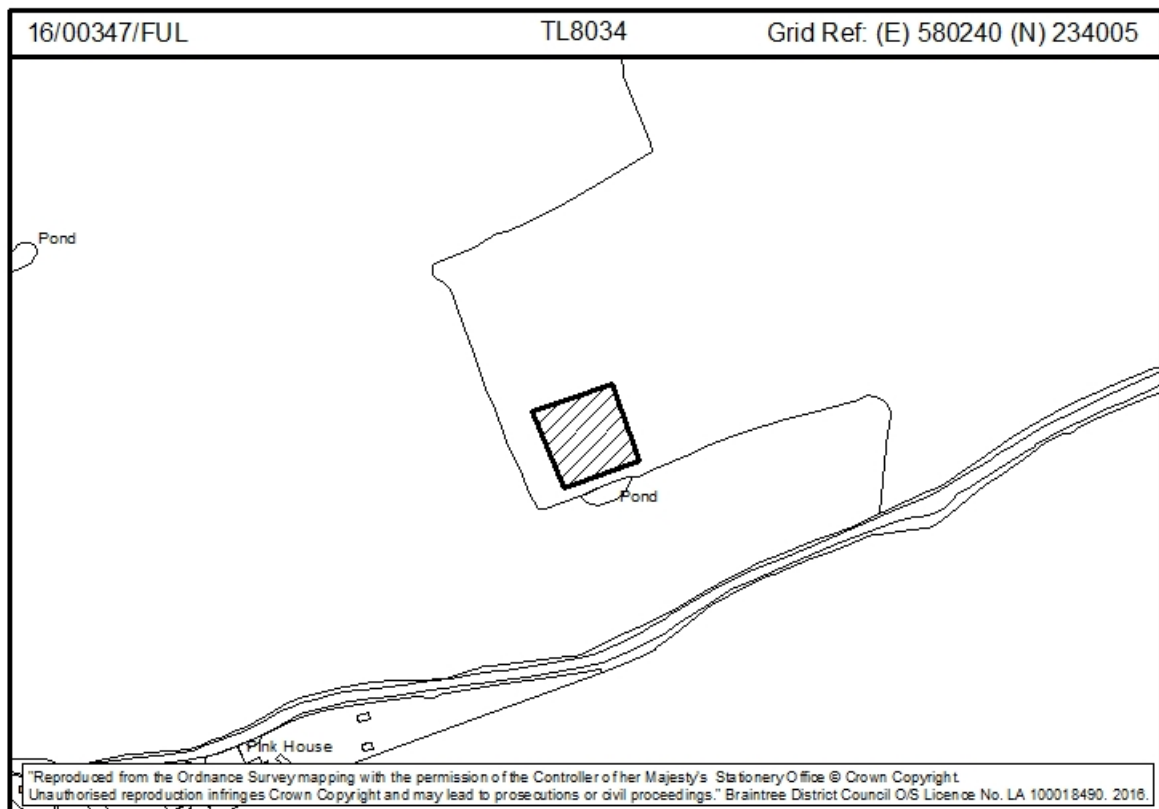
To ensure that the development does not prejudice the appearance of the locality.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00347/FUL DATE: 03.03.16
 VALID:
 APPLICANT: Mr S Fordham
 Orchard Farm Services, Woodertons Farm, Gestingthorpe
 Road, Little Maplestead, Essex, CO9 2SN
 AGENT: Whirledge & Nott
 Bullbanks Farm, Halstead Road, Eight Ash Green, Essex,
 CO6 3PT
 DESCRIPTION: Erection of general purpose agricultural building
 LOCATION: Land North Of Purls Hill Farm, Purls Hill, Great Maplestead,
 Essex

For more information about this Application please contact:
 Katie Towner on:- 01376 551414 Ext.
 or by e-mail to:



SITE HISTORY

None

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS5 The Countryside
CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP2 Town Development Boundaries and Village Envelopes
RLP89 Agricultural Buildings
RLP90 Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee as an objection has been received from the Parish Council.

SITE DESCRIPTION

The application site is located to the north of Purls Hill on land that forms part of a wider holding comprising some 45 acres. The site is quite undulating in topography with the land levels rising up from east to west. The site is currently cropped to grass and there are no buildings present.

Given the dense planting along the southern boundary, the site is not readily visible from Purls Hill or further beyond to the south. The site is more open on its eastern and northern boundaries and thus forms part of the wider views of this part of the countryside. As shown outlined in blue on the location plan submitted, the western boundary of the site is quite irregular and can be seen on the ground by existing planting. This planting, although not dense along the whole length of this boundary, does provide screening as viewing the site from the west.

PROPOSAL

The application seeks planning permission for the construction of a general purpose agricultural building, to be used for the housing cattle for part of the year and also for the storage of hay and other farming equipment. The proposed building is to dimensions of 18.28m in width by 24.38m in length

and reaches a pitched roofed height of 7.95m. The building takes the appearance of a general agricultural building, to be constructed of green metal profile sheeting with fibre cement roofing.

The building is positioned to the south western corner of the site, immediately abutting and as a consequence screened by existing landscaping/tree planting to the south and west.

The field is currently accessed off Purls Hill. The application also proposes a hardstanding/access driveway from the existing access to the proposed building.

The application is supported by an agricultural justification statement which sets out the reasoning for the why the building is required. In addition to the land at Great Maplestead (subject to this application) the business also farms 70 acres at Woodertons Farm, Little Maplestead. The business is currently in the process of re stocking and expanding its cattle herd. Currently a small number of cattle are kept at the Little Maplestead farm and the Great Maplestead field is used for the production of hay. As such all hay is cut and taken back to Little Maplestead. The building is proposed in order to improve the efficiency of the farming operations in preventing the need to cart hay between the two sites and in order to accommodate a greater number of cattle.

CONSULTATIONS

Great Maplestead Parish Council – Objects to the application

BDC Environmental Health – No objections

REPRESENTATIONS

Two letters has been received in response to the neighbour notification the contents of which are summarised below:

- The proposed building does not appear to take in to account or comply with The Code of Practice for Design and Construction of Cattle Buildings BS5502
- No mention is made for the availability of infrastructure such as water supply, electricity and drainage, vital for housing livestock.
- The chosen position can be seen from miles as it is on top of a hill
- The proposed track will increase water run off
- Feed has not been carted away from the site and is stored in blue rolls which can be seen from many points in the village
- The building has little ventilation, required for cattle
- There is insufficient hardstanding outside the building for cattle
- The building would be full just with tractors and implements
- This is a way of getting planning through the back door for housing

- The land went up for sale because it was said they were not viable, so can a different breed of cattle justify the expense of a building and track?

REPORT

Principle of Development

The NPPF (para. 28) states that support should be given to economic growth in rural areas, by way of supporting sustainable growth and expansion of all types of business and promoting the development and diversification of agricultural businesses.

The site is located within the countryside for planning purposes, given that it is outside of a defined Town Development Boundary or Village Envelope. Policy RLP2 of the Local Plan Review states that development will be confined to the areas within Town Development Boundaries and Village Envelopes. Outside of these areas countryside policies will apply. Policy CS5 of the Core Strategy states that development outside of Town Development Boundaries and Village Envelopes will be strictly controlled to uses appropriate to the countryside, in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside.

Policy RLP89 of the Local Plan Review provides an exception to the protectionist countryside policies and advises that new agricultural buildings in the countryside should be of a design that is sympathetic to its surroundings in terms of scale, materials, colour and architectural detail.

Policy RLP90 of the Local Plan Review and CS9 of the Core Strategy require high standards of design and layout in all developments.

The proposed development is considered acceptable in principle, subject to satisfying the above mentioned policies and all other material considerations.

It would be prudent to attach to a condition to any grant of consent which removes permitted development rights for the conversion of the agricultural building to another use, as allowed under part 3 Class Q (Residential), Class R (Flexible commercial) and Class S (states funded school or registered nursery) of the Town and Country Planning (General Permitted Development) Order 2015, in order to ensure appropriate uses within the countryside to satisfy policy CS5 of the Core Strategy.

It is noted that such buildings, to be used for agricultural purposes, generally constitute permitted development under Part 6 of the General Permitted Development (Town and Country Planning) Order 2015. In this case, given the building is to house livestock it requires the benefit of express planning permission.

Design and Layout

The proposed building takes on the appearance of standard agricultural building and is of materials that would be commonly used for such buildings. The proposed green colour of the building is considered favourable and exact details of this can be sought by way of a condition attached to any grant of consent.

The building is shown to be enclosed and thus is not typical for the housing of cattle. The applicant has confirmed that the building has been designed as such given that it is for both general storage and the housing of livestock during some months of the year. The design will help to prevent the risk of arson to the silage or hay crops when they are stored in the building and to prevent vermin. When cattle are housed in the building, the doors will remain open and ventilation is to be provided through steel box profile sheeting, which contains vents.

Given the topography of the land as discussed above, the building will be a noticeable addition, especially as viewed from the east, however the proposed siting is considered favourable. The shape of the site and existing planting/boundary treatment mean the building will be largely screened from view from the south and west. In addition this location is within close proximity to the existing access off Purls Hill and thus negates the need for an extensive access driveway/hardstanding.

No precise details are given of the proposed driveway, such it is considered necessary to require these by condition, in order to ensure the amenity of the countryside and to ensure that it is constructed of permeable materials.

It is considered that the proposed building is sympathetic to its surroundings, given its design and siting and satisfies the requirements of policies RLP89 and RLP90 of the Local Plan Review and policies CS5 and CS9 of the Core Strategy.

Impact Upon Neighbour Amenity

The proposed building is well distanced from nearby residential properties, such it is not considered that it will give rise to any unreasonable impacts on residential amenity. The site and existing access is already used in association with the agricultural use of the site and this will remain unchanged.

Highway Matters

The site is served by an existing access off Purls Hill and this is to remain unchanged. Although trips between the two holdings will still occur, it is the aim that this is reduced and therefore less farm traffic will use the local roads. It is not considered that the proposed development will materially alter the use of the site such to adversely affect or place unreasonable pressure on the existing highway.

Other Matters

A comment has been made from a local resident which raises concern that the building does not comply with The Code of Practice for Design and Construction of Cattle Buildings BS5502. Such guidance is not a material consideration for the purposes of planning and therefore cannot be taken into account in the determination of the application.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Location Plan
Block Plan
Site Plan
Landscaping
Elevations
Elevations
Elevations
Elevations
Floor Plan

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Construction of the building shall not commence until a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure that the development does not prejudice the appearance of the locality.

- 4 Prior to the installation of the hardstanding for access details of the

materials to be used for the hardstanding (as shown on the approved Landscaping Plan) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason

To ensure that the development does not prejudice the appearance of the countryside location.

- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 3 Class Q, Class R and Class S of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the development hereby permitted shall be used only as an agricultural building for the purposes of storing hay and agricultural machinery/equipment and the housing of livestock and for no other purpose (incidental or otherwise).

Reason

In order for the Local Planning Authority to retain adequate control over such uses in the interests of ensuring appropriate development within the countryside.

- 6 No burning of refuse, waste materials or vegetation shall be undertaken in connection with the site clearance or construction of the development.

Reason

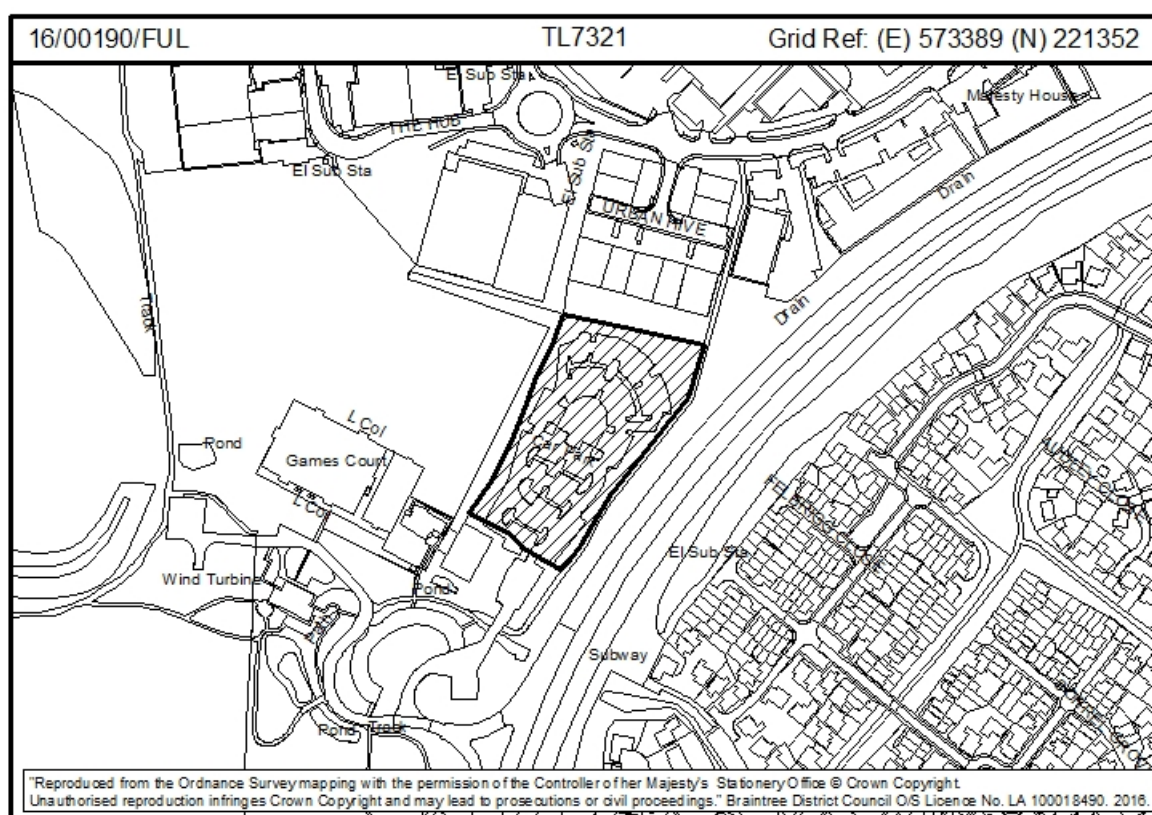
To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00190/FUL DATE: 02.02.16
 VALID:
 APPLICANT: Braintree District Council
 Mr Samir Pandya, Unit 4, Lakes Industrial Estate, Lower Chapel Hill, Braintree, Essex, CM7 3RU
 AGENT: NPS London Ltd
 Mr Peter Winch, 3-4 Avocet House, Trinity Park, Trinity Way, Chingford, London, E48TD
 DESCRIPTION: Reconfiguration/expansion of main car park to provide additional car parking spaces.
 LOCATION: Car Park, Great Notley Country Park, Great Notley Garden Village, Great Notley, Essex, CM77 7FS

For more information about this Application please contact:
 Mrs Sandra Green on:- 01376 551414 Ext. 01376 552525 Ext. 2557
 or by e-mail to: sandra.green@braintree.gov.uk



SITE HISTORY

95/00616/P	Proposed landscaping/mounding.	Granted	24.07.95
99/00206/FUL	Erection of three storey building to provide sports and leisure facilities for Great Notley Country Park with associated sports pitches and landscaping	Granted	05.05.99
07/01754/FUL	Erection of building to provide an additional visitor attraction and education facility incorporating a field archaeology unit with ancillary offices, minor alterations to the Discovery Centre, relocation of existing wind turbine and provision of a car park together with associated site works	Granted	01.11.07
08/01972/FUL	Erection of lighting columns, floodlights and sections of 5 metre high fencing at the proposed replacement all-weather sports pitches	Granted	21.11.08
09/00188/DAC	Application for approval of details reserved by condition no. 6 of approval 08/01972/FUL	Granted	27.11.09
15/00398/FUL	Installation of new sequence batch reactor (SBR) drainage plant and associated control room. Alterations to existing drain runs to feed the new SBR and connection back to the sites existing drainage system.	Granted	26.05.15
15/01594/ECC	Consultation on Essex County Council application CC/BTE/75/15 - Installation of a prefabricated single storey structure (7200x3200x2800 LxWXH) and associated groundworks for the provision of a disabled change facility and separate	Objections Raised	22.01.16

disabled toilet

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS5 The Countryside
CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP2 Town Development Boundaries and Village Envelopes
RLP81 Trees, Woodland Grasslands and Hedgerows
RLP90 Layout and Design of Development
RLP142 Country Parks

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought to the Planning Committee for determination because the application site is within the ownership of Braintree District Council.

SITE DESCRIPTION

The application relates to an existing car park located at the Great Notley Country Park. The car park lies to the north east of the Discovery Centre and the Parc Essex site. It is bounded to the north by the Skyline Business Park and to the east by the A131, which also separates the site from the residential area of Great Notley located further to the east. There is a footpath running along the eastern boundary of the site that links to Skyline.

The car park sits below the level of the road and is landscaped at the boundaries and between the parking rows. The access roads are tarmacked with the parking spaces being laid to road planings.

Entry to the Country Park is via a barrier system. 15 minutes of free parking is permitted and a parking fee applies for any subsequent length of stay. Season Parking Passes are available for all Essex Country Parks. Spaces are available on a first come first served basis and are not currently restricted to users of the Country Park.

PROPOSAL

It is proposed to reconfigure the layout of the car park within the existing site area. This will result in a net gain of 61 car parking spaces that will be available for use on a first come first served basis. The proposal would result in the loss of some of the existing low level landscaping, however the submitted plans indicate that the existing planting would be taken up, set aside and re-used/re-planted within the reconfigured layout.

The Local Planning Authority have been advised by the applicant that some of the reconfigured car park may be used by staff of and visitors to the business park.

CONSULTATIONS

Parish Council – None

Essex County Council Highways – no comments to make; not contrary to Local Transport Plan

Planning Policy – Local Plan Review (2005) policy RLP142 Country Parks identifies this area as a country park and protects it for that use. No policy objection as the proposal is for the reconfiguration of the existing car park.

Landscape Services

Landscape Setting:

The removal of so many young trees will have a negative effect on the amenity in the area, however as most will be re-planted around the site boundary from the outside the street scene should not change dramatically. Currently there are more trees than places to put them, but if the eastern edge could be moved slightly further into the site it would allow for the creation of another bund, and therefore additional planting areas. This would also help to soften the appearance of the car park from the A131.

Trees and Arboriculture:

A great many young trees will need to be moved to facilitate this development. Generally this should not be a problem, as they are young enough and small enough to be able to lift and replant. However the north east corner has slightly more established trees that would be better left in situ.

A method statement should be submitted under condition if permission is granted detailing how the transplanting of so many individual plants will be achieved, including how they will be stored between being lifted from the ground and replanted.

Biodiversity and Protected Species:

No objections.

REPRESENTATIONS

A site notice was displayed at the front of the site and neighbour notification letters were sent out to adjacent properties. No representations have been received.

REPORT

Principle of Development

The application site is identified on the proposals map as a Country Park. Policy RLP142 of the Braintree District Local Plan Review states that the Country Park in Great Notley will be protected for this use. As identified above, the Country Park benefits from an existing car parking area. The proposal in this case is to reconfigure the existing car park which will result in a net gain of 61 car parking spaces.

Skyline lies adjacent to the proposal site. Both the NPPF and the Council seek to support the local economy. Parking is provided on the Skyline Business Park for staff and visitors and it is understood that a large local firm wishes to relocate to a unit on the business park in order to remain in the district. Whilst the Local Authority is aware that the new spaces may be used by staff of and visitors to the business park this is also true of the existing arrangement which operates on a first come first served basis without restriction, subject to the car parking fee. It is anticipated that whilst there may be an increase in the number of people parking and walking through to the business park during the working week, there will be additional spaces available at the weekend and bank holidays when there are likely to be an increased number of visitors to the country park.

As the car park is an ancillary facility of the Country Park, it is considered that there are no principle objections to the proposal, subject to other detailed considerations in relation to layout, landscape impact and highways.

Layout, Design and Appearance

At present the northern portion of the car park is less formal in layout than the straight rows of the southern end and includes a fairly large central area of landscaping on a raised area of ground. The height of the vegetation in this central area is fairly low. The layout of the northern area is proposed in a similar arrangement to the southern part with timber sleepers to separate the rows of parking bays.

The proposal as originally submitted placed a number of spaces in close proximity to the north eastern corner of the car park, which would have resulted in a loss of structural landscaping in this area. This was considered to be detrimental to visual amenity and the design has subsequently been amended to ensure that a reasonable amount of landscaping is retained in this area. The proposed plans indicated that existing planting would be set

aside and re-used within the reconfigured car parking layout which is welcomed. Subject to conditions, the Council's Landscape Services department raise no objections to the proposal.

Impact on Neighbour Amenity

There are no residential properties in the immediate vicinity of the site. As such it is not considered that the proposal would have a detrimental impact upon neighbouring residential amenity.

Highway Issues

No changes are proposed to the existing vehicular access. The proposed layout is considered to be satisfactory from a highways perspective. It is therefore considered that there are no highways impacts associated with the proposal.

CONCLUSION

It is considered that the proposal will not be detrimental to the character of the area or to visitors to the Country Park and therefore it is recommended that planning permission is granted subject to appropriate landscaping conditions to mitigate the impact of the proposal.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Location Plan	Plan Ref: NPS-00-00-DR-B-(00)-01	
Proposed Site Plan	Plan Ref: 03	Version: REV A

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Development shall not be commenced until details of the means of protecting all of the existing trees, shrubs and hedges on the site from

damage during the carrying out of the development have been submitted to the local planning authority for approval; this shall include a method statement detailing how the transplanting of individual plants will be achieved, including how they will be stored between being lifted from the ground and replanted. The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the local planning authority.

The hedge planting shall be carried out in the first planting season after the commencement of the development unless otherwise previously agreed in writing by the local planning authority.

Any plants which die, are removed, or become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

No materials, goods or articles of any description shall be stacked, stored or placed at any time within the limits of the spread of any of the existing trees, shrubs or hedges.

No works involving alterations in ground levels, or the digging of trenches, or excavations of any kind, (including the laying or installation of drains, pipes, cables or other services) shall be carried out within the extent of the spread of any existing trees, shrubs and hedges unless the express consent in writing of the local planning authority has previously been obtained. No machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, hedges.

The Local Planning Authority shall be notified in writing at least 5 working days prior to the commencement of development on site.

Reason

To ensure existing trees, shrubs and hedges are retained as they are considered essential to enhance the character of the development.

- 4 No burning of refuse, waste materials or vegetation shall be undertaken in connection with the site clearance or construction of the development.

Reason

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

INFORMATION TO APPLICANT

- 1 Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting

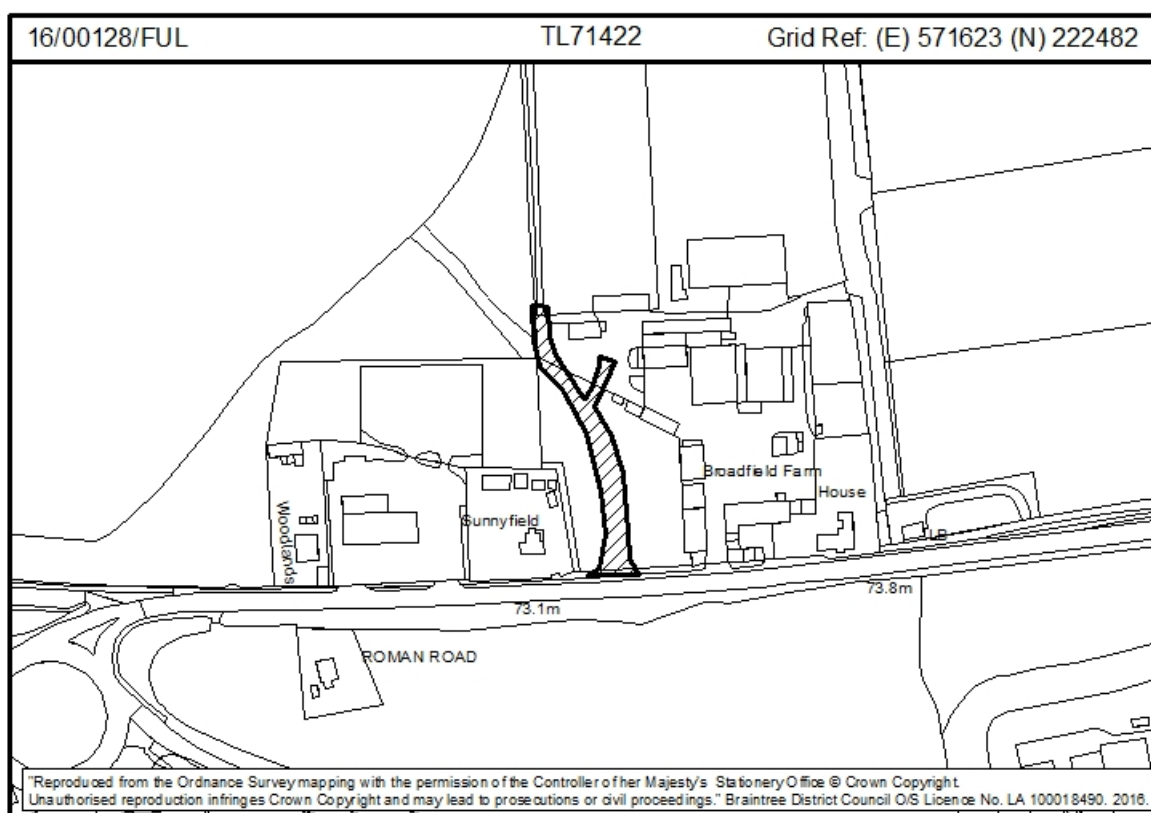
details in connection with the approval of details reserved by a condition. Furthermore, a fee of £28 for householder applications and £97 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION 16/00128/FUL DATE 25.01.16
 NO: VALID:
 APPLICANT: H T Smith (Farms) Ltd
 Broadfield Farm, Dunmow Road, Rayne, Essex, CM77 6SA
 DESCRIPTION: Construction of a new vehicular site access and blocking up
 of existing access.
 LOCATION: Broadfield Farm, Dunmow Road, Rayne, Essex, CM77 6SA

For more information about this Application please contact:
 Mrs F Fisher on:- 01376 551414 Ext. 2503
 or by e-mail to: fayfi@braintree.gov.uk



SITE HISTORY

00/00418/COU	Change of use of agricultural barn and stables to B1 use	Granted	08.06.00
00/00483/FUL	Erection of menage, two stables, tack room and feed store	Granted	23.05.00
02/01700/COU	Change of use of agricultural building to storage/light industrial	Granted	08.01.03
81/01230/P	Proposed stationing of temporary mobile home.	Granted	30.10.81
05/00381/FUL	Retrospective application for change of use from agricultural to B1/B8, from agricultural to stables and to remove planning condition restricting use of stables to a personal use	Granted	25.04.05
15/01459/AGR	Prior Notification for a proposed road - construction of a new improved access	Refused	21.12.15

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS5	The Countryside
CS8	Natural Environment and Biodiversity
CS9	Built and Historic Environment

Braintree District Local Plan Review

RLP2	Town Development Boundaries and Village Envelopes
RLP40	Minor Industrial and Commercial Development in the Countryside
RLP69	Sustainable Urban Drainage
RLP81	Trees, Woodland Grasslands and Hedgerows
RLP90	Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought to the Planning Committee because Rayne Parish Council object to the application and this is contrary to officer recommendation of approval.

SITE DESCRIPTION

The application site is located along Dunmow Road in Rayne outside of the settlement boundary and comprises Broadfield Farm which is predominantly an agricultural unit, but has planning permission to use several of the farm buildings for B1/B8 use. The site is currently accessed via an entrance along Dunmow Road which is positioned between the farm buildings adjacent to the highway. This access is shared by occupiers of the units, their customers, deliveries and also farm machinery in association with use of the surrounding agricultural land.

PROPOSAL

It is proposed to create a new access on a section of land between the main complex of buildings of Broadfield Farm and the neighbouring residential property of "Sunnyfield".

The new access would lead onto Dunmow Road, which has a highway classification of Class C. The creation of this new access will allow for a replacement access road to provide safer vehicle movements to the farmland and the business units. The existing access is proposed to be permanently closed.

CONSULTATIONS

Essex County Council – from a highway and transportation perspective the impact of the proposal is acceptable to the highway authority subject to conditions which include a 160metre visibility splay in each direction, a means to prevent water discharging onto the highway and no unbound material within 15 metres of the highway. They also require that the existing access is closed and any gates are inwardly opening.

National Grid UK – No comments received

Health and Safety Executive – No comments received

Environmental health – No objections

Landscape Services Department – No objections subject to a condition requiring a scheme of landscaping, including planting on and around the proposed bund and replacement tree planting, in order to mitigate the impact of the proposed development.

REPRESENTATIONS

Rayne Parish Council – Object to the proposal on grounds of quality of information in the application, impact on neighbouring properties and increase in flooding. The proposal is not justified since the existing access road is adequate for the current use. The application is misleading since the potential future use will be access to a proposed gravel pit.

In addition, 4 letters of representation have been received from: ‘Sunnyfield’, 2 The Rushes (sent on behalf of the resident at ‘Sunnyfield’), 28 Buckwoods Road (on behalf of the resident at ‘Sunnyfield’), and 4 St Luke Court, which raised the following concerns:

- The existing access has been used for decades for large farm machinery – no evidence has been provided to demonstrate why there is a need for the new access and why the existing access is dangerous;
- The access could be routed to the other side of the farm buildings, with no impact upon the surrounding residential dwellings;
- The proposed access could be used for the new gravel pit;
- Insufficient information has been provided to show the proposed bund;
- No details of drainage have been provided;
- Increased noise and pollution;
- Much more noise and environmental hazards will be caused by the proposal;
- There is an existing oak tree which would need to be removed;
- The proposal would affect the local fauna and wild birds;
- The ditch to the east and north of Sunnyfield is not shown on the plan, but could become blocked following the building of this road.

The applicant has responded to the points raised in these letters and has supplied a map showing the movement of vehicles within the site and a plan to explain the movement of large vehicles manoeuvring onto Dunmow Road. Both the objectors and the Parish Council have been sent a further consultation on this additional information. At the time of writing, no further representations have been received. If any further representations are received, they will be reported to Members at Committee.

REPORT

Principle of Development

Policy RLP2 of Braintree District Local Plan Review and Policy CS5 of Braintree District Core Strategy states that development outside of town development boundaries or village envelopes will be strictly controlled to uses appropriate to the countryside, and dealt with using countryside policies.

Policy RLP40 of the Braintree District which states that in order for minor industrial and commercial development to be considered favourably the proposal should not be detrimental in terms of visual impact, noise, smell, or other pollution, or excessive traffic generation, health or safety or loss of nature conservation interests.

In addition Policy CS8 states development should protect the best and most versatile agricultural land, whilst having regard to the character of the landscape and its sensitivity to change.

Historically, planning permission has been granted to convert units within the complex of buildings to commercial B1/B8 uses, therefore the level of activity and movement from and around the site has been assessed and accepted. It is therefore considered that an access to be used in conjunction with the existing use on the site is acceptable in principle, subject to consideration of the impact of the proposal upon the character and appearance of the street scene and wider landscape, neighbouring residential amenity and highway considerations.

Impact upon Street Scene and Landscape Character

The area is fairly rural in character and appearance. This part of Dunmow Road is characterised by sporadic residential properties, the Perkins car sales garage (which is located 60 metres to the west of the site) and stretches of hedging and trees which line the highway boundary. There is a high level of vehicular activity and noise through traffic from the village of Rayne and from the A120 carriageway.

The proposed access would measure 6 metres wide, and will be constructed to highways specification with the required visibility splay. As such, the proposal would result in a considerable change to the road frontage along this part of Dunmow Road. In order to facilitate the proposed access and the required visibility splay, the proposal will result in the loss of the existing hedging/trees along this section of Dunmow Road. It should be noted that none of the existing hedgerow or trees are subject to protection and therefore could be removed without permission.

Policy RLP81 of the Braintree District Local Plan Review states that the Local Planning Authority will encourage landowners to retain, maintain and plant, in appropriate locations, locally native trees, woodlands, grasslands and

hedgerows. New planting of appropriate native species will normally be required to replace the loss of any protected trees, woodland or hedgerow.

The Council's Landscape Services department raises no objections to the proposal, on the basis that the existing trees are located directly under the existing power lines and have already been reduced in size to take account of this. Moreover, the trees will never be able to be large mature trees of good form due to the proximity of the lines. In order to mitigate the impact of the proposal, Landscape Services have recommended a condition to require a full landscaping scheme to be submitted for approval, including the planting of replacement trees for those proposed to be removed. The proposal also includes the addition of a bund adjacent to the boundary with Sunnyfield. This would be formed from the left-over spoil from the construction of the access road. The bund would measure 1.5 metres high and will be approximately 5-12 metres in width. The applicant has stated that planting would be provided on and around the bund which will help provide a level of landscaping to soften the appearance within the street.

The Council's Landscape Services department have recommended a condition to ensure that this bund is included within the scope of the landscaping scheme. Subject to a landscaping condition, it is considered that the impact of the proposal upon the street scene and wider landscape would be satisfactorily mitigated. Subject to this condition, it is considered that the impact of the proposal would be mitigated. The proposal is therefore considered to be satisfactory in this regard.

Impact on Neighbouring Residential Amenity

Policies RLP90 of the Braintree District Local Plan Review require proposals to recognise and reflect local distinctiveness and states that there shall be no undue or unacceptable impact on neighbouring residential properties.

The new access would be located closer to the nearest residential property of 'Sunnyfield', and whilst there would be no additional traffic from the site, the new access would bring vehicle movements closer to 'Sunnyfield'. The proposal will therefore have an impact upon the amenity of the existing residential property. In respect of this issue, the key consideration is whether the impact upon the adjacent property would be so detrimental, to warrant the refusal of planning permission. Concerns have been raised within the letters of representation and by the Parish Council in this regard.

In this case, the proposed access would be located approximately 20 metres away from the adjacent residential property. The vehicular access and driveway to Sunnyfield is also located adjacent to the application site. Taking into account the proximity of the proposed access and the mitigation proposed, including the landscaping and proposed bund, it is considered on balance that the proposal would not be so detrimental upon neighbouring residential amenity in terms of noise and general disturbance, to warrant the refusal of planning permission.

Highway Considerations

Policy RLP90 of the Braintree District Local Plan Review seeks to ensure that the most sustainable modes of transport is promoted in the design and layout of new development, and the resultant traffic generation and its management shall seek to avoid significant increases in traffic movement, particularly in residential areas.

In addition, Policy RLP69 of the Braintree District Local Plan Review states that where appropriate the District Council will require sustainable drainage techniques to be used, such as grass swales, detention/retention ponds and porous paving surface.

In the interest of public safety, the applicant considers that the existing farm yard access no longer provides safe movement of farm vehicles. This justification has been questioned within the letters of representation, however the Local Planning Authority has to consider the proposed access on its merits and whether it acceptable from a planning and highway safety perspective.

Essex County Council Highways have raised no objections to the creation of a new access in this location subject to a number of conditions, including: the provision of adequate visibility splays; a restriction on the use of unbound material on the new vehicular access within 15metres of the highway boundary; a restriction to ensure any gates are only inward opening and set back a minimum of 15 metres from the nearside edge of the highway; a provision that the existing access should be permanently closed; and measures to prevent surface water drainage onto the highway. Subject to these conditions, the proposal is considered to be satisfactory in this regard.

OTHER MATTERS

Surface Water Drainage

Concerns have been raised in respect of surface water drainage within the letters of representation. In line with the consultation response from Essex County Council Highways, a condition is recommended to require a surface water drainage scheme to be submitted for approval, prior to the commencement of the development, to ensure any impacts are mitigated and in order to prevent surface water discharge onto the highway.

Future Use

Concerns have also been raised that the access would be used in connection with the proposed gravel pit stated within the Essex County Councils Minerals Plan. While these comments are noted, it is not possible to speculate on future proposals for the wider site. As identified above, this application needs to be considered on its own merits and whether it is acceptable on planning and highway safety grounds.

Alternative Access

In response to the concerns raised within the letters of representation, the applicant has stated that relocating the proposed the access closer to the farm complex has been considered however, they are required by the highways authority to provide a set visibility splay and this would be compromised if the access was closer to the farm buildings. As the required visibility splay could not be provided to the satisfaction of the highway Authority, officers accept that the access could not be located further away from Sunnyfield.

Hours of Operation for the B1/B8 Commercial Use adjacent Dunmow Road

Condition 4 of planning permission 05/00381/FUL which granted planning permission for the change of use of agricultural buildings to B1/B8 use restricts the hours when vehicular movements can take place. The condition states that: *"No vehicular movements shall be operated to, from or within the premises before 07:30 weekdays and not after 18:00 on weekdays and 13:00 on Saturdays, nor at any time on Sundays, Bank Holidays or other Public Holidays"*. For the avoidance of doubt, this condition would be unaffected if planning permission is granted for the proposed new access subject to this application.

CONCLUSION

In this case there are no principle objections to the proposed new access. The proposal would have an impact upon the existing street scene and wider landscape character and neighbouring residential amenity, however it is considered that these impacts can be mitigated through appropriate planning conditions. No objections have been raised on highway safety grounds, subject to conditions. While the concerns raised by the Parish Council and members of the public are noted, it is not considered that the impact upon the adjacent residential property 'Sunnyfield' would be so detrimental to warrant the refusal of planning permission.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the first use of the access hereby approved, visibility splays with dimensions of 2.4 metres by 160 metres to the West and 2.4 metres and 160 metres to the East, as measured from and along the nearside edge of the carriageway, shall be provided on both sides of the access/junction. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height 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 to ensure accordance with Policy DM1 of the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 4 No unbound material shall be used in the surface treatment of the vehicular access within 15 metres of the highway boundary.

Reason

To avoid displacement of loose materials onto the highway in the interests of highway safety and to ensure accordance with Policy DM1 of the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 5 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 15 metres from the nearside edge of the carriageway.

Reason

To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and close in the interests of highway safety and to ensure accordance with Policy DM1 of the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 6 The existing access shown on the site layout plan shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway verge/footway/kerbing to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.

Reason

To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict on the highway in the interests of highway safety to ensure accordance with Policy DM1 of the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 7 Prior to the commencement of the development hereby approved, details of the means to prevent the discharge of surface water from the access onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and shall be installed prior to the first use of the access and retained thereafter to the satisfaction of the Local Planning Authority.

Reason

To prevent hazards caused by water flowing onto the highway and to avoid formation of ice on the highway in the interests of highway safety and in accordance with Policy DM1 of the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011. The details are required prior to the commencement of the development in order to ensure that any measures can be integrated into the scheme, including any required works below ground level.

- 8 Prior to the first use of the access, a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. Such scheme shall provide full details of the earth bund along with the proposed soft landscaping on and around it, and include proposals for replacement tree and hedgerow planting. The landscaping scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise previously agreed in writing by the Local Planning Authority.

All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings or upon the completion of the development whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.

Reason

To mitigate the loss of existing trees and hedgerows, in order to enhance the appearance of the development and in the interests of amenity and privacy.

- 9 Details of any proposed external lighting to the site shall be submitted to, and approved in writing by, the local planning authority prior to installation. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, maintained and operated in accordance with the approved details. There shall be no other sources of external illumination.

Reason

To minimise pollution of the environment and to safeguard the amenities of the locality and the appearance of the development.

INFORMATION TO APPLICANT

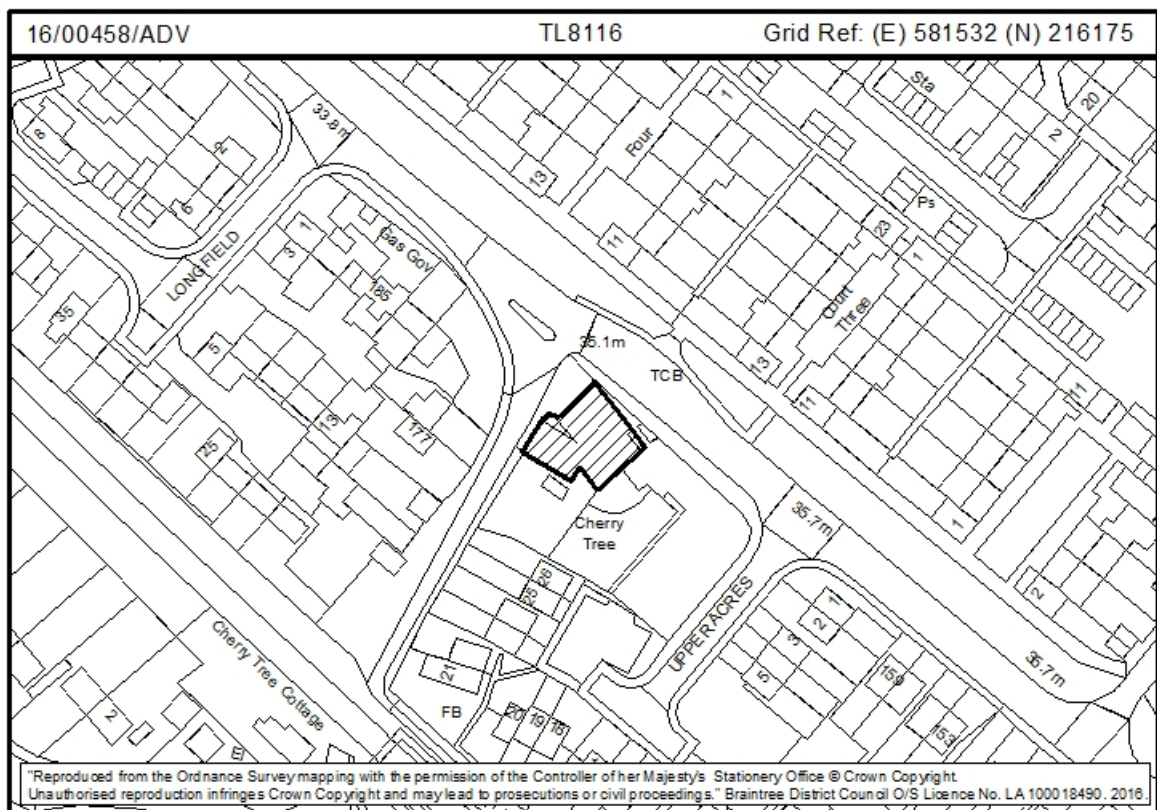
- 1 All works within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. An application for the necessary works should be made to development.management@essexhighways.org or SMO1 - Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester CO4 9YQ.
- 2 In seeking to discharge the external lighting scheme condition you are advised that the details submitted should seek to minimise light spillage and pollution, cause no unacceptable harm to natural ecosystems, maximise energy efficiency and cause no significant loss of privacy or amenity to nearby residential properties and no danger to pedestrians or road users. Light units should be flat to ground and timer / sensor controls should also be included as appropriate. The applicant is invited to consult with the local planning authority prior to the formal submission of details.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00458/ADV DATE: 18.03.16
 VALID:
 APPLICANT: Punch Taverns
 Ms Elisa Blackburn, Jubilee House, Second Avenue, Burton
 Upon Trent, DE14 2WF
 AGENT: SR Signs Ltd
 Ms Elisa Blackburn, 12 Wortley Moor Lane, Leeds, LS12
 4HX
 DESCRIPTION: Display of illuminated and non-illuminated signage to the
 exterior of the building
 LOCATION: The Cherry Tree, Crossing Road, Witham, Essex, CM8
 2NW

For more information about this Application please contact:
 Mrs Liz Williamson on:- 01376 551414 Ext. 2506
 or by e-mail to:



SITE HISTORY

87/01370/P	Proposed alterations, single storey extensions and erection of garage	Granted	23.09.87
16/00460/FUL	Installation of a new kitchen ventilation system with a vertical discharge roof terminal to the rear of the building. Erection of a new picket fence to be installed surrounding the external seating area including bound gravel to this area. Replacement of windows with white UPVC to match the style of the existing windows.	Pending Consideration	

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3 Development within Town Development Boundaries and Village Envelopes
RLP90 Layout and Design of Development
RLP107 Outdoor Advertisements

INTRODUCTION

This application is brought before the Planning Committee due to an objection received from the Town Council contrary to the Officer recommendation for approval.

SITE DESCRIPTION

The Cherry Tree Public House is located along Cressing Road in Witham, close to the junction with Upper Acres. The application site is located within the town development boundary of Witham. The building is not listed and is not situated within a Conservation Area.

PROPOSAL

The application seeks to erect a number of replacement illuminated and non-illuminated signage to the exterior of the building. The signage to be replaced is currently dark burgundy painted timber with gold lettering. The proposed replacement signage can be summarised as follows:

Sign Type A – 2 x single sided replacement fascia signs, two sets of Perspex letters finished in gold and trough lights to illuminate. The signs consist of a red background with gold lettering;

Sign Type B – 1 x new A1 poster case. The poster case will have a black surround with a red background and white and black lettering;

Sign Type C – 2 x new 1500mm x 1m poster cases. The sign will consist of a red background with white and black lettering;

Sign Type D – 1 x new double legged, double sided post sign with trough lighting to illuminate. The sign will consist of a red background with gold lettering for 'The Cheery Tree' and white and black letter for the remainder of the sign;

Sign Type E – 1 x new double legged, double sided post sign with trough lighting to illuminate. The sign will be consist of a red background with white and black lettering;

Sign Type F – 1 x new single sided tray disclaimer sign. The sign will consist of a red background with white lettering;

Up lighting is already in place and the application seeks to introduce ten new LED lantern style floodlights and ten new LED floodlights to illuminate the proposed signage on the front and side elevations of the building.

CONSULTATIONS

Essex County Highways – No comments received

Witham Town Council – Objection

Witham Town Council recommends refusal of the application of the grounds that the proposed signage would have a detrimental impact upon the street scene. Councillors requested a revised proposal more in keeping with the gateway location of the premises.

REPRESENTATIONS

A site notice was displayed at the front of the property but no representations have been received.

REPORT

Advertisements fall under a separate statutory control from development, the Town and Country Planning (Control of Advertisements) Regulations 2007. In determining applications for express consent the local planning authority may only consider two issues, the interests of amenity and public safety. Amenity refers to the effect upon the visual and aural amenity in the immediate vicinity and public safety refers to the effect on traffic or transport on land, over water or in the air.

Amenity

The visual amenity of an area where signs are to be displayed is a material consideration as set out in Regulation 3 of Advertising Regulations 2007.

Policy CS9 states that the Council will promote and secure in the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment in order to respect and respond to the local context, where development affects the setting of historic or important buildings, Conservation Area and areas of highest archaeological and landscape sensitivity.

Policy RLP90 seeks a high standard of layout and design in all development. RLP107 states that inter alia outdoor advertisements should be visually subordinate to the features of the building on which it is located and that the proliferation of advertisements will be opposed.

In this case, the application seeks approval for a number of replacement non-illuminated and illuminated signs. The amount of signage on the application site would increase, however it is considered that the proposed signage is acceptable and would not be out of keeping with the character and appearance of the existing building or the street scene. As such, it is considered that the proposal would not have a detrimental impact upon visual amenity.

In the interest of visual amenity and in order to prevent light pollution, a condition is recommended to require the trough and floodlighting identified on the submitted plans to be directed downwards to the ground and permanently retained as such.

Highways Safety

The Advertising Regulations 2007 outline that any advertisement should be considered in relation to the safety of a person using a highway. Policy RLP107 also states that the public safety, including traffic safety, will be accorded to a high priority in decision making.

Essex County Council Highways were consulted on the application however no consultation response has been received. In this case, it is considered that

the proposed advertisements would not obstruct visibility splays or vehicle movement. In the absence of an objection from Essex County Council Highways on highway safety grounds, it is considered that the proposal would not have a detrimental impact upon highway safety.

CONCLUSION

It is considered that the proposal would not have a detrimental impact upon visual amenity or highway safety. It is therefore recommended that Advertisement Consent is granted.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Photograph
Location Plan
Signage Details
Signage Details

- 1 The consent hereby granted shall expire at the end of a period of 5 years from the date hereof.

Reason

This condition is imposed pursuant to the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of visual amenity.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 The trough light and floodlighting hereby approved and as identified on the signage details plan received on 20th January 2016 shall be directed to face downwards to the ground and permanently retained as such to the satisfaction of the Local Planning Authority.

Reason

In the interest of visual amenity and to prevent light pollution.

INFORMATION TO APPLICANT

- 1 Your attention is drawn to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the need to comply with the following:
 - (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (ii) No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - (iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

TESSA LAMBERT
DEVELOPMENT MANAGER

Monthly Report on Planning and Enforcement Appeal Decisions Received – March 2016		Agenda No: 6
Portfolio	Planning and Housing	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A well connected and growing district with high quality homes and infrastructure	
Report presented by:		
Report prepared by:	Liz Williamson – Planning Technician	
Background Papers:	Public Report	
Appeal decisions summary	Key Decision: No	
Executive Summary:		
This is a regular report on planning and enforcement appeal decisions received with specific analysis of each appeal decision.		
Recommended Decision:		
That the report be noted.		
Purpose of Decision:		
To note a report on appeal decisions.		
Corporate Implications		
Financial:	N/A	
Legal:	N/A	
Safeguarding:	N/A	
Equalities/Diversity:	N/A	
Customer Impact:	N/A	
Environment and Climate Change:	N/A	
Consultation/Community Engagement:	N/A	
Risks:	N/A	
Officer Contact:	Liz Williamson	
Designation:	Planning Technician	
Ext. No:	2506	
E-mail:	lizwi@braintree.gov.uk	

PLANNING & ENFORCEMENT APPEAL DECISIONS

This is the monthly report on appeals which contains a précis of the outcome of each appeal received during the month of **March 2016**.

The full text of decisions is available on the planning website under each respective planning application or, in respect of enforcement cases, a copy may be obtained from the Planning Enforcement Team (Ext 2529). **Commentary Text (Inspector's Conclusions) is given only** in respect of specific cases where the planning decision has been overturned.

1.	Application No/Location	15/00408/FUL – r/o 1 Recreation Road Sible Hedingham
	Proposal	Proposed single storey dwelling including car parking
	Council Decision	Refused under delegated authority RLP3, 90 and CS 9
	Appeal Decision	Dismissed
	Main Issue(s)	<ol style="list-style-type: none"> 1. The character and appearance of the area 2. The living conditions of the occupants of the proposed dwelling with particular regard to outlook
	Inspector's Conclusion	<p>The Inspector stated that the proposal would involve the development of part of the rear garden of 1 Recreation Road to create a new dwelling fronting onto a narrow side road off Hills Road. The properties in the surrounding area of mainly bungalows of a mixed character and age set in reasonably sized plots. A similar scheme was dismissed at appeal in February 2015. The Inspector found in comparison to others in the area, the proposed plot would be small and the bungalow would have limited space giving it a cramped appearance which is indicative of an over development of the site. Since the appeal decision in February 2015 the proposed dwelling has been reduced in width to allow for additional space on both sides, but the Inspector attaches significant weight to the previous appeal decision. The proposed plot is small in comparison to other plots and this results in the dwelling being positioned uncharacteristically close to its boundaries. For these reason, the Inspector considers the proposed development to harmful to the character and appearance of the area.</p> <p>The Inspector acknowledges that the amount of private outdoor space has been increased from the scheme considered in February 2015, however, the larger of the two bedrooms would look out onto a small section of rear garden and would be within approximately 6 metres of a boundary fence. The second bedroom would look out onto the proposed parking space and small area of garden with an oblique view restricted by the rear elevation of the proposed dwelling. Furthermore, the kitchen would be in</p>

		<p>the middle of the proposed dwelling with no windows. The view from both bedroom windows would therefore feel enclosed and oppressive and the kitchen would have no outlook and feel dark and gloomy. For these reasons the proposed development would be harmful to the living conditions of the occupants of the proposed dwelling with regard to outlook.</p> <p>For the reasons set out above, the Inspector concludes that the appeal should be dismissed.</p>
2.	Application No/Location	15/01177/FUL – Crynant, Mill Road, Ridgewell
	Proposal	Erection of first floor and front and rear extension to bungalow
	Council Decision	Refused under delegated authority RLP3, 17, 90 and CS9
	Appeal Decision	Allowed
	Main Issue(s)	1. The effect of the development on the character and appearance of the area.
	Inspector's Conclusion	<p>The Inspector stated the appeal property is located in a row of modest chalet bungalows and two storey dwellings, well set back from the road and opposite agricultural land. There is some consistency of ridge height between Crynant and the adjacent bungalows, but there is variation of roof form and front elevation. The development would raise the ridge height of Crynant by approximately 900mm and introduce a large projecting porch on the front elevation. There would also be a significant extension to the rear. The Inspector notes that the development's ridge height would be higher than that of the adjacent bungalows but the Inspector is not persuaded that this would be particularly noticeable in the wider context. The Inspector acknowledges that the proposed front porch would be a prominent addition to the front elevation, but it would not be intrusive or out of scale nor detract from the existing building pattern, nor would it appear overly prominent or incongruous.</p> <p>Therefore, taking into account all matters raised, the Inspector concludes that the appeal should be allowed.</p>
3.	Application No/Location	15/01096/FUL – 20 Bulford Close, Cressing
	Proposal	Proposed single storey residential unit with bedroom space in the loft
	Council Decision	Refused under delegated authority RLP3, 9, 10, 56, 90 and CS9
	Appeal Decision	Dismissed
	Main Issue(s)	1. The effect of the proposal on the character and appearance of the area
	Inspector's Conclusion	The Inspector states that the appeal site forms part of the side and rear garden of 20 Bulford Close. This is a semi-

		<p>detached bungalow located in a residential area, comprising mainly semi-detached properties, set back from the road with generous rear gardens. The proposed detached dwelling would replace a single storey outbuilding. It would be one and half storey and positioned close to the side and rear boundaries of the plot. The scale and mass of the proposed dwelling, located uncharacteristically close to 20 and 22 Bulford Close would erode the space between the two properties and appear cramped within the street scene. Furthermore, the proposed dwellings would be set some distance from the road, behind the line of the rear elevations of 20 and 22 Bulford Close. The distance of the proposed dwelling from the road together with its positioning within the awkwardly shaped plot would result in a form of development that would cramped and discordant with the layout development of the area. The proposed dwelling would therefore be an incongruous feature of the Bulford Close street scene. For these reasons, the proposed development would be harmful to the character and appearance of the area. The Inspector acknowledged that the Councils second reason for refusal refers to the need for a contribution towards the provision of public open space. The Inspector notes the appellants efforts to prepare a Unilateral Undertaking, but a duly executed planning obligation has not been provided. Nonetheless, the Inspector does not consider the benefit of such a planning obligation would outweigh the harm identified in his findings. For the reasons set out and with regard to all other matters, the Inspector concludes that the appeal should be dismissed.</p>
4.	Application No/Location	15/00110/FUL – 20 Bridge Farm New Road, Kelvedon
	Proposal	Change of use of ancillary building to a detached 3 bedroom dwelling
	Council Decision	Refused under delegated authority RLP2, 38, 90 and CS5, 9, 10
	Appeal Decision	Dismissed
	Main Issue(s)	<ol style="list-style-type: none"> 1. The effect the proposed dwelling on the character and appearance of the area 2. Whether the proposed dwelling would amount to sustainable development having regard to the development plan and national policies
	Inspector's Conclusion	<p>The Inspector stated that the appeal site forms part of Bridge Farm, which comprises a large dwelling, large domestic garden, fields and outbuildings set on the edge of Kelvedon. The proposal would involve the conversion of an outbuilding currently in use as a workshop ancillary to the dwelling. The proposed dwelling would be accessed via an existing track which runs adjacent to the existing dwelling. This would join an existing track and bridge over</p>

	<p>a railway line leading to New Road. The proposed dwelling would be screened on all side by conifers, the existing outbuildings, the main dwelling and planting. However, gaps in these features would afford glimpses of the proposal from over the surrounding open countryside, public footpath and the railway line. The proposal would involve the insertion of four large dormer windows and alterations to the ground floor fenestration including the insertion of three sets of bi-fold doors. The proposed dormer windows would be of a considerable mass and added to a roof which appears disproportionate to the ground floor space. The alterations to the appeal building and introduction of a large garden would therefore further domesticate the appearance of the appeal site in its rural setting and result in a dwelling of an unbalanced and overall poor visual appearance which would be more suited to a suburban setting. For these reasons, the proposed development would be harmful to the rural character and appearance of the area.</p> <p>The Local Plan Review supports the conversion of rural buildings to commercial uses, but before conversion to a residential use will be supported it requires rural buildings to be appropriately marketed for commercial or community use.</p> <p>The appellant has suggested that the Council is currently unable to demonstrate a 5 year supply of deliverable housing land but has not provided any detailed evidence to support this claim. The Council have also not provided any evidence to dispute the claim.</p> <p>The appeal building is used ancillary to a dwelling, it is still a building in the countryside and within a rural setting. Although there would be no loss of commercial space associated with the proposed development, the Inspector considers that the existing workshop use, together with the proposed access, the outdoor space including concrete hardstanding and its distance from residential properties may be desirable attributes to commercial occupants. The Inspector states that there is no evidence that the property has been appropriately marketed for commercial use. Therefore, to allow its conversion without considering its potential for a commercial use would be contrary to the aims of the Local Plan Review which seeks to encourage rural enterprise in the area. The Inspector acknowledges that there may be some environmental benefit associated with the reuse of the existing building as a dwelling and its impact on the landscape is partly mitigated by surrounding trees and buildings and that the proposal would not affect any potential wildlife habitats. However, in my view the harm to the character and appearance of the area and to</p>
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		<p>rural enterprise demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework take as a whole.</p> <p>The Inspector acknowledges the appellants efforts to prepare a Unilateral Undertaking, but a duly executed planning obligation has not been provided.</p> <p>The Inspector concluded that the appeal should be dismissed for the reasons stated in the decision.</p>
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5.	Application No/Location	15/00700/FUL – 48 Powers Hall End, Witham
	Proposal	Erection of two storey rear extension, first floor side extension and restructuring of existing front dormer windows. Creation of off road parking area.
	Council Decision	Refused under delegated authority RLP3, 17, 90 and CS9
	Appeal Decision	Dismissed
	Main Issue(s)	<ol style="list-style-type: none"> 1. The effect the proposed development on the efficient and safe operation of the highway; and, 2. The character and appearance of the area. <p><u>Highway Safety</u></p> <p>The appeal site is situated on Powers Hall End approximately 30 metres from the entry to a roundabout. The proposed layout shows three off-road parking spaces with a garage for a single vehicle accessed through the parking space. There would be no room for off-road manoeuvring and turning, resulting in vehicles reversing onto, or from, the highway. The Inspector notes that other properties in the immediate vicinity have space for vehicle turning within their curtilages, or two vehicular entrances.</p> <p>Visibility is restricted and the Inspector notes the concern raised in the officer's delegated report and highlighted by Essex County Councils Highways Officers consultation response. Consequently the Inspector considered the combination of lack of visibility and multiple site access points would have a substantial adverse effect on the efficient operation and safety of the highway. The layout shows three parking spaces which would exceed the provision set out in the Essex Design Guide for a dwelling of this size. The dimensions given would be less than the Design Guides recommended dimensions but the Inspector considered the size of the proposed parking bays would be adequate. However, the Design Guide recommends a minimum distance between the rear of the garage and the footway. This distance is reduced, there is a potential form an overhanging vehicle which could require a pedestrian to step into the carriageway. Consequently the Inspector considers the provision of a</p>

		<p>parking space in front of the garage is inadequate. The Inspector concludes that vehicular access and egress in its current form would pose a highly significant risk to the safe and efficient operation of the highway, and that the requirements of ECC would not be met without significant alterations to the layout of the dwelling and vehicular access. The proposal is contrary to policies DM1 and DM1 of the ECC Development Management Policies and RLP56 of the Local Plan.</p> <p><u>Character and Appearance</u></p> <p>The underlying built form and symmetry of the host dwelling would be overwhelmed by the size and position of the new structures unrelated to the original design. Although the mansard roof would be retained, the asymmetric arrangement of the dormer windows on the front elevation would dominate the roof structure and give an unbalanced effect overall. The asymmetric positioning of the front dormer windows follows through to the ground floor, with the porch and the front entrance located slightly off centre. This would contrast unsatisfactorily with the simplicity of the neighbouring property's front elevation. The shallow first floor rear gables would also be out of scale and poorly proportioned in relation to the gable ended ground floor extension and the presence of one flat-roofed dormer on the rear elevation adds a design feature not used elsewhere. A mix of forms and styles would bear little relationship to the host dwelling or indeed each other. The Inspector considers that the proposals would fail to demonstrate good design and would have a detrimental impact on the character and appearance of the area and would fail to comply with Policies RLP90 of the Local Plan and Policy CS9 of the Core Strategy.</p>
6.	Application No/Location	15/00015/COUPA – Burghey Brook Farm, London Road, Rivenhall
	Proposal	Change of use of agricultural buildings to 3 dwellinghouses
	Council Decision	Refused under delegated authority
	Appeal Decision	Dismissed
	Main Issue(s)	1. Whether the proposed conversion would be permitted development
	Inspector's Conclusion	Class Q of the GPDO allows a change of use of any building and land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and building operations reasonably necessary to convert the building to use within Class C3. The proposal seeks to convert 2 buildings to provide the 3 dwellings. One building would be converted to 2 dwellings and the other would be significantly reduced in size to provide 1

		<p>dwelling. The total area of the proposed 3 dwellings would be 448sqm. The floorspace of the existing 2 buildings is approx. 815 sqm and this far exceeds the maximum permitted threshold of 450sqm as set out in Q.1.(b). The Inspector notes that it is the intention to reduce the size of one of the buildings so that the total is just less than the 450sqm but Q.1.(b) clearly relates to existing floorspace and there is no other provision in the GPDO for this to be assessed in any other way.</p> <p>The Inspector considers the extent of the demolition has been arrived at with the aim of arriving at a floorspace of less than 450sqm rather than just to facilitate the proposed conversion.</p> <p>It is the Inspector's conclusion that the proposed development does not benefit from permitted development rights under Class Q. As a result planning permission would be required for the proposed conversion.</p>
7.	Application No/Location	15/00762/FUL – Land at Glebe Farm, Rectory Lane, Rivenhall
	Proposal	Erection of single self-build dwelling
	Council Decision	Refused under delegated authority RLP2, 6, 8, 9, 10, 56, 69, 70, 74, 76, 80, 81, 84, 90 and CS5, 8, 9, 10, 11
	Appeal Decision	Dismissed
	Main Issue(s)	1. Whether the proposal would constitute sustainable development with regard to both its location and its effect on the character on the character and appearance of the area, given relevant local and national policies.
	Inspector's Conclusion	<p><u>Sustainable Development</u></p> <p>The proposal would not be within a Town Development Boundary or Village Envelope where Policy CS5 of the Braintree District Core Strategy and Policy RLP2 of the Braintree District Local Plan Review, restrict development in general outside of such areas. In the Inspector's opinion these policies are not entirely consistent with the NPPF which allows for some housing in rural areas where it will enhance or maintain the vitality of rural communities. However, they are not policies related to the supply of housing and recognise the need to protect the intrinsic character of the countryside and seek to locate development in the borough's most sustainable locations.</p> <p>The closest facilities are in Witham, and although technically within walking distance of the appeal site, they are not within a reasonable walking distance and future occupants would not choose to walk or cycle as the route</p>

		<p>is not considered safe or convenient. Within the context of the NPPF objective of promoting sustainable development the Inspector considered that the proposal would not enhance or maintain the vitality of rural communities. The Inspector considers the site to be isolated, as although there is development in the vicinity it is separated by fields, hedgerows and trees and the character of the area is defined by the rural landscape which surrounds it. The Inspector therefore considers that the proposed dwelling would not be in a sustainable location and would conflict with Policy CS5 of the Core Strategy Policies and RLP2 of the Local Plan and the NPPF when taken as a whole.</p> <p><u>Character and Appearance</u></p> <p>The site is visually, physically and functionally distinct from any settlement. It forms part of a rural landscape with a setting of open fields interspersed with rural buildings, copses of trees and native hedgerows. There is not a clear pattern of development within the immediate vicinity and when combined with the openness of the site, this is a major contributing factor to the overall rural character of the area. The appeal site is currently free of buildings and appeared to have the appearance of a grassed field more associated with rural landscape than with garden land as suggested in the supporting appeal documents. The proposal would introduce a relatively modern designed dwelling constructed with rendered walls and a grey slate tile roof. This would not be sympathetic to the prevailing character and appearance of the rural buildings within the locality. Because of its appearance, when combined with its considerable scale, form and siting, in the middle of the field, it would result in the introduction of a prominent building that would appear unduly dominant and incongruous within this rural context. For these reasons the proposal would cause significant harm to the character and appearance of the area and conflict with Policy CS5 and Policy CS9 and Policies RLP2, RLP9 and RLP90 of the Braintree District Local Plan Review.</p> <p>The proposal is for a single self-built dwelling with intended environmental enhancements. The Inspector concludes that on the evidence presented the provision of a single self-build unit would not outweigh the harm that has been identified.</p>
8.	Application No/Location	15/01078/FUL & 15/01079/LBC – The Cherry Tree PH, Knowl Green, Belchamp St Paul
	Proposal	Conversion and adaption of Cherry Tree House to create 4 no. dwellings

	Council Decision	Refused under delegated authority
	Appeal Decision	Dismissed
	Main Issue(s)	1. Whether a reasonable effort has been made to demonstrate the pub is no longer viable, the effect of the proposed alterations on the listed building and whether a contribution for public open space is required.
	Inspector's Conclusion	<p><u>Viability</u></p> <p>The Inspector notes that RLP128 of the Braintree District Local Plan states the "Within rural areas support will be given to the continuance of services and facilities....." And continues by saying "the loss of village facilities will not be permitted unless sufficient evidence is provided to demonstrate that they are not viable and that all options for their continuance have been fully explored". On the evidence provided the Inspector considers that there seems to have been no effort at all to "promote the retention" of this village as required by the NNPF and certainly nothing to fulfil the requirements of RLP128. The Inspector notes the location of pub within a small hamlet and there is a successful pub called the Half Moon, but without further evidence cannot assess whether there is a market for a second pub in the area. Consequently the Inspector finds the loss of the pub to be contrary to the NNPF paragraph 28 and RLP128.</p> <p><u>Listed Building</u></p> <p>The Inspector noted the considerable discussion with the Council's Historic Buildings Consultant regarding the redesign of the building to provide a staircase to access Unit 1 which occupies the oldest part of the building. Revised plans were provided to show a 1 bed unit so that there would be as little disruption as possible to the original timberwork. The HBC did not support these plans and so do not form part of the application. However, The Inspector considers that if there is to be a redesign of that part of the building then an effort to retain as much of its historic forms as possible would not only be aesthetically pleasing but in conformity with both the Act and the NNPF.</p> <p>The Inspector agreed with the LPA that the roofs of the dormer windows on the proposed Unit 4 would need to have a steeper pitch. The porch to the thatched part of the listed building is an unfortunate addition and also the proposal to retain the flat roof and upright narrow windows that flank the front door. This represents the loss of an opportunity to revert back to a more traditional entrance design. The Inspector considered that the criticisms of the proposal could be dealt with by way of</p>

		<p>conditions, therefore there would be no harm to the significance of the listed building in NPPF terms.</p> <p><u>Open Space</u></p> <p>The Inspector notes the LPA reference to Policy CS11 of the Core Strategy adopted on 2011. This requirement is based on the more recent SPD on Open Space (2013). No such contribution has been offered and this counts against the proposal.</p> <p>The Inspector concludes by stating that although it is accepted that the provision of four housing units is a matter of some weight, this does not outweigh the harm identified. The proposal is thus not sustainable as defined in the NPPF and is contrary to the adopted development plan.</p>
9.	Application No/Location	15/00596/OUT & 15/01169/OUT – Manns Cross Workshops, Gt Yeldham
	Proposal	<p>Appeal A – Demolition and removal of existing buildings and hardstandings, change of use of premises from use class B1 to use class C3 and to erect three detached dwellings with cart lodge style car ports, turning areas and ancillary works.</p> <p>Appeal B – Demolition of existing commercial buildings and hardstands and erection of two dwellings.</p>
	Council Decision	Refused under delegated authority RLP2, 8, 9, 10, 16, 35, 56, 80, 90 and CS1, 5, 8 and 9
	Appeal Decision	Appeal A – Dismissed Appeal B - Dismissed
	Main Issue(s)	<ol style="list-style-type: none"> Whether the proposal would conflict with local and national policies designed to promote sustainable development With regard to Appeal B, whether the proposal adequately addresses the development plan policy requirements in terms of contributions towards local infrastructure.
	Inspector's Conclusion	<p><u>Policies for Sustainable Development</u></p> <p>The Inspector describes the site as comprising two single storey buildings of a rustic appearance, once currently in use as a furniture workshop and the other vacant due to fire damage. The appeal site lies in a predominantly residential area, and the degree of separation between dwellings provides an open and spacious character of the area. The single storey buildings within the appeal site assist in maintaining the sense of space and openness in the area and their function can be clearly differentiated from that of dwellings in the locality. The proposals within Appeal A and Appeal B would introduce three and two new dwellings onto the appeal site respectively. The Inspector considers that the proposed scale of built form</p>

	<p>would substantially reduce the open and spacious character of the area and would considerably reduce the generous level of separation between the existing dwellings within the vicinity of the appeal site, notwithstanding the proposed dwelling could reflect the scale of other dwellings in the area. This would, in the Inspectors opinion, introduce an intensified urban character to the appeal site that would result in harm to the countryside character and appearance of the area. The proposal in both appeals would therefore fail to fulfil the environmental role of sustainable development as anticipated in Paragraph 7 of the Framework.</p> <p>The Inspector consider that the future occupiers of the proposed dwellings in both appeals would be heavily reliant on a private vehicle to gain access to locate amenities and the proposed dwellings would therefore be isolated un the context and would not occupy a sustainable location. Therefore, the proposed dwellings in both appeals would fail to fulfil the social role of sustainable development as anticipated in Paragraph 7 of the Framework. The Inspector notes the appellant's argument that the appeal site is currently developed and the redevelopment of brownfield land weighs in favour of the proposed dwellings in both appeals. It is also notes that short-term construction jobs would be provided during the construction of the proposed dwellings in both appeals. However, the unsustainable location of the appeal site and the harm that would arise to the character and appearance of the area in both appeals would outweigh the benefit of reusing brownfield land in this particular location. In addition the construction jobs may provide a short term economic development, whilst the current use of the appeal site would provide a longer term economic benefit that would outweigh any short term gain. The proposals in both appeals would therefore conflict with Policies RLP2 of the Braintree District Local Plan and Policy CS5 of the Core Strategy and would also conflict with the broad aim and objectives of the NPPF.</p> <p><u>Infrastructure</u></p> <p>The Inspector cannot be confident that the contribution sought is necessary to make the proposal in Appeal B acceptable in planning terms. As such, the Inspector considers that it would accord with the provisions of Regulation 122 of the CIL Regulations and the tests for planning obligations as set out in the Framework. Nevertheless, the Inspector has dismissed Appeal B on the main issue of sustainable development and does not consider it necessary to pursue this matter further.</p>
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10.	Application No/Location	14/00842/PLD – Three Horseshoes, Water Lane, Helions Bumpstead
	Proposal	Proposed change of use to Class A1 Use
	Council Decision	Dismissed under delegated authority
	Appeal Decision	Dismissed
	Main Issue(s)	<ol style="list-style-type: none"> 1. The planning merits of the proposed use are irrelevant in determining an appeal under section 95 against the refusal of a Lawful Development Certificate 2. Would the proposed change of use be lawful for planning purposes and is the decision of the Local Planning Authority well founded
	Inspector's Conclusion	<p>The planning application form indicated that the proposal consisted of a change of use of land or buildings and that the proposed use was within A1 Use Class. No external alterations were proposed but internally the proposal would involve the removal of one bar to form a retail area. There were no floor plans included in the submission documents for the principal building to illustrate the area of the existing and proposed uses. The appellant emphasised that there was no intention to convert the building into a private residence and that the current domestic use of the kitchen and dining area would continue. In the grounds of appeal the appellant sought to amend the original application to include a licensed village team room in the former lounge bar and dining area with items for sale displayed throughout the entire downstairs business premises. The Planning Practice Guidance confirms that an applicant needs to describe the proposal with sufficient clarity to enable an understanding of exactly what is proposed. There is no power for a LPA or the Secretary of State to modify the terms of an application under Section 192, although an application may be modified by the applicant or by the LPA/Secretary of State with the applicants agreement. However in this case the appellant is seeking to amend the application and description of the proposed use after a decision has been taken by the LPA. The right of appeal being exercised by the appellant under section 195(1) is against the refusal of the application by the LPA. It is not permissible to consider a different amended proposal, therefore the Inspector's decision will be based on the information provided on the proposed use in the application and subsequent letter dated 15 July 2014, excluding the possibility of a tea room.</p> <p>The LPA refused to issue a Lawful Development Certificate concluded "the proposal is for a change of use from public house to mixed use comprising residential and a retail area. Such a change of use is not permitted under the terms of the Town and Country Planning (General Permitted Development) Order 1995, therefore</p>

		<p>permission is required”.</p> <p>The Inspector agrees that when determining the lawfulness of the proposed use the main consideration is whether the use is permitted development under the 1995 GPDO.</p> <p>The evidence provided by the appellant leads the Inspector to conclude that the premises was a single lawful primary Class A4 use, uses as a drinking establishment, with the residential use being of an ancillary or incidental nature. The Three Horseshoes was registered as an Asset of Community Value by Braintree District Council in April 2014.</p> <p>The proposed use as described on the application form may appear to be permitted under Class A of Part B. However, the submitted information about the proposed use described not only a shop on the ground floor but also a residential use above the shop and on the ground floor through the use of the kitchen and rear part of the dining area. The area shown on the submitted plan is not confined to part of the building but identifies all of the property. Therefore in considering whether the proposed use would be lawful, the shop would not be considered in isolation but in conjunction with the use of the planning unit as a whole. The functional and physical relationships between the shop and residential use are relevant considerations. There is nothing to suggest that access to the shop and residential uses would be made separate. Therefore no physical separation to create two distinct areas would occur and the residential and retail use would be accommodated in the same building. In the generality, use as a dwelling is not ordinarily incidental to use as a shop.</p> <p>Consequently, on the evidence submitted the Inspector concludes that the use would be a mixed retail and residential use within the single unit of occupation, each use being a primary use. The Inspector confirmed that as the LPA correctly concluded the proposed composite use would be a sui generis outside a specific Use Class.</p> <p>The proposed use if development and requires planning permission. No planning permission has been granted and the proposed use would not be lawful within the meaning of the 1990 Act. For the reasons given, the Council’s refusal to grant a certificate of lawful use or development in respect of removal of one bar to form retail area is well founded and the appeal should be dismissed.</p>
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Braintree District Council Local List of Heritage Assets		Agenda No: 7
Portfolio	Planning and Housing	
Corporate Priority:	Protecting our environment	
Report presented by:	Richard Broadhead, Historic Buildings and Conservation Advisor, Essex Place Services	
Report prepared by:	Richard Broadhead	
Background Papers:		Public Report: Yes
National Planning Policy Framework (NPPF)		Key Decision: No
Historic England- <i>Good Practice Guidance for Local Heritage Listing</i>		
Executive Summary:		
<p>A report was put before the Planning Committee in 2014 outlining the benefits of establishing a local list of heritage assets within the Braintree District. On the basis of this recommendation the Braintree Local Heritage List was launched with an event on the 19th August 2015.</p> <p>Following this event a panel was established, and the first group of potential inclusions were discussed in late 2015. This report sets out the first nominations for inclusion on the Braintree District Local List, for discussion and ratification by the Planning Committee.</p>		
Decision		
<p>Officers recommend that the assets proposed for inclusion on the Braintree District Local Heritage List, as identified in the Appendix to this report, are formally adopted.</p>		
Purpose of Decision:		
<p>To allow for the better protection of the Historic Environment by ensuring that the preservation of assets which make a positive contribution to local distinctiveness and character, and are of local historic and architectural significance, are given due consideration under the planning system.</p>		
Corporate Implications		
Financial:	The Braintree & Bocking Civic Society funded their original research into buildings/assets within the Courtauld estate. The District Council commissioned Essex Place Services to launch the project, organise the Nominations Panel and report on the first tranche of nominated assets.	
Legal:	Locally listing a heritage asset does not bring additional consent regimes over and above those required for	

	planning permission.
Safeguarding:	No direct implications
Equalities/Diversity:	No direct implications
Customer Impact:	Refer to consultation below
Environment and Climate Change:	No direct implications
Consultation/Community Engagement:	The District Council notified the owners of the assets nominated for inclusion prior to the Panel considering their inclusion on the Local List. All Parish/Town Councils and a range of historical and amenity societies were consulted on the draft selection criteria in 2015.
Risks:	Even with support from the Essex Place Services team there is a risk to the pace at which the Local List will develop.
Officer Contact:	Tessa Lambert
Designation:	Development Manager
Ext. No.	2514
E-mail:	tessa.lambert@braintree.gov.uk

Summary and Future Progression

The Braintree and Bocking Civic Society had undertaken extensive research in recent years into buildings and structures within the Courtauld estate across the whole District. Officers used this research as a starting point for the development of a Local List with an initial focus, as a pilot, on those within the Braintree town and Bocking area.

30 sites were considered for inclusion on the Braintree Local List of Heritage Assets. Of these 18 are now put forward for inclusion on the Local List. The majority of the rest were discounted on the grounds that they were substantially altered. They were therefore considered to be not of sufficient historic and/or architectural value to merit inclusion. The detail and proposed entry for each of the sites is set out in the document appended to this report.

As part of the nomination exercise the District Council wrote to all the owners of relevant sites/nominated buildings. The response from owners was low, the majority of which were objections to the inclusion of the building on the Local List. Where a response was received it has been noted below.

Following this pilot project it is intended to expand the project out to encompass the Courtauld built estate across the rest of the District. The first area which is then intended to be covered is Witham, where the Town Council has already put together a list of potential entries. It is envisaged that due to constraints on the time of the relevant officers that two groups of proposed entries will be brought forward per annum, although this is subject to change.

TITLE/ADDRESS Manor Street School, Manor Street, Braintree		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) a largely complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. As a school it is also of social important for Braintree.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p>		
<p>Historic Asset Description</p> <p>School built in 1862 and extended in 1897 by the Braintree School Board. It closed as a school in 1990 and is now in use as the Braintree Museum. Permission was granted in 2012 to further extend the building. Mainly of red brick laid in English bond, with diaperwork detailing to articulate sections of the front façade. Slate roof with stone used for window and door surrounds. Tall single storey of seven bays, of which the westernmost two bays are set forward of the other five. The appearance is defined by the large irregular gable ends fronting onto the street, and the irregular nature of the large fenestration. A low red brick wall demarcates the edge of the plot to the front.</p>		



TITLE/ADDRESS Drinking Fountain, Market Place, Braintree		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> c) The structure was erected between 1840 and 1914 and is of architectural and historic interest</p> <p><u>Historic Associations and Social Value-</u> a) The structure is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. In particular it is associated with George Courtauld, who was MP for Braintree in the nineteenth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The structure is a landmark makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p> <p><u>Group Value-</u> a) The structure forms part of a group of prominent buildings associated with the Courtauld Family grouped around the Market Place, the most prominent being the Town Hall.</p>		
<p>Historic Asset Description</p> <p>Fountain, presented to the town of Braintree in 1882 by George Courtauld, the MP for Braintree and erected at the centre of the market place. The fountainhead is constructed in bronze, with a stone base and supports a cast iron lamppost, surmounted by a bronze eagle. An inscription on the fountain records its date of erection and its provenance.</p> <p>A positive response was received from the owner of the property, supporting its inclusion on the local list.</p>		



TITLE/ADDRESS Our Lady of Peace Church, The Avenue, Braintree		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> c) The building is a wholly complete example of a building constructed between 1914 and 1948, which is of high architectural interest</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century, and is significant as one of the latest buildings given to the people of Braintree by a member of the Courtauld family. The building's use also means it has a integral social and communal significance within the local area.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p>		
<p>Historic Asset Description</p> <p>Church built in the early 1950s and consecrated in 1954, constructed with money granted by Dr Richard Minton Courtauld. Built in brown brick laid in Flemish bond with a pantile roof, and articulated with the use of a stone string course. The traceried windows are also built in stone, of which the west window in particular shows a high level of craftsmanship. Tall single storey, with projecting bays to the north and south at the east end of the church. The interior was not surveyed, but is expected to contribute to the architectural significance of the building. An associated presbytery is located directly to the east, built in the same palette of materials.</p>		



TITLE/ADDRESS Almshouses, St. Michaels Road, Braintree		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> c) The building is a wholly complete example of a building constructed between 1914 and 1948, which is of high architectural interest</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> a) and c)The building is a good example of an almshouses of traditional plan form and appearance, which due to the open setting is a landmark which makes a positive contribution to the character and appearance of the Conservation Area</p>		
<p>Historic Asset Description</p> <p>Almshouses, built in 1936 for William Julian Courtauld by the architect Vincent Harris, who also designed Braintree Town Hall. Built in Gault brick with a Welsh slate roof. The window and door surrounds are stone, the door surrounds being of particular quality, and articulated by the use of a pair of stone string courses. L- shaped plan form of low single storey traditional for an almshouse, with Dutch gables at either end. The roofscape is enlivened with four large chimneys.</p>		



TITLE/ADDRESS Workmen's Hall, Church Street, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u>) - b) It is a largely complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It is also an tangible surviving link to the now almost completely demolished factory to the south. As a social club, it played an important role in the social history of Bocking</p> <p><u>Architectural and Aesthetic Value-</u> c) The building, located on a ninety degree bend at the bottom of Church Street, occupies a visually prominent location, terminating views looking south down Church Street. It is therefore a landmark which makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p> <p><u>Group Value-</u> a) The building forms a group of significant buildings associated with the Courtauld Factory in Bocking.</p>		
<p>Historic Asset Description</p> <p>Social club/hall, built in 1884 by the architect George Sherrin for Samuel Courtauld as a recreational hall for the workers at the nearby silk and crape weaving factory. Built in red brick with a clay tile roof. A louvred timber cupola is located at the centre of the main roof ridge, surmounted by a weather vane. Three bays of one and two storeys. The Venetian style window on the east elevation replicates windows evident in Bocking, including on Bradford Street. Inscriptions over the door record the name of the company and the date of the building's construction.</p>		



TITLE/ADDRESS Village Hall, Church Street, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> - c) The building is a wholly complete example of a building constructed between 1914 and 1948, which is of high architectural interest</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It is also an tangible surviving link to the now almost completely demolished factory to the south. As a social club, it played an important role in the social history of Bocking</p> <p><u>Architectural and Aesthetic Value-</u> c) The building, located in a loosely developed section of Church is visible in long views from the north and south and is located on a prominent elevated site. It is therefore a landmark which makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p> <p><u>Group Value-</u> a) The building forms a group of significant buildings associated with the Courtauld Factory in Bocking.</p>		
<p>Historic Asset Description</p> <p>Village Hall, built in 1926 for Samuel Augustine Courtauld. Built in handmade red brick, laid in Flemish bond, with a clay tile roof which is surmounted by a timber cupola and weather vane. The inclusion of the cupola and weather vane would suggest a deliberate attempt to follow the architectural style established by the Workmen's Hall further to the south. Further articulation is provided by faux timber framing on some of the gable ends. Roughly L-shaped plan form with with one and two storey elements. The eccentric roofscape is dominated by the cupola and the large paired chimneys.</p>		



TITLE/ADDRESS Lodge, Braintree Public Gardens		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It forms part of the Public Gardens, which are of social significance to the people of Braintree.</p> <p><u>Architectural and Aesthetic Value-</u> a) The building is a good example of a traditional lodge building in terms of plan form and appearance</p>		
<p>Historic Asset Description</p> <p>Lodge, built in 1888 with money donated by Sydney Courtauld. Red brick with a clay tile roof, augmented with hanging clay tile at first floor level and timber soffit boards to the gable ends. Two storey, with an L-shaped plan form. There is a small jetty at first floor level, which is more pronounced over the projecting bay window on the south-east side. Plaques at ground floor level record donations made by the Courtauld family. The building is the Lodge to the Braintree and Bocking Public Gardens, which were donated to the people of Braintree and Bocking by Sydney Courtauld in 1888. His behest was augmented in 1913 by George Courtauld and further augmented by William Julian Courtauld in 1923 and 1924.</p> <p>A positive response was received from the owner of the property, supporting its inclusion on the local list.</p>		



TITLE/ADDRESS Bocking Place, Courtauld Road, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity</u>-- b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value</u>- a) The building was the home of Sydney Courtauld, a member of the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value</u>- c) The building is a prominent local landmark, significant for the high quality of architectural design and due to its scale and massing.</p>		
Historic Asset Description <p>Semi-detached house, designed by Ernest Flint and built for Sydney Courtauld in 1887, now subdivided. Red brick, laid in Flemish bond with a clay tile roof. Some of the architectural detailing, such as the porch and the window surrounds built in stone, with lead used for more complicated roofing detailing. Substantial two storey, three bay house, with projecting end bays and projecting central porch with timber balcony above. A decorative plaque is inscribed with the date of construction and the initials 'SC' and 'SLC'. Historical evidence suggests that it was one of the first houses in Essex to have electric lighting.</p> <p>The owner responded stating that they agreed that the building was worthy of inclusion on the local list.</p>		



TITLE/ADDRESS Queens Meadow, Bradford Street, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> c) The building is a wholly complete example of a building constructed between 1914 and 1948, which is of high architectural interest</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It was occupied by Valentine Crittall, Lord Braintree, a significant figure in his own right, and for his associations to the Crittall family, another prominent Essex manufacturing family.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building exhibits a high level of architectural and aesthetic quality, and makes a positive contribution to the backland area of the Conservation Area.</p>		
Historic Asset Description <p>Large detached house, built by HH Jewell in 1930 for William Julian Courtauld. Of brick construction, painted white, with a clay tile roof. Two storey, with projecting end bays, the house is doubled fronted. The key stone of the brick arched doorway is inscribed with the initials 'WJC', as well as the date of construction. The house is in a tranquil location, set back from Bradford down an access track.</p>		

TITLE/ADDRESS 13 and 15 Halstead Road, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> c) The buildings are a wholly complete example of a building constructed between 1914 and 1948, which is of high architectural interest</p> <p><u>Historic Associations and Social Value-</u> a) The buildings are associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> b) The buildings are a good example of a decorative style which is unusual in the local area.</p>		
Historic Asset Description <p>Pair of associated detached houses, built in 1937 and 1939 respectively. Both are built in brick, laid in stretcher bond, with a clay tile roof. The first floor of both is articulated with hanging clay tile. Two storey. Number 13 has a long catslide roof to the right hand side, number 15 has a projecting porch and large end gable chimney stack. Number 13 has a plaque reading 'CCC' and the date of construction. Number 15 has a plaque located on the projecting porch giving the date of construction with the initials 'WJC'. These are a relatively late example of the Courtauld built estate.</p>		



TITLE/ADDRESS Foley House, 115 High Garrett, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity</u> b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene.</p> <p><u>Group Value-</u> a) The building forms a group of prominent buildings associated with the Courtauld Family grouped along High Garrett, and constructed in the late nineteenth century.</p>		
<p>Historic Asset Description</p> <p>Detached House, formerly a children's care home, now in use as an adult care home. Built in 1885 under the patronage of Samuel Augustus Courtauld. Red brick, laid in stretcher bond, with a clay tile roof. The first floor is articulated with hanging clay tile, the second floor with faux timber framing. Three storey with a sprawling plan form which is substantial in size, and presents as a double pile plan form, running back from the road. The elevations are enlivened with bay windows at ground floor level and oriel windows at first floor level</p>		



TITLE/ADDRESS Redcliffe, 113 High Garrett, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete (albeit substantially extended) building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene.</p> <p><u>Group Value-</u> a) The building forms a group of prominent buildings associated with the Courtauld Family grouped along High Garrett, and constructed in the late nineteenth century.</p>		
<p>Historic Asset Description</p> <p>House, built in 1884 and substantially extended to the south in the twentieth century. It is historically associated with the patronage of Samuel Augustus Courtauld. Brick, laid in Flemish Bond, with a clay tile roof and hanging clay tile decoration at first floor level. Two storey throughout. The historic building is L-shaped in plan form, with an additional L-shaped extension erected to the south. There is an historical association with Foley House, located directly to the north, which was erected under the auspices of the same patron a year later.</p>		



TITLE/ADDRESS 92-96 High Garrett, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete terrace of buildings constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene</p> <p><u>Group Value-</u> a) The building forms a group of prominent buildings associated with the Courtauld Family grouped along High Garrett, and constructed in the late nineteenth century.</p>		
Historic Asset Description <p>Terrace of three houses, built in 1875 under the patronage of Samuel Courtauld. Built in brick, laid in Flemish bond, under a clay tile roof. Door and window surrounds are highlighted by the use of contrasting Gault brick. Two storey with the front elevation enlivened with the use of alternating size gable ends. The roofscape is dominated by a series of brick chimneys. Windows use the octagonal lozenge glazing pattern and iron glazing bars, which can be seen elsewhere in the Courtauld built estate and represents a high level of craftsmanship and aesthetic quality</p>		



TITLE/ADDRESS 100 High Garrett, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
<p>Summary of Importance/Criteria Decision</p> <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is a landmark makes a positive contribution to the local streetscene</p> <p><u>Group Value-</u> a) The building forms a group of prominent buildings associated with the Courtauld Family grouped along High Garrett, and constructed in the late nineteenth century.</p>		
<p>Historic Asset Description</p> <p>Detached House, built in 1875 under the auspices of Samuel Augustus Courtauld. Red brick, laid in Flemish Bond, with a clay tile roof. Quoins and window surrounds are articulated with the use of Gault brick. Faux timber framing used to provide decoration at first floor level. Two storey, three bays. Bays one and three present their gables to the road, and projecting forward of the central bay. Large end gable chimney stacks. Windows use the octagonal lozenge glazing pattern and iron glazing bars, which can be seen elsewhere in the Courtauld built estate and represents a high level of craftsmanship and aesthetic quality</p> <p>Owner objection on the basis that the building has been altered, particularly at the rear, and has been converted from a pair of semi-detached dwelling to a single dwelling.</p>		



TITLE/ADDRESS 'Mon Abri' and 'Uplands', Sunnyfields Road, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b They are a pair of complete buildings constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The buildings are associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The buildings are of architectural interest, which makes a positive contribution to the local streetscene</p>		
Historic Asset Description <p>Pair of symmetrical semi-detached cottages, built in 1850 under the patronage of Samuel Augustus Courtauld. Built in red brick with gault brick dressings around the windows, doors and for the quoins and clay tile roof. The upper storey is rendered with painted decorative timbering to articulate the façade. Two storey, one bay deep. The front door is placed centrally in each elevation. Large central chimney stack, with smaller chimneys close to both end gables. Windows use the octagonal lozenge glazing pattern and iron glazing bars, which can be seen elsewhere in the Courtauld built estate and represents a high level of craftsmanship and aesthetic quality.</p>		



TITLE/ADDRESS School/Unitarian Chapel, High Garrett, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It has also had a series of important communal uses, as both a school and a chapel</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is of architectural interest, which makes a positive contribution to the local streetscene</p> <p><u>Group Value-</u> a) The building forms a group of prominent buildings associated with the Courtauld Family grouped along High Garrett, and constructed in the late nineteenth century.</p>		
Historic Asset Description <p>Built as a school, later used as a Unitarian Chapel and now in retail use. Erected as a school in 1850 under the patronage of Samuel and Ellen Courtauld, but served as a chapel from 1853 to the end of the nineteenth century. Built in Flemish bond in hand-made red brick, articulated with the use of burnt headers. Dressings are in stone, with the roofscape enlivened by the use of hexagonal slate. Tall single storey, with a projecting offset front porch. Large fenestration, including tall lancet like windows within the porch, An empty decorative niche stands over the door of the projecting porch..</p>		



TITLE/ADDRESS 60 Broad Road, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) It is a complete building constructed between 1840 and 1914 and of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) and b) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century. It also has social and historic value as a former hospital, one of the oldest surviving cottage-hospitals in Essex.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building is of architectural interest, which makes a positive contribution to the local streetscene</p>		
Historic Asset Description <p>Cottage, later established as a hospital, and now back in residential use. Built in 1871 and converted to hospital use by George Courtauld. It was extended in 1897 to increase its capacity as a hospital from four beds to seven. Built in red/brown brick with a clay tile roof. It also use decorative red clay ridge tile and fretted timber pentice boards to offer a visually interesting façade. Window dressings are in stone. Three two storey bays, the first and third project to the front and rear, creating an H-shaped plan form, which is broken by a single storey flat roof central porch. The opening of Julian Courtauld Hospital in 1921 made it redundant, and it reverted to residential use.</p>		



TITLE/ADDRESS 18& 23-29 Coggeshall Road, Bocking		Map Ref.
County Essex	District Braintree	Ward Braintree and Bocking
Grade: Local		
Summary of Importance/Criteria Decision <p>The building is recommended for inclusion as it is considered to meet the following criteria:</p> <p><u>Age and Integrity-</u> b) These are a series of almost complete associated buildings constructed between 1840 and 1914 and are of historical and architectural significance</p> <p><u>Historic Associations and Social Value-</u> a) The building is associated with the Courtauld Family, who were prominent local benefactors who are integral in shaping the history of Braintree in the nineteenth and twentieth century.</p> <p><u>Architectural and Aesthetic Value-</u> c) The building makes a positive contribution to the local streetscene and to the character and appearance of the Conservation Area</p>		
Historic Asset Description <p>Three detached houses, and a pair of semi-detached houses, built under the auspices of Sydney Courtauld in 1850, and forming a series of associated houses running east-west along Coggeshall Road and backing onto the historic grounds of Bocking Place. Built in red brick, laid in Flemish bond, with a clay tile roof and decorative timbering at the apex of the gables. All are two storey, with the detached houses having an L-shaped plan form and a slight projection at first floor level. They also have dominant central chimney stacks, which are a significant feature in determining their aesthetic and architectural character.</p> <p>A positive response was received from the owner of 25</p>		

