

# **PLANNING COMMITTEE AGENDA**

**Tuesday, 3rd July 2018 at 7:15 PM**

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

**THIS MEETING IS OPEN TO THE PUBLIC**  
*(Please note this meeting will be webcast and audio recorded)*

[www.braintree.gov.uk](http://www.braintree.gov.uk)

---

**Members of the Planning Committee are requested to attend this meeting to transact the business set out in the Agenda.**

**Membership:-**

Councillor K Bowers	Councillor Lady Newton
Councillor Mrs L Bowers-Flint	Councillor Mrs I Parker
Councillor T Cunningham	Councillor F Ricci
Councillor P Horner	Councillor Mrs W Scattergood (Chairman)
Councillor H Johnson	Councillor P Schwier
Councillor S Kirby	Councillor Mrs G Spray (Vice Chairman)
Councillor D Mann	

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Chief Executive

## **INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS**

### **Declarations of Disclosable Pecuniary Interest (DPI), Other Pecuniary Interest (OPI) or Non- Pecuniary Interest (NPI)**

Any member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

### **Public Question Time – Registration and Speaking on a Planning Application/Agenda Item**

Anyone wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) no later than 2 working days prior to the meeting. The Council reserves the right to decline any requests to register to speak if they are received after this time.

Registered speakers will be invited to speak immediately prior to the relevant application/item. Registered speakers wishing to address the Committee on non-Agenda items will be invited to speak at Public Question Time. All registered speakers will have 3 minutes each to make a statement.

The order in which registered speakers will be invited to speak is: members of the public, Parish Councils/County Councillors/District Councillors, Applicant/Agent.

The Chairman of the Planning Committee has discretion to extend the time allocated to registered speakers and the order in which they may speak.

**Documents:** There is limited availability of printed Agendas at the meeting. Agendas, Reports and Minutes can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**WiFi:** Public Wi-Fi (called BDC Visitor) is available in the Council Chamber; users are required to register when connecting.

**Health and Safety:** Anyone attending meetings are asked to make themselves aware of the nearest available fire exit. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by staff. You will be directed to the nearest designated assembly point until it is safe to return to the building.

**Mobile Phones:** Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

**Webcast and Audio Recording:** Please note that this meeting will be webcast and audio recorded. You can view webcasts for up to 6 months after the meeting using this link: <http://braintree.public-i.tv/core/portal/home>

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

**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 19th June 2018 (copy previously circulated).

**4 Public Question Time**

(See paragraph above)

**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.

Where it has been agreed that applications listed under Part B will be taken “en bloc” without debate, these applications may be dealt with before those applications listed under Part A.

**PART A**

Planning applications:-

<b>5a</b>	<b>Application No. 18 00717 FUL - 33 Clockhouse Way, BRAINTREE</b>	<b>5 - 10</b>
-----------	--	---------------

**PART B**

Minor planning applications:-

<b>5b</b>	<b>Application No. 17 02044 FUL - 15 Mill Lane, GREAT BARDFIELD</b>	<b>11 - 20</b>
<b>5c</b>	<b>Application No. 18 00247 FUL - Lawshalls, Lawshall Hill, COLNE ENGAINE</b>	<b>21 - 27</b>
<b>5d</b>	<b>Application No. 18 00248 LBC - Lawshalls, Lawshall Hill, COLNE ENGAINE</b>	<b>28 - 32</b>

<b>5e</b>	<b>Application No. 18 00479 FUL - 8 Woolpits Road, GREAT SALING</b>	<b>33 - 39</b>
<b>5f</b>	<b>Application No. 18 00580 FUL - Rivenhall Village Hall, Church Road, RIVENHALL</b>	<b>40 - 47</b>
<b>5g</b>	<b>Application No. 18 00829 FUL - 11 St Nicholas Road, WITHAM</b>	<b>48 - 53</b>

**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**

**Page**

**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.

AGENDA ITEM NUMBER 5a

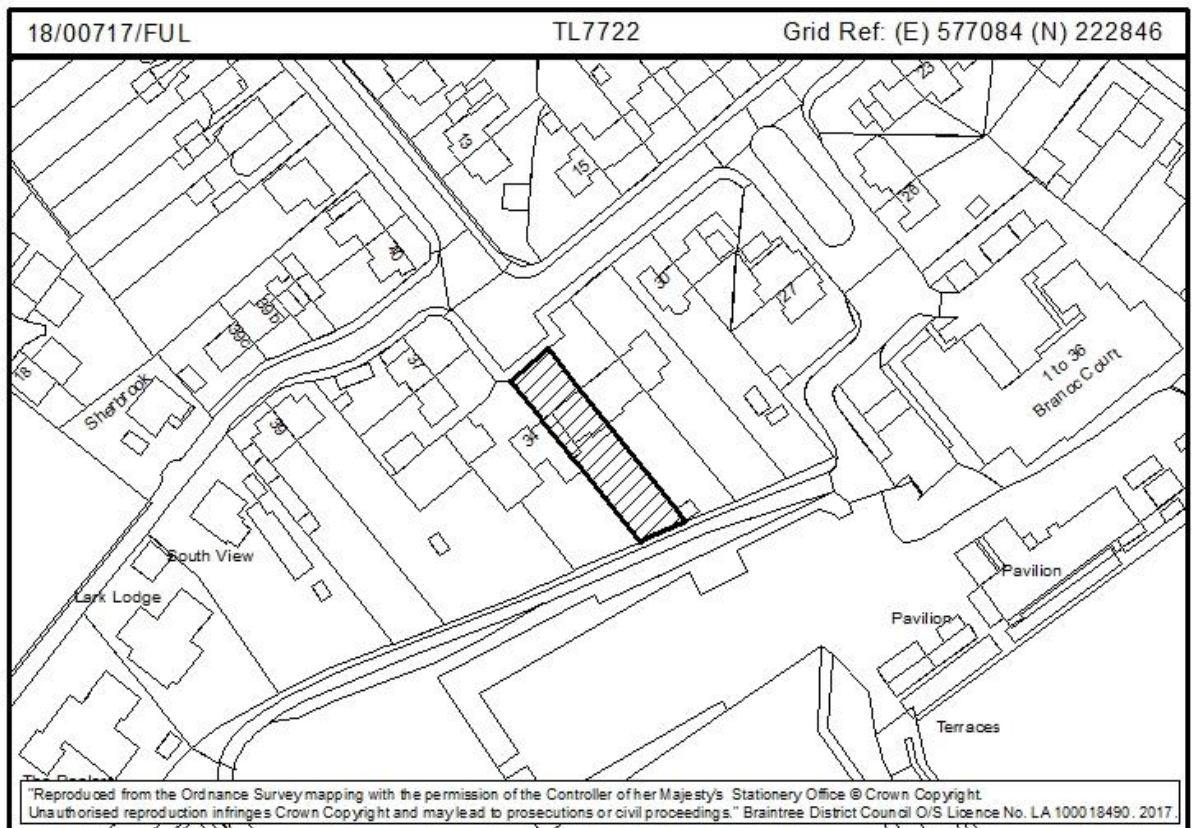
PART A

APPLICATION NO: 18/00717/FUL      DATE: 11.04.18  
VALID:  
APPLICANT: Mr Manu Patel  
2 Chatley Road, Great Leighs, Essex, CM3 1NU  
AGENT: John Baugh Ltd  
Mr John Baugh, 67 Church Lane, Braintree, Essex, CM7 5SD  
DESCRIPTION: Conversion of existing dwelling house to form four no. 1 bedroom self-contained flats  
LOCATION: 33 Clockhouse Way, Braintree, Essex, CM7 3RD

For more information about this Application please contact:

Lisa Page on:- 01376 551414 Ext. 2516

or by e-mail to: [lisa.page@braintree.gov.uk](mailto:lisa.page@braintree.gov.uk)



## SITE HISTORY

None.

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*"The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

## National Planning Guidance

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

## Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
RLP3	Development within Town Development Boundaries and Village Envelopes
RLP8	House Types
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP24	Subdivision of Dwellings
RLP51	Cycle Parking
RLP56	Vehicle Parking
RLP74	Provision of Space for Recycling
RLP90	Layout and Design of Development

## Braintree District Local Development Framework Core Strategy 2011

CS8	Natural Environment and Biodiversity
CS9	Built and Historic Environment

## Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP37	Housing Type and Density
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development

## Other Material Considerations

Site Allocations and Development Management Plan  
Essex Design Guide

- Page 76 & 77 – Amenity Space
- Page 89 - 45° Rule & Overlooking
- Page 81 – 109 – Design

Essex Parking Standards/Urban Space Supplement

## INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to the Planning Committee as the agent is an elected Member.

## SITE DESCRIPTION

The application site is located to the south-east of Braintree Town Centre, within a residential street consisting of semi-detached and terraced dwellings. The site is a rectangular site of some 0.0439 hectares. The existing property is a 2 storey flat roof dwelling which benefits from a large rear garden.

The property adjoins No. 32 to the east and is attached via a single storey extension to No. 34 to the west. Further residential properties lie to the north and to the south is Braintree Town Football Club and grounds.

## PROPOSAL

The application seeks full planning permission for the change of use of the dwelling into 4 no. 1 bed flats. The rear garden would be shared and the frontage would accommodate a refuse store and 4 vehicle parking spaces, accessed via the existing dropped curb that extends the length of the frontage.

## CONSULTATIONS

BDC Environmental Health – No objections subject to conditions in respect of hours of working and no burning on site.

## REPRESENTATIONS

The application was advertised by way of site notice and neighbour notification. No representations have been received.

## REPORT

### Principle of Development

The site lies within the town settlement boundary of Braintree, where in accordance with Policy RLP2 of the Adopted Local Plan and Policy LPP1 of the Draft Local Plan, development is to be confined. The principle of the development therefore is acceptable.

Furthermore, the Local Planning Authority cannot demonstrate a 5 year supply of housing. This development would provide for a further 3 units of accommodation and this weighs in favour of the proposal.

### Layout, Design, Appearance

The provision of 4 separate flats will inevitably result in a change to the immediate character of the area. The density of development will be increased, and there is likely to be more activity with coming and going of occupiers and their visitors. In assessing the impact of that change, it is acknowledged that Clockhouse Way is already varied with dwelling types, including dwellings and flats. Together with the scale of development which



results in 4 no. modest 1 bed flats, there would be no harmful impact upon the character of the area.

The layout proposes 4 off-street parking spaces and the entire frontage of the site would be hard surfaced. Although this approach does little to improve the visual amenity of the area, Officers acknowledge that it is an existing situation. The parking layout and refuse storage area sited prominently at the front does raise issues with regards to manoeuvrability and amenity of future occupiers and these are discussed later in this report. This frontage layout and prominent refuse storage provision is however, a factor which would indicate a cramped form of development and an overdevelopment of the site and this weighs against the proposal.

In terms of design and appearance, the proposal would not result in changes to the front (public elevation) of the dwelling. The only changes made to the dwelling itself are a reduction to the size of the side extension which is also proposed to be rendered. To the rear elevation two bi-fold doors would be introduced. These changes will be sympathetic to the character and appearance of the dwelling and its locality.

#### Impact on Amenity

In terms of the impact upon amenity to neighbours, there will be increased activity from the coming and goings of occupiers, their visitors and similar. This has the potential to result in some disruption from noise disturbance. However, given the scale of development, it is not considered that the impact would be unduly harmful. The rear garden would be shared between the 4 flats and is not anticipated to result in harm to neighbours amenity.

Turning to the amenity for future occupiers, externally the shared garden space provides for 244m<sup>2</sup> and would be an acceptable provision. In terms of light the flats would receive adequate light provision and would not be affected by overlooking. The 2 ground floor flats would have their frontage outlook onto the parking area and refuse store and whilst this would result in some harm to their amenity, given it is their bedroom, it is on balance not considered unacceptable.

Internally, the flats provide for a floor area of 20.8m<sup>2</sup>, 23m<sup>2</sup>, 27.7m<sup>2</sup> and 28.3m<sup>2</sup>. Two of the flats are 1 bed, 1 person units and the other two are 1 bed, 2 person units. The National Described Space Standards (March 2015), requires a 1 bed 1 person units with a shower room as proposed to have a minimum of 37m<sup>2</sup>, and a 1 bed 2 person unit have a minimum of 50m<sup>2</sup>. All the proposed flats therefore fall significantly below national standards and would result in an unacceptable level of internal amenity for future occupiers. The significant shortfall from the national standards is a factor which demonstrates that there is an overdevelopment of the site.

## Highway Issues

The development proposes a total of 4 parking spaces to the frontage of the dwelling. Whilst this equates to 1 space per unit which would meet with the Council's parking standards, the space closest to the building would be difficult to manoeuvre into and out of and therefore fails to provide an acceptable provision.

Cycle storage is provided within the single storey side element, and this would provide secure provision for all of the units.

## CONCLUSION

The site lies within the town settlement boundary of Braintree, where development is to be confined and therefore the principle of the development is acceptable. Whilst the Local Planning Authority, cannot demonstrate a 5 year supply of housing which weighs in favour of the proposal, the adverse impacts of the development, relating to the inadequate internal size of the flats and significant shortfall from the national described space standards, and the inaccessible and cramped frontage layout and parking provision would significantly outweigh the benefits. Accordingly it is recommended that this application is refused.

## RECOMMENDATION

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

- 1        The proposed development by reason of the inadequate internal flat sizes, would be contrary to standards set out within the National Described Space Standards, March 2015, and would result in an inadequate level of amenity for future occupiers. Together with the layout of parking and prominent siting of refuse storage, would result in a cramped development that fails to achieve a high standard of layout and design. The proposal is therefore considered to be contrary to the National Planning Policy Framework, Policies RLP3, RLP9, RLP24, RLP56 and RLP90 of the Braintree District Local Plan Review, Policy CS9 of the Braintree District Core Strategy, and Policies SP1, SP6, LPP1, LPP37, LPP45, LPP50 and LPP55 of the Braintree District Publication Draft Local Plan.

## SUBMITTED PLANS

Location Plan/Block Plan	Plan Ref: 0708/11
Existing Floor Plan	Plan Ref: 0708/12
Elevations	Plan Ref: 0708/13
Proposed Floor Plan	Plan Ref: 0708/14

TESSA LAMBERT - DEVELOPMENT MANAGER

## AGENDA ITEM NUMBER 5b

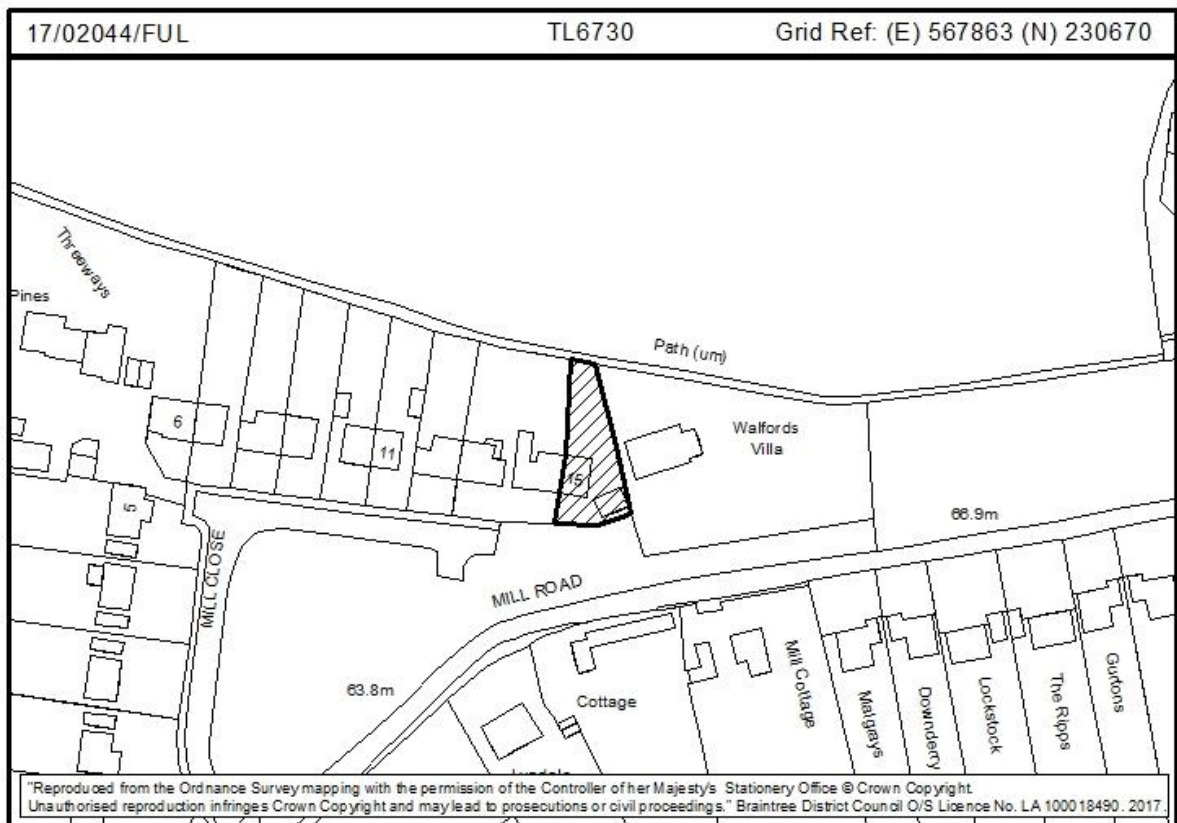
### PART B

APPLICATION NO: 17/02044/FUL      DATE: 27.11.17  
VALID:  
APPLICANT: Miss Hannah Seels  
15 Mill Close, Great Bardfield, Essex, CM7 4RJ  
DESCRIPTION: Conversion of part of existing garage into a dog grooming parlour  
LOCATION: 15 Mill Close, Great Bardfield, Essex, CM7 4RJ

For more information about this Application please contact:

Will Collier on:- 01376 551414 Ext. 2513

or by e-mail to: [will.collier@braintree.gov.uk](mailto:will.collier@braintree.gov.uk)



## SITE HISTORY

None.

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*"The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

## National Planning Guidance

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

## Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
RLP3	Development within Town Development Boundaries and Village Envelopes
RLP11	Changes of Use Affecting Residential Areas
RLP17	Extensions and Alterations to Dwellings in Towns and Villages
RLP56	Vehicle Parking
RLP90	Layout and Design of Development

## Braintree District Local Development Framework Core Strategy 2011

CS9	Built and Historic Environment
-----	--------------------------------

## Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP38	Residential Alterations, Extensions and Outbuildings
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development
LPP73	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

## INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being referred to the Planning Committee for determination because Great Bardfield Parish Council have objected to the application, which is contrary to the officer recommendation.

## SITE DESCRIPTION

The site comprises a semi-detached dwelling at the eastern end of Mill Close, a residential cul-de-sac adjacent to a greensward. The site is located within the Great Bardfield village envelope, but outside of the Conservation Area. There is a double garage within the curtilage. The house is accessed via a driveway shared with No. 14 Mill Close.

## PROPOSAL

The proposal is to subdivide the double garage by inserting a dividing wall to form a space for a dog grooming business, leaving one remaining garage parking space. The proposal also includes alterations to the driveway, to increase space for parking.

## CONSULTATIONS

Essex County Council Highways – No objections. There must be 2 parking spaces for the dwelling and 1 parking space for the dog grooming business, and the plans appear to show that 3 cars can park in the driveway outside the garage. As the parking authority, you may have other considerations to make.

Environmental Health – No objections but recommends that the applicant will need to make arrangements for trade waste.

## REPRESENTATIONS

Great Bardfield Parish Council – Objection on following reasons:

- The area is already experiencing parking and manoeuvring issues.
- The public turning area near the property will be used for parking associated with the business, but it is essential to keep this free for visitors so as to avoid reversing long distance to exit area.
- The greensward would be used by dog grooming customers for parking.
- The Business Plan commitment to restrict business to 'three dogs a day maximum' will be difficult to monitor.
- Concerns about waste and water – application form (section 11) shows foul sewage to be disposed of by the mains sewer, however it is not proposed to connect to the existing drainage system.
- The Parish has received five representations and wish these to be taken into account.
- Securing one of the nearby Bardfield Centre units would be more appropriate for this use.

The Parish was re-consulted following the submission of additional plans. Their comments maintained the objection with the following concerns:

- The cul-de-sac is already experiencing parking and manoeuvring issues for residents and their visitors.
- The business plan states there is room for 5 parking spaces; however this would only be with the use of the public turning area, which is essential for all visitors to avoid having to reverse some distance.
- The proposed additional parking spaces indicated in the revised plans are not particularly useable, and customers are unlikely to squeeze their cars on site when they can leave them in the road outside.

## Neighbour Representations –

### 1. Occupier of Marl House, Mill Close, Great Bardfield:

Objection based on following:

- No history or precedence of business practices with associated highway impacts in the residential area.
- The property, No. 15 is located at the end of a cul-de-sac at the end of the greensward, which entails that customers will have only one way in and out, passing along the full length of the greensward. This increased traffic will cause a safety concern with children using the greensward as a play area.
- The turning area should be protected with 'no parking signage'.

### 2. Occupier of 3 Mill Close:

Objection on following grounds:

- There is no location plan with the application showing surrounding properties and that this property is at end of cul-de-sac of 19 houses.
- Unclear as to how trade waste will be managed, as section 11 of application form says 'no' to connection to existing drainage system despite saying to be disposed by mains sewer.
- Concern about potential of dirty water, soap, dog hair etc blocking drainage system.
- No information provided about activities and equipment associated with business.
- Parking is already congested in this part of Mill Close and proposal will increase congestion.
- Queries whether applicant can really provide 5 off-site parking spaces without using the turning area.
- Increased traffic would create safety hazard to children playing on Mill Green and in the close
- Concerned that applicant could have more than 3 dogs per day if successful.
- Despite applicant stating there will be specific timed appointments, concern is raised that such timings might take longer than expected, resulting in increased congestion, especially with dogs being walked before or after appointments.

## REPORT

### Principle of Development

The site is located within the village envelope of Great Bardfield, therefore in accordance with Policies RLP3, RLP11, RLP17 and RLP90 of the Braintree District Local Plan Review, emerging Policies LPP1, LPP38, LPP50 and LPP55 of the emerging Braintree District Publication Draft Local Plan and Policy CS9 of the Braintree District Core Strategy 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 and without unacceptable impact on the amenities of adjoining residential properties, including on privacy, overshadowing and loss of light.

Policy RLP11 of the Braintree District Local Plan Review states that permission will not be given for employment or other new uses which by reason of their character or appearance, or the noise fumes, smell and traffic which they generate, will harm the character of a predominantly residential area and make it a less pleasant area in which to live.

Changes of use in predominantly residential areas can have significant effects on residential amenities, as can changes of use in non-residential areas close by. Such changes will be resisted. However proposals for working from home, which can be carried out with no adverse environmental or traffic effects on the surrounding area, will be encouraged.

The principle of a change of use in a residential area for business use is therefore supported in principle; however this is subject to a satisfactory assessment against the policy criteria listed above concerning design, amenity, impact on the character of the residential area, and other material planning considerations.

#### Design, Appearance and Layout

Both the NPPF and the NPPG require all new forms of development to be well designed. The NPPG (paras. 23 – 28) elaborates on this in a residential context, by requiring Local Planning Authorities to consider whether the layout, scale, form, details and materials come together to “help achieve good design and connected objectives”. The NPPF states that new development should seek to improve “streetscapes and buildings to create attractive and comfortable places” by using design which reflects “local character and history, and reflect the identity of local surroundings and materials”, thereby resulting in a form of development which is “visually attractive as a result of good architecture and appropriate landscaping”. Policy CS9 of the Braintree District Core Strategy similarly seeks a high standard of design and layout in all new developments.

Policy RLP17 of the Braintree District Local Plan Review allows for the extension and alterations of an existing dwelling provided that there is no over-development of the plot, the siting, bulk, form and materials of the extension are compatible with the original dwelling, and providing there is no unacceptable material impact on the identity of the street scene, scale and character of the area.

In addition to this, Policy RLP90 of the Braintree District Local Plan Review and Policy LPP 55 of the emerging Braintree District Publication Draft Local Plan require designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to



ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping.

The proposed alterations to the garage are internal only (insertion of internal partition wall) and therefore have no impact on the external appearance of the garage.

The proposed alterations to the driveway involve cutting back the overgrown hedgerow to within 300mm of the northern boundary and removing an existing flower bed adjacent to the house. Block paving will be added on the additional space created. It is considered that such alterations would have minimal impact on the appearance and character of the property.

### Impact on Residential Amenity

The main impact of the proposal on the residential area is through the proposed business use (dog grooming) in terms of noise, fumes, smell and traffic generated; and how this affects the character of the residential area.

The proposed dog grooming business involves bathing, drying and cutting dogs' hair inside the garage, operated by the sole owner. With regard to noise, fumes and smell generated from the business, it is noted there is no objection from Environment Health, and no operating license would be required for the business. It is considered, therefore, the business would not create a level of noise, fumes and smells that would be harmful to neighbouring residential amenity.

The main impact, in this case, is considered to be the traffic generated and how this would affect the amenity of the residential area, which is examined in detail below.

### Highway Considerations

In consultation with Essex County Council's Highways, the required parking provision for the site is a total of 3 (2 for the dwelling and 1 for the dwelling).

A number of comments in the representations express concern about the proposed provision of 5 parking spaces stated in the Business Plan. However, it should be noted that the requirement is only for 3 parking spaces, and only one of these for the business. Therefore the proposal should be assessed on how it can accommodate 3 off-street spaces.

The revised plans show two options for the layout of three parking spaces outside the garage. Both options provide one space measuring 2.9 x 5.5m space and two spaces measuring 2.4 x 4.8m, and both layouts are considered acceptable. The larger of the parking spaces in each option complies with Essex County Council's Parking Standard dimensions, and the smaller two spaces are below the required dimensions, but taking into account the space available on the driveway are considered sufficient in size in this case. The remaining garage space has not been counted as a fourth parking space, as it

is not currently used for parking. It is therefore assessed that the driveway can sufficiently accommodate 3 off-street parking spaces. Furthermore, it is noted there is no objection from the Highways Authority in this regard.

A key issue is whether the business is of a scale that would generate a level of traffic and parking in the street that would have adverse impact on the amenity of the residential area. Concerns are noted about parking in the turning area; however it is considered this is largely a reaction to the applicant's statement that there would be 5 parking spaces (requirement is only 3). It should also be noted that the proposed business occupies only half the garage space (the double garage as a whole is about 27 sq. metres) which is considered small. It is therefore considered the level of traffic associated with the requirement for one space would be low. Furthermore, it should be considered that only one customer with a car can be served at a time; and the business is operated by one person, which limits the number of customers that can be received.

It is stated in the Business Plan that a maximum of 3 customers per day would be permitted. However, it is considered that it would be difficult to monitor and enforce the number of customers the business has each day. In order to safeguard neighbouring amenity it is recommended that conditions are attached to the decision limiting operating hours (9 – 5, Monday to Friday), and ensuring that the alterations / enlargement of the driveway are completed before first use of the garage for business purposes.

### CONCLUSION

The proposal has minimal impact on the appearance of the property. Furthermore, the business use is considered to be of a sufficiently small scale (occupying half the garage) requiring only one parking space (in addition to the two for the dwelling), which can be accommodated on the site. It is considered the level of traffic generated would therefore be low, not having an adverse effect on the character of the residential area. Officers are therefore satisfied that the proposal would be compliant with the abovementioned policies.

### RECOMMENDATION

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

### APPROVED PLANS

Location Plan  
Block Plan  
Floor Plan

Plan Ref: REV

- 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

In the interests of visual amenity.

- 4 Prior to first use of the dog grooming business, the proposed alterations to the driveway shall be carried out and completed in accordance with the approved plans listed above and shall thereafter be retained as approved.

Reason

To ensure sufficient parking is provided for the business and residential use in accordance with the Council's adopted Car Parking Standards.

- 5 The premises shall not be open, or used for activities relating to the dog grooming business, outside the following hours:
  - Monday to Friday 0900 hours - 1700 hours
  - Saturdays, Sundays, Public Holidays - Closed

During these hours, any business shall be made by appointment only.

Reason

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

- 6 Prior to the first use of the site as hereby permitted a scheme for the disposal of all waste arising from the use shall have been submitted to and approved in writing by the local planning authority. All waste arising from the use shall be disposed of solely in accordance with the approved scheme.

Reason

In the interests of residential amenity and the environment generally.

## INFORMATION TO APPLICANT

- 1 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the conditions. 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 You are advised of the need to make arrangements for the collection of trade refuse. Further advice on options available from the Council can be obtained from Mr C Shipham (01376 552525)

TESSA LAMBERT  
DEVELOPMENT MANAGER

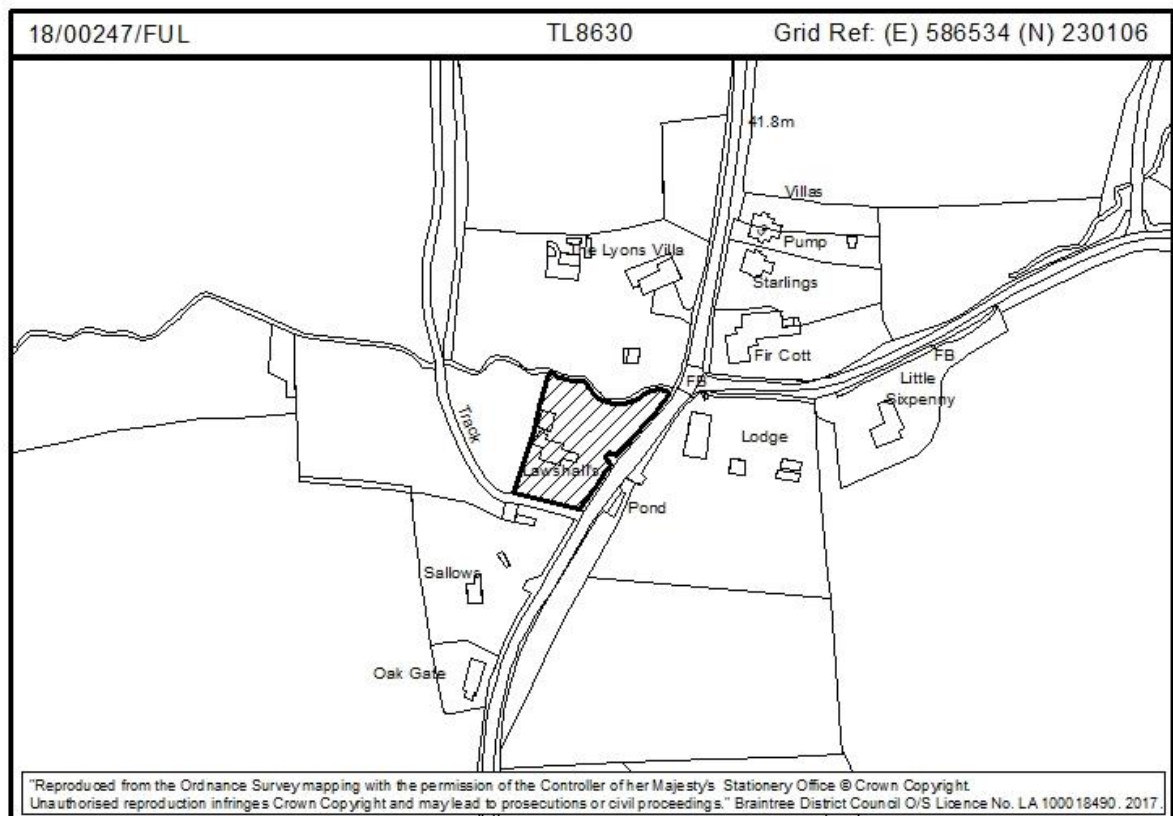
PART B

APPLICATION NO: 18/00247/FUL DATE: 27.02.18  
 VALID:  
 APPLICANT: Mrs Anna Parsons  
 Lawshalls, Lawshall's Hill, Colne Engaine, Essex, CO6 2HU  
 AGENT: Oswick Ltd  
 Mr Rob Jones, 5/7 Head Street, Halstead, Essex, CO9 2AT  
 DESCRIPTION: Render repairs to all elevations. Replacement and repairs to windows. Works to access including widening, brick piers and replacement gates.  
 LOCATION: Lawshalls, Lawshall's Hill, Colne Engaine, Essex, CO6 2HU

For more information about this Application please contact:

Ellie Scott on:- 01376 551414 Ext. 2515

or by e-mail to: [ellie.scott@braintree.gov.uk](mailto:ellie.scott@braintree.gov.uk)



## SITE HISTORY

00/00117/LBC	Alterations and new chimney stack to study and new rooflights	Granted	13.03.00
88/02251/P	Alterations To Roof	Withdrawn	01.02.89
98/00306/LBC	Conversion of bathroom into bedroom and cloakroom	Granted	07.04.98
18/00248/LBC	Render repairs to all elevations. Replacement and repairs to windows. Works to access including widening, brick piers and replacement gates.	Pending Decision	

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

#### National Planning Guidance

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

#### Braintree District Local Plan Review 2005

RLP18	Extensions to Existing Dwellings in the Countryside
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings

#### Braintree District Local Development Framework Core Strategy 2011

CS9	Built and Historic Environment
-----	--------------------------------

#### Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
LPP1	Development Boundaries
LPP60	Heritage Assets and their Settings

#### INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to Planning Committee in accordance with the Council's Scheme of Delegation as the applicant is an employee at Braintree District Council.

#### SITE DESCRIPTION

The application site comprises a Grade II Listed detached dwelling located outside the village envelope of Colne Engaine.

#### PROPOSAL

The proposal includes render repair to all elevations, replacement and repairs to windows and works to access including widening, brick piers and replacement gates.

## CONSULTATIONS

Colne Engaine Parish Council: No comments received.

Essex County Council Highways: From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to a condition to require any gates to open inward only.

### Condition

Any gates provided at the vehicular access shall be inward opening only.

Reason: In the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Historic Buildings Consultant: The Historic Building Consultant was consulted on a number of occasions due to requiring further information, on the gate, windows and render. Following the latest submission of information confirmed no objections to the proposal.

## REPRESENTATIONS

A site notice was displayed in front of the property for a period of 21 days. No representations have been received.

## REPORT

### Principle of Development

The proposal is for render repair, replacement windows and works to the access including widening, brick piers and replacement gates. Proposals as part of this application include the widening, brick piers and replacement gates. There is separate application for Listed Building Consent (18/00248/LBC) which cover the other proposed works at this application site. Such a proposal is supported in principle in accordance with Policies RLP18 and RLP100 of the Braintree District Local Plan Review and Policies LPP1, LPP38 and LPP60 of the emerging Braintree District Publication Draft Local Plan, subject to criteria on design, amenity and other material considerations.

### Design, Appearance, Layout and Heritage

Paragraph 131 of the National Planning Policy Framework (NPPF) states that "In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and: the desirability of new development making a positive contribution to local character and distinctiveness".



When considering the impact of development on a historical asset the NPPF states in paragraph 132 that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

Policy RLP100 of the Braintree District Local Plan Review supported by Policy CS9 of the Braintree District Core Strategy and Policy LPP60 of the emerging Braintree District Publication Draft Local Plan states inter alia that works will be permitted where they do not harm the setting, character, structural stability and fabric of the building (or structure); and will not result in the loss of, or significant damage to the building or structure’s historic and architectural elements of special importance, and include the use of appropriate materials and finishes.

Following correspondence and the submission of revised plans, it is considered that the works are now of a nature and quality that are assessed to be sympathetic to the character of the listed building, as confirmed in comments from the Historic Buildings Consultant who following the submission of additional information and plans, now raises no objections to the proposal.

#### Impact on Neighbour Amenity

It is not considered that the proposals would have a detrimental impact upon neighbouring residential amenity.

#### Highway Issues

Essex County Council Highways have provided no objections to the proposal although have requested that the gates open inwards. This condition has been recommended to be added to the decision notice.

#### CONCLUSION

It is considered that the works comply with the abovementioned policies and therefore it is considered that this application should be 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

Method Statement	Plan Ref: Photo Schedule	Version: 17-346-AS REV B
Location Plan		
Proposed gate details	Plan Ref: 17-346-AS-2	
Access Details	Plan Ref: 17-346-AS-1	
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B

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

### Reason

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

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

### Reason

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

- 3 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 Any gates provided at the vehicular access shall be inward opening only.

### Reason

In the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

## INFORMATION TO APPLICANT

- 1 There shall be no drainage of surface water on to the highway.
- 2 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development

Management Team by email at  
development.management@essexhighways.org or by post to:  
SMO1 - Essex Highways, Colchester Highways Depot, 653, The  
Crescent, Colchester Business Park, Colchester CO49YQ

TESSA LAMBERT  
DEVELOPMENT MANAGER

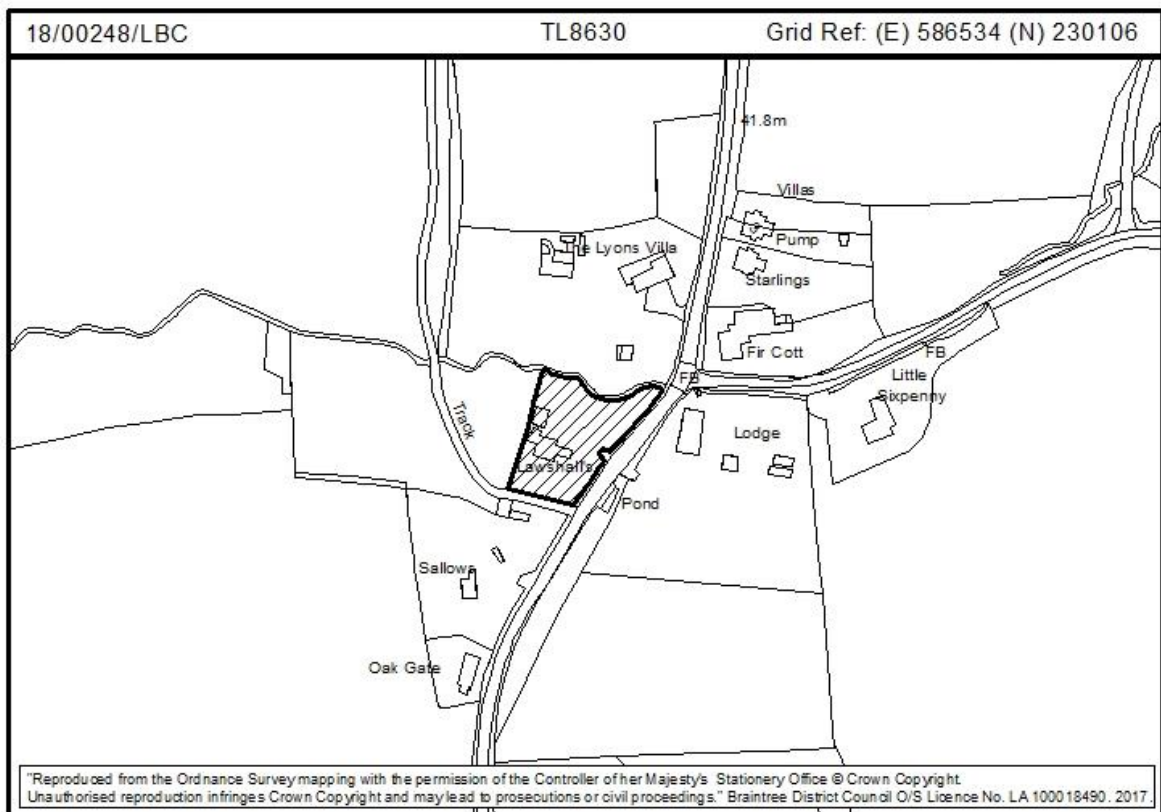
PART B

APPLICATION NO: 18/00248/LBC DATE: 27.02.18  
 VALID:  
 APPLICANT: Mrs Anna Parsons  
 Lawshalls, Lawshall's Hill, Colne Engaine, Essex, CO6 2HU  
 AGENT: Oswick Ltd  
 Mr Rob Jones, 5/7 Head Street, Halstead, Essex, CO9 2AT  
 DESCRIPTION: Render repairs to all elevations. Replacement and repairs to windows. Works to access including widening, brick piers and replacement gates.  
 LOCATION: Lawshalls, Lawshall's Hill, Colne Engaine, Essex, CO6 2HU

For more information about this Application please contact:

Ellie Scott on:- 01376 551414 Ext. 2515

or by e-mail to: [ellie.scott@braintree.gov.uk](mailto:ellie.scott@braintree.gov.uk)



## SITE HISTORY

00/00117/LBC	Alterations and new chimney stack to study and new rooflights	Granted	13.03.00
88/02251/P	Alterations To Roof	Withdrawn	01.02.89
98/00306/LBC	Conversion of bathroom into bedroom and cloakroom	Granted	07.04.98
18/00247/FUL	Render repairs to all elevations. Replacement and repairs to windows. Works to access including widening, brick piers and replacement gates.	Pending Decision	

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

#### National Planning Guidance

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

#### Braintree District Local Plan Review 2005

RLP100      Alterations and Extensions and Changes of Use to Listed  
Buildings and their settings

#### Braintree District Local Development Framework Core Strategy 2011

CS9            Built and Historic Environment

#### Braintree District Publication Draft Local Plan 2017

LPP60        Heritage Assets and their Settings

#### INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to Committee in accordance with the Council's Scheme of Delegation as the applicant works at Braintree District Council.

#### SITE DESCRIPTION

Please see report for application reference 18/00247/FUL

#### PROPOSAL

Please see report for application reference 18/00247/FUL

#### CONSULTATIONS

Please see report for application reference 18/00247/FUL

## REPRESENTATIONS

Please see report for application reference 18/00247/FUL

## REPORT

Please see report for application reference 18/00247/FUL

## CONCLUSION

It is considered that the works are now of a nature and quality that are assessed to be sympathetic to the character of the listed building, as confirmed in comments from the Historic Buildings Consultant who following the submission of additional information and plans, now raises no objections to the proposal. It is therefore considered that the proposal complies with the abovementioned policies and as such it is considered that this application should be 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

Method Statement	Plan Ref: Photo Schedule	Version: 17-346-AS REV B
Location Plan	Plan Ref: 17-346-AS-2	
Proposed gate details	Plan Ref: 17-346-AS-2	
Access Details	Plan Ref: 17-346-AS-1	
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B
Window details	Plan Ref: 17-346-as-1	Version: REV B

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

### Reason

This Condition is imposed pursuant to Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990.

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

Reason

To ensure that the work does not affect the character or setting of the listed building on/adjoining the site.

- 3 The external materials and finishes shall be as indicated on the approved plans and Method Statement.

Reason

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

TESSA LAMBERT  
DEVELOPMENT MANAGER

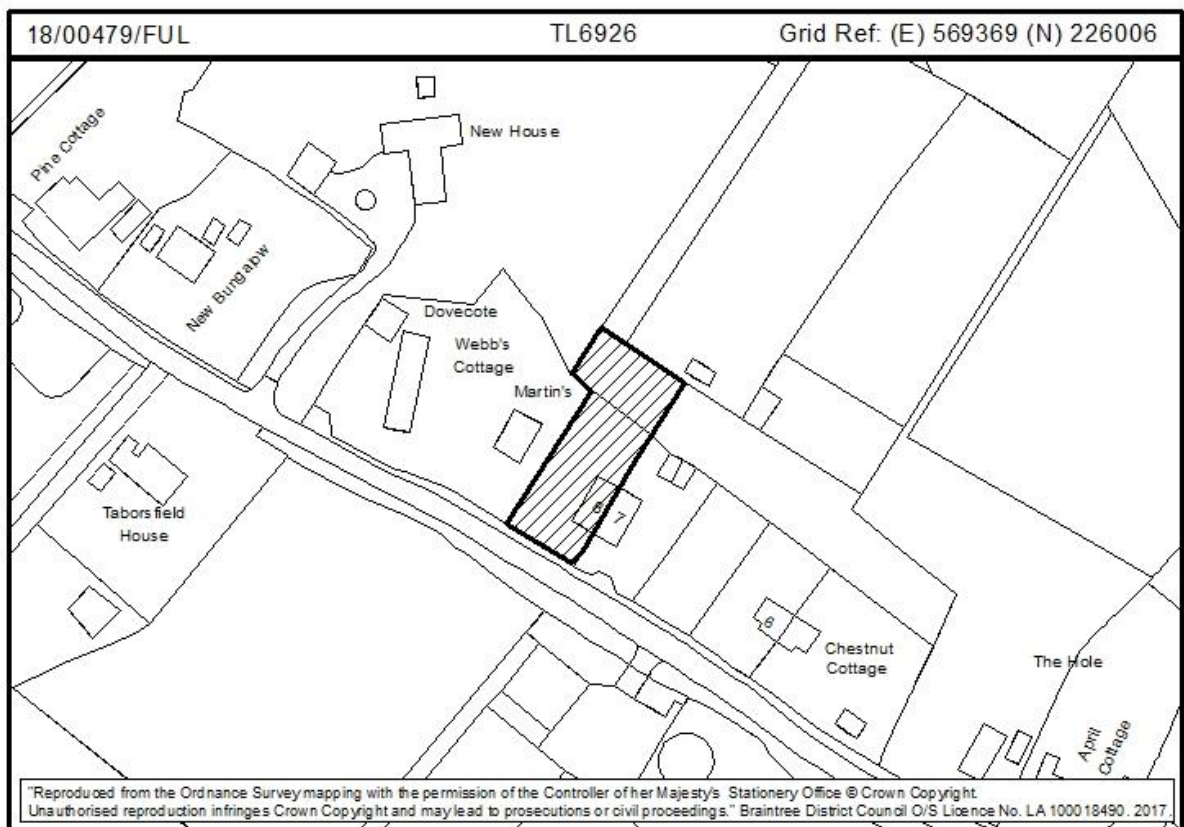


AGENDA ITEM NUMBER 5e

PART B

APPLICATION NO: 18/00479/FUL      DATE: 14.03.18  
VALID:  
APPLICANT: Mr Mike Roland  
8 Woolpits Road, Great Saling, Essex, CM7 5DZ  
AGENT: Mr Jonathan Bell  
2 Ongar Road, Margaret Roding, Dunmow, Essex, CM6 1QP  
DESCRIPTION: Erection of first floor rear extension  
LOCATION: 8 Woolpits Road, Great Saling, Essex, CM7 5DZ

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



## SITE HISTORY

None.

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*"The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

### National Planning Guidance

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

### Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
RLP18	Extensions to Existing Dwellings in the Countryside
RLP56	Vehicle Parking
RLP90	Layout and Design of Development

### Braintree District Local Development Framework Core Strategy 2011

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

### Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP38	Residential Alterations, Extensions and Outbuildings
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development

### Other Material Considerations

#### Essex Design Guide

- Page 76 & 77 – Amenity Space
- Page 89 - 45° Rule & Overlooking
- Page 81 – 109 – Design

#### Essex Parking Standards

### INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

The application is being referred to Planning Committee for determination as Great Saling Parish Council have recommended the application is approved, which is contrary to Officer Recommendation.

## SITE DESCRIPTION

8 Woolpits Road is a two storey semi-detached residential dwellinghouse located outside of any village envelope, approximately 0.5 miles north-west of Great Saling and 0.5 miles south-east of Bardfield Saling.

Both the application site and the attached neighbouring dwelling have an existing single storey rear extension. The application site also has an existing conservatory off of the side elevation.

## PROPOSAL

The application seeks planning permission for the erection of a two storey rear extension. The extension would extend approximately 3 metres in depth from the rear wall of the existing dwelling. On the rear elevation would be a collection of fenestration, including double casement windows at ground floor, a double casement, Juliet balcony and a small obscure glazed window.

The existing single storey side conservatory, attached to the existing single storey rear extension, would remain in situ.

## CONSULTATIONS

Bardfield Saling Parish Council – Recommend Approval.

## REPRESENTATIONS

A site notice was displayed at the front of the site and neighbours were notified by letter. No representations have been received.

## REPORT

### Principle of Development

For sites located outside of designated village envelopes and development boundaries, Policy RLP2 of the Braintree District Local Plan Review states that countryside policies apply. Policy CS5 of the Braintree District Core Strategy states that development outside town development boundaries, village envelopes and industrial development limits, will be strictly controlled to uses appropriate to the countryside in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside. In this case, there are no objections in principle to the erection of an extension at this property, subject to detailed consideration which is set out below.

### Design, Appearance and Layout

Policy RLP18 of the Braintree District Local Plan Review and Policy LPP 38 of the emerging Braintree District Publication Draft Local Plan elaborate on this still, allowing the extension of existing habitable dwellings within the countryside provided that the extension is “in harmony with the countryside setting and compatible with the scale and character of the existing dwelling

and the plot upon which it stands". It reiterates that "extensions will be required to be subordinate to the existing dwelling in terms of bulk, height, width and position".

Policy RLP90 of the Braintree District Local Plan Review and Policy LPP 55 of the emerging Braintree District Publication Draft Local Plan require designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping. Policy CS9 of the Braintree District Core Strategy and LPP 50 of the emerging Braintree District Publication Draft Local Plan seeks to secure the highest possible standards of design and layout in all new development and the protection and enhancement of the historic environment.

The proposed rear extension would result in a two storey form of development being attached to the rear of the existing dwelling. The extension would extend the full width of the rear elevation, with the ridge being set slightly below that of the host dwelling.

The extension would add a significant amount of development at two storey level, with a large rear facing projecting gable filling the width of the entire dwelling. The resulting form of development would dominate the rear elevation, and would not represent a subordinate addition in terms of its relationship with the host dwelling.

The proposed extension would include a confused rear elevation, with a Juliet balcony which would be taller than the eaves of the extension, cut into the roof plane and be slightly offset with the ground floor window. There would also be two different types of windows, one a traditional double casement which would mirror the windows at ground floor, and the other a disproportionately small obscure glazed window which would serve a bathroom.

Although in isolation these criticisms may not result in an unacceptable impact upon the character and appearance of the dwelling, collectively their impact would result in a poor form of design, cumulatively amounting to an unacceptable impact, which is considered to be contrary to the aforementioned policies.

#### Impact upon Neighbouring Amenity

The NPPF states that new development should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings", whilst Policy RLP90 of the Braintree District Local Plan Review and Policy LPP 55 of the emerging Braintree District Publication Draft Local Plan allow for new development where there would be "no unacceptable or undue impact" on neighbouring residential amenities by way of loss of "privacy, overshadowing, loss of light or overbearing impact".

The application site consists of a semi-detached dwelling. The attached neighbouring dwelling also has an existing single storey rear extension. At 3 metres in depth, the two storey extension would match the depth of the existing neighbouring extension. Notwithstanding this, a loss of light/overbearing impact must be considered, and is assessed using the 45° angle rule. When the extension would encroach upon the 45° sight lines when measured from a first floor rear window at the neighbouring site, it is likely that an unacceptable impact would result on neighbouring residential amenities by virtue of loss of light and overbearing.

In the case of this application, the proposed two storey rear extension would encroach upon the 45° angle when measured from the rear elevation. The extent of the encroachment would be approximately 15°, with approximately 25° being free of the extension. Therefore, officers consider that the proposals would result in an unacceptable impact on the residential amenities of the neighbouring dwelling.

### Highway Issues

Sufficient parking provision would be retained in accordance with the Council's adopted Parking Standards.

### CONCLUSION

The proposed extension, by virtue of its depth, design and overall massing and bulk, would result in a poor form of design, accentuated by its excessive width and poorly fenestration, and would result in a form of development which would have an unacceptable impact on the character and appearance of the host dwellinghouse.

The extension would also, by virtue of its depth, width and height, result in an unacceptable impact on neighbouring residential amenities.

### RECOMMENDATION

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

- 1        The proposed extension, by virtue of its depth, design and overall massing and bulk, would result in a poor form of design, accentuated by its excessive width and multiple forms of fenestration, would result in a form of development which would have an unacceptable impact on the character and appearance of the host dwellinghouse.

The extension would also, by virtue of its depth, width and height, result in an unacceptable impact on neighbouring residential amenities.

The application is therefore considered to be contrary to the National Planning Policy Framework, Policies RLP2, RLP18, and RLP90 of the Braintree District Local Plan Review, Policies CS5 and CS9 of the Braintree District Core Strategy, Policies LPP1, LPP38 and LPP55 of the Braintree District Publication Draft Local Plan, and the Essex Design Guide.

#### SUBMITTED PLANS

Location Plan	Plan Ref: 2018-132-002
Existing Floor Plan	Plan Ref: 2018-132-010
Existing Elevations	Plan Ref: 2018-132-011
Proposed Floor Plan	Plan Ref: 2018-132-020
Proposed Elevations	Plan Ref: 2018-132-021

TESSA LAMBERT  
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5f

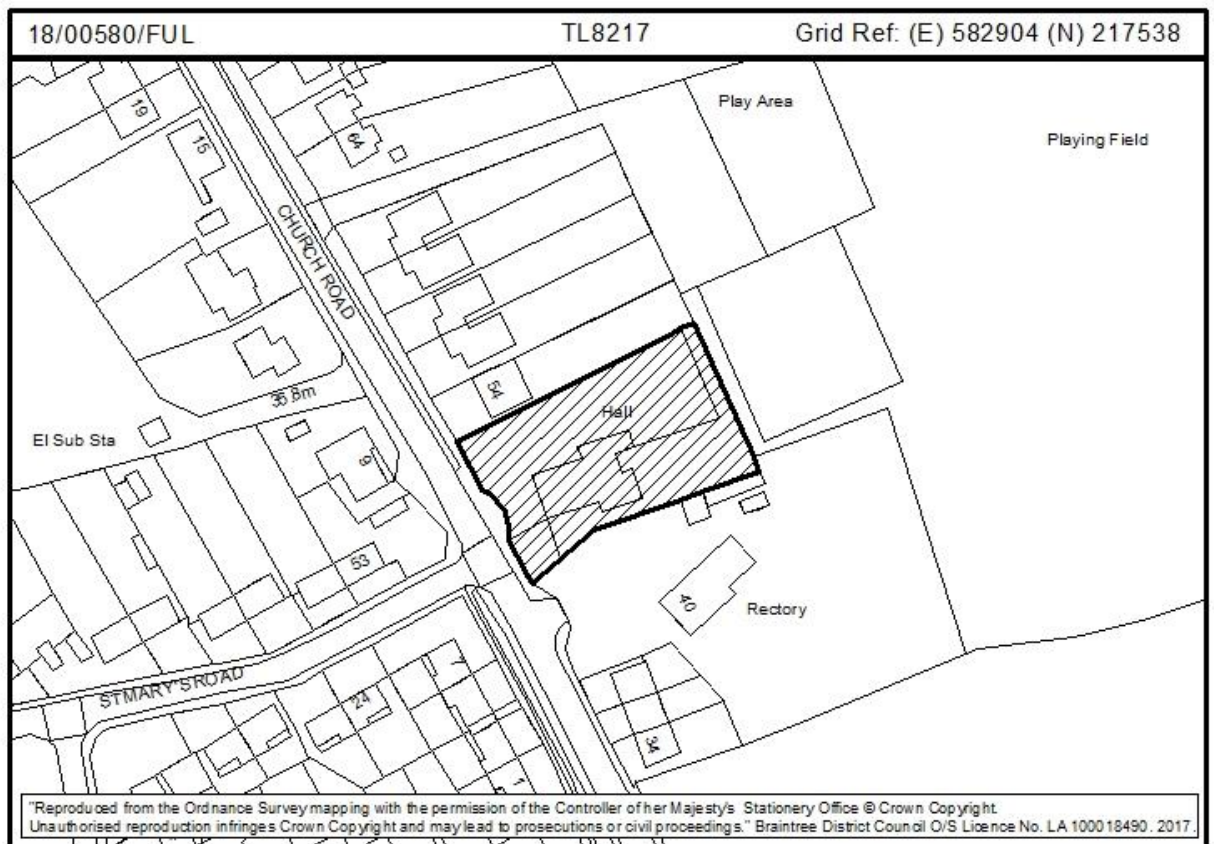
PART B

APPLICATION 18/00580/FUL DATE 22.03.18  
NO: VALID:  
APPLICANT: Riventot Preschool  
Ruth Hassey, Rivenhall Village Hall, Church Road,  
Rivenhall, Essex, CM8 3PQ  
AGENT: Riverside Design  
Mr Martin Kelby, 88 Belton Grove, Grantham, Lancashire,  
NG31 9HH  
DESCRIPTION: Erection of nursery building  
LOCATION: Rivenhall Village Hall, Church Road, Rivenhall, Essex, CM8  
3PQ

For more information about this Application please contact:

Mr Sam Trafford on:- 01376 551414 Ext. 2520

or by e-mail to: [sam.trafford@braintree.gov.uk](mailto:sam.trafford@braintree.gov.uk)





## SITE HISTORY

06/02026/FUL	Demolition of existing flat roof extension and erection of single storey extension	Granted	15.11.06
06/02318/COU	Change of use of amenity land to car parking and re-surfacing works to existing car park	Granted	29.12.06

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not

however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

#### National Planning Guidance

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

#### Braintree District Local Plan Review 2005

RLP3	Development within Town Development Boundaries and Village Envelopes
RLP11	Changes of Use Affecting Residential Areas
RLP56	Vehicle Parking
RLP56	Vehicle Parking
RLP90	Layout and Design of Development
RLP92	Accessibility
RLP95	Preservation and Enhancement of Conservation Areas
RLP128	Maintenance of Rural Services and Facilities
RLP150	Educational Establishments
RLP160	Local Facilities in Rural Areas

#### Braintree District Local Development Framework Core Strategy 2011

CS4	Provision of Employment
CS7	Promoting Accessibility for All
CS9	Built and Historic Environment
CS11	Infrastructure Services and Facilities

#### Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development
LPP65	Local Community Services and Facilities

#### Other Material Considerations

Essex Design Guide  
• Page 81 – 109 – Design  
Essex Parking Standards

## INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

The application is referred to Planning Committee for determination as Braintree District Council own the land upon which the proposed building would be located.

## SITE DESCRIPTION

The application site consists of an existing village hall, which is used daily as a children's day nursery. To the side of the building is a car park, and to the rear a grassed section of land. The site is located within the village envelope of Rivenhall, although part of the building would be outside of it. The surrounding area consists of a mix of residential dwellings, a village shop, a playing field, and a playground.

## PROPOSAL

The proposal includes the erection of a single storey, flat roofed building located toward the rear of the existing village hall. The building would measure 2.9 metres in height at its tallest point, and have a footprint of 13 metres x 11 metres. It would be clad in cream coloured timber.

The existing nursery at the village hall employs 8 members of staff, who would transfer over to the new nursery facility.

## CONSULTATIONS

Environmental Health Officer – No Objections subject to a condition relating to construction hours.

Rivenhall Parish Council – No Objections.

## REPRESENTATIONS

A site notice was displayed at the front of the site and neighbours were notified by letter. No representations were received.

## REPORT

### Principle of Development

The site is located within the village envelope of Rivenhall. The centre of an accessible and sustainable village, opposite the village shop/post office and behind the local village hall, would represent a suitable location for the provision of a new nursery building.

The proposal includes the provision of a new nursery building, behind the village hall where the nursery is currently located. The existing village hall is

no longer fit for purpose to be used as a nursery, as it is understood that the W/C facilities are not suitable for children, the outdoor space is not easily accessible for children, and the limited availability of the village hall means the nursery can only operate on a limited basis during the week which is inconvenient and restrictive for the users of the nursery.

The need for an additional building has resulted from the applicant researching available buildings within the Rivenhall village and finding that there are no suitable alternatives. The need for a building of this size originates from the Statutory Framework for the EYFS, which states 2.5 square metres should be provided per 2 year old child. This would result in a total of 36 child spaces being available. It is understood that the Rivenhall area is currently designated as 'amber' in the childcare sufficiency assessment, meaning it is recognised that additional childcare spaces are required. The loss of the existing village hall facility with no replacement would further reduce childcare spaces.

In accordance with Policy RLP3 of the Braintree District Local Plan Review, the principle of a new building to be used as a pre-school nursery is considered to be acceptable subject to appropriate design, highway considerations and providing there is no undue or unacceptable impact on neighbouring residential amenities. These particulars are discussed later on in the report.

#### Design, Appearance and Layout

The NPPF states that new development should seek to improve "streetscapes and buildings to create attractive and comfortable places" by using design which reflects "local character and history, and reflect the identity of local surroundings and materials", thereby resulting in a form of development which is "visually attractive as a result of good architecture and appropriate landscaping". This is further elaborated within Policies RLP3 and RLP90 of the Braintree District Local Plan Review and Policies LPP1, LPP50 and LPP55 of the emerging Braintree District Publication Draft Local Plan which require a high standard of design and layout for all new development.

The proposed new building would be simple in terms of its design, consisting of a flat roof, windowed sides on three of the elevations, and a cream coloured timber finish. It would measure 2.9 metres in height, and measure 13 metres x 11 metres.

Although it would not necessarily be an attractive building, it would be functional in terms of its design, and would not be visible in the street scene, or appear out of keeping in this context. The space where the building would be located is currently disused. The need for the building to be this size has been justified by the applicant.

Therefore taking into account the need for the facility and the proposed location of the building, officers consider the proposals would not be

unacceptable in terms of their impact upon the character and appearance of the area.

#### Impact on Neighbour Amenity

The NPPF states that new development should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”, whilst Policy RLP90 of the Braintree District Local Plan Review and Policy LPP 55 of the emerging Braintree District Publication Draft Local Plan allow for new development where there would be “no unacceptable or undue impact” on neighbouring residential amenities by way of loss of “privacy, overshadowing, loss of light or overbearing impact”.

The proposed building would incorporate a nursery use. There is an existing nursery use at the adjacent village hall, which would occupy the new building. The building would be located 1.5 metres away from a boundary shared with a residential dwelling known as The Rectory. Notwithstanding this, given there is an existing nursery on the site which would move into the new building, it is unlikely that impacts would be increased.

As part of this consideration, the Council’s Environmental Health Officer was consulted on the application and undertook a desktop assessment of the proposal. The Environmental Health Officer raised no objections to either the proposed building or its use as a children’s day nursery, subject to a condition limiting the hours of construction on site.

It is also considered that, given the intensity of the building’s use when it is in use, and despite the hours of opening indicated in the application form, a condition restricting the opening hours to sociable hours would be necessary to ensure no impacts on neighbouring residential amenities. In the absence of an objection from the Environmental Health Officer, there would be no reason for these hours to differ from those contained within the application form.

#### Highway Issues

The Council refers to the Council’s adopted Parking Standards Design and Good Practise (2009) Supplementary Planning Guidance, which requires development relating to a new D1 use to have at least one space per full time equivalent member of staff, as well as a drop off/pick up facility. The proposed nursery would employ the same number of staff as the existing nursery; being 8 full time members of staff.

The plans show that the proposed building would be served by the existing nursery car park, which has a total of 21 spaces. This is in excess of the required number of spaces.

The proposed building would be served by an existing access, which is currently used to access the Village Hall. The Highway Authority raised no objections of comment in relation to the proposal.

## CONCLUSION

The proposal includes the erection of a new nursery building in a well-connected and accessible location, and would be served by adequate parking provision. Therefore taking into account the need for the facility and the proposed location of the building, officers consider the proposals would not be unacceptable in terms of their impact upon the character and appearance of the area. Officers therefore recommend that the application be approved.

## RECOMMENDATION

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

## APPROVED PLANS

Location / Block Plan	Plan Ref: RD 2018-10-041
Proposed Floor Plan	Plan Ref: RD 2018-10-02
Proposed Elevations	Plan Ref: RD 2018-10-03
3D Visual Plan	

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

### Reason

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

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

### Reason

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

- 3 The external materials and finishes shall be as indicated on the approved plans and/or schedule.

### Reason

To conform with the pattern of the existing development in the locality.

- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending, revoking and re-enacting that Order) the premises shall be used as a Day Nursery, and for no other purpose within Class D1.

### Reason

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

- 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 0900 hours - 1500 hours

Saturday - Closed.

Bank Holidays & Sundays - Closed.

Reason

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

- 6 The Day Nursery hereby approved shall not operate outside of the following times:

Monday to Friday: 09:00 - 15:00

Saturday: Closed.

Sunday and Bank Holidays: Closed

Reason

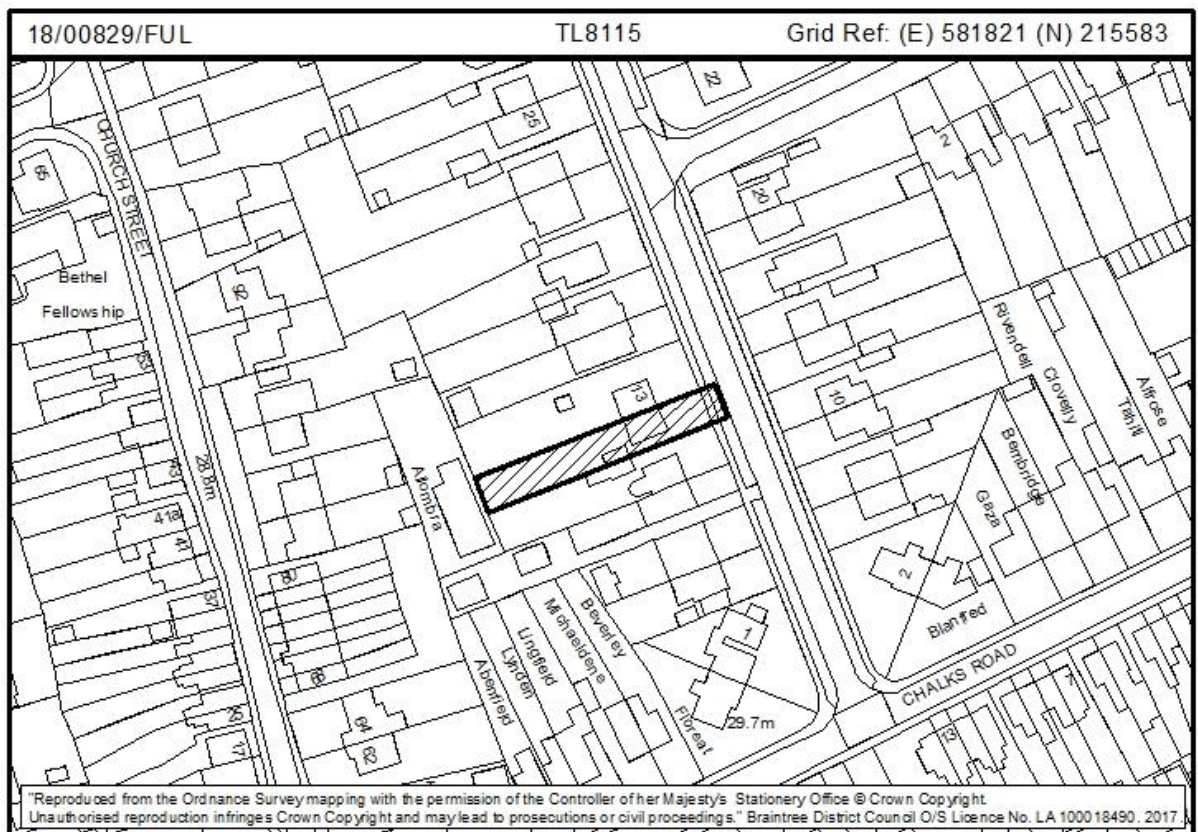
To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

TESSA LAMBERT  
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 18/00829/FUL  
 DATE: 02.05.18  
 VALID:  
 APPLICANT: Mrs J Cole  
 11 St Nicholas Road, Witham, Essex, CM8 2JF  
 AGENT: Andrew Stevenson Associates  
 21A High Street, Great Dunmow, Essex, CM6 1AB  
 DESCRIPTION: Erection of two storey side and single storey rear extensions.  
 LOCATION: 11 St Nicholas Road, Witham, Essex, CM8 2JF

For more information about this Application please contact:  
 Will Collier on:- 01376 551414 Ext. 2513  
 or by e-mail to: [will.collier@braintree.gov.uk](mailto:will.collier@braintree.gov.uk)





## SITE HISTORY

None.

## POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20<sup>th</sup> June 2016 and was the subject of public consultation between the 27<sup>th</sup> June and 19<sup>th</sup> August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5<sup>th</sup> June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16<sup>th</sup> June to 28<sup>th</sup> July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9<sup>th</sup> October 2017. The Section 1 of the Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government. The Part 2 Draft Local Plan examination will take place later this year.

In accordance with paragraph 216 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

*"The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

*The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;*

*The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".*

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 216 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

## National Planning Guidance

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

## Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
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

## Braintree District Local Development Framework Core Strategy 2011

CS9	Built and Historic Environment
-----	--------------------------------

## Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP38	Residential Alterations, Extensions and Outbuildings
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development

## INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being presented to Planning Committee as the applicant is related to an employee of Braintree District Council.

## SITE DESCRIPTION

The site comprises a semi-detached dwelling with rear garden, situated on the west side of St Nicholas Road, Witham. The application site is located within the development boundary.

## PROPOSAL

The proposal is for a two storey side and single storey rear extension.

## CONSULTATIONS

No comments received from Witham Town Council.

## REPRESENTATIONS

None received.

## REPORT

### Principle of Development

The proposal is for an extension to an existing dwelling within the development boundary and is therefore supported in principle in accordance with Policy RLP17 of the Braintree District Local Plan Review and Policy LPP38 of the emerging Braintree District Publication Draft Local Plan, subject to criteria on design, amenity and other material planning considerations.

### Design, Appearance and Layout

Both the NPPF and the NPPG require all new forms of development to be well designed. The NPPG (paras. 23 – 28) elaborates on this in a residential context, by requiring Local Planning Authorities to consider whether the layout, scale, form, details and materials come together to “help achieve good design and connected objectives”. The NPPF states that new development should seek to improve “streetscapes and buildings to create attractive and comfortable places” by using design which reflects “local character and history, and reflect the identity of local surroundings and materials”, thereby resulting in a form of development which is “visually attractive as a result of good architecture and appropriate landscaping”. Policy CS9 of the Braintree District Core Strategy similarly seeks a high standard of design and layout in all new developments.

Policy RLP17 of the Braintree District Local Plan Review allows for the extension of an existing dwelling provided that there is no over-development of the plot, the siting, bulk, form and materials of the extension are compatible with the original dwelling, and providing there is no unacceptable material impact on the identity of the street scene, scale and character of the area.

In addition to this, Policy RLP90 of the Braintree District Local Plan Review and Policy LPP 55 of the emerging Braintree District Publication Draft Local Plan require designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping.

The proposed side extension spans half the depth of the house, and is set well back from the front wall of the host dwelling. The roof of the extension is set well below the height of the roof of the main house. The side extension is thus considered to be subordinate in scale and in keeping with the design of the host dwelling.

It is noted that the side extension meets the boundary line with the adjoining property, No. 9 St Nicholas Road, which might raise concerns about a future terracing effect, should there be a similar side extension at No. 9. However, due to the way the extension is set back from the front by 4 metres and due to its scale, it is considered the proposal maintains a good sense of separation between the two properties, and therefore the proposal is assessed not to have an adverse impact on the character of the area.

Lastly, it is considered that sufficient garden space would be retained at the property (approximately 200 square metres).

#### Impact on Neighbour Amenity

The proposal is assessed to cause no adverse impact on the amenities of the neighbouring properties in terms of loss of privacy, outlook or light. With respect to the single storey rear extension, it would have no harmful impact on No. 13, since No. 13 also has a rear extension of the same depth. With respect to the side extension, there are no windows in the side elevation facing the side elevation of No. 9. Furthermore, it is noted the windows in the side elevation of No. 9 comprise of landing and kitchen windows and are not therefore habitable rooms. The kitchen also benefits from another window on the rear elevation.

#### Highway Issues

The length of driveway in front of the side extension is approximately 13 metres, which is considered adequate for accommodating two vehicles in a tandem parking arrangement. Sufficient parking provision would therefore be retained at the property.

#### CONCLUSION

The proposal is considered to be in keeping with the design and character of the house and is assessed to cause no harmful impact on neighbouring properties. The application is therefore recommended for approval.

#### 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

Proposed Floor Plan	Plan Ref: 06
Proposed Floor Plan	Plan Ref: 07
Proposed Elevations	Plan Ref: 08
Proposed Block Plan	Plan Ref: 09

- 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

In the interests of visual amenity.

TESSA LAMBERT  
DEVELOPMENT MANAGER