

Planning Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be webcast and audio recorded.

Date: Tuesday, 31 March 2015

Time: 19:15

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

Membership:

Councillor J E Abbott
Councillor P R Barlow
Councillor E Bishop
Councillor R J Bolton
Councillor L B Bowers-Flint
Councillor C A Cadman
Councillor T J W Foster
Councillor P Horner

Councillor S C Kirby
Councillor D Mann
Councillor Lady Newton
Councillor J O'Reilly-Cicconi
Councillor R Ramage
Councillor W D Scattergood
(Chairman)
Councillor G A Spray

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

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 17th March 2015 (copy to follow).

4 Public Question Time

(See paragraph below)

- 5 **Deferred Item - Application No. 14 01544 FUL - Coggeshall Town Football Club, West Street, COGGESHALL** 4 - 20
- 6 **Planning Applications**
To consider the following planning applications.
- PART A**
 Planning Applications:-
- 6a **Application No. 15 00014 FUL - 1 Gore Terrace, Gore Road, RAYNE** 21 - 28
- 6b **Application No. 15 00004 FUL - Upper Barn Cottages, Hedingham Road, WETHERSFIELD** 29 - 40

PART B

Minor Planning Applications:-

There are no applications in Part B.

- 7 **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.
- 8 **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

- 9 **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 email demse@braintree.gov.uk

Public 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 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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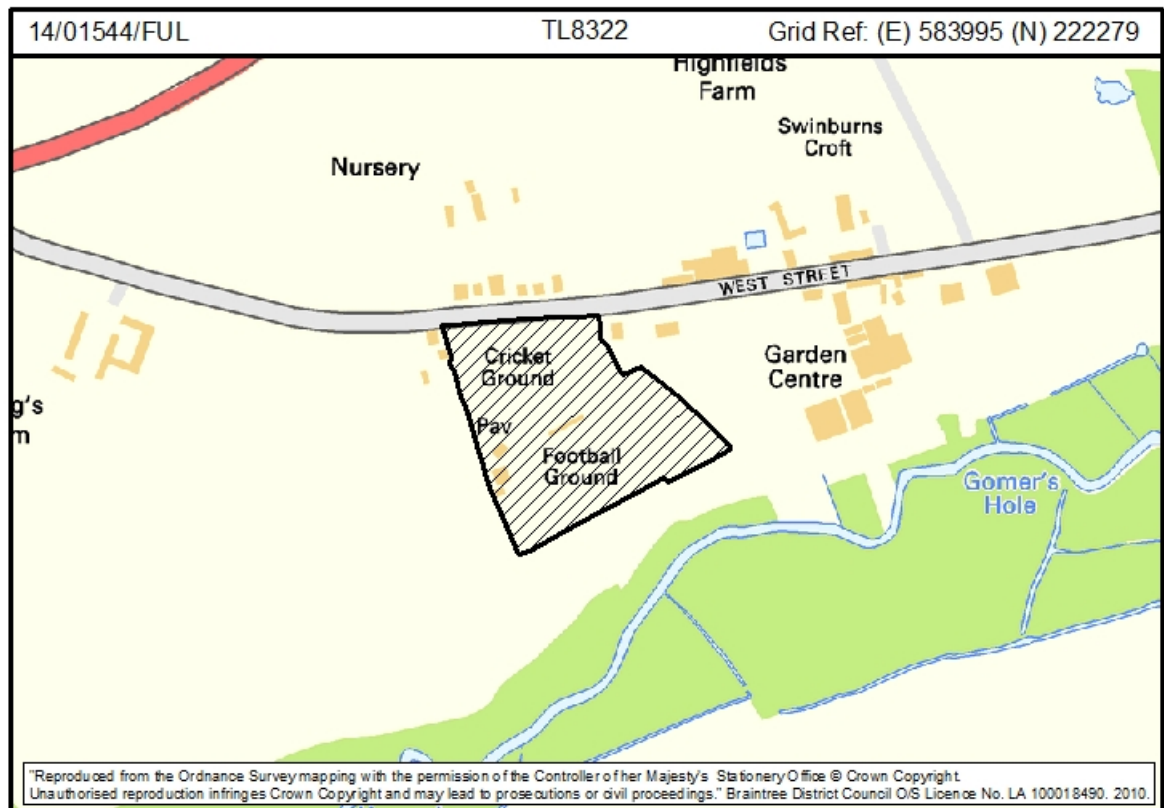
Contact Details:

AGENDA ITEM NUMBER 5

DEFERRED ITEM

APPLICATION NO:	14/01544/FUL	DATE VALID:	11.12.14
APPLICANT:	Mr G Smith Coggeshall Town Football Club, West Street, Coggeshall, Essex, CO6 1NT		
AGENT:	Mr Mark Halliday Halliday West, 2 The Green, Writtle, Chelmsford, CM1 3DU		
DESCRIPTION:	Proposed demolition and rebuild of the existing changing room block, construction of new turnstile entrance, proposed installation of new and replacement floodlights to the main and practice pitch and proposed ball-stop netting to the east and west of the practice pitch		
LOCATION:	Coggeshall Town Football Club, West Street, Coggeshall, Essex, CO6 1NT		

For more information about this Application please contact:
Matthew Wood on:- 01376 551414 Ext. 2522
or by e-mail to: matthew.wood@braintree.gov.uk



BACKGROUND

This planning application was originally presented to Planning Committee on Tuesday 3rd March 2015 (original Committee report at Appendix 1) where Members agreed to defer the application pending discussions with the applicant over the extent of the proposed use of the floodlights on the practice pitch.

APPRAISAL

Following this decision the applicant has confirmed the proposed extent of the use of the floodlights on the practice pitch and has written to adjacent neighbours informing them of their intentions. The proposed use of the floodlights is as follows:

January - Mondays to Thursdays inclusive only;
February - Mondays to Thursdays inclusive only;
March - Mondays to Thursdays inclusive only;
October - Mondays to Thursdays inclusive only;
November - Mondays to Thursdays inclusive only; and
December - Mondays to Thursdays inclusive only.

These times and level of use are considered acceptable to the Local Planning Authority (LPA). Therefore should planning permission be granted a condition would be attached restricting the use of floodlights on the practice pitch to these periods only. As originally recommended a condition would also be attached restricting the use of floodlights on the practice pitch to no later than 9pm on any day.

Further details of the proposed heights of the floodlighting and more specific details relating to the proposed ball-stop netting have also been provided. To clarify the height of the proposed 4 no. floodlights on the main pitch would measure 18m. The applicant has stated that this height gives the opportunity for lighting to cover a wider area when aimed towards the ground which reduces the need for more floodlights. In visual terms the proposed floodlights and lighting columns are fairly narrow and are not considered unacceptable in this context. The height of the proposed practice pitch floodlights would measure 8m.

The proposed ball-stop netting would be of a 50mm mesh specification which would measure 6m in height with supporting poles measuring up to 10m in height. Given the precise location of the ball-stop netting it is considered that such a proposal would be acceptable subject to the imposition of a further condition requiring that the ball-stop netting be maintained regularly to minimise the potential for them to deteriorate and detract from the appearance of the area. Should planning permission be granted such a condition would be attached.

As part of the above correspondence the applicant confirmed that they have no intention to introduce additional landscaping/planting in and around the site

as has been requested by local neighbours. Given that a condition would be attached to planning permission should it be granted requiring that lux levels do not exceed 1 lux at the boundary with neighbouring residential properties it is not considered that additional landscaping/planting would be required in order to make the proposed floodlighting acceptable. Further lux levels for the proposed floodlighting have also been submitted confirming that this lux level requirement is achievable.

A further point to add is that, in the interests of clarity and proper planning, the description of development has been amended to exclude all references to new fencing on the site as this is considered to class as permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO) and therefore falls outside the scope of this planning application.

CONCLUSION

Significant weight is given to the improvement and safeguarding of such sporting facilities by policies RLP 129, RLP 134 and RLP 135 and given the long established use of the site these principles are considered to apply in this instance. Taking into account the information submitted as part of this application it would appear unlikely that such a proposal, including the floodlighting element, would give rise to adverse impacts on the locality including neighbouring amenity and visually. Therefore the proposed development is considered acceptable subject to the imposition of appropriate conditions as outlined below.

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	Plan Ref: 14/076/02	
Proposed Plans	Plan Ref: 14/076/01	
Technical Information	Plan Ref: Trade Time Controllers	
Technical Information	Plan Ref: 2737/2/M	Version: B
Technical Information	Plan Ref: 2737/3/M	
Technical Information	Plan Ref: 2737/4/M	
Proposed Elevations	Plan Ref: 14/076/04	
Technical Information	Plan Ref: Netting Specification	
Proposed Elevations	Plan Ref: 14/076/03	Version: A
Technical Information	Plan Ref: Sports Pack: HI330 18metre	
Technical Information	Plan Ref: Challenger 1 AI5760	
Technical Information	Plan Ref: Troika 96240050	
Technical Information	Plan Ref: Abacus Brilliant Sports Lighting	

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

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

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

- 3 The external materials and finishes shall be as indicated on the approved plans and/or schedule unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the use of appropriate materials having regard to the importance of this scheme in the open countryside and to ensure that the choice of materials will harmonise with the character of the surrounding development.

- 4 The main pitch floodlighting hereby permitted shall be carried out in full accordance with the approved plans and specifications contained within the Abacus Brilliant Sports Lighting document, Challenger 1 AL5760 specification leaflet and Sports Pack: HL330 18 Metre document. Once implemented the floodlighting shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect neighbouring amenity and the surrounding area.

- 5 The practice pitch floodlighting hereby permitted shall be carried out in full accordance with the approved plans and specifications contained within the Troika 96240050 Troika 400W Hit E40 60/70D/L document and Trade Time Controllers ELU5620 7 Day 20 Amp Electronic Time Controller document. Once implemented the floodlighting shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect neighbouring amenity and the surrounding area.

- 6 The main pitch floodlighting hereby permitted shall not be used later than 22:00 hours on any evening.

Reason

To protect neighbouring amenity and the surrounding area.

- 7 The practice pitch floodlighting hereby permitted shall not be used later than 21:00 hours on any evening.

Reason

To protect neighbouring amenity and the surrounding area.

- 8 No public address or amplified sound system shall be used on the site.

Reason

To protect neighbouring amenity and the surrounding area.

- 9 All floodlighting shall be maintained at all times to ensure that it is set at a 0 degree tilt to the horizontal.

Reason

To protect neighbouring amenity and the surrounding area.

- 10 The use of the floodlights on the practice pitch shall not be operated outside of the following days/months:

January	-	Mondays to Thursdays inclusive only;
February	-	Mondays to Thursdays inclusive only;
March	-	Mondays to Thursdays inclusive only;
October	-	Mondays to Thursdays inclusive only;
November	-	Mondays to Thursdays inclusive only; and
December	-	Mondays to Thursdays inclusive only.

Reason

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

- 11 Within 31 days from the date of this permission a management plan for the ball-stop netting hereby permitted shall be submitted to the Local Planning Authority for their approval in writing. The management plan shall include for yearly assessments of the condition of the structure/netting and necessary maintenance works as appropriate.

Reason

To ensure that the ball-stop netting is maintained to an acceptable standard having regard to the appearance of the local area.

- 12 The maximum lux levels of the floodlighting shall be no greater than 1 Lux within the boundary of any residential property adjoining the site. The floodlighting for both main and practice pitches shall be designed, installed and maintained at all times to prevent light spillage beyond the site.

Reason

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

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
- 2 All construction or demolition works should be carried out in accordance with the "Control of Pollution and Noise From Demolition and Construction Sites Code of Practice 2012." A copy can be viewed on the Council's web site www.braintree.gov.uk, at Planning Reception, or can be emailed. Please phone 01376 552525 for assistance.
- 3 In relation to condition no. 12 of this permission you are advised that the design of the floodlighting should seek to minimise light spillage and pollution. Such requirements may be achieved by appropriate baffels/shielding in the direction of residential property (as practicable).

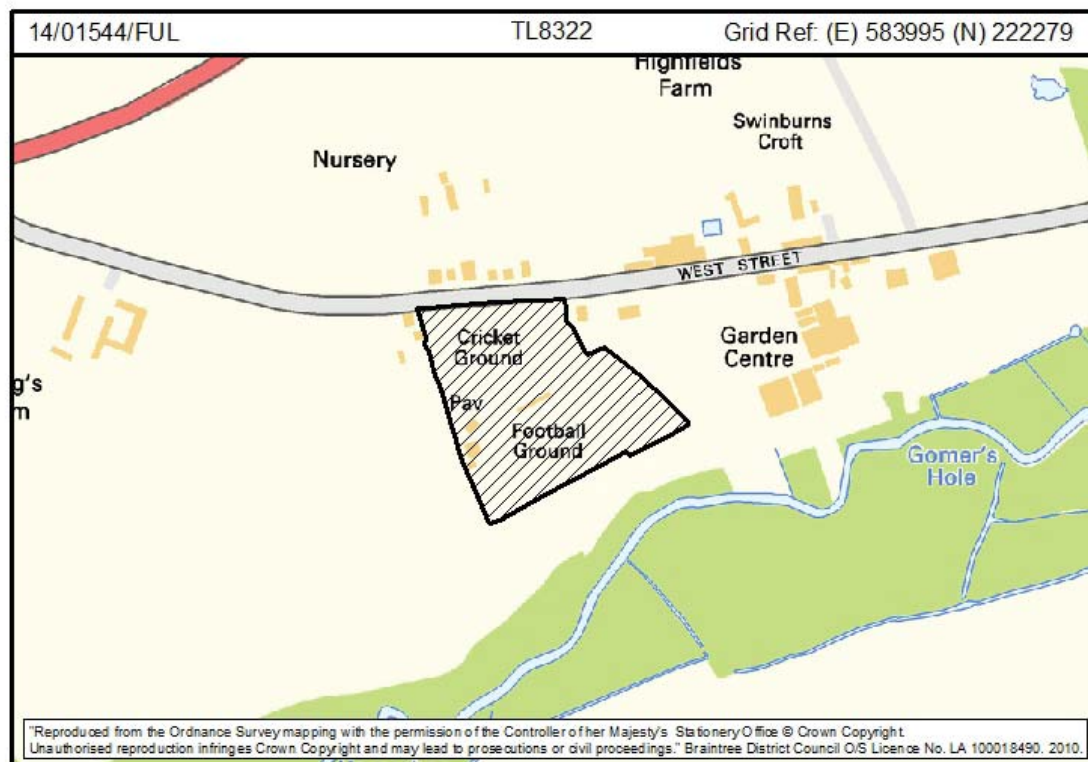
TESSA LAMBERT
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5g

PART B

APPLICATION NO: 14/01544/FUL DATE: 11.12.14
 VALID:
 APPLICANT: Mr G Smith
 Coggeshall Town Football Club, West Street, Coggeshall,
 Essex, CO6 1NT
 AGENT: Mr Mark Halliday
 Halliday West, 2 The Green, Writtle, Chelmsford, CM1 3DU
 DESCRIPTION: Proposed demolition and rebuild of the existing changing
 room block on the west side and the construction of a
 turnstile entrance to the east side. Proposed installation of
 floodlights to the main and youth team pitches. Proposed
 timber fencing with gates to enclose the pitches. Proposed
 ball stop nets between floodlights poles to the youth team
 pitch.
 LOCATION: Coggeshall Town Football Club, West Street, Coggeshall,
 Essex, CO6 1NT

For more information about this Application please contact:
 Matthew Wood on:- 01376 551414 Ext. 2522
 or by e-mail to: matthew.wood@braintree.gov.uk



SITE HISTORY

89/00666/P	Proposed Use Of Existing Car Park For Five Lorries	Refused	06.06.89
09/00777/FUL	Erection of single storey front/side extension to existing changing room block	Granted	05.08.09

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
CS10	Provision for Open Space, Sport and Recreation
CS11	Infrastructure Services and Facilities

Braintree District Local Plan Review

RLP56	Vehicle Parking
RLP62	Development Likely to Give Rise to Pollution or the Risk of Pollution
RLP65	External Lighting
RLP80	Landscape Features and Habitats
RLP83	Local Nature Reserves, Wildlife Sites, Sites of Local Nature Conservation Importance and Regionally Important Geological / Geomorphological Sites.
RLP90	Layout and Design of Development
RLP92	Accessibility
RLP129	Sports and Leisure Facilities
RLP134	Sports Causing Noise or Disturbance
RLP135	Floodlighting of Sports Facilities
RLP151	Protection of Community Services

Other Material Considerations

BDC Site Allocations and Development Management Plan
Essex Design Guide
Council's Adopted Parking Standards: Design and Good Practice (2009)

INTRODUCTION

This application is brought before the Planning Committee as a number of objections have been received contrary to the officer's recommendation.

SITE DESCRIPTION

The site, home to Coggeshall Town Football Club, is located South of West Street approximately 500m west of the Coggeshall development boundary. Therefore the site is deemed as being within open countryside by the Braintree District Local Plan Review 2005.

The site is bounded to the north by West Street, opposite are residential properties, with informal green space to the south leading down to the River Blackwater and Blackwater Plantation Local Wildlife Site (LWS). Given the topography of the area the site sits some distance above the River Blackwater and is entirely located outside of the flood zone. Agricultural fields are located to the west and other sporadic development including residential properties and green open space are located to the east.

The site itself currently includes two full football sized areas, the most southern relating to the club's main pitch with the other being a junior/training pitch. The site also includes associated ancillary areas to the west containing associated outbuildings and clubhouse, and east containing access from West Street and associated car parking.

PROPOSAL

This planning application seeks approval for the demolition and rebuild of an existing changing room block, the construction of a turnstile entrance, erection of "ball stop fencing" behind goal areas and the installation of new floodlights to both the main and practice pitches. The main pitch already has floodlights with this proposal seeking to replace and improve these with brighter, more efficient and focused lights.

It is acknowledged that some floodlighting has already been erected to the practice pitch without planning permission. The LPA has informed the applicant of this breach of planning control and has instructed them to cease this use until a formal decision has been made on this planning application.

Timber close boarded fencing is also proposed around certain areas of the site which it is considered is permitted development under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The applicant has continually highlighted that the need for the proposed development, including erection of new/improved floodlighting, is a Football Association (FA) requirement for football grounds hosting football at the level

Coggeshall Town participate in (Essex and Suffolk Border League) and above.

CONSULTATIONS

Council's Environmental Health Officer (EHO) – No objection subject to the imposition of conditions relating to final measured lux levels and hours of use of the floodlights.

Council's Lighting Advisor – No objection subject to conditions regarding controlling the design, positioning, installation and use of the proposed floodlights.

Council's Landscape Officer – No objection.

Highway Authority – No objection subject to the imposition of a condition ensuring the light source shall be positioned and shielded to ensure users of the highway are not affected by dazzle of glare.

Council's Public Rights of Way (PRoW) Officer – One of the proposals is for timber fencing with gates to enclose the pitches, however the Definitive Line of Footpath no. 37 (Coggeshall) runs diagonally across the middle of the football ground. It is illegal to obstruct a footpath and therefore the footpath would need to be legally diverted before any fencing or other obstruction is erected on the line of the footpath.

Coggeshall Parish Council – Supports the application, however require the floodlighting is configured to ensure that it does not provide a nuisance to neighbouring property. It is also recommended that a restriction on opening hours and hours of use be applied to ensure residential properties locally are not inconvenienced.

REPRESENTATIONS

A site notice was displayed in close proximity to the site in a publically accessible location and the eleven properties nearest the site were directly notified of the planning application. Eight letters of representation have been received highlighting the following concerns:

- Floodlights already installed;
- Amount of light pollution within residential area unacceptable;
- Highway safety concerns in regard to floodlighting;
- Floodlighting would adversely impact on environment and biodiversity;
- Light pollution would adversely impact on neighbouring amenity;
- Increased noise/activity;
- Height of lights appear excessive;
- Footpath has been illegally moved;
- Light pollution extends into our homes;
- Recommend new landscaping and fencing to minimise light spillage;

- Impact on rural landscape;
- Existing use will increase/intensify; and
- Netting will be an eyesore.

REPORT

Principle of Development

The application site is situated within open countryside as designated by the Braintree District Local Plan Review (2005) whereby countryside planning policies apply. However, this proposal relates to an existing long established sports facility within walking distance of the town centre of Coggeshall. The principle for such development is supported by policies RLP 129 and RLP 135 subject to specific criteria contained within these policies being complied with as is discussed later within this report. However, initially given the existing site context and nature of this proposal a principle for such development in this location is accepted.

Design, Appearance and Layout

The proposed development includes the erection of new specification floodlighting to the main football pitch and the introduction of brand new floodlighting to the practice pitch. The four replacement floodlights to the main pitch would measure 18m in height and be located close to the four corners of the football pitch itself.

The four proposed new floodlights to the practice pitch would measure 10m in height and include light shields to minimise light spillage.

Given the existing context and design and positioning of these floodlights it is considered unlikely that such structures would have an adverse impact on the visual appearance of this location.

The proposal includes the replacement of the club's changing room block with a new purpose built changing block in a similar location to the west of the site. The new changing block would have a bigger footprint than the existing and include home team, away team and officials changing facilities including showers and WC's. The overall height of the new block would measure 5.3m which is considered consistent with existing buildings located on the site including the adjacent clubhouse. This proposal also includes the erection of a new turnstile entrance to the west of the site and ball stop fencing to the north east and west of the site. Given the nature, size, scale and positioning of these structures it is considered very unlikely that such proposals taken both individually and cumulatively would have an adverse impact on the character of this location.

Impact on Neighbouring Residential Amenity

Although the site is located outside of the Coggeshall village envelope there are a number of residential properties in close proximity of the site which

could be adversely affected by such a proposal. These relate to a number of properties located off West Street to the north, a property located to the north west, and a property located to the north east.

As previously highlighted within this report the proposal for the main pitch relates to the replacement and improvement of the 4 no. existing floodlights with a new specification which would be brighter and more powerful complying with the FA's standards for floodlights at grounds hosting the level of football Coggeshall Town are striving towards. Although these lights would be brighter than the existing they would also be of an improved design with shields to ensure the main focus of lighting is on the pitch itself. From technical information submitted with this application, including lux level calculations, it is very unlikely that this proposal would give rise to an adverse impact on neighbouring amenity. This also takes into account the location of the main pitch to the south of the site further away from the nearest residential properties to the north.

Notwithstanding the above appropriate conditions would be attached to planning permission should it be granted ensuring that the main pitch floodlights are erected in line with the submitted details and their use would be restricted to no later than 10pm on any day to ensure existing amenity is safeguarded.

The main concern/issue relating to this application appears to be the erection of new floodlighting on the practice pitch to the north of the site. A number of representations have been received from neighbouring residential properties with this matter being of most/sole concern. This proposal would introduce new floodlighting in this location with floodlights being erected on new 10m poles each side of the two goalmouth areas to the north east and north west of the site. From assessing the relevant technical information, including lux level calculations, it is considered unlikely that the new floodlighting would give rise to an adverse impact on neighbouring residential amenity. These calculations are based on the precise positioning and tilt level of the proposed lights and should planning permission be granted conditions would be attached ensuring that the proposed lights are used in line with the technical detail.

Following the representations received the LPA conducted a late evening site visit to inspect the already installed floodlighting and it has been concluded that these lights do conform to the submitted detail.

Concern has been raised over the heights of the proposed lighting columns but this is considered acceptable given their purpose on the site. Concern has also been raised in relation to the intensification of use of the site and related noise as a result of the new floodlighting. However, the use of the main pitch would not change as this has had floodlighting for some years. It could be argued that the intensity of use of the practice pitch would increase as a result of this new floodlighting. However, such further use would only relate to a number of weekday evenings in winter months and would not be considered a significant increase on the existing use. Should planning permission be

granted a condition would be attached restricting the use of the practice pitch floodlights to no later than 9pm on any day to ensure existing levels of amenity are safeguarded.

The Council's EHO has raised no objection to this proposal including the proposed floodlighting subject to conditions relating to final measured lux levels with the aim of lux levels being no greater than 1 Lux within the boundary of residential property, and hours of use of the floodlights. Detailed lux levels have already been provided for both the main and practice pitches which are considered acceptable in terms of their likely impact on neighbouring residential properties. Therefore the imposition of such a condition is not considered reasonable in this instance. Should permission be granted a condition would be attached ensuring that the proposed floodlighting would be operated in accordance with these lux levels. Should permission be granted a condition would be attached controlling the hours of use of the floodlighting to that recommended.

One letter of representation has recommended additional fencing and planting around the boundaries of the site to further minimise any impact from the lighting. However, in this instance such mitigation is not considered necessary given the design, specification and positioning of such floodlighting which it has been demonstrated would not be likely to give rise to adverse impacts on the locality including a loss of amenity. Furthermore given the attractive countryside location of the site it would be inappropriate to introduce further fencing unless necessary.

Given the nature, size, scale and location of the proposed new changing block, turnstile and ball-stop fencing it is considered very unlikely that such elements would have an adverse impact on residential amenity.

Impact on Landscape/Biodiversity

The proposed new and improved floodlighting has been assessed with regards to the wider landscape and biodiversity considerations including the likely impact on the Blackwater Plantation LWS. From such assessment it is considered unlikely that this proposal would have an adverse impact on the wider landscape given its nature and intensity. It is also considered that the proposed floodlighting would be acceptable with regard to its biodiversity impact with any light spillage or glare minimised by the floodlighting's design ensuring that both the LWS and wider biodiversity considerations would not be adversely affected by such a proposal. Further, the Council's Landscape Officer has raised no objection to the proposal in these regards.

Given the nature, size, scale and location of the proposed new changing block, turnstile and ball-stop fencing it is considered very unlikely that such elements would have an adverse impact on the local landscape/biodiversity. No representations have been received raises concern in these specific regards.

Highways

Concern has raised been in relation to the impact of the proposed practice pitch floodlighting on road safety in respect of glare and light spillage. The Highway Authority has raised no objection to this proposal subject to the imposition of a condition requiring that proposed floodlighting be positioned and shielded to ensure that users of the highway are not affected by dazzle and/or glare. The technical information submitted confirms that the proposed floodlighting on both pitches would be positioned and shielded to minimise any such impact and that the likely impact on highway safety would be negligible.

Other Issues

Public Rights of Way

The Council's PRoW Officer has raised concern that proposed timber fencing illegally obstructs an existing footpath which runs through the middle of the site. Although such fencing is considered to be permitted development and falls outside the scope of this application obstructing an existing footpath is illegal. The applicant has been informed of this matter and has commented that a relevant application has been submitted to Essex County Council's Highways Department seeking to formally alter the existing footpath route around the site. The footpath has been temporarily diverted to the east of the site to ensure some form of public access over the site is retained at the present time.

Some concerns have been raised in relation to this matter. Such issues are considered to be a matter for Essex County Council and are outside the scope of this planning application.

In terms of this proposals likely impact on both the existing and proposed footpath routes it is considered unlikely that this would give rise to an adverse impact or any impact over and above the existing situation/context on the site.

CONCLUSION

Significant weight is given to the improvement and safeguarding of such sporting facilities by policies RLP 129, RLP 134 and RLP 135 and given the long established use of the site these principles are considered to apply in this instance. Taking into account the information submitted as part of this application it would appear unlikely that such a proposal, including the floodlighting element, would give rise to adverse impacts on the locality including neighbouring amenity and visually and therefore the proposed development is considered acceptable subject to the imposition of appropriate conditions as outlined throughout this report.

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

Proposed Plans	Plan Ref: 14/076/01	
Location Plan	Plan Ref: 14/076/02	
Proposed Elevations	Plan Ref: 14/076/03	Version: A
Lighting Plan		
Technical Information	Plan Ref: UKS9546/1	Version: Lux Levels
Technical Information	Plan Ref: Sports Pack: HL330 18metre	
Technical Information	Plan Ref: Challenger 1 AL5760	
Technical Information	Plan Ref: Troika 96240050	
Technical Information	Plan Ref: Abacus Brilliant Sports Lighting	
Technical Information	Plan Ref: Time Trade Controllers	

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

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

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

- 3 The external materials and finishes shall be as indicated on the approved plans and/or schedule unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the use of appropriate materials having regard to the importance of this scheme in the open countryside and to ensure that the choice of materials will harmonise with the character of the surrounding development.

- 4 The main pitch floodlighting hereby permitted shall be carried out in full accordance with the approved plans and specifications contained within the Abacus Brilliant Sports Lighting document, Challenger 1 AL5760 specification leaflet and Sports Pack: HL330 18 Metre document. Once implemented the floodlighting shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect neighbouring amenity and the surrounding area.

- 5 The practice pitch floodlighting hereby permitted shall be carried out in full accordance with the approved plans and specifications contained within the Troika 96240050 Troika 400W Hit E40 60/70D/L document and Trade Time Controllers ELU5620 7 Day 20 Amp Electronic Time Controller document. Once implemented the floodlighting shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect neighbouring amenity and the surrounding area.

- 6 The main pitch floodlighting hereby permitted shall not be used later than 22:00 hours on any evening.

Reason

To protect neighbouring amenity and the surrounding area.

- 7 The practice pitch floodlighting hereby permitted shall not be used later than 21:00 hours on any evening.

Reason

To protect neighbouring amenity and the surrounding area.

- 8 No public address or amplified sound system shall be used on the site.

Reason

To protect neighbouring amenity and the surrounding area.

- 9 The floodlighting scheme for the entire site including both main and practice pitches hereby permitted shall be designed, installed and maintained at all times to prevent vertical light spillage and the maximum lux levels beyond the pitches shall not exceed the levels shown on drawing no. UKS9546/1 at any time.

Reason

To protect neighbouring amenity and the surrounding area.

- 10 The practice pitch floodlighting shall be maintained at all times to ensure that it is set at a 0 degree tilt to the horizontal as shown by drawing no. 14/076/03 Rev A.

Reason

To protect neighbouring amenity and the surrounding area.

INFORMATION TO APPLICANT

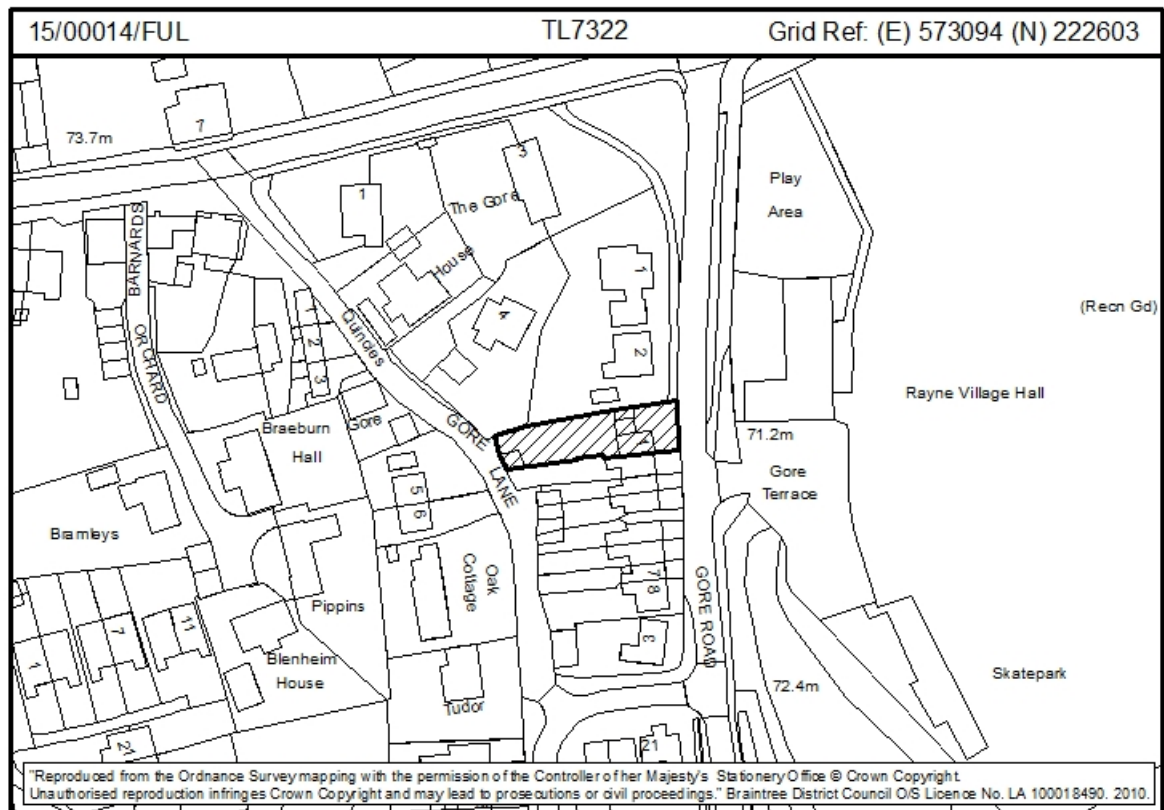
- 1 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
- 2 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
- 3 All construction or demolition works should be carried out in accordance with the "Control of Pollution and Noise From Demolition and Construction Sites Code of Practice 2008." A copy can be viewed on the Council's web site www.braintree.gov.uk, at Planning Reception or can be emailed. Please phone 01376 552525 for assistance.
- 4 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 A

APPLICATION NO: 15/00014/FUL
 DATE: 08.01.15
 VALID:
 APPLICANT: Mr D Farrow
 1 Gore Terrace, Gore Road, Rayne, Essex, CM77 6RJ,
 AGENT: Mr D Farrow
 Edward Parsley Associates Ltd, West End Barn, The Street,
 Rayne, Braintree, Essex, CM77 6RY
 DESCRIPTION: Proposed demolition of existing single storey extension,
 erection of 2 storey rear extensions and renovations to
 existing dwelling. Erection of 1 no. detached dwelling
 LOCATION: 1 Gore Terrace, Gore Road, Rayne, Essex, CM77 6RJ

For more information about this Application please contact:
 Mrs N Banks on:- 01376 551414 Ext. 2545
 or by e-mail to: natalie.banks@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

RLP2	Town Development Boundaries and Village Envelopes
RLP3	Development within Town Development Boundaries and Village Envelopes
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP56	Vehicle Parking
RLP70	Water Efficiency
RLP74	Provision of Space for Recycling
RLP90	Layout and Design of Development
RLP95	Preservation and Enhancement of Conservation Areas

Supplementary Planning Guidance

The Essex Design Guide 2005 and Urban Places Supplement
ECC Parking Standards – Design and Good Practice, September 2009
Rayne Village Design Statement

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee due to an objection and comments received from neighbouring residents.

SITE DESCRIPTION

The site is within the Rayne Village Envelope and Conservation Area. Nos. 1-4 Gore Terrace date from the 19th Century and are similar in size, age and appearance to Nos. 5-8. They generally feature rendered walls, timber windows and slate roofs. Whilst there have been some changes over the years, the symmetry of this pair of terraces remains largely intact and is a prominent feature in the Conservation Area. The dwellings have small footprints, commensurate with the style of the period, and long narrow gardens. The properties on this part of Gore Road have rear access via Gore

Lane. No. 2 Gore Road, to the north of the application site, is a modern detached dwelling constructed in red brick with clay tiles.

PROPOSAL

This proposal is for a new 2-bed detached dwelling on land adjacent to No. 1 Gore Terrace and it will involve the removal of an existing lean-to extension and garage, neither of which have any architectural or historic merit. The design of the new dwelling has evolved following discussions with the Historic Buildings Adviser. It aims to respect the integrity of the traditional design of Gore Terrace by reflecting its proportions and asymmetrical detailing but also to indicate that the dwelling is a new addition, rather than a pastiche. It will feature a gable front, projecting gable-sided section to the rear and a projecting gable porch. The first floor windows are front and rear facing only. Separation distances of between 0.5m and 0.9m either side of the dwelling to the property boundaries will be retained. Amenity space in the region of 100sqm is provided for the new house, with 72sqm remaining for the existing and each house will be provided with two vehicle parking spaces. These are 2.7m wide and approximately 5.2m long. A new entrance door for the existing house is proposed to the side. The materials specified are brick and render with rendered panels, clay tiles for the roof, and timber sash and casement windows. The UPVC windows in the existing house will also be replaced with timber. The single storey extension to the existing house will be reinstated and clad with slates.

CONSULTATIONS

ECC Historic Buildings Adviser raises no objection.

BDC Landscapes Officer raises no objection subject to conditions.

BDC Engineers are unaware of any surface water issues affecting the site.

REPRESENTATIONS

Two separate letters of representation have been received from the neighbours at No. 2 Gore Road, summarised as follows:

The drawings are misleading in terms of the separation gaps between the new and existing properties either side, particularly the gap between the new dwelling and the garage to No. 2 Gore Road, which seems tight and raises concerns over maintenance issues.

REPORT

The site is within the Rayne Village Envelope and Conservation Area. New residential development is acceptable in principle in accordance with Policy RLP2 of the Braintree District Local Plan Review, subject to other relevant policy criteria.

Policy RLP3 of the Braintree District Local Plan Review requires that residential development is only acceptable if it satisfies amenity, design,

environmental and highway criteria and where it can take place without material detriment to the existing character of the settlement. Development should be in harmony with the scale, design and intensity of the existing surrounding development and respect neighbouring amenities. Policy CS9 of the LDF Core Strategy and Policy RLP90 seek a high standard of layout and design in all built development, large or small. Planning permission will only be granted where the scale, density, height and massing of buildings reflects or enhances local distinctiveness and where there is no undue or unacceptable impact on existing amenity. Policy RLP9 requires that the design and layout of new developments shall create a visually satisfactory environment and be in character with the site and relate to its surroundings. Policy RLP10 states, amongst other things, that the density and massing of residential development will relate to the characteristics of the site and the layout and density of surrounding development. Policy RLP95 states that the Council will preserve and encourage the enhancement of the character and appearance of designated conservation areas.

Policy RLP56 states that off-road vehicle parking should be provided in accordance with the Council's adopted vehicle parking standards 2009. For dwellings with two bedrooms or more a minimum of two parking spaces should be provided. Each parking space should measure 5.5 metres in depth by 2.9 metres in width.

Recommendations set out in the Essex Design Guide state that dwellings with two bedrooms should benefit from 50sqm private garden space and dwellings with three bedrooms or more should benefit from 100sqm private garden space.

In relation to relevant standards required to achieve a good level of amenity for existing residents and that of the potential residents, it is considered that the proposal satisfies the relevant policy criteria and adopted standards set out above. The Historic Buildings Adviser raises no objection to the development. However, whilst it is noted that the right amount of parking is proposed, the bay sizes are slightly short of the size recommended by the Vehicle Parking Standards. Whilst it is acknowledged that this is not ideal, it is considered acceptable in this case as the site is within a Conservation Area where it is sometimes appropriate to relax standards in order to achieve an acceptable form of development.

Whilst the concerns expressed regarding the separation gaps are noted, it is considered that the layout and relationship of the new dwelling to plot boundaries is reflective of the pattern of the development in this section of Gore Road. A separation gap of approximately 3.4m from the new house to the flank wall of No. 2 Gore Road will remain, and whilst it is noted that there is an existing garage building in between, it is set back from the prevailing building line and is small in scale. For that reason, it is concluded that the new dwelling will not appear crammed into the site.

CONCLUSION

The proposal complies with the aims of the National Planning Policy Framework and the Council's adopted policies. The design of the scheme has been informed by discussions with the Historic Buildings/Conservation Consultant, and it is concluded that the development is acceptable and approval is recommended, subject to the conditions set out below.

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	Plan Ref: 01
Block Plan	Plan Ref: 02
Floor Plan	Plan Ref: 03
Elevations	Plan Ref: 04
Floor Plan	Plan Ref: 05
Elevations	Plan Ref: 06
Floor Plan	Plan Ref: 07
Elevations	Plan Ref: 08
Elevations	Plan Ref: 09
Other	Plan Ref: 11
General	Plan Ref: 09B
Site Plan	Plan Ref: 10A

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

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 schedule unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the use of appropriate materials having regard to the importance of this scheme in the Conservation Area and to ensure that

the choice of materials will harmonise with the character of the surrounding development.

- 4 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / provision of any building within the curtilage of the dwelling-house, as permitted by Class A, B, C, E and G of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.

Reason

In order that the local planning authority may exercise control over any proposed future extensions / outbuildings in the interests of residential and/or visual amenity.

- 5 Development shall not be commenced until details of all gates / fences / walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include position, design, height and materials of the screen walls/fences. The gates / fences / walls as approved shall be provided prior to the occupation of the building(s) hereby approved and shall be permanently maintained as such.

Reason

In order to secure the satisfactory development of the site and in the interests of visual amenity.

- 6 Development shall not be commenced until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. Such 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 areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the local planning authority.

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 enhance the appearance of the development and in the interests of amenity and privacy.

- 7 Development shall not be commenced until a scheme(s) including an implementation timetable for the following has been submitted to and approved in writing by the Local Planning Authority:-
- (a) water efficiency, resource efficiency, energy efficiency and recycling measures, during construction
 - (b) measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development
 - (c) measures for the long term energy efficiency of the building(s), and renewable energy resources
 - (d) details of the location and design of refuse bin and recycling materials storage areas (for internal and external separation) and collection points
 - (e) details of any proposed external lighting to the site.

The development shall be constructed in accordance with the approved details and thereafter so maintained.

Reason

In the interest of promoting sustainable forms of development.

- 8 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

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

- 9 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.

- 10 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, Bank Holidays and Public Holidays - no work

Reason

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

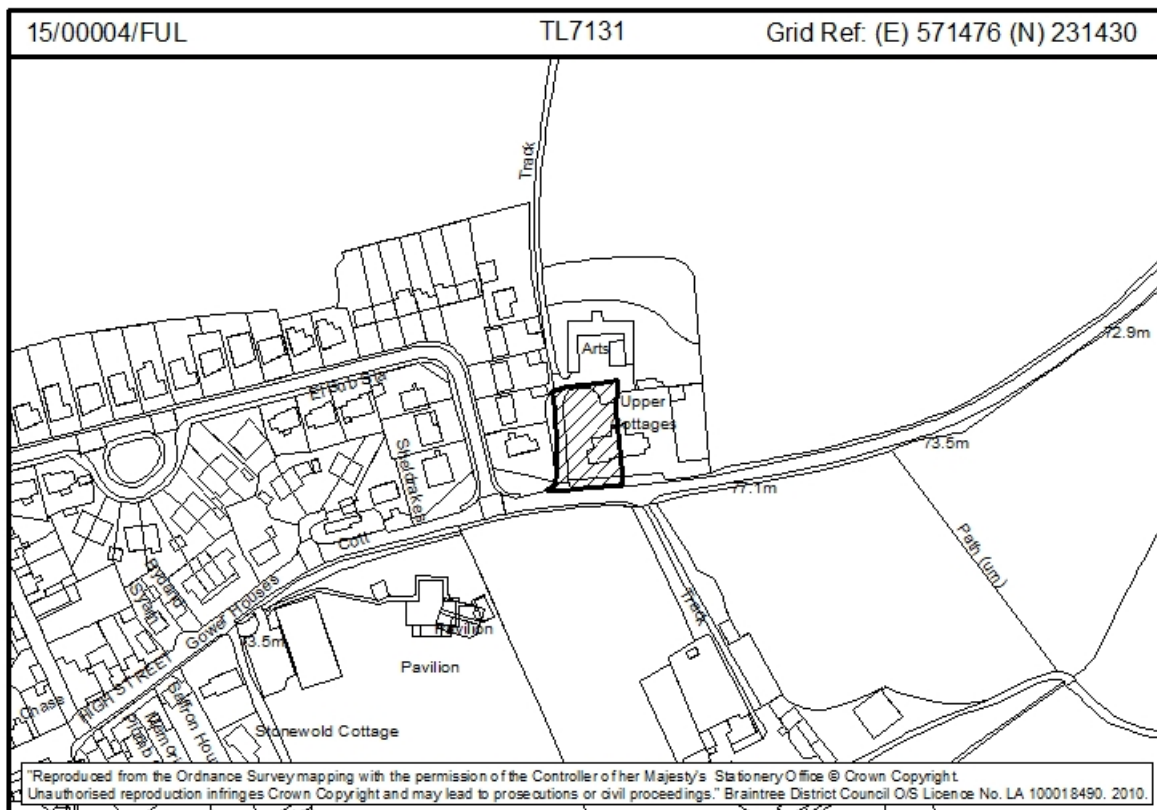
TESSA LAMBERT
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 6b

PART A

APPLICATION NO: 15/00004/FUL
DATE: 05.01.15
VALID:
APPLICANT: Mr P Bragg
Upper Barn Cottages, Hedingham Road, Wethersfield,
Essex
DESCRIPTION: Erection of new dwelling and demolition of existing single
storey extension
LOCATION: Upper Barn Cottages, Hedingham Road, Wethersfield,
Essex

For more information about this Application please contact:
Miss Nina Pegler on:- 01376 551414 Ext. 2513
or by e-mail to: nina.pegler@braintree.gov.uk



SITE HISTORY

14/00809/FUL	Erection of new dwelling and demolition of existing single storey extension	Withdrawn	15.07.14
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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
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP56	Vehicle Parking
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP74	Provision of Space for Recycling
RLP77	Energy Efficiency
RLP90	Layout and Design of Development
RLP95	Preservation and Enhancement of Conservation Areas
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings

Supplementary Planning Guidance

ECC Parking Standards – Design and Good Practice, September 2009

Essex Design Guide 2005

INTRODUCTION

This application is brought before the Planning Committee as letters of representation have been received from local residents which are contrary to the Officer's recommendation.

NOTATION

The site falls within the village envelope and has no specific designation in the Local Plan Review.

SITE DESCRIPTION

The site is located on the northern side of Hedingham Road and falls within the defined village envelope. The site is occupied by a semi-detached dwelling with gardens to the front, side and rear, and off road parking to the rear. The site is elevated from the road and served by an existing access to the western side of the dwelling. To the rear is a Grade II listed barn which has been converted to a dwelling, bed and breakfast and coaching facility. The boundary of the designated Conservation Area passes along the opposite side of Hedingham Road (the site is therefore located outside of the Conservation Area).

PROPOSAL

This application seeks planning permission for the erection of a detached dwelling to the western side of No.1 Upper Barn Cottages. An existing single storey extension on the side of the existing dwelling would be demolished as part of the proposal.

The two storey bulk of the dwelling would measure approximately 8 metres by 10 metres in depth. It would also include a front projection measuring approximately 2.4 metres deep. The roof slope would extend over this and have a dormer within it. To the rear would be a flat roofed single storey extension measuring approximately 2.5 metres in depth. The external materials would comprise brick, interlocking tiles to the roof and aluminium doors and windows.

The existing rear gardens to Upper Barn Cottages are slightly raised from the access road to the rear. It is proposed to level the site, thereby reducing the height of the gardens by approximately 800mm.

CONSULTATIONS

Parish Council – No response at the time of writing.

Historic Buildings Advisor – No objection. Concerns raised about the design of the dormer and the blank west elevation. These concerns have been addressed through the submission of revised plans.

Engineers – Unaware of any surface water issues affecting the site.

Historic Environment Officer – There is no evidence for any former historic dwellings or structures within the position of the new dwelling. Therefore there is no requirement for archaeological investigation.

REPRESENTATIONS

A site notice was displayed and neighbouring properties were notified by letter. Two letters of objection have been received raising the following concerns:

- The design would block out sunlight from the rear of 4 Hereward Way;
- A window in the side elevation would overlook 4 Hereward Way;
- The access lane is used by a local farmer. A new dwelling may cause access issues for the farmer;
- The proposal would harm the setting of Upper Barns – a Grade II listed building and result in the loss of landscaping;
- The new dwelling will block out sunlight to Upper Barns;
- The location of the proposed parking will impact upon the privacy of Upper Barns & will result in vehicles reversing out on a narrow lane;
- Parking in the area is already limited;
- The proposal would impact upon the visibility and safety of the access lane;
- The proposal will impact upon privacy and viability of Upper Barns which includes a B&B and coaching/training facility;
- The site does not appear to be large enough to accommodate the proposal;
- Query whether an archaeological investigation will be required.

REPORT

Site History

A planning application was submitted last year for the erection of a dwelling on the northern part of the site, in the location of the proposed parking spaces and garden (Planning Application 14/00809/FUL refers). However this was withdrawn following concerns raised by Officers regarding its siting.

Principle of Development

National planning policy set out in the National Planning Policy Framework (NPPF), which is a material consideration in determining applications, states that housing applications should be considered in the context of a presumption in favour of sustainable development. Local planning authorities should seek to deliver a wide choice of quality homes and plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

The site falls within the village envelope. In accordance with Policy RLP 2 and RLP3, the principle of residential development at sites within village envelopes is acceptable, providing it satisfies amenity, design, environmental and highway criteria and subject to compliance with other relevant Local Plan policies. These issues are discussed below.

Design and Layout

Both the NPPF and Planning Practice Guidance refer to the importance of good design.

Policy CS 9 of the Core Strategy states that the Council will promote and secure the highest possible standards of design and layout in all new development.

Policies RLP 3, 9, 10 and 90 of the Local Plan Review seek to protect the existing character of the settlement and the street scene. Policy RLP 90 states that the scale, density, height and massing of buildings should reflect or enhance local distinctiveness. Policy RLP 9 states that new development shall create a visually satisfactory environment and be in character with the site and its surroundings. Policy RLP 10 specifically states that the density and massing of residential development will be related to the characteristics of the site, the layout and density of surrounding development, the extent to which car parking and open space standards can be achieved within a satisfactory layout and the need to provide landscaping for the development.

Policies RLP95 and RLP100 seek to preserve the setting of designated Conservation Areas and listed buildings.

Guidance set out in the Essex Design Guide indicates that new dwellings with three or more bedrooms should benefit from gardens of 100 square metres or more.

The proposed dwelling would be sited adjacent a pair of existing semi-detached dwellings and would respect the front building line. The site is located in a somewhat prominent location due to its elevated position from the road. Although the design of the dwelling would be different in character to the adjacent dwellings, it is not considered that it would be harmful to the character of the area, the street scene or the designated Conservation Area. It would also be deeper in form than the adjacent dwellings; however the mass of the building would be broken up through the use of subordinate elements. The size of the rear garden would accord with the guidance set out in the Essex Design Guide.

Concerns have been raised about the size of the site and its ability to accommodate a dwelling of the size proposed along with the garden and parking provision. However, detailed plans which are to scale have been provided which demonstrate that this can be achieved. The Block Plan has been compared against a plan of the same scale that the Council is able to produce which is based on Ordnance Survey data. The submitted plan is accurate when compared against this.

Concern has also been raised about the impact of the proposal upon the setting of the listed building to the rear of the site. The building line to the rear would not encroach any closer than that of single storey elements of the

existing dwellings. Whilst it would result in a two storey dwelling being located in an area where an existing single storey extension and garden exists, the Historic Buildings Advisor does not consider that the proposal would result in an unacceptable impact upon the setting of the listed building.

Impact on Neighbouring Amenity

The NPPF states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policies RLP 3 and RLP 90 of the Local Plan Review seek to ensure that there is no undue or unacceptable impact on the amenity of any nearby residential properties.

Concerns have been raised regarding impact upon amenity from the occupants of Upper Barns (to the north) and 4 Hereward Way (to the west).

The site is separated from Upper Barns by an access track which serves this dwelling along with No's 1 and 2 Upper Barn Cottages. The main part of the barn is set back into the site but has two single storey outshots which face the application site. The western most outshot would be closest to the site. This has a ground floor window within the end elevation. The proposed dwelling would have a single storey element on the north facing elevation and therefore the two storey part would be over 25 metres from the single storey outshot at Upper Barns. The Essex Design Guide recommends a separation distance of 25 metres between the backs of houses in order to avoid overlooking. Although this isn't a conventional back to back arrangement which is often found in urban areas, it is considered that the separation distance is sufficient so as not to give rise to an unacceptable impact upon neighbouring residential amenity.

To the rear of the site is a concrete access drive. It is proposed to provide two parking spaces within the northern part of the site (within the existing garden). This would result in vehicles reversing in/out from the access drive within fairly close proximity of the Upper Barn outshot. However, it is not considered that the additional vehicle movements associated with a single dwelling would have such an unacceptable impact upon amenity to the extent which could substantiate withholding planning permission.

The occupant of 4 Hereward Way considers that the addition of a window within the side elevation of the proposed dwelling would result in overlooking. The boundaries to the rear of No's 2 and 4 Hereward Way are defined by high, mature landscaping. A single window is proposed within the western side elevation of the proposed dwelling (as suggested by the Historic Buildings Advisor in order to avoid a blank elevation), however this would provide light over the stairs. It would not serve a habitable room. Furthermore, it would be at such an oblique angle from No.4 Hereward Drive that it is not considered that it would give rise to any overlooking of this dwelling.

Concern has been raised in both letters about the loss of light to both properties. The Essex Design Guide refers to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that acceptable daylight in interiors is achieved if a 25° vertical angle from a point 2 metres above the floor at the façade is not obstructed. Applied to the fronts of houses, this would result in at least a 10 metre spacing between opposite house fronts in a street. This would be complied with in both cases. Given the separation between the dwelling and these properties, it is not considered that it would have an adverse impact upon amenity.

Highway Issues

Policy RLP 56 states that off-road parking should be provided in accordance with the Council's adopted vehicle Parking Standards (Essex County Council Parking Standards, 2009). This indicates that for dwellings with two bedrooms or more, two off-road parking spaces should be provided. In accordance with adopted standards, each parking space should measure 5.5m x 2.9m.

Two off road parking spaces would be provided within the site for the existing and proposed dwelling. The provision and size of the spaces would accord with the adopted standards set out above. In addition, the access drive is wide enough to enable cars to reverse out of the proposed parking spaces.

Concerns have been raised about the safety of the access. The proposed dwelling would be served by a private access drive which would serve four dwellings within the vicinity of the site and a further dwelling and agricultural land to the north. As is the case in any location, care should be taken when reversing into/out of spaces. In this case, it would not result in vehicles entering or leaving parking spaces from a classified road. It is not considered that the proposal would have an adverse impact upon highway safety.

It is noted that the access to the side of the site is relatively narrow and serves the agricultural land to the north. However, the existing side boundary to 1 Upper Barn Cottages is defined by a narrow grass bank and hedging. It is proposed that this form of enclosure is retained. The proposal would not result in the encroachment of the site or development into the lane. Therefore there would be no alterations in terms of the width of the access.

Sustainability

Policies RLP 70 and 77 of the Local Plan Review state that new developments shall demonstrate water and energy conservation and efficiency measures. Policy RLP 74 indicates that space should be provided for the separation, storage and collection of recyclable waste. Policy RLP 69 states that where appropriate, the District Council will require developers to use Sustainable Drainage techniques such as porous paving surfaces.

RLP76 of the Local Plan Review states that the integration of renewable energy generation into new developments will be encouraged.

The submitted plans include an area to be used for the storage of bins. Conditions can be imposed requiring all areas of hard standing to be porous and requiring details of further sustainability measures.

Other Matters

It is noted that when the previous application was submitted the Historic Environment Officer requested that a condition was imposed requiring a programme of archaeological work as the dwelling would have been sited in the location of a former farmhouse (as shown on historic maps) which would have been associated with the Grade II barn (Upper Barns). It is possible that there may have been a structure in this location which dated to the post medieval period. The Historic Environment Officer has been consulted on the current planning application and has advised that there is no evidence for any former historic dwellings or structures within the position of the new dwelling and therefore there is no requirement for an archaeological investigation.

CONCLUSION

The site is located within the village envelope where the principle of new residential development is acceptable. The size, siting and design of the proposed dwelling are considered acceptable and would not have an adverse impact upon the residential or historic character of the area. Furthermore, it is not considered that the development would give rise to an unacceptable impact upon highway safety or neighbouring residential amenity. Accordingly Officers conclude that the proposal would comply with the policies set out above.

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

Proposed Elevations	Plan Ref: 06	Version: C
Proposed Floor Plan	Plan Ref: 05	Version: C
Location Plan	Plan Ref: 01	
Block Plan	Plan Ref: 02	
Proposed Site Plan	Plan Ref: 03	Version: B
Street elevation	Plan Ref: 07	Version: A
Existing Floor Plan	Plan Ref: 08	
Existing Elevations	Plan Ref: 09	
Floor Plan	Plan Ref: 10	
Elevations	Plan Ref: 11	
Window details	Plan Ref: 12	Version: A

- 1 The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting that Order) no enlargement of the dwelling-house / provision of any building within the curtilage of the dwelling-house, as permitted by Class A, B, C and E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.

Reason

In order that the local planning authority may exercise control over any proposed future extensions / outbuildings in the interests of residential and/or visual amenity.

- 4 Development shall not be commenced 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.

Reason

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

- 5 Development shall not be commenced until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. Such 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 areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the local planning authority.

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 enhance the appearance of the development and in the interests of amenity and privacy.

- 6 Development shall not be commenced until details of all gates / fences / walls or other means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include position, design, height and materials of the screen walls/fences. The gates / fences / walls as approved shall be provided prior to the occupation of the building(s) hereby approved and shall be permanently maintained as such.

Reason

In order to secure the satisfactory development of the site and in the interests of visual amenity.

- 7 The vehicular hardstandings shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason

In accordance with the Car Parking Standard.

- 8 Development shall not be commenced until a scheme(s) including an implementation timetable for the following has been submitted to and approved in writing by the Local Planning Authority:-
 - (a) water efficiency, resource efficiency, energy efficiency and recycling measures, during construction
 - (b) measures to secure water conservation, recycling of rain water, sustainable drainage and other devices to ensure the more efficient use of water within the completed development
 - (c) measures for the long term energy efficiency of the building(s), and renewable energy resources
 - (d) details of the location and design of refuse bin and recycling materials storage areas (for internal and external separation) and

collection points

(e) details of any proposed external lighting to the site.

The development shall be constructed in accordance with the approved details and thereafter so maintained.

Reason

In the interest of promoting sustainable forms of development.

- 9 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

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

- 10 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.

- 11 Development shall not be commenced until detailed plans showing cross sections of the site indicating existing and proposed ground levels, both inside and immediately adjoining the site and the slab levels of the dwelling(s) has been submitted to and approved in writing by the local planning approval.

Reason

To avoid the excessive raising or lowering of any building hereby permitted and the alteration of ground levels within the site, which may lead to unneighbourly development, with problems of overlooking and loss of privacy.

INFORMATION TO APPLICANT

- 1 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the

foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.

- 2 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
- 3 You are advised that means of enclosure can include hedging.
- 4 All construction or demolition works should be carried out in accordance with the "Control of Pollution and Noise From Demolition and Construction Sites Code of Practice 2012." A copy can be viewed on the Council's web site www.braintree.gov.uk, at Planning Reception, or can be emailed. Please phone 01376 552525 for assistance.
- 5 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