

Planning Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be webcast and audio recorded.

Date: Tuesday, 24 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 Meetings

To approve as a correct record the Minutes of the meetings of the Planning Committee held on 26th April 2016 and 10th May 2016 (copies 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 Application:-

- | | | |
|-----------|--|---------------|
| 5a | Application No. 15 01354 OUT - Land off Braintree Road, GREAT BARDFIELD | 4 - 24 |
|-----------|--|---------------|

PART B

Minor Planning Applications:-

- | | | |
|-----------|--|----------------|
| 5b | Application No. 16 00428 FUL - 7 Gosfield Road, BRAINTREE | 25 - 28 |
| 5c | Application No. 16 00056 FUL - 35 Coggeshall Road, EARLS COLNE | 29 - 36 |
| 5d | Application No. 16 00485 FUL - Vespers, Bardfield Road, FINCHINGFIELD | 37 - 42 |

6 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.

7 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

8 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.

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:

Consideration of Planning Application 15/01354/OUT – ‘Outline application for the erection of up to 37 dwellings’ at Land Off Braintree Road, Great Bardfield		Agenda No: 5a
Portfolio	Planning and Housing	
Corporate Priority:	Protecting our environment, Promoting safe and healthy living, Encouraging flourishing communities	
Report presented by:	Timothy Havers, Senior Planner	
Report prepared by:	Timothy Havers, Senior Planner	
Background Papers:		Public Report
None		Key Decision: No
Executive Summary:		
<p>This report concerns an application for outline planning permission for the erection of up to 37 dwellings at Land Off Braintree Road, Great Bardfield, Essex. The District Council has not determined the application within the 13 week timeframe and the applicant has lodged an appeal against non-determination. Although the District Council cannot now determine the application, this report sets out the recommendation that Officers would have presented to Planning Committee had the appeal not been lodged. If agreed, it will represent the District Council’s submission to the Planning Inspectorate.</p> <p>The application site is located adjacent to but outside the Great Bardfield Village Envelope. It sits in the countryside where countryside planning policies apply which seek to control inappropriate development.</p> <p>Great Bardfield is positioned at the bottom of the settlement hierarchy as set out in the adopted Core Strategy and is not identified as a sustainable location to which new development should be directed in accordance with the requirements of the eleventh core planning principle of the NPPF and the social role of sustainable development identified at paragraph 7. Employment opportunities within the village are very limited, there is not a wide array of facilities and services and public transport services are limited to bus services which are again restricted in their nature.</p> <p>Officers consider that future residents of the proposed development would be heavily reliant upon the private car and that the site’s location is inherently unsustainable. The development would also result in the permanent loss of a greenfield site consisting of best and most versatile agricultural land, contrary to both paragraph 112 and the seventh core principle of the NPPF. The benefits of the proposed development are limited and the provision of 40% affordable housing would not result in a significant number of units being provided when measured against District need and would make that provision in a location that provides poor access to facilities that communities need</p>		

ready access to. The proposal is for a purely residential scheme and would bring no benefits in terms of the provision of new on site facilities, services or long term employment opportunities.

Having assessed the merits of the proposal against the Council's policies and the requirements of the NPPF, Officers consider that the proposed development is both contrary to adopted Local Policy and to the NPPF and could not be considered to be sustainable. It is therefore recommended that planning permission is refused.

Decision

To advise the Planning Inspectorate that the Local Planning Authority would have refused outline planning permission for the proposed development, had an appeal against non-determination not been submitted by the applicant.

Purpose of Decision:

The application was submitted to the Local Planning Authority on 2nd November 2015 and was sent out to public consultation on 9th November 2015. The target determination period for the application was 8th February 2016. In this case, the application was not determined within the 13 week target period and as provided for within the regulations the applicant decided to appeal against the non-determination of the application, rather than waiting for the Local Planning Authority to issue a decision. The appeal against non-determination was submitted on 11th April 2016. The start date for the appeal as set by the Planning Inspectorate was 22nd April 2016.

Whilst Members are now unable to make a formal determination of the application, the purpose of this report is to finalise a recommendation to the Planning Inspectorate on how the Local Planning Authority would have determined the application, in the event that the appeal against non-determination had not been submitted.

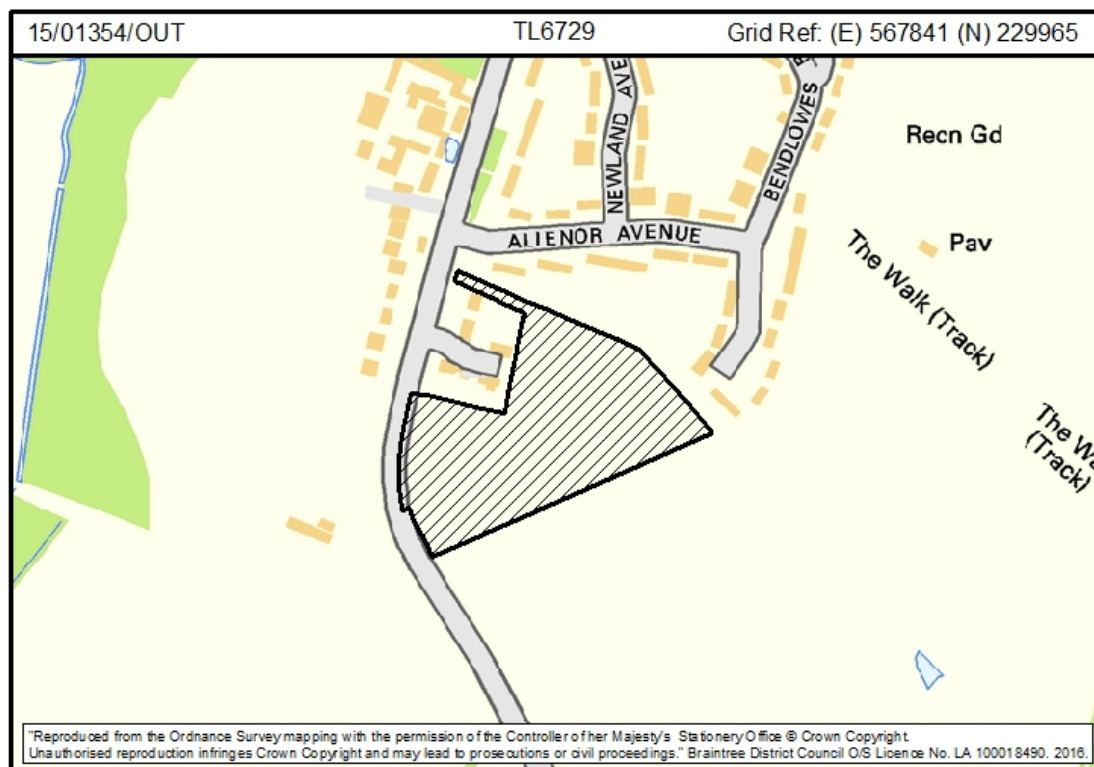
Corporate Implications

Financial:	Potential additional costs associated with the appeal.
Legal:	None
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	None
Environment and Climate Change:	The Committee report considers the impact of the proposal upon the environment and visual amenity, the Conservation Area and the setting of the nearby listed buildings.
Consultation/Community Engagement:	The planning application has been subject to public consultation.
Risks:	None
Officer Contact:	Timothy Havers
Designation:	Senior Planner, Development Management
Ext. No.	2526
E-mail:	timha@braintree.gov.uk

PART A

APPLICATION 15/01354/OUT DATE 09.11.15
 NO: VALID:
 APPLICANT: Mr & Mrs Reed
 C/o Sworders
 AGENT: Mr J Salmon
 Sworders, The Gatehouse, Hadham Hall, Little Hadham,
 Ware, Hertfordshire, SG11 2EB
 DESCRIPTION: Outline application for the erection of up to 37 dwellings
 LOCATION: Land Off, Braintree Road, Great Bardfield, Essex

For more information about this Application please contact:
 Mr Timothy Havers on:- 01376 551414 Ext.
 or by e-mail to: timha@braintree.gov.uk



SITE HISTORY

16/00024/NONDET Outline application for the
erection of up to 37
dwellings

POLICY CONSIDERATIONS

National Planning Guidance

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

Braintree District Local Development Framework Core Strategy

CS1	Housing Provision and Delivery
CS2	Affordable Housing
CS5	The Countryside
CS7	Promoting Accessibility for All
CS8	Natural Environment and Biodiversity
CS9	Built and Historic Environment
CS10	Provision for Open Space, Sport and Recreation
CS11	Infrastructure Services and Facilities

Braintree District Local Plan Review

RLP2	Town Development Boundaries and Village Envelopes
RLP7	Housing and Mixed Use Sites
RLP8	House Types
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP22	Accessible Housing and Lifetime Housing
RLP49	Pedestrian Networks
RLP50	Cycleways
RLP51	Cycle Parking
RLP52	Public Transport
RLP53	Generators of Travel Demand
RLP54	Transport Assessments
RLP55	Travel Plans
RLP56	Vehicle Parking
RLP65	External Lighting
RLP67	Flood Risk in Undeveloped Areas
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP71	Water Supply, Sewerage & Drainage
RLP72	Water Quality
RLP74	Provision of Space for Recycling
RLP77	Energy Efficiency
RLP80	Landscape Features and Habitats

RLP81	Trees, Woodland Grasslands and Hedgerows
RLP84	Protected Species
RLP90	Layout and Design of Development
RLP91	Site Appraisal
RLP92	Accessibility
RLP93	Public Realm
RLP94	Public Art
RLP105	Archaeological Evaluation
RLP106	Archaeological Excavation and Monitoring
RLP138	Provision of Open Space in New Housing Developments

Supplementary Planning Guidance

Affordable Housing Supplementary Planning Document
 Essex Design Guide
 External Lighting Supplementary Planning Document
 Open Spaces Supplementary Planning Document
 Open Spaces Action Plan
 Essex Parking Standards Design and Good Practice 2009

Other Guidance

Landscape Character Assessment 2006
 Great Bardfield Village Design Statement

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee as the application is considered to be of significant public interest and represents a departure from the current Development Plan. It is therefore an application which has significant policy implications.

The applicant has lodged an appeal against non-determination which is currently pending. However, Officers consider that it is appropriate for the Council to place the application before the Planning Committee in order that the Council's recommendation with regard to the application be established and presented to the Planning Inspectorate as part of the appeal process.

NOTATION

The application site is located outside the Great Bardfield Village Envelope as designated in the Braintree District Local Plan Review 2005. It is within designated countryside.

The application site was not allocated for development in the Pre-Submission Site Allocation and Development Management Policy Plan.

The application has been advertised as a departure from the Council's adopted Development Plan.

SITE DESCRIPTION

The application site is located immediately adjacent to the south-eastern boundary of the Great Bardfield Village Envelope. It measures approximately 2.1 hectares and consists primarily of arable farmland, forming part of a substantially larger field.

The western boundary abuts Braintree Road and is delineated by established trees and hedgerow. To the north and east, the site adjoins the rear curtilages of existing dwellings on Alienor Avenue and Bendlowes Road, with a ditch and tree/hedge line providing a degree of separation. To the south, the site boundary is drawn in a straight line across the existing agricultural field, with the remainder of the field and open countryside lying beyond.

The site also surrounds a recent affordable housing development (Castle Shot) on 3 sides. Castle Shot sits in the same agricultural field, in close proximity to the Village Envelope.

In terms of gradient, the site as a whole falls by approximately 5 metres from south to north.

Access to the site is currently achieved via an informal gated farm access point leading from Braintree Road to the northern end of the application site. There is however no dropped kerb to serve this access.

PROPOSAL

The applicant seeks Outline Planning Permission with all matters reserved except for access, for up to 37 dwellings.

Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable to the Local Planning Authority, before detailed proposals are submitted at the Reserved Matters application stage.

The proposed vehicular and pedestrian access point would provide access to the site from Braintree Road, on the site's western boundary. Besides access all other matters regarding the proposed development (appearance; landscaping; layout and scale) are Reserved Matters.

In addition to a proposed access drawing the applicant has submitted a Site Location Plan and an illustrative masterplan. The masterplan demonstrates one way in which the site might accommodate the proposed quantum of development. The masterplan includes a landscape buffer along the site's southern boundary and a pedestrian access point along what is currently the gated farm access route.

The application is also supported by a suite of documents which include:

- Planning Statement
- Statement of Community Involvement
- Design and Access Statement

- Highway Impact Assessment
- Flood Risk and Drainage Assessment
- Contaminated Land Assessment
- Landscape and Visual Impact Assessment
- Ecology Report
- Arboricultural Survey
- Draft Heads of Terms for S106

CONSULTATIONS

Great Bardfield Parish Council

Objection. Application should be refused on the following grounds:

- Site is outside the Village Envelope. Current Local Plan remains the basis for determining planning applications. Council has a robust 5 year housing land supply.
- Other recent developments outside the village envelope were only permitted due to their being affordable housing exception sites unlike the current proposal.
- Great Bardfield is classified under the Core Strategy settlement hierarchy as 'other village' i.e. lowest ranking beneath key service villages and the 3 major towns of Braintree, Witham and Halstead.
- Proposal would be demonstrably harmful to the village and would have significant negative impacts. Limited, if any sustainable, economic or environmental benefits to the Parish.
- Vital that any new development is located on the most appropriate sites and there can be no doubt based on the evidence that this development is inappropriate in this Parish.
- Parish Council strongly object to this application. S106 funding toward the provision of sports and leisure facilities, including specifically a new playground and pavilion building at the area known as the Playing field, Bendlowes Road, Great Bardfield would be sought if permission is granted.

Great Bardfield Historical Society

Objection. Application site subject to ongoing research by the Historical Society because of its proximity to the Gatehouse (The Bluegate), the dwelling of the gate keeper of the ancient Deer Park which was situated to the south-east of the site. Fear that the village will become engulfed in urban sprawl and will become a dormitory town. Disappointing that the Listed Buildings Officer has not taken a more informed view of the implications of this application and viewed it within the broader context of the history of Great Bardfield, its organic growth around the medieval footprint over the last thousand years and the significance of its history. Concept of protecting the Village Envelope is hugely significant in protecting the special ethos of the village.

Historic Environment Officer, Specialist Archaeological Advice (Essex County Council)

No objection. No requirement for archaeological investigation.

Lead Local Flood Authority (Essex County Council)

No objection subject to a condition requiring the submission and approval of a detailed Drainage Strategy.

BDC Urban Design Consultant

No objection. Illustrative masterplan demonstrates that the proposed number of dwellings could be accommodated on the site.

BDC Landscape Officer

No objection. Due to surrounding mature vegetation and the topography of the site the development would not stand out in the surrounding landscape. The loss of a section of mature hedge to create the access point would incur a loss of amenity in the area, however none of the trees proposed to be removed are of a high quality. Further surveys to clarify whether bats roost on the site should be required by way of condition.

BDC Environmental Services

No objection.

Education (Essex County Council)

No objection. No contribution sought toward early years and childcare places. Proposed development located within catchment area for Great Bardfield Primary School. Financial contribution sought toward primary school provision and estimated at £127,806.

Developer should ensure that safe and direct walking/cycling routes are available to the nearest primary school.

No contribution sought toward secondary school provision, however the site is in excess of the statutory walking distance from the proposed development and a contribution of £29,347 is sought towards the provision of free transport. The County Council's standard s106 agreement clauses should be used to ensure that the contributions would be fairly and reasonably related in scale and kind to the development.

Historic Buildings Advisor (Essex County Council)

No objection, but would want to comment again on the application at the Reserved Matters stage. Site falls outside the Great Bardfield Conservation

Area boundary and is screened from the heritage asset by other modern development. There are several Listed Buildings in relatively close proximity to the site however the application site cannot be said to fall within the setting of any of these.

Area of Great Bardfield adjacent to site is relatively modern extension to the settlement created in a piecemeal fashion, most recently Castle Shot and Bendlowes Road which directly adjoin the application site. Proposed development follows on from an established pattern of development which bears little relationship to the historic core of Great Bardfield.

Braintree District Council Engineers

No objection. Site of this size will be required to have a SUDS scheme to an adoptable standard.

Essex County Council Highways

No objection subject to conditions relating to visibility splays being provided in accordance with the submitted access drawing; submission and approval of a Construction Management Plan; requirement for Travel Information Packs and the provision of a footway from the site into the village as shown on the submitted access plan.

NHS England

No comment.

Anglian Water

No comment.

Natural England

No comment.

REPRESENTATIONS

83 letters of objection have been received. The main material and non-material reasons of objection stated are set out below:

- Located beyond Village Envelope;
- Development proposed is too large for the village;
- Village infrastructure cannot support the development (medical facilities; school, additional traffic/parking; sewerage, waste water facilities over stretched);
- Adverse effect on amenity of existing neighbouring dwellings (noise; overlooking; broadband capacity; loss of privacy; overshadowing);
- Over development of site;
- Not in keeping with historic character of village;

- Visual impact;
- Village doesn't have the resources to accommodate a development of this size which is significant in relation to size of existing village;
- Loss of views from existing dwellings;
- Adverse effect upon highway safety – access is located on a blind bend on a road already known for speeding and accidents;
- Traffic generation;
- Cycle storage must be secured and covered;
- Limited employment opportunities in the village – it will become a dormitory development;
- Does not include any facilities, purely residential and not sustainable;
- Public transport in village is poor;
- Light pollution;
- Loss of agricultural land;
- Development will not provide small affordable housing required by young people living in the village;
- Permitting current scheme will open the floodgates for speculative developments;
- Detrimental impact on wildlife;
- Contrary to Village Design Statement;
- Council's call for sites has provided 344 sites, sufficient to build 54,000 homes – far in excess of what is required and current site should be dismissed;
- Brownfield sites should be developed first;
- Local Plan Process should be completed first;
- Existing Local Plan is starting point for determining applications and application is premature;
- Development will de-value existing properties in village;
- Residents of new development will be located outside Village Envelope and will not easily be part of a village community;
- Developers will bring own workforce for the build phase - it won't even provide short term employment locally.

1 Letter of Comment was received:

- 1 Castle Shot - Concerns reading security and overlooking into garden from proposed pedestrian cycle access

REPORT

Planning Policy Context

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Council's Development Plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council had been working on the Site Allocations and Development Management Plan (SADMP) to build on the strategic policies set out in the Core Strategy since the adoption of the Core Strategy in 2011. This was to complete the suite of documents required in the Local Development Framework to guide development in the District. The SADMP was to provide detailed land use allocations across the District, including settlement boundaries and policies used in the determination of planning applications. The SADMP applied the minimum housing targets set out in the adopted Core Strategy.

However, since work on the SADMP began, national planning policy has changed significantly and the Regional Spatial Strategy from which the Council's housing target in the Core Strategy was derived has been abolished. A key requirement specified in the NPPF is that local authorities should '*boost significantly*' their supply of housing. Because of the requirement to meet an objectively assessed need for housing in full within Local Plans the Council took the decision in June 2014 to not submit the SADMP for examination by the Planning Inspectorate as the SADMP housing targets were based on the targets set out in the Core Strategy which in turn were derived from the now abolished Regional Spatial Strategy.

The Core Strategy stated that the Council would plan, monitor and manage the delivery of a minimum of 272 dwellings per annum. In accordance with national planning policy, the Council commissioned research to establish the Objectively Assessed Need for housing in the District. This research forms part of the evidence base for the new Local Plan. The Council's consultants advise that the Objectively Assessed Need for Braintree District is 845 dwellings per annum. This figure was considered at the Council's Local Plan Sub-Committee on 14th March 2016 and was adopted as a target for the draft Local Plan which is due to be published for consultation in Summer 2016.

The Council's position remains that the District does have a 5-year supply of housing land, as set out in the Council's Annual Monitoring Report (2014). The work to identify the District's objectively assessed housing need does not constitute an adopted housing target at this time as set out in a Ministerial letter to the Planning Inspectorate of 19th December 2014. The Council is committed to working to create a new Local Plan as a matter of urgency which will be fully compliant with national planning policy.

Principle of Development

As set out above, the Council's Development Plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011). Braintree District Local Plan Review Policy RLP2 states that new development will be confined to areas within town development boundaries and village envelopes. Outside these areas countryside policies will apply. Policy CS5 of the adopted Core Strategy relates to development in the countryside and states that such development will be restricted to 'uses appropriate to the countryside'.

The application site is located adjacent to but outside the Village Envelope of Great Bardfield and is situated in the countryside. The proposed development of the site for residential use therefore represents a departure from the adopted Development Plan.

The National Planning Policy Framework (NPPF) is also an important material consideration in the determination of all planning applications in the District. The NPPF states (para 14) that the presumption in favour of sustainable development should be seen as a golden thread running through both plan making and decision taking. More specifically, paragraph 49 states that *'housing applications should be considered in the context of the presumption in favour of sustainable development'*. Whilst the application is a departure from the adopted Development Plan and is clearly contrary to both adopted Local Plan Policy RLP2 and Core Strategy Policy CS5 it remains necessary to assess the proposed development against the presumption in favour of sustainable development in accordance with the requirements of the NPPF.

At the local level, the Core Strategy sets out the identified settlement hierarchy in the District for the purpose of the Development Plan. Great Bardfield is identified as an 'other village', sitting at the bottom of the hierarchy below Key Service Villages and Main Towns. The Core Strategy also identifies the Spatial Strategy for the District, setting out where new development should be located and stating (para.4.15) that the Spatial Strategy is:

'To preserve and enhance the character of the rural heartland of the Braintree District, its countryside and villages, by supporting development that is needed to make settlements and the rural economy more sustainable and protect and enhance the natural environment and;

To concentrate the majority of new development and services in the Main Towns of Braintree, Witham and Halstead, at new Growth Locations at Braintree and Witham and in the Key Service Villages'.

The spatial strategy is therefore clear in its direction that new development should be concentrated at the Main Towns and the Key Service Villages only. Importantly, Key Service Villages (of which there are only 6) are distinguished from 'Other Villages' such as Great Bardfield and identified as being (para. 48) *'large villages with a good level of services, including primary schools, primary health care facilities, convenience shopping facilities, local employment, frequent public transport to higher order settlements and easy access by public transport to secondary schools'*. In relation to 'Other Villages' (of which there are 51 in total), the Core Strategy states that development will be *'of a scale and type to cater for purely local needs'* and that developments which *'deliver affordable housing, appropriate local employment and improvements to local services may be appropriate subject to their local impacts'*.

The Spatial Strategy has been specifically designed to promote sustainable development and is robust in its requirement that new development should be accommodated at the Main Towns and the 6 Key Service Villages, which are

identified as sustainable locations to accommodate new development rather than at the 'Other Villages' or in the countryside. The proposed development of up to 37 dwellings at Great Bardfield is therefore contrary to the adopted Spatial Strategy and its aim of achieving sustainable development within the district.

In terms of the new Local Plan which the Council are currently progressing, the site was submitted to the Council for consideration as part of the call for sites process (Ref GRBA255) but was not taken forward for consideration for allocation for residential development.

The Application Site and Great Bardfield

Paragraph 7 of the NPPF identifies the social role for sustainable development and states that planning should support strong, vibrant and healthy communities, creating a high quality built environment '*with accessible local services that reflect the community's needs and support its health, social and cultural well-being*'. In contrast, the application site is located in the countryside, adjacent to the south eastern boundary of the defined Village Envelope. Great Bardfield is not identified as a Key Service Village and has significantly more limited facilities and services associated with an 'Other Village'. It lacks primary healthcare facilities, does not have a secondary school or significant range of local shops and there are few local employment opportunities.

It is also noteworthy that the Council are awaiting the outcome of an appeal relating to a scheme to convert the majority of the Bardfield Centre to residential use due to a lack of demand for these units in an employment capacity. Should this appeal be successful the majority of the Bardfield Centre will no longer be available as employment land with associated employment opportunities.

Public Transport services are limited, with buses running to Braintree and Chelmsford with no evening service, limited services on Saturdays and no Sunday or Bank Holiday services. Overall, and in accordance with the Village's position at the bottom of the settlement hierarchy, Great Bardfield is a small settlement which could not be considered to be self-contained with regard to the provision of facilities and services and is not well connected to the Main Towns within the District by public transport. The eleventh core planning principle set out in the NPPF states clearly that in decision taking planning should '*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable*'. Officers consider that there would be a heavy degree of reliance upon the use of the private car by future occupants of the proposed development and that the site's location is inherently unsustainable for a proposal of this size.

The site itself consists of Grade 2 (best and most versatile) agricultural land, in common with the majority of the agricultural land to the south of Great Bardfield, the land to the north of the village being Grade 3. The development

of this land would result in demonstrable harm to the local environment, with the permanent loss of a greenfield site. The seventh core planning principle set out in the NPPF states that planning should *'contribute to conserving and enhancing the natural environment'*, an important aspect of the environmental role of sustainable development. The NPPF also states at para 112 that *'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land'*. Officers do not consider that the proposal would bring sufficient benefits to outweigh the demonstrable harm of developing the application site, given the inherently unsustainable location of the site in the countryside, outside the Village Envelope of an 'other village'. There is therefore an in principle policy objection to the proposed development which is not considered to constitute sustainable development.

Design, Appearance and Layout

Policy RLP90 of the adopted Local Plan requires a high standard of design and layout in all developments. Policy CS9 of the Core Strategy requires *'the highest possible standards of design and layout in all new development'*. At the national level, the NPPF is also clear in its assertion (para 56) that *'good design is a key aspect of sustainable development'*.

The current application is an outline application with all matters reserved except access. The applicant has submitted an illustrative masterplan which demonstrates one way in which the site could accommodate the proposed development. A main access point (vehicular and pedestrian) is also identified and greater detail provided on the accompanying highway access drawing.

It is proposed that up to 37 dwellings are erected on the site which measures a total of approximately 2.1 hectares, giving a gross density across the site of 17.6 dwellings per hectare based on a development of the full 37 dwellings. Given the need to incorporate areas of open space, SUDS provision and structural landscaping the proposed level of development is considered appropriate for an edge of settlement site. Maximum parameters for finished site levels and building heights could be achieved by way of condition.

Conservation Area

The application site is located outside the Village Envelope and approximately 70m from the Conservation Area at its closest point. Essex County Council's Historic Buildings Advisor has no objection to the application, stating that the site is screened from the heritage asset by other modern development and that although there are several Listed Buildings in relatively close proximity to the site it cannot be said that the development would fall within the setting of any of these.

The Historic Buildings Advisor would however review in detail the design and layout of any Reserved Matters application.

Ecology and Landscape

Adopted Local Plan Policy RLP80 requires new development to include an assessment of its impact on wildlife and states that it should not be detrimental to the distinctive landscape features of the area. Policy RLP81 encourages landowners to retain, maintain and plant native trees, hedges and woodlands and Policy RLP84 states that planning permission will not be granted for development which would have an adverse impact upon protected species.

The majority of the application site consists of agricultural land which is of relatively low ecological value. The site boundaries are partly delineated by established hedgerows/trees. There are also areas of species poor improved grassland and wet and dry ditches.

The applicant submitted a Preliminary Ecology Appraisal in support of the application. The appraisal confirmed that the site is of low ecological value with low potential value to nesting birds in the boundary hedge trees and the potential for roosting bats in an Oak Tree, located on the site's western boundary. A further survey to establish whether bats roost on the site could be required by way of condition.

Core Strategy Policy CS8 Natural Environment and Biodiversity states that *'development must have regard to the character of the landscape and its sensitivity to change and where development is permitted it will need to enhance the locally distinctive character of the landscape in accordance with the Landscape Character Assessment'*.

The Council's Landscape Character Assessment 2006 identifies the application site as falling within the Lindsell and Bardfield Farmland Plateau. Visual characteristics include views across farmland plateau from roads and public rights of way which are usually open but often framed or limited by tree belts or high hedges. Suggested landscape planning guidelines include conserving the rural character of the area, ensuring that new development responds to historic settlement pattern (scale and density) and that materials used are appropriate to the landscape character.

Having made their own assessment of the site and having considered the applicant's Landscape and Visual Impact Assessment (LVIA) submitted in support of the application Officers do not consider that there is an objection to the proposed residential development on the grounds of landscape impact. The site's southern boundary, although currently open is positioned so as to restrict the visual impact of the proposed development on the wider landscape. Development beyond this point would have a greater visual impact as the land begins to fall away to the south, toward the southern end of the wider field within which the application site is located and views into this wider field become more exposed.

A strategic landscape buffer is indicated on the illustrative masterplan and a detailed landscape mitigation strategy could be required by way of condition to ensure that the currently open southern boundary of the site was softened. The masterplan also indicates that the majority of the existing trees and hedges on the site would be retained and again this could be incorporated within a landscape strategy required by way of condition.

Highways

The applicant seeks full permission for the proposed vehicular and pedestrian access point to the site from Braintree Road. The vehicular access would measure 5.5 metres in width with an adjacent 2.0 metre wide footpath to each side. The submitted drawing demonstrates to the satisfaction of the Highway Authority that the access can be safely achieved with adequate visibility splays. The Highway Authority have no objection to the proposed development subject to a condition requiring the visibility splays indicated on the plan to be achieved.

The Highway Impact Assessment submitted in support of the application identifies the requirements of the Essex County Council Parking Standards (2009) as being the relevant standard for on-site parking provision. Officers consider that the proposed quantum of development could accommodate a layout which meets the required parking standards.

The Highway Authority would also require a planning condition to secure the submission and approval of a Construction Management Plan. In addition, their requirement for Travel Information Packs and the provision of a footway from the site into the village as shown on the submitted access plan could be secured under a S106 Agreement.

Impact Upon Neighbour Amenity

The application site would be located to the south of existing dwellings on Alienor Avenue and Bendlowes Road and would sit adjacent to existing dwellings on Castle Shot. The illustrative masterplan demonstrates a layout which would not result in any significant loss of amenity to the occupiers of these existing dwellings and it is evident that the criteria set out in the Essex Design Guide could be complied with. However, it would be necessary to carefully consider the proposed layout of the development at the Reserved Matters stage to ensure that there would be no adverse impacts upon neighbouring amenity.

Other Matters

Construction Activity

The Council's Environmental Services Team have been consulted regarding the proposed development and have no objection subject to a number of conditions which include, in relation to construction activity, conditions to

control hours of working and a requirement for the provision of a dust and mud control scheme.

Flood Risk and Surface Water Drainage

The application site is located within Flood Zone 1 (low probability risk of flooding). The applicant proposes to utilise a Sustainable Urban Drainage system to satisfactorily cater for surface run-off water from the proposed development.

The Lead Local Flood Authority (Essex County Council) has no objection to the proposed development subject to a condition requiring the submission and approval of a Detailed Drainage Scheme.

Section 106

Heads of Terms have not been agreed with the applicant due to the fact that an appeal against the non-determination of the application was lodged. In addition, as set out in the above report the Officer recommendation for this application is for the refusal of planning permission. The applicant did however submit draft Heads of Terms in support of the application and has indicated their willingness to enter into a s106 Agreement.

The following identifies those matters that the District Council would seek to secure through a planning obligation.

Affordable Housing

Policy CS2 of the Core Strategy requires developers to provide affordable housing on sites with a target of 40% affordable housing provision on sites in rural areas such as Great Bardfield.

The Council would therefore require 40% affordable housing provision on the site which would equate to 14 units for a scheme of 37 units. The following mix would best reflect current housing need:

- 4 x 1 bed 2 person flats
- 2 x 2 bed 4 person bungalows
- 5 x 2 bed 4 person houses
- 3 x 3 bed 5 person houses

The Council would also require the following:

- 70/30 tenure mix for affordable housing (rent over shared ownership)
- All affordable units must be compliant with standards acceptable to the Homes and Communities Agency at the point of construction
- Lifetimes Homes Standard for ground floor flats and all house types
- Secured by Design certification
- Affordable dwellings should be delivered without reliance upon public subsidy

- Submission of a site wide housing strategy prior to submission of the Reserved Matters application and to include details of market and affordable housing provision and a phasing plan.

Education

The County Council has stated that the proposed development would be located within catchment area for Great Bardfield Primary School. A financial contribution would be sought toward primary school provision and is estimated at £127,806. The final amount would be calculated using the County Council's standard formula S106 Agreement clause which is based upon the number and size of dwellings constructed.

The County Council have also advised that although no contribution would be sought toward secondary school provision a contribution would be sought towards the provision of free transport. This is likely to equate to £29,347 and again the final figure would be calculated using the County Council's standard 106 agreement clauses.

Highways and Transport

The Council would require the provision of a footway from the site into the village as shown on the submitted access plan. The provision of Residential Travel Information Packs for future occupiers of the development would also be secured by way of s106 Agreement.

Open Space

Policy CS10 requires new development to make appropriate provision for publically accessible green space or the improvement of existing accessible green space in accordance with the following adopted standards (all figures are calculated per thousand population); parks and gardens at 1.2 hectares; outdoor sports provision at 2.0 hectares; amenity greenspaces at 0.8 hectares; provision for children and young people at 0.2 hectares.

The Council's Open Space SPD sets out further details on how these standards will be applied. A development of this size would be expected to make provision for amenity green space and informal open space on site with an off-site financial contribution towards the provision of allotments; outdoor sports provision and equipped playgrounds. These contributions would be secured through the S106 Agreement and the actual payment would be calculated on the number and size of the dwellings constructed. The Parish Council object to the proposed development but have identified, without prejudice, that s106 funds could be allocated to the provision of sports and leisure facilities within the village, specifically a new playground and pavilion building at the Playing Field, Bendlowes Road.

Conclusion

The application site is located adjacent to but outside the Great Bardfield Village Envelope. It sits in the countryside where countryside planning policies apply which seek to control inappropriate development.

Great Bardfield is positioned at the bottom of the settlement hierarchy as set out in the adopted Core Strategy and is not identified as a sustainable location to which new development should be directed in accordance with the requirements of the eleventh core planning principle of the NPPF and the social role of sustainable development identified at paragraph 7. Employment opportunities within the village are very limited, there is not a wide array of facilities and services and public transport services are limited to bus services which are again restricted in their nature.

Officers consider that future residents of the proposed development would be heavily reliant upon the private car and that the site's location is inherently unsustainable. The development would also result in the permanent loss of a greenfield site consisting of best and most versatile agricultural land, contrary to both paragraph 112 and the seventh core principle of the NPPF. The benefits of the proposed development are limited and the provision of 40% affordable housing would not result in a significant number of units being provided when measured against District need and would make that provision in a location that provides poor access to facilities that communities need ready access to. The proposal is for a purely residential scheme and would bring no benefits in terms of the provision of new on site facilities, services or long term employment opportunities.

Having assessed the merits of the proposal against the Council's policies and the requirements of the NPPF, Officers consider that the proposed development is both contrary to adopted Local Policy and to the NPPF and could not be considered to be sustainable. It is therefore recommended that planning permission is refused.

RECOMMENDATIONS

It is RECOMMENDED that the following decision be made:
Application REFUSED for the following reasons:-

1. The site lies outside the development boundary for the village of Great Bardfield, in a location where there is a presumption against the introduction of new development unrelated to rural uses appropriate in the countryside. Great Bardfield itself sits at the bottom of the settlement hierarchy identified in the Braintree District Local Development Framework Core Strategy (2011) and being classified as an 'other village' is not, unlike the 'key service villages' and 'main towns', identified as a location where new development should be concentrated if it is to be sustainable.

The National Planning Policy Framework (NPPF) presumes in favour of the grant of planning permission for sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The Council does not accept that the proposal would be sustainable development within the meaning of the NPPF, having regard to the following factors:

- The lack of local facilities and services to meet the needs of future occupiers of the proposed development resulting in a heavy reliance on the private car;
- The failure of the proposed development in terms of social sustainability to create a development with accessible local services that reflect the future community's needs and support its health, social and cultural well-being;
- The loss of a greenfield site which consist of Grade 2 best and most versatile agricultural land.

The proposal would, therefore, be contrary to the provisions of the National Planning Policy Framework which makes it clear that, when development is shown to not be sustainable, refusal of planning permission may be justified because the adverse impacts would significantly and demonstrably outweigh the benefits of allowing development and would also be contrary to Policy RLP2 of the Braintree District Local Plan Review (2005) and Policy CS5 of the Braintree District Local Development Framework Core Strategy (2011).

2. Policies CS10 and CS11 of the Braintree District Local Development Framework Core Strategy (2011) and Policy 138 of the Braintree District Local Plan Review (2005) require developers to provide or contribute towards the cost of providing open-space (and its maintenance), essential community facilities and other infrastructure appropriate to the type and scale of development proposed. In addition, Braintree District Council has adopted an Open-Space Supplementary Planning Document (SPD), which sets out its requirements in this regard, including the process and mechanisms for the delivery and improvement of open-space.

In this case, a Section 106 Agreement would be required to secure the following matters:

- 40% affordable housing (70/30 tenure mix rent over shared ownership);
- Submission of a site wide housing strategy prior to the submission of Reserved Matters and to include details of market and affordable housing and a phasing plan;
- A financial contribution toward Primary School provision to be calculated using Essex County Council's standard formula S106 clause;
- A financial contribution toward the provision of free transport to secondary schools to be calculated using Essex County Council's standard formula S106 clause;

- The provision of a footway from the application site into Great Bardfield as shown on the submitted access plan;
- The provision of Residential travel information Packs for future occupiers of the development;
- A financial contribution toward the off-site provision of allotments, outdoor sports provision and equipped playgrounds with appropriate funds to be allocated to a new playground and pavilion building at the Playing Field, Bendlowes Road, Great Bardfield.

A S106 Agreement has not been reached and as such the proposal is contrary to the above policies and the adopted SPD.

SUBMITTED PLANS

Location Plan	Plan Ref: 100
Site Masterplan	Plan Ref: 101
Highway Plan	Plan Ref: F14177/01 REVB
Highway Plan	Plan Ref: F14177/02

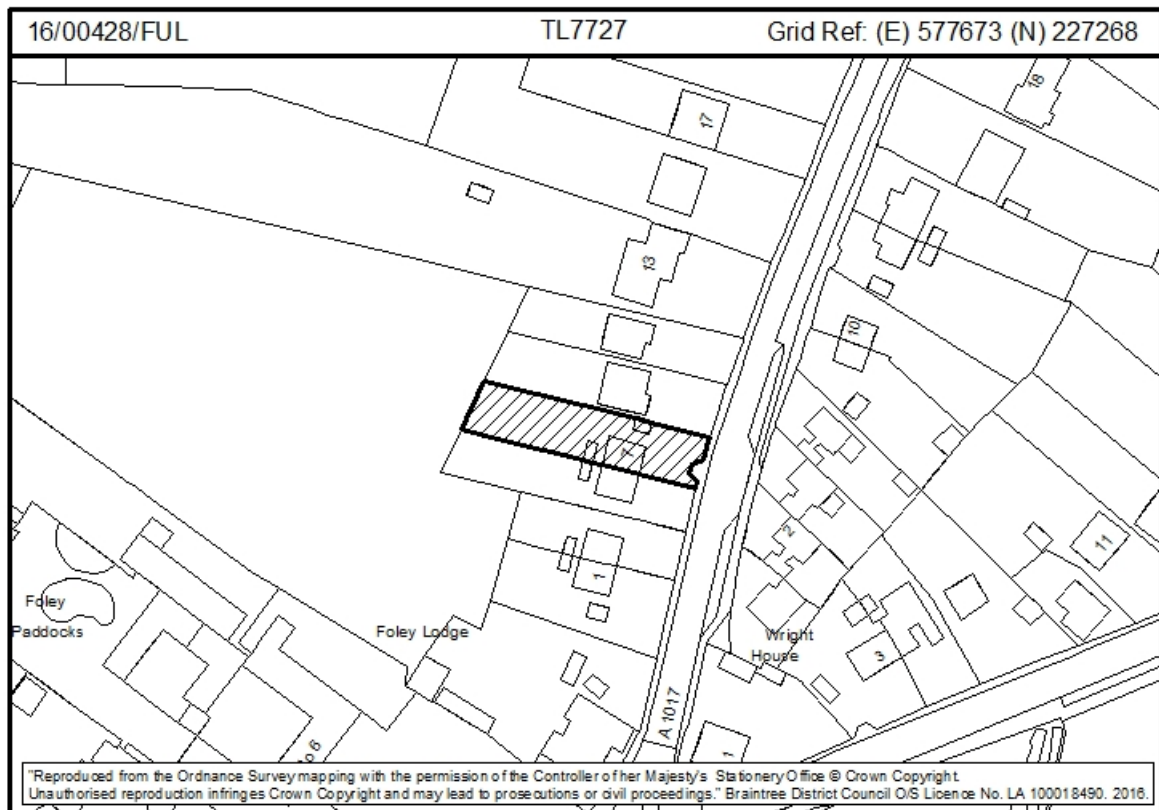
TESSA LAMBERT
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5b

PART B

APPLICATION NO: 16/00428/FUL DATE: 14.03.16
VALID:
APPLICANT: Ms Claire Hawkins
7 Gosfield Road, Braintree, Essex, CM7 5NZ
AGENT: Oswick Ltd
5/7 Head Street, Halstead, Essex, C09 2AT
DESCRIPTION: Erection of single storey rear extension to replace existing conservatory
LOCATION: 7 Gosfield Road, Braintree, Essex, CM7 5NZ

For more information about this Application please contact:
Daniel White on:- 01376 551414 Ext.
or by e-mail to: daniel.white@braintree.gov.uk



SITE HISTORY

04/01476/FUL	Erection of two storey side extension	Refused	09.09.04
79/1740	Outline for the erection of 2 dwellings	Granted	18.12.79
92/00347/POHN	Erection Of Two Dwellings	Granted	24.06.92
04/02433/FUL	Erection of two storey side extension	Granted	28.02.05

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
RLP17 Extensions and Alterations to Dwellings in Towns and Villages
RLP90 Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

The application is brought to Planning Committee as the applicant is a member of staff.

SITE DESCRIPTION

The application site comprises a semi-detached property situated in Gosfield. The site has a large driveway at the front and a large rear garden. There is an existing conservatory to the rear of the dwelling. The site is located within the village envelope.

PROPOSAL

The application proposes to replace the existing conservatory with a new single storey rear extension. The existing extension is in a poor condition and the new extension would provide the applicant with a new kitchen diner.

The single storey rear extension would be constructed using bricks matching those used in the existing dwelling. The proposal includes white UPVC bi-folding doors leading to the garden and a small white UPVC window on the

side elevation. The proposed would have an M shaped pitched roof, using tiles to match the existing dwelling.

CONSULTATION

Gosfield Parish Council raised no objections with the application.

REPRESENTATIONS

No representations were received from members of the public, or any neighbouring dwellings.

REPORT

Principle of Development

The dwelling is situated within Gosfield village envelope, therefore Policy RLP3 from the Braintree District Local Plan Review will apply. Policy RLP3 ensures that development will only be permitted where it satisfies amenity, design, environmental and highway criteria without affecting the existing character of the settlement. CS9 from the Braintree District Council Local Development Framework, together with RLP17 and RLP90 promote a high standard of design and layout of development and are discussed in more detail below.

Design, Appearance and Layout

Policy RLP17 and RLP90 ensures, inter-alia, that there should be no overdevelopment of the plot, the materials used should be compatible with the existing dwelling, together with having no adverse impact on the amenities of adjoining residential properties. The application meets the criteria set out in RLP17 and RLP90 as the rear extension will not result in the overdevelopment of the plot, the materials to be used are compatible with the existing dwelling, and the design is considered to be acceptable.

Impact on Neighbour Amenity

In this case it is not considered that the proposal would have a detrimental impact upon neighbouring residential amenity in terms of loss of natural light, overshadowing, overbearing or in terms of overlooking due to the size, siting and design of the proposal.

Highway Issues

The extension is to the rear of the property and parking will not be affected.

CONCLUSION

In conclusion, it is considered that the application would not have a detrimental impact to the amenities of neighbouring properties, and in terms of its siting, scale and design it is considered to be acceptable. Accordingly it is recommended that planning permission 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

General Plans & Elevations Plan Ref: 15-283-AS-1

- 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

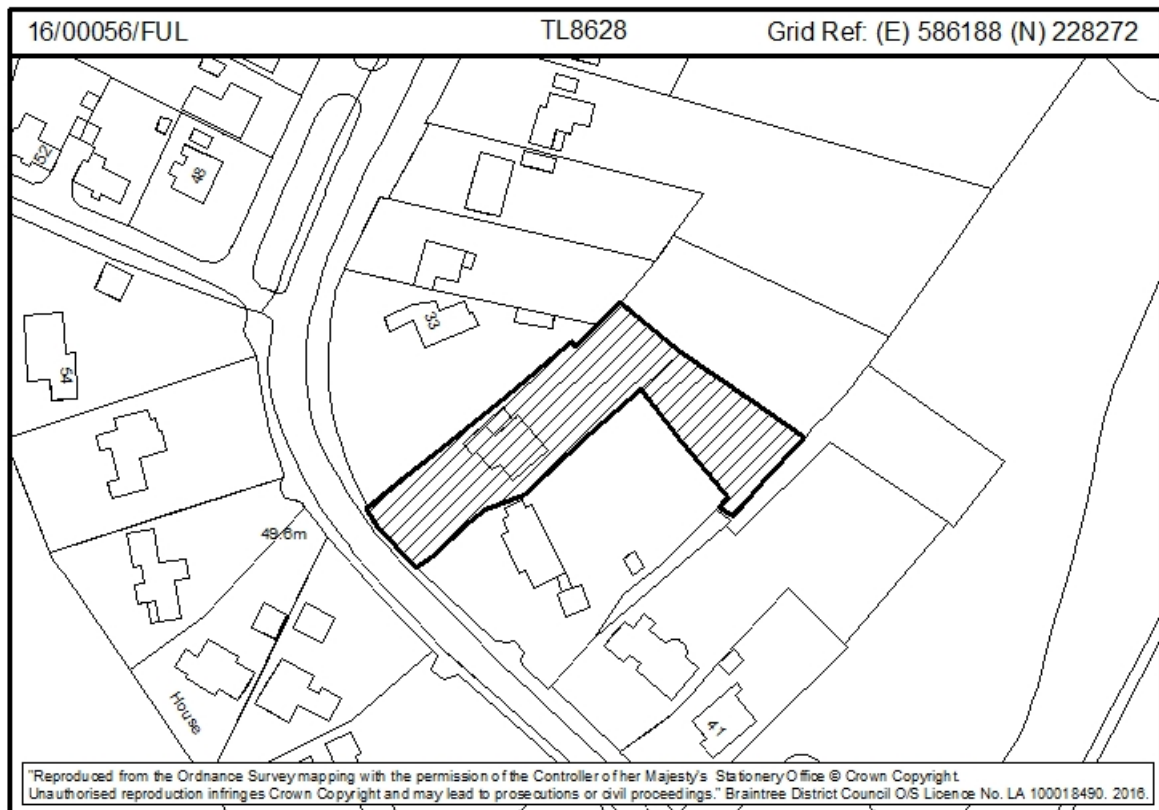
For the avoidance of doubt and in the interests of proper planning.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00056/FUL DATE: 25.01.16
 VALID:
 APPLICANT: Mrs Maureen Stanford
 35 Coggeshall Road, Earls Colne, Essex, CO6 2JR
 AGENT: PSCS Ltd
 9-11 St Johns Green, Colchester, Essex, CO2 7EZ
 DESCRIPTION: Erection of extension to existing dwelling to form annexe accommodation for family use.
 LOCATION: 35 Coggeshall Road, Earls Colne, Essex, CO6 2JR

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

15/00228/FUL	Erection of extension to existing dwelling to form annexe accommodation.	Withdrawn	07.04.15
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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
RLP17	Extensions and Alterations to Dwellings in Towns and Villages
RLP90	Layout and Design of Development

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being brought to the Planning Committee for determination due to representations from Earls Colne Parish Council which object to the proposal, contrary to officer recommendation.

SITE DESCRIPTION

The application site comprises No.35 Coggeshall Road, a detached dwelling located within Earls Colne development boundary. It is not within a Conservation Area or subject to any listing. The site is located on a bend in Coggeshall Road approximately 150 metres from the village edge, and the road slopes down in a generally northerly direction when travelling towards the village centre. No.35 was constructed in the garden of No.37 some years ago by the applicant's husband, at which time they owned No.37. The houses are generally well set back from the road edge with mature vegetation and front gardens providing visual screening, and softening the urban character. There is a driveway and parking area within the front curtilage.

This area of Coggeshall Road is characterised by its wide variety of properties which vary in age and style. No.33, the adjacent neighbouring property to the north, stands out from the other properties in the road. This being a mid-twentieth century architect designed house that is recognisable by what could now be considered to be typical modernist elements. No.33 sits towards the

northern boundary of its curtilage and is located approximately 15 metres away from the proposed location for the annexe.

No.35 sits in a reasonably generous “L” shaped plot. The rear garden slopes down fairly gently to the north east. There is a mature conifer hedge along the boundary with No.33 and some large individual trees that are to be retained. A Tree Protection Plan has been submitted in support of the application. There is an existing derelict shed adjacent to the boundary with No.33 that is to be removed.

PROPOSAL

It is proposed to erect a single-storey linear extension to the rear of the property that will serve as an annexe for the use of the applicant, with family members living in the main house providing living support as required. The annexe will provide a Kitchen/Living Room, Bedroom, and Bathroom, and will be attached to the main house by way of a link section into the garden room that will be created by reconfiguring the existing study and conservatory at the northeast rear corner of the house.

CONSULTATIONS

ECC Highways

No comments to make on this proposal as it is not contrary to Transport Plan Policies

BDC Environmental Services Pollution

No objection to the development on Environmental Health grounds subject to conditions

Earls Colne Parish Council

The Parish Council wishes to reiterate the comments made on the previous application for this site.

The Parish Council has no objections to this application in principle. However, members felt that the annexe extension was too large in proportion to the existing property and should be scaled back in size. Members were disappointed to note the change in architectural design from the previous withdrawn application 15/00228/FUL which appears to be out of keeping with the existing property and detracts from the street scene.

In addition, members would wish to see a proviso that the dwelling, as extended, shall only be used for single family occupancy, including dependent relatives and not split for use as two or more separate dwellings (in line with Planning Permission granted for 37 Coggeshall Road 93/00125/FUL).

It would also appear that a large, mature tree has recently been removed from the garden of the property where it is proposed the extension would be built.

REPRESENTATIONS

A site notice was displayed opposite the site and neighbour notification letters were sent out to adjacent properties.

In response, 2 objections have been received from the neighbour at No.33 Coggeshall Road, to the original and revised proposal respectively. The concerns raised within the letters of objection can be summarised as follows:

- The proposal has addressed a previous comment in respect of 15/00228/FUL (withdrawn) whereby floor levels have been changed to remove the need to a hoist lift to permit disabled access between the existing house and the proposed extension but the need to import additional fill exacerbates other problems (see comments re construction access below).
- The single pitched roof provides a net improvement over the original proposal but there will still be a loss of winter sunlight.
- Provision of additional accommodation will result in an increase in traffic to/from a property with probably the worst access along the length of the road.
- Safe access onto the road for construction traffic will be a major problem, the front garden will be destroyed if lorries pull off the road onto the curtilage.
- It will not be possible to carry out the proposed work without unreasonable inconvenience to users of the increasingly busy B1024 and to both Mrs Stanford and her neighbours.
- It is not necessary to provide additional accommodation in this way, there are options available to reconfigure the existing house that will involve less disruption and stress to the applicant.
- Great consideration was given to light in the design of our home which has a great proportion of glazing. The impact of the proposed development is therefore unusually high on the effect on sunlight and daylight, the visual impact and the overbearing impact on our property. The roofline mitigates but does not eliminate this element.
- The extension will not be obtrusive in the street scene but will adversely affect the rural hinterland and character of the area.
- The existing house is in keeping with the size of its plot.
- No details are given of the Green Roof but the impact will surely be detrimental.

REPORT

Principle of Development

The site is located within a development boundary where there is a general presumption in favour of sustainable development, subject to the detailed

policies in the plan. In this location, as set out in Policies RLP3 and RLP90 of the Braintree District Local Plan Review, development will only be permitted where it satisfies amenity, design, and highway criteria and where it can take place without detriment to the existing character of the area, provided that there is no over development of the plot, the siting, bulk, form and materials of the extension are compatible with the original dwellings and among other issues, there should be no unacceptable adverse impact on the amenities of adjoining residential properties, including on privacy, overshadowing and loss of light.

Policy CS9 of the Braintree District Core Strategy states that the Council will promote and secure the highest possible standards of design and layout in all new development.

The adopted Development Plan requires that extensions and alterations to an existing dwelling be considered in the light of the impact on the existing property, on neighbouring properties and the locality. Extensions and alterations to properties within towns and villages are judged against the criteria set out in policy RLP17 of the Braintree District Local Plan Review. This policy requires that extensions should respect the bulk, form and materials to the host property and should not detract from the amenity of neighbouring premises or the character of the area. It also states that there should be no over-development of the plot when taking into account the footprint of the building and the relationship to the boundaries and the siting, bulk, form and materials of the extension should be compatible with the original dwelling.

In this case, the principle of development in this location is considered to be acceptable, subject to consideration of the aforementioned policy criteria. The Braintree District Local Plan Review provides support for annexe accommodation for dependent relatives, however to be considered as an annexe, the building must have both a physical and a functional relationship with the main dwelling.

In this instance, the annexe would be physically linked to the existing dwelling. Furthermore, the amount of accommodation proposed would not be of a scale incompatible with an annexe. It is material that the proposal is for an annexe as opposed to a separate unit of accommodation. Notwithstanding the above, a condition is recommended, to ensure that the annexe accommodation remains ancillary to the main house and not used or occupied on a commercial basis or let/disposed of as a separate self-contained residential dwellinghouse.

Design, Appearance and Layout

The extension will feature a mono-pitch “Green Roof” and large areas of glazing that will face into the garden of No.35. There are no windows in the northern flank wall. Patio doors will feature on either side of the link section. No.35 features brick facing and rendered elements with a clay tile roof. The

Garden Room will be faced in brickwork to match the existing house. The annexe will be finished in render.

The length of the link section as originally submitted was approximately 4.2 metres which was considered to be excessive it was also considered that a better balance of solid and void could be achieved with an amended glazing arrangement. These concerns were discussed with the applicant and an amended proposal submitted which reduced the length of the link to approximately 2 metres. It is considered that this has improved the relationship between the main house and the extension and reduced the projection along the boundary. Amendments have also been made to improve the proportions and layout of the glazing arrangement.

Although the proposal is more modern in style than the existing house, it is considered that the proposed bulk, form and design of the extension is acceptable and would not have a detrimental impact upon the character and appearance of the existing dwelling or the wider area.

Impact on Neighbour Amenity

While one of the patio doors in the link would face towards the amenity area of No.33 which is located to the southern side of the property, given the existing boundary treatment and the single storey nature of the proposal, it is considered that this aspect of the proposal would not have a detrimental impact in terms of overlooking.

Taking into account the position of the dwelling, and having regard to the proposed works, it is considered that the proposal would not have a detrimental impact upon adjacent residential properties in terms of loss of natural light, overshadowing, overbearing, or in terms of overlooking.

Highway Issues

No amendments are proposed to the vehicular access and an additional parking space is to be created within the front curtilage. As such, the property would retain adequate off-street car parking. It is considered therefore that there are no highways implications associated with this application. There are no parking restrictions on the road adjacent the property. If any obstruction of the highway were to occur during the finite construction period this would be a matter for the Highways Authority.

Other Issues

An objection has been raised concluding that the house could be reconfigured rather than extended to minimise disruption. This is not a material planning consideration and the Local Authority must assess, on its own merits, the proposal that the applicant has submitted.

CONCLUSION

In conclusion, although the proposal would be more modern in style than the existing house it is considered that the proposal will not have a detrimental impact upon the character and appearance of the existing dwelling or the wider area. In this regard it is considered that there is a mix of styles of built form within the immediate vicinity of the application site and therefore it is not considered that the proposal would be out of keeping. Furthermore, it is considered that the proposal would not result in an overdevelopment of the plot, and would be adequately screened from the street scene, with the Green Roof further softening the visual impact. It is therefore recommended that planning permission is granted for the proposal.

RECOMMENDATIONS

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

Floor Plan

Plan Ref: 158827:001

Version: A

Elevations

Plan Ref: 15827:002

Version: A

Landscaping

Plan Ref: 35 COGGESHALL LSP Version: A

Tree Plan

Plan Ref: DFC P2982 TPP

- 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 The external materials and finishes shall be as indicated on the approved plans and/or submitted application form.

Reason

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

- 4 No above ground works shall take place until full details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason

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

- 5 No site clearance, demolition or construction work shall take place on the site, including starting of machinery and delivery of materials, outside the following times:-

Monday to Friday 0800 hours - 1800 hours

Saturday 0800 hours - 1300 hours

Sundays, Public and Bank Holidays - no work

Reason

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

- 6 No piling shall be undertaken on the site in connection with the construction of the development until a system of piling and resultant noise and vibration levels has been submitted to and agreed in writing by the Local Planning Authority and shall be adhered to throughout the construction process.

Reason

In order to minimise nuisance caused by pollution in the interests of residential amenity.

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

Reason

In order to minimise nuisance caused by pollution in the interests of residential amenity.

- 8 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as "35 Coggeshall Road" as identified on the submitted Location Plan. 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

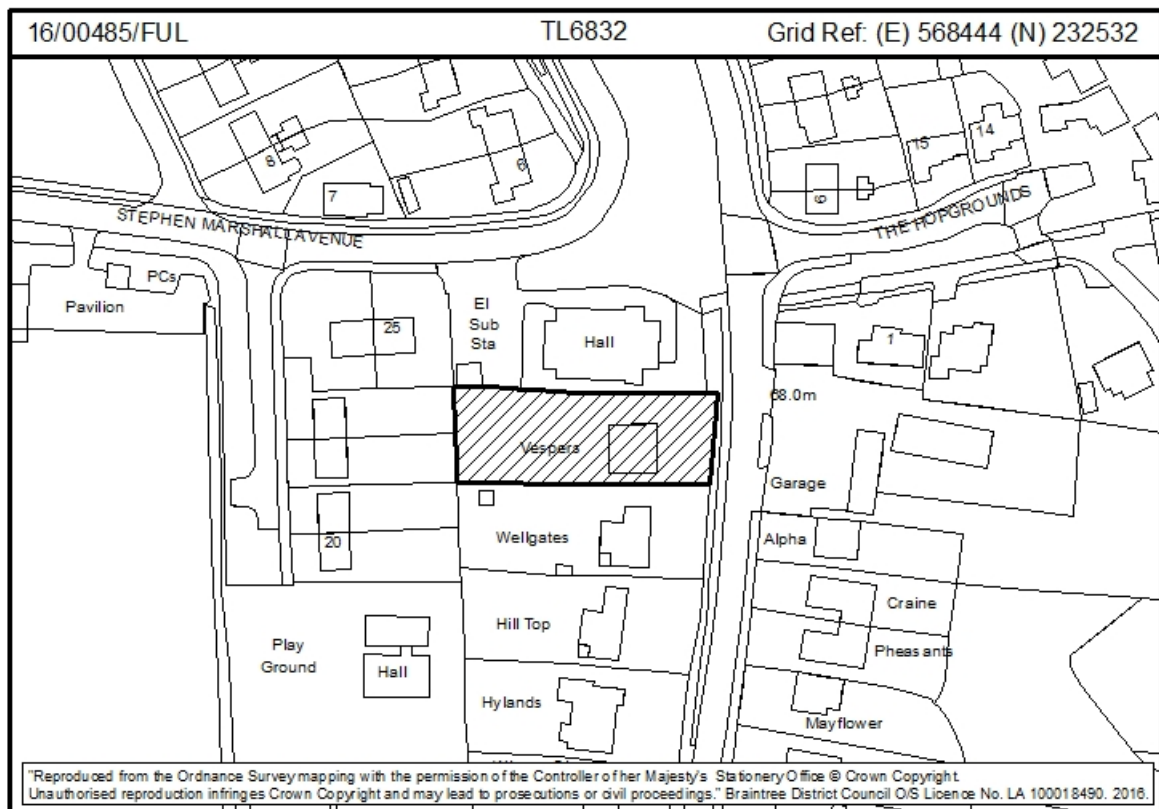
In order to enable the local planning authority to give consideration to any residential use of the property other than as a single dwelling unit.

TESSA LAMBERT - DEVELOPMENT MANAGER

PART B

APPLICATION NO: 16/00485/FUL DATE: 24.03.16
 VALID:
 APPLICANT: Mr and Mrs D Lawton
 Vespers, Bardfield Road, Finchingfield, Essex, CM7 4LX
 AGENT: Paul Sheridan Design
 6A Emson Close, Saffron Walden, Essex, CB10 1HL
 DESCRIPTION: Erection of single storey rear extension, alterations to roof including new dormer windows, double garage and alterations.
 LOCATION: Vespers, Bardfield Road, Finchingfield, Essex, CM7 4LX

For more information about this Application please contact:
 Mrs H Reeve on:- 01376 551414 Ext. 2503
 or by e-mail to: helen.reeve@braintree.gov.uk



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

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP3	Development within Town Development Boundaries and Village Envelopes
RLP17	Extensions and Alterations to Dwellings in Towns and Villages
RLP56	Vehicle Parking
RLP90	Layout and Design of Development

INTRODUCTION

This application is brought before Committee as the Parish Council have raised an objection, contrary to officer recommendation.

SITE DESCRIPTION

The site is located towards the southern end of Finchingfield, within the development boundary but outside the Conservation Area.

The site comprises 'Vespers', a red brick detached bungalow with a double hipped roof, with the dwelling itself set back just over 10 metres from the road frontage on a slightly elevated position, a characteristic of properties along this immediate stretch of Bardfield Road.

Immediately adjacent the site is the village hall, opposite is a petrol station/motor sales and repair garage/village store and the remainder of neighbouring use is residential with the rear gardens of properties along Stephen Marshall Avenue backing onto the application site. There is a variety of house designs and ages within the vicinity, although bungalows are the predominant type of dwelling, with dormer windows being a characteristic on the front elevation. The area is well landscaped with hedging and trees along the road frontage, which obscures full views of properties within the street scene.

To the rear is a large garden with ground levels increasing to the rear boundary. Boundaries on both sides are fairly open with a hedge separating

the application site with 'Wellgates' the residential property to the southern side. There are currently clear views into and out of the site, with a side dormer window on Wellgates facing into the application site and windows to the village hall facing towards the side boundary.

PROPOSAL

Planning permission is sought for enlargements to the property comprising the following:-

- change in roof design from a dual hipped roof to gable ends on both sides
- a side extension with front dormer window comprising double garage, measuring 5.7 metres wide and would be sited 700mm from the boundary with the village hall
- Rear garden room extension of a contemporary design, measuring 8.2 metres length – first 5 metres at a height of 3 metres with the remain 3.2 metres increasing to 5.3 metres with a 35 degree incline roof
- New dormer window on rear roof slope
- New rooflights on front elevation, new long windows in both side elevations, obscure glazed proposed for elevation facing 'Wellgates'.

It should be noted that revised plans have been received following discussions with the case officer – the front dormer window has been reduced in size and side windows facing Wellgates are now proposed with obscure glazing. In addition, off street parking provision is now indicated on the drawings.

CONSULTATIONS

An objection received from Finchingfield Parish Council, issues summarised as follows:-

- Too close to either boundary (north and south)
- Removes light from south facing aspect of village hall – only source of natural light to whole building
- Out of character with rest of road
- Overlooks Wellgates
- Very large development for the site

No letters of representation have been received from members of the public.

REPORT

Principle of Development

The site is located within the Finchingfield development boundary, wherein the National Planning Policy Framework supports development, stating that there should be presumption in favour of development.

Furthermore, RLP 17 allows for extensions to dwellings in towns and villages, subject to various criteria, including that there should be no over-development of the plot when taking into account the footprint of the existing dwelling and the relationship to plot boundaries.

The Parish Council's comments regarding the scale of development are noted in this respect. In terms of an over development of the plot, the footprint of the dwelling is not increasing along the boundary with the residential neighbouring property, Wellgates. However it is accepted that it would be projecting closer to the boundary with the Finchingfield Village Hall. The property itself (and adjacent) are sited well back from the highway, giving a feeling of spaciousness within the street scene. The footprint of adjacent properties takes up the majority of the width, with Vespers currently showing a gap between it and the village hall. The increased footprint would not be out of keeping with surrounding development and given the overall size of the site, with a large rear garden, it is not considered the development would result in an over development.

Design, Appearance and Layout

The proposal is a bold and contemporary design, particularly the garden room to the rear, with its different roof heights and extensive use of glazing. However, the overall ridge height to the dwelling itself is not increasing, therefore from a street scene perspective would still be read as a chalet style dwelling, and largely respecting the scale of nearby residential properties. The proposed materials would result in a modern contemporary dwelling and although the character of the original dwelling would be altered, it is not considered this would be detrimental to the wider street scene. There are varying styles of dwelling in the area, largely bungalows with dormer windows present, including the application property. Revised plans have been submitted with a reduced front dormer window, which now appears more proportionate within the front roof slope. Overall, although this is an unusual proposal in terms of a domestic extension, it is considered to be an acceptable one and accords with the relevant policy criteria in this respect.

Impact on Neighbour Amenity

The Parish Council's concerns are noted. In terms of impact on the village hall itself, policy criteria talks of impact on *residential* neighbouring amenity. The village hall is not a habitable dwelling and therefore in terms of loss of outlook from the village hall windows, this is not a valid planning consideration. The comments are however noted concerning impact on the occupants of Wellgates, the adjacent neighbouring property. Revised plans have been submitted and neighbours are currently being re-consulted at the time of writing this report. The side windows directly facing Wellgates have been altered to obscure glazing to avoid overlooking. A rear dormer window could be inserted into the rear roof slope without the need for planning permission and this must be borne in mind in determining this application. Although it is accepted that there would be some overlooking, it is not considered that it

would be to a level which would warrant refusal of the application, and on this basis it should be considered to be acceptable.

Highway Issues

The proposed double garage does not meet the current Essex County Council Car Parking Standards, 2009 – the internal dimensions of a single garage should be 3 m x 7 m. The proposed dimensions are 2.4m x 4.8m. However, revised plans show there is ample space for 2 no. cars which meets the adopted parking standards together with manoeuvring space, the proposal is therefore considered to be acceptable in this respect.

CONCLUSION

The proposal is considered to be acceptable, and accords with the necessary policy criteria.

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

Existing Floor Plan	Plan Ref: PSD/VES/02	Version: A
Existing Floor Plan	Plan Ref: PSD/VES/03	Version: A
Existing Roof	Plan Ref: PSD/VES/04	Version: A
Existing Elevations	Plan Ref: PSD/VES/05	Version: B
Existing Sections	Plan Ref: PSD/VES/06	Version: B
Proposed Sections	Plan Ref: PSD/VES/12	Version: B
Proposed Sections	Plan Ref: PSD/VES/13	Version: B
Location Plan	Plan Ref: PSD/VES/01	Version: B
Proposed Floor Plan	Plan Ref: PSD/VES/07	Version: C
Proposed Floor Plan	Plan Ref: PSD/VES/08	Version: C
Proposed Roof Plan	Plan Ref: PSD/VES/09	Version: C
Proposed Elevations	Plan Ref: PSD/VES/10	Version: C
Proposed Elevations	Plan Ref: PSD/VES/11	Version: C
Supporting Documents	Plan Ref: GARAGE DOORS AND WINDOW DETAIL	

- 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.

TESSA LAMBERT
DEVELOPMENT MANAGER