

PLANNING COMMITTEE AGENDA

Tuesday, 09 May 2017 at 07:15 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

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

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 by 3pm on the day of the meeting.

N BEACH
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 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

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

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 25th April 2017 (copy to follow).

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:-

5a Application No. 17 00298 FUL - The Green Man, 1 The Street, GOSFIELD 5 - 18

5b Application No. 17 00299 LBC - The Green Man, 1 The Street, GOSFIELD 19 - 25

PART B

Minor Planning Applications:-

5c Application No. 17 00300 FUL - 114 West Street, COGGESHALL 26 - 33

5d Application No. 17 00301 LBC - 114 West Street, COGGESHALL 34 - 39

5e Application No. 17 00499 FUL - 15 The Endway, STEEPLE 40 - 46
BUMPSTEAD

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

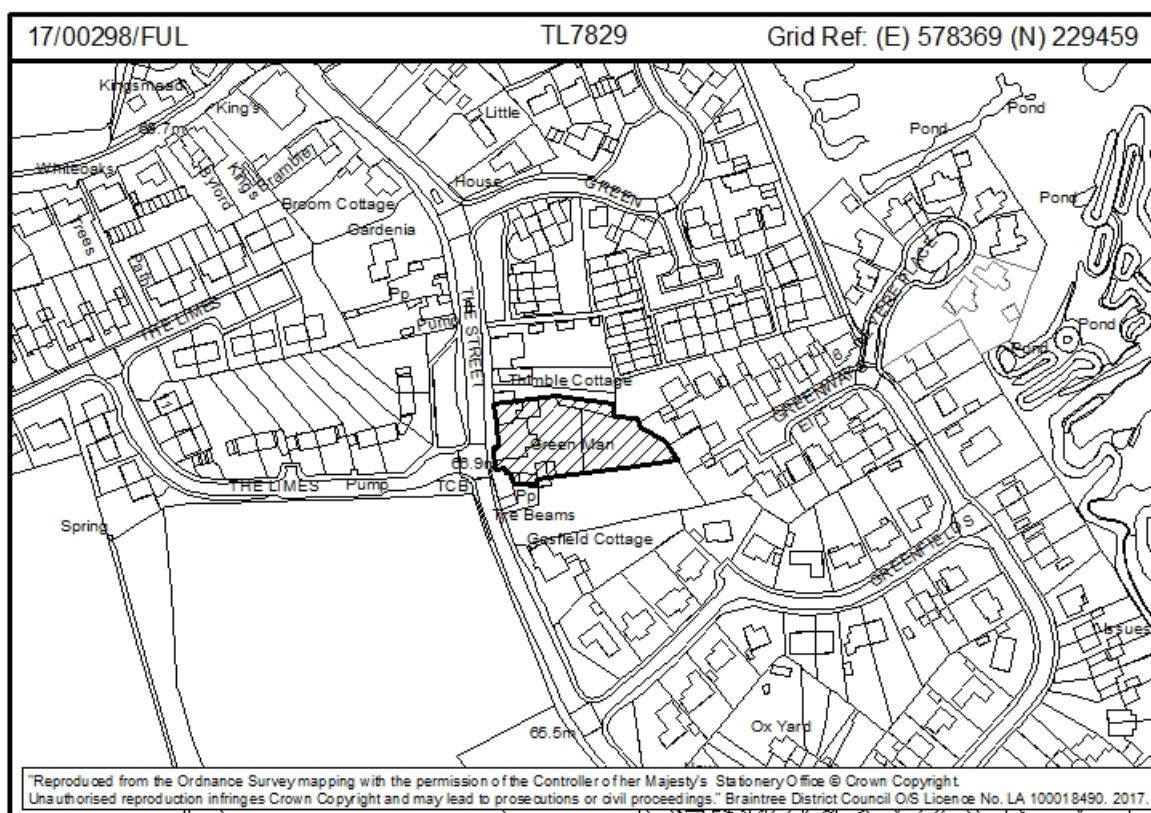
8 Urgent Business - Private Session

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.

PART A

APPLICATION NO: 17/00298/FUL DATE: 23.02.17
 VALID:
 APPLICANT: Hawthorn Leisure Ltd
 C/O Agent
 AGENT: WYG
 Mr Jeremy Heppell, The Pavilion, 1st Floor, Botleigh
 Grange Office Campus, Southampton, SO30 2AF
 DESCRIPTION: Alterations and extensions in connection with part
 conversion of public house to form 1 three bed dwelling
 including associated reconfiguration of car park and beer
 garden.
 LOCATION: The Green Man, 1 The Street, Gosfield, Essex, CO9 1TP

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



SITE HISTORY

07/01349/FUL	Internal alterations to provide 3 no. en-suite letting rooms	Granted	22.08.07
07/01350/LBC	Internal alterations to provide 3 no. en-suite letting rooms	Granted	22.08.07
16/01963/FUL	Alterations and extensions in connection with part conversion of public house and detached barn to form 2, three bed dwellings including associated reconfiguration of car park and beer garden.	Refused	16.02.17
16/01964/LBC	Alterations and extensions in connection with part conversion of public house and detached barn to form 2, three bed dwellings including associated reconfiguration of car park and beer garden.	Granted	16.02.17
17/00299/LBC	Alterations and extensions in connection with part conversion of public house to form 1 three bed dwelling including associated reconfiguration of car park and beer garden.	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 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016.

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 Draft Local Plan 2016.

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 Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP2	Town Development Boundaries and Village Envelopes
RLP3	Development within Town Development Boundaries and Village Envelopes
RLP10	Residential Density
RLP36	Industrial and Environmental Standards
RLP51	Cycle Parking
RLP56	Vehicle Parking
RLP74	Provision of Space for Recycling
RLP80	Landscape Features and Habitats
RLP84	Protected Species
RLP90	Layout and Design of Development
RLP95	Preservation and Enhancement of Conservation Areas
RLP97	Changes of Use in Conservation Areas
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings

RLP128	Maintenance of Rural Services and Facilities
RLP151	Protection of Community Services

Braintree District Draft Local Plan

SP1	Presumption in Favour of Sustainable Development
LPP28	House Type & Density
LPP37	Parking Provision
LPP42	Built & Historic Environment
LPP46	Layout and Design of Development
LPP47	Preservation and Enhancement of Conservation Areas, and Demolition within Conservation Areas
LPP50	Alterations, Extensions and Changes of Use to Heritage Assets and their Settings
LPP55	Retention of Local Community Services and Facilities
LPP56	Natural Environment
LPP57	Protected Species
LPP59	Landscape Character and Features

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

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee as the Parish Council has objected to the application and Officers are recommending approval.

NOTATION

The application site is located within the village envelope.

SITE DESCRIPTION

- Grade II listed pub located within the village envelope and Conservation Area.
- The site is served by an existing vehicular access which leads to a car park to the rear of the building.
- The pub garden is located beyond the car park.
- There is a curtilage listed outbuilding located on the southern boundary of the site.

PROPOSAL

This application is for the sub-division of the existing public house to create a new three bedroom dwelling within the northern part of the building. It is also proposed to erect a single storey rear extension on this part of the building to create an enlarged living area at ground floor level.

The pub garden and car park would be reconfigured to provide a new garden area to the rear of the public house and car park behind, and two parking spaces to serve the new dwelling.

Some minor internal alterations are proposed to the public house. A new dining area would be created within the existing building and a three bedroom managers flat would be retained at first floor level.

CONSULTATIONS

Historic Buildings Advisor – No objection. The proposal will have a minimal impact upon the historic fabric of the property. It is also accepted that the current single storey addition is of little significance and that its demolition is acceptable.

Landscape Services – The Phase 1 Ecological Report states that it is likely that commuting and foraging bats will use the site and may be affected by lighting. Therefore it should be conditioned that no external lighting shall be installed at the site until such time as a suitable lighting design strategy to mitigate for disturbance to commuting and foraging bats is to be submitted to and approved in writing by the LPA, to ensure there is no disturbance or harm caused to a protected species. Further ecological enhancements to the site as contained within the Phase 1 Ecological Report recommendations must also be detailed, in particular the type and location of bat roost features.

No objections to the revised proposals and the nature of the tree removal is for low category trees. A suitable method statement should be required to ensure the surfacing of the car park accurately reflects the details submitted within the revised Arboricultural Assessment.

Environmental Health – No objection subject to conditions requiring noise mitigation measures.

Highways – Although visibility at the existing access does not comply with current standards, the Highway Authority would not wish to raise an objection to the above application given that the development proposals are not expected to lead to an increase in trips to/from the site. Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable.

Engineers - Unaware of any surface water issues affecting this site.

Parish Council – Object for the following reasons:

- The proposals are detrimental to the current street scene of Gosfield.
- The site is being over-developed.
- The proposals are not in character with the historic nature of Gosfield.
- The Parish Council is concerned regarding highways access into and out of the site.
- The Parish Council is concerned regarding insufficient parking at the site.
- The Parish Council opposes the scheme because it splits up the current character of the public house.
- There is insufficient evidence of a costed financial business plan to understand the viability of the public house.

REPRESENTATIONS

A site notice was displayed on the front of the building and neighbouring properties were notified by letter. No letters of representation have been received.

REPORT

Relevant History

A planning application and an application for listed building consent were submitted towards the end of 2016 for the conversion of part of the public house to a 3 bedroom dwelling (the same as proposed in this application) and also the conversion of the detached barn along the southern boundary of the site to form a three bedroom dwelling. This application also included the reconfiguration of the car park and beer garden.

The planning application was refused as it was considered that the proposed dwelling which would be created as a result of the conversion of the barn would have resulted in a poor level of amenity for occupants of the building. With regard to the conversion of the barn, it was also considered that insufficient information had been submitted to enable the appropriate consideration to be given to any impacts upon a legally protected species (bats) and any potential mitigation measures.

The refusal related solely to the conversion of the barn. Officers did not raise an objection to the subdivision of the public house to create a separate dwelling (for reasons explained below).

The Historic Buildings Officer did not have any concerns relating to the proposed works to the listed public house and curtilage listed barn. Therefore, although planning permission was refused, listed building consent was granted.

Principle of Development

The site is located within the village envelope, where the principle of residential development is acceptable. This application proposes alterations and subdivision of the existing public house to create a new dwelling. Alterations are also proposed to the parking and garden area. The proposal to convert the detached barn referred to above, has been removed and does not form part of the current application.

At the time the previous application was being considered a nomination had been submitted to Braintree District Council to list the public house as an Asset of Community Value. Since the previous application was refused a decision has been made not to list the public house as an Asset of Community Value.

Policies RLP128 and RLP151 of the Local Plan Review seek to retain rural services and facilities, unless sufficient evidence is provided to demonstrate that they are not viable and that all options for their continuance have been fully explored. In this case a public house, albeit reduced in size, would be retained.

It is proposed to convert the northern part of the building to a residential dwelling. Information within the application indicates that the existing public house is 435.9sqm in size. This would be reduced to 309sqm. The part of the ground floor proposed for conversion is currently used as a dining area, plus customer toilets in the modern rear extension which is intended to be demolished. The upper floor to be converted is used for offices and storage in association with the pub and manager's flat.

It is stated that the remaining bar area will be of sufficient size to ensure there is a viable Public House in the future. The proposed development will ensure the continued viability of the Public House by releasing underutilised land and allowing the owners of the site to provide a newly fitted beer garden. It is proposed that the retained ground floor of the pub will be split between a dining area (of similar size to that existing) and a bar area. In this way the pub will continue to serve both food and drink. Whilst currently the pub has two bar areas and in future will have one. The upper floor of the retained pub will remain configured for use as a manager's flat.

The proposal would not lead to the loss of the facility. It is stated that this proposal would assist with the future retention of the public house. In theory this could be the case. This application does not propose the entire loss of the facility and therefore a refusal on grounds of viability would be difficult to justify given the wording of the policies referred to above. If it turns out to be the case that a planning application is submitted in the future for the change of use of the entire public house, then the Council would have full regard to viability issues and would request detailed accounts, including details of any revenue from the sale/letting of parts of the site.

On the basis of the above, it is not considered that the conversion of part of the public house to residential use is objectionable in principle.

The rear part of the site would be reconfigured so that a patio/garden area would be located to the immediate rear of the building and the parking area would extend into the existing garden area. No objection is raised to the principle of these proposals.

Design and Appearance

Policy CS9 of the Core Strategy and Policies RLP90, 95, 97 and 100 of the Local Plan Review seek to secure the highest possible standards of design and layout in all new development and ensure the protection and enhancement of designated Conservation Areas and listed buildings.

No alterations are proposed to the front elevation of the building. Accordingly it is not considered that there would be any adverse impact to the street scene, character of the village or designated Conservation Area. To the rear it is proposed to remove an existing single storey lean-to extension and replace with a narrower pitched roof extension. The size and design of this is considered acceptable. Some minor internal alterations are proposed which would not affect the historic fabric of the building.

An enclosed garden would be provided to the rear. This would be large enough to accord with adopted size standards.

Impact on Neighbouring Residential Amenities

One of the core planning principles set out in Para.17 of the NPPF is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy RLP90 of the Local Plan Review also states that there shall be no undue or unacceptable impact on the amenity of any nearby residential properties

Activities from the retained public house have the potential to impact upon the occupants of the new dwellings proposed.

In the case of the dwelling created by the part conversion of the public house, the proposed new dwelling would share a party wall with the public house. It is proposed to upgrade the party wall and ground and first floor level. Following initial concerns raised by the Council's Environmental Health Officer in the previous application, details in respect of this have been provided. This is detailed on a submitted plan and includes an independent frame, with a minimum gap of 50mm between the frame and the existing wall, lined with a double layer of 15mm Gyproc Soundbloc with staggered joints. This would ensure that the independent panel and its supporting frame are not in contact with the existing party wall. This detail was submitted with the previous

application and was considered acceptable by the Council's Environmental Health Officer, subject to some recommended conditions. The proposed works were also considered by the Historic Buildings Advisor who raised no objection as the works would not affect any historic fabric.

Highway Considerations

Policy RLP56 states that off-road parking should be provided in accordance with the Council's adopted Parking Standards.

The proposal would result in the loss of 2 no.parking spaces for the public house. A total number of 12 spaces would be retained. Having regard to adopted Parking Standards (maximum standards) for public houses, this number of spaces is considered acceptable.

The proposed new dwelling would both benefit from two parking spaces. This provision would accord with adopted standards.

The site is served by an existing access. However, visibility when exiting the site by vehicle is restricted. The Highway Authority has considered the information submitted with the application, particularly with regard to vehicle movements, and has advised that although visibility at the existing access does not comply with current standards, the development proposals are not expected to lead to an increase in trips to/from the site. Accordingly the Highway Authority has not raised an objection. On this basis a reason for refusal based on highway safety would be difficult to substantiate.

Landscape and Ecology

Policy RLP 80 of the Local Plan Review states that proposals for new development will be required to include an assessment of their impact on wildlife and should not be detrimental to the distinctive landscape features and habitats of the area such as trees, hedges, woodlands, grasslands, ponds and rivers. Development that would not successfully integrate into the local landscape will not be permitted.

An Arboricultural Impact Assessment has been submitted with the application. A total of 17 individual trees and groups were recorded during the tree survey. One of these was rated Category B. This will be retained. It is proposed remove four trees 9Catogory C) as part of the proposal. Four other trees will have their root protection areas impacted upon (these are also all Category C trees). The report states that the sub base for the nearest car parking spaces will be a cellular confinement system. This will negate the need for significant excavation and excessive disturbance within the RPAs of these trees. The surfacing would be installed before any clearance or construction activities occur on site and will act as ground protection throughout the construction phase.

The report recommends tree protection measures for the other trees and a preliminary Arboricultural Method Statement has also been included. Measures to ensure the remaining trees are appropriately protected can be secured by condition.

The Phase 1 Ecological Report states that it is likely that commuting and foraging bats will use the site and may be affected by lighting. It recommends that it should be conditioned that no external lighting shall be installed at the site until such time as a suitable lighting design strategy to mitigate for disturbance to commuting and foraging bats has been submitted to and approved in writing by the LPA. It is also recommended that a bat roost feature is introduced on site.

CONCLUSION

The site is located within the village envelope where the principle of development is acceptable. Although part of the public house would be lost in order to create a new dwelling, a public house with dining facility and 3 bedroom managers flat above would remain. This proposal would therefore not result in the loss of a village facility, albeit that it would be reduced in size. The internal alterations and proposed rear extension are considered acceptable and would not have an adverse impact upon the character of the area, the Conservation Area or the listed building. Conditions can be imposed to ensure that adequate sound protection and tree protection measures are put in place. The Highway Authority has not raised an objection to the use of the existing access to serve the new dwelling and adequate parking would be provided within the site. It is therefore considered that the proposal accords with the policies set out above.

RECOMMENDATIONS

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

APPROVED PLANS

Existing Plans	Plan Ref: 16-2169-111 P1
Existing Elevations	Plan Ref: 16-2169-112 P1
Proposed Floor Plan	Plan Ref: 16-2169-113 P1
Proposed Elevations	Plan Ref: 16-2169-114 P1
Location Plan	Plan Ref: 16-2169-115 P1
Noise Details	Plan Ref: 16-2169-116 P1
Site Plan	Plan Ref: 16-2169-110 P3

- 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 All areas of hardstanding shall be constructed using porous materials laid on a permeable base unless otherwise agreed in writing by the local planning authority.

Reason

To prevent the increased risk of flooding.

- 4 Development shall not be commenced until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS will include a Detailed Tree Protection Plan (DTPP) indicating retained trees, trees to be removed, the precise location and design of protective barriers and ground protection and suitable space for access, site storage and other construction related facilities. The AMS and DTPP shall include details of the appointment of a suitably qualified Project Arboricultural Consultant who will be responsible for monitoring the implementation of the approved DTPP, along with details of how they propose to monitor the site (frequency of visits; key works which will need to be monitored, etc.) and how they will record their monitoring and supervision of the site.

The development shall be carried out in accordance with the approved details. Following each site inspection during the construction period the Project Arboricultural Consultant shall submit a short report to the local planning authority.

The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the development to the complete satisfaction of the local planning authority.

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

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

machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, hedges.

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

Reason

To ensure existing trees, shrubs and hedges are retained as they are considered essential to enhance the character of the development. Details are required prior to commencement of development to ensure trees are protected throughout the development process.

- 5 Prior to first occupation of the new dwelling hereby approved details of the design and location of a bat box within the site shall be submitted to and approved in writing by the local planning authority. The bat box shall be installed in accordance with the approved details prior to the first occupation of the dwellinghouse and thereafter so maintained.

Reason

In the interests of protecting and enhancing biodiversity.

- 6 The enclosures as indicated on the approved layout plan shall be erected prior to first occupation of the new dwelling hereby approved and shall be permanently maintained as such.

Reason

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

- 7 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason

To ensure adequate parking space is provided in accordance with the Council's adopted Parking Standards.

- 8 The bin store and cycle parking facilities as shown on the Drawing No. 16-2169-100 Rev.P3 shall be provided prior to the first occupation of the new dwelling hereby approved and retained at all times.

Reason

In the interest of promoting sustainable forms of development and to ensure that the development provides suitable facilities.

- 9 Prior to first occupation of the new dwelling hereby approved, the occupants shall be provided with a Residential Travel Information Pack for sustainable transport, approved by Essex County Council.

Reason

In the interests of reducing the need to travel by car and promoting

sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

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

Reason

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

- 11 Prior to first occupation of the new dwelling hereby approved, the noise mitigation works shall be completed in accordance with the details shown on Drawing No.16-2169-116 Rev.P1 and a validation report from an acoustic consultation demonstrating that these have been carried out and that the noise level within the residential property has been reduced to an acceptable level as specified in BS:8233 shall be submitted to and approved in writing by the local planning authority. These works shall remain in place in perpetuity.

Reason

To protect the amenities of the occupiers of the residential dwelling hereby permitted.

INFORMATION TO APPLICANT

- 1 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
- 2 Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by

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

- 3 With regard to Condition 10, lighting should be directed to where it is needed and light spillage avoided in order to minimise impacts upon commuting or foraging bats. This can be achieved by the design of the luminaire and by using hoods to direct the light to the intended area only. The height of lighting columns should be as short as is possible. Low level sodium bollard lighting should be used where possible. Security lighting should be sensor activated.
- 4 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. You are 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, CO4 9YQ.
- 5 This development will result in the need for a new postal address. Applicants should apply to the Street Naming & Numbering Officer using the application form which can be found at www.braintree.gov.uk/streetnaming. Enquiries can also be made by emailing streetnaming@braintree.gov.uk.

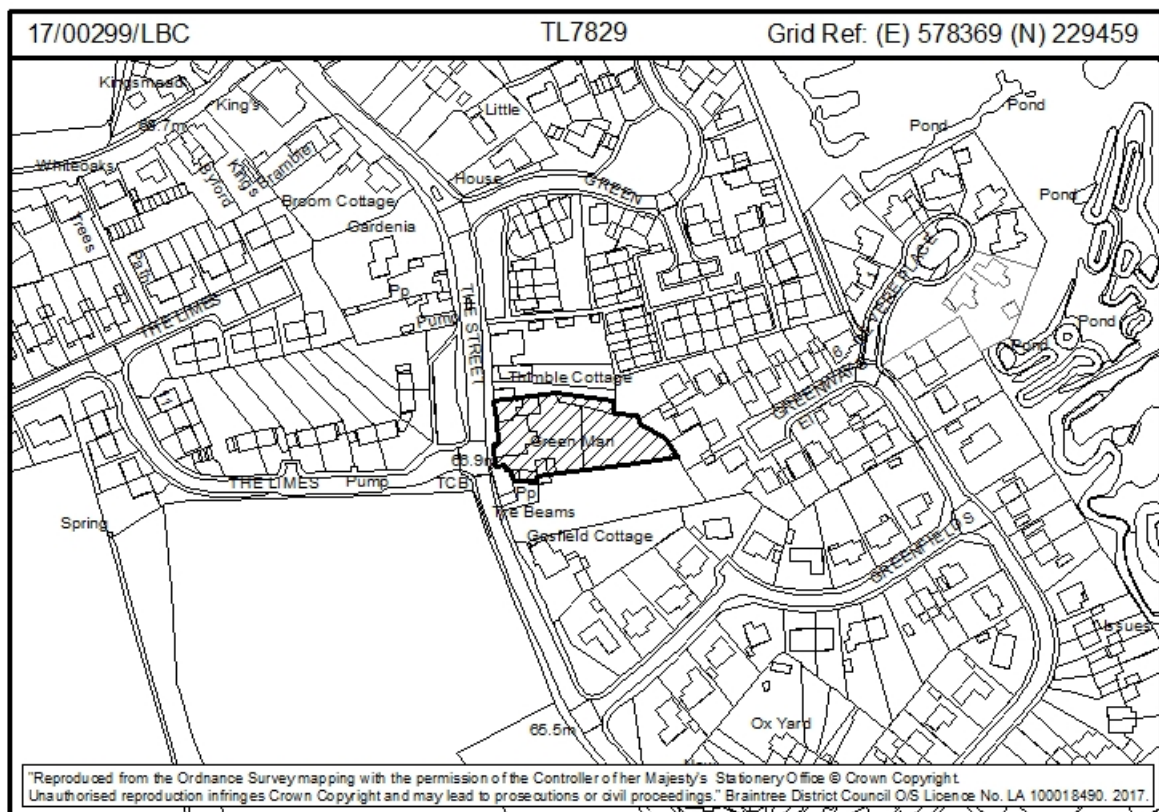
TESSA LAMBERT
DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5b

PART A

APPLICATION NO: 17/00299/LBC DATE: 23.02.17
 VALID:
 APPLICANT: Hawthorn Leisure Ltd
 C/O Agent
 AGENT: WYG
 Mr Jeremy Heppell, The Pavilion, 1st Floor, Botleigh
 Grange Office Campus, Southampton, SO30 2AF
 DESCRIPTION: Alterations and extensions in connection with part
 conversion of public house to form 1 three bed dwelling
 including associated reconfiguration of car park and beer
 garden.
 LOCATION: The Green Man, 1 The Street, Gosfield, Essex, CO9 1TP

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



SITE HISTORY

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07/01350/LBC	Internal alterations to provide 3 no. en-suite letting rooms	Granted	22.08.07
16/01963/FUL	Alterations and extensions in connection with part conversion of public house and detached barn to form 2, three bed dwellings including associated reconfiguration of car park and beer garden.	Refused	16.02.17
16/01964/LBC	Alterations and extensions in connection with part conversion of public house and detached barn to form 2, three bed dwellings including associated reconfiguration of car park and beer garden.	Granted	16.02.17
17/00298/FUL	Alterations and extensions in connection with part conversion of public house to form 1 three bed dwelling including associated reconfiguration of car park and beer garden.	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 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016.

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 Draft Local Plan 2016.

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 Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

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

Braintree District Draft Local Plan

LPP50 Alterations, Extensions and Changes of Use to Heritage Assets
and their Settings

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee as the Parish Council has objected to the application and Officers are recommending approval.

NOTATION

The application site is located within the village envelope.

SITE DESCRIPTION

- Grade II listed pub located within the village envelope and Conservation Area.
- The site is served by an existing vehicular access which leads to a car park to the rear of the building.
- The pub garden is located beyond the car park.
- There is a curtilage listed outbuilding located on the southern boundary of the site.

PROPOSAL

This application is for the sub-division of the existing public house to create a new three bedroom dwelling within the northern part of the building. It is also proposed to erect a single storey rear extension on this part of the building to create an enlarged living area at ground floor level.

The pub garden and car park would be reconfigured to provide a new garden area to the rear of the public house and car park behind, and two parking spaces to serve the new dwelling.

Some minor internal alterations are proposed to the public house. A new dining area would be created within the existing building and a three bedroom managers flat would be retained at first floor level.

CONSULTATIONS

Historic Buildings Advisor – No objection. The proposal will have a minimal impact upon the historic fabric of the property. It is also accepted that the current single storey addition is of little significance and that its demolition is acceptable.

Parish Council – Object for the following reasons:

- The proposals are detrimental to the current street scene of Gosfield.
- The site is being over-developed.
- The proposals are not in character with the historic nature of Gosfield.
- The Parish Council is concerned regarding highways access into and out of the site.
- The Parish Council is concerned regarding insufficient parking at the site.
- The Parish Council opposes the scheme because it splits up the current character of the public house.
- There is insufficient evidence of a costed financial business plan to understand the viability of the public house.

REPRESENTATIONS

A site notice was displayed on the front of the building and neighbouring properties were notified by letter. No letters of representation have been received.

REPORT

Impact Upon Heritage Assets

This application relates solely to the proposed works to the listed building. When considering the impact of development on a historical asset the National Planning Policy Framework (NPPF) specifically 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 Core Strategy 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.

To the rear of the listed building it is proposed to remove an existing single storey lean-to extension and replace with a narrower pitched roof extension as part of the new dwelling which will be created. Some minor internal alterations are also proposed, including some noise insulation measures. The proposals have been considered by the Historic Buildings Consultant who advises that they will have a minimal impact upon the historic fabric of the property. It is also accepted that the current single storey addition is of little significance and that its demolition is acceptable. Conditions concerning materials and window details have been requested. On this basis it is considered that the proposal would not have an adverse impact upon the character, fabric or setting of the listed building. Furthermore, the site already benefits from an extant listed building consent for the same works proposed as part of this application.

RECOMMENDATIONS

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

APPROVED PLANS

Existing Floor Plan	Plan Ref: 16-2169-111 P1
Existing Elevations	Plan Ref: 16-2169-112 P1
Proposed Floor Plan	Plan Ref: 16-2169-113 P1
Proposed Elevations	Plan Ref: 16-2169-114 P1
Location Plan	Plan Ref: 16-2169-115 P1
Other	Plan Ref: 16-2169-116 P1
Site Plan	Plan Ref: 16-2169-110 P3

- 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

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

- 3 Construction of any extension shall not be commenced until samples of the materials to be used on the external surfaces have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved samples and permanently maintained as such.

Reason

To ensure the use of appropriate materials having regard to the listed building on this site.

- 4 Prior to the erection of the new garden walls sample panels of 1 square metre minimum shall be erected on site to show areas of new, exterior walling, and approved in writing by the local planning authority. These panels shall indicate brick bond, copings, mortar mix, colour and pointing profile. The works shall be carried out in accordance with the approved sample panels and shall be permanently maintained as such.

Reason

To ensure the use of appropriate materials having regard to the listed building on this site.

- 5 Prior to the installation of any new doors or windows additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with

the approved details and shall be permanently maintained as such.

Reason

To ensure the proposed works do not prejudice the architectural or historic merits of the listed building.

- 6 Prior to installation details of the colour and type of material for all hard surface areas and method of laying shall be submitted to and approved in writing by the local planning authority. The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied or brought into use and shall be permanently maintained as such.

Reason

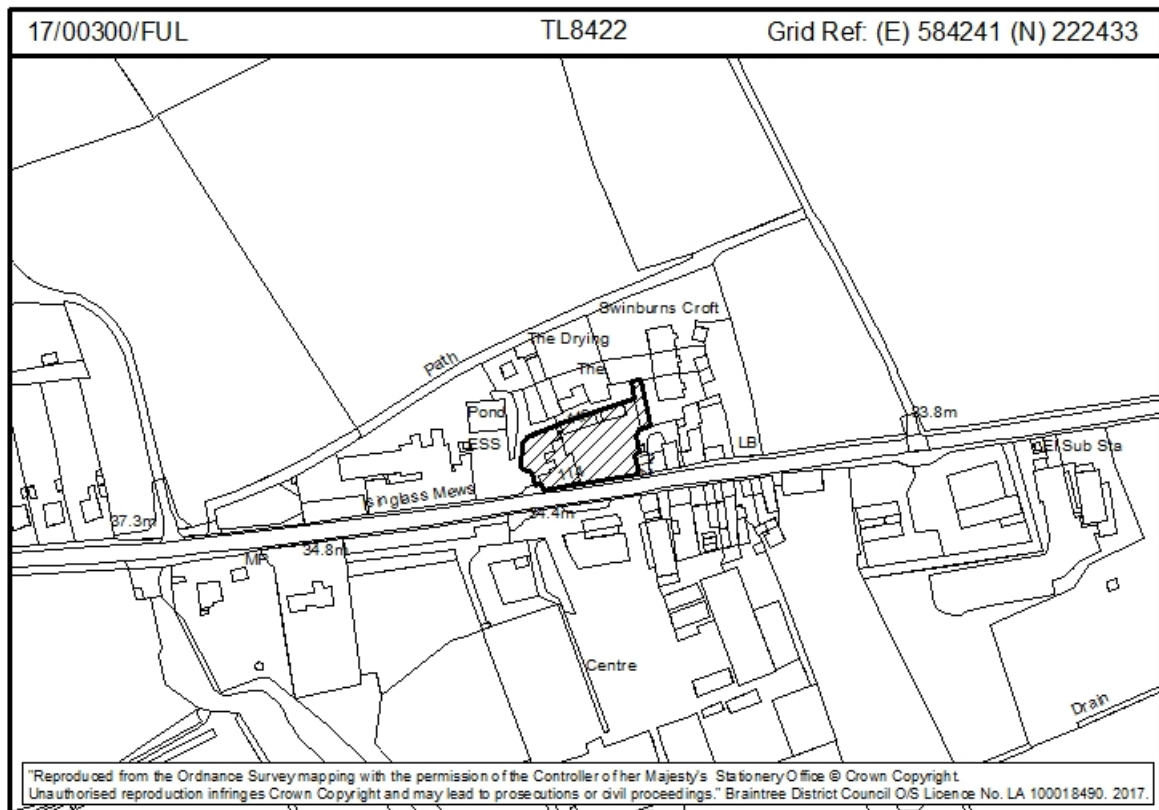
To ensure the use of appropriate materials having regard to the listed building on this site.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION 17/00300/FUL DATE 17.02.17
 NO: VALID:
 APPLICANT: Mrs Nicola Yeates
 114 West Street, Coggeshall, Essex, CO6 1NT
 AGENT: Nigel Chapman Associates
 Mr Nigel Chapman, Kings House, Colchester Road,
 Halstead, Essex, CO9 2ET
 DESCRIPTION: Conversion of existing barn to annexe
 LOCATION: 114 West Street, Coggeshall, Essex, CO6 1NT

For more information about this Application please contact:
 Mathew Wilde on:- 01376 551414 Ext. 2512
 or by e-mail to: mathew.wilde@braintree.gov.uk



SITE HISTORY

02/00008/REF	Proposed vehicular access	Appeal Withdrawn	13.06.02
02/00009/REF	Demolition of length of existing brick wall, construction of re-arranged boundary wall with new timber gates	Appeal Withdrawn	13.06.02
01/01213/FUL	Proposed vehicular access	Refused	13.10.01
01/01215/LBC	Demolition of length of existing brick wall, construction of re-arranged boundary wall with new timber gates	Refused	30.10.01
02/01066/LBC	Proposed re-roofing and replacement of flat roof with hipped roof and peg tiles and new window	Granted	11.02.03
03/01409/FUL	Construction of swimming pool and incidental work to existing barn	Granted	02.10.03
03/01410/LBC	Construction of swimming pool and incidental work to existing barn	Granted	02.10.03
17/00301/LBC	Conversion of existing barn to annexe	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 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016.

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 Draft Local Plan 2016.

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 Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP2	Town Development Boundaries and Village Envelopes
RLP18	Extensions to Existing Dwellings in the Countryside
RLP90	Layout and Design of Development
RLP95	Preservation and Enhancement of Conservation Areas
RLP100	Alterations and Extensions and Changes of Use to Listed Buildings and their settings

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee in accordance with the Council's Scheme of Delegation as the agent is related to a staff member of Braintree District Council.

SITE DESCRIPTION

The site is located outside of Coggeshall Village Envelope on West Street. The barn subject of this application is Listed Grade II in its own right, and is of timber frame and weather boarded construction. It is believed to have formed

a stables and hayloft, serving the tannery which was situated to the north and west of the site. The house to which it relates is an elegant red brick building of late seventeenth century construction, which is listed Grade II.

PROPOSAL

The application in this case proposes the conversion of an existing Grade II Listed barn within the curtilage of 114 West Street to an annexe. The barn's current use is incidental to the main dwellinghouse, incorporating a sauna and wet room at ground floor, with open plan space at first floor. The conversion of the barn requires the instillation of replacement windows but does not comprise any further external alterations. Much of the internal layout of the annexe would remain in situ (with removal of shower and wet room), but would comprise a kitchen, dining and shower room at ground floor, with a studio bedroom at first floor. This application seeks planning permission for the proposed development. There is a linked application for listed building consent (Application Reference 17/00301/LBC refers).

CONSULTATIONS

Statutory Consultee(s)

Historic Buildings Advisor

No objection:

"The applicant seeks permission to convert a barn on the northern boundary of 114 West Street, Coggeshall to serve in an annex residential function. The barn is currently utilised to serve a number of ancillary functions to the house, and includes changing rooms for the adjacent pool, a sauna and a living space at first floor level. This building is listed Grade II, and is of timber framed and weatherboarded construction. It is believed to have formed a stables and hayloft, serving the tannery which was situated to the north and west of the site, and therefore forms part of a wider group of industrial buildings, which are listed Grade II in their own right. 114 West Street itself is an elegant red brick building of late seventeenth century construction, which is listed Grade II.

In principle there is no objection to the barn being used in an ancillary residential use, as the building could be converted to this use with very little physical alterations, not least because the barn already appears to be partially used in this function. The existing wet room and sauna mean that there should be adequate pipework within the building to serve all the necessary water, waste and electricity runs needed to create the proposed bathroom, kitchen etc. within the building. The proposed layout has not adapted the current layout at first floor level, and as such it is considered to retain the historic subdivision of the building. The only alteration of note is the proposed installation of the new windows. This is however considered to be a necessary intervention, which does not ultimately greatly alter the current character of

the building. In this instance, I would not object to the use of double glazing, as there is no historic precedent of glazing to replicate in this instance.”

Internal Consultation

Environmental Health Officer

No objection.

Parish Council

No comments received.

Neighbour Representations

One general comment has been received from ‘The Finings’ detailing the following summarised comments:

- Proposed annexe has no off-road parking or vehicular access rights - shouldn't be a separate dwelling
- Windows at back will overlook rear garden

REPORT

Principle of Development

The application site is located outside of the Coggeshall Village Envelope and is within an area where countryside policies apply. Although the National Planning Policy Framework sets out a ‘presumption in favour of sustainable development’, Paragraph 55 is clear that for development to be considered sustainable in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Policy RLP2 of the Braintree District Local Plan Review states that new development will be confined to the areas within Town Development Boundaries and Village Envelopes. Outside these areas countryside policies apply. Policy CS5 of the Braintree District Core Strategy states that development outside of defined boundaries will be strictly controlled to uses appropriate to the countryside in order to protect and enhance landscape character, biodiversity, geodiversity and the amenity value of the countryside. Policy CS8 of the Braintree District Core Strategy indicates that where development is to take place in the countryside it will need to enhance the locally distinctive character of the landscape in accordance with the Landscape Character Assessment.

However, Policy RLP18 states that proposals for self-contained annexes to meet the needs of dependent relatives, will be permitted subject to certain design criteria being met and ensuring that a condition is imposed to ensure that it will remain solely as ancillary accommodation, to be occupied in association with the main dwelling. The policy requires that the siting, design

and materials of the extension being in harmony with the countryside setting and compatible with the scale and character of the existing dwelling and the plot upon which it stands. In addition, to be considered as an annexe, the building must have both a physical and a functional relationship with the main dwelling.

In this case, the proposal relates to the conversion of an existing barn within the curtilage of 114 West Street. To ensure that the annexe remains ancillary to the main dwellinghouse, and given the lack of amenity space and parking associated with the proposed annexe, it is considered necessary to impose a condition on any planning permission to ensure that the annexe accommodation remains ancillary to the main house and not used or occupied on a commercial basis or let/disposed of as a separate self-contained residential dwellinghouse. Subject to the above, in this case it is considered that the principle of development can be established in this instance subject to satisfying design, amenity and highways criteria outlined in National and Local Policies.

Heritage, Design and Appearance

The National Planning Policy Framework (2012) states 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 CS9 (Built and Historic Environment) of the Councils Core Strategy and Policy RLP 90 of the Braintree District Local Plan Review specifies further criteria regarding the layout and design of additional development. They state that planning permission will only be granted where the following criteria are met:

- The scale, density, height and massing of buildings should reflect or enhance local distinctiveness;
- Designs shall recognise and reflect local distinctiveness, and be sensitive to the need to conserve local features of architectural, historic and landscape importance, particularly within Conservation Areas;
- The layout, height, mass and overall elevational design of buildings and developments shall be in harmony with the character and appearance of the surrounding area.

Policy RLP100 of the Braintree District Local Plan Review states that development involving internal or external alterations, extensions and partial demolitions to a listed building and changes of use will only be permitted if the proposed works or uses do not harm the setting, character, structural stability and fabric of the building (or structure); and do 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. The Council will seek to preserve and enhance the settings of

listed buildings by appropriate control over the development, design and use of adjoining land.

It is considered in principle there is no objection to the barn being used in an ancillary residential use, as the building can be converted to this use with very little physical alterations, not least because the barn already appears to be partially used in this function. The existing wet room and sauna mean that there should be adequate pipework within the building to serve all the necessary water, waste and electricity runs needed to create a bathroom, kitchen etc. within the building. The proposed layout has not adapted the current layout at first floor level, and as such it is considered to retain the historic subdivision of the building. The only alteration of note is the proposed installation of the new windows. This is however considered to be a necessary intervention, which does not ultimately greatly alter the current character of the building. In addition, double glazing is proposed for the windows. However, the Historic Buildings Advisor in this case would not object to the use of double glazing, as there is no historic precedence of glazing to replace in this case. As such, due to the above, it is considered there proposal is acceptable in this regard.

Impact on Neighbouring Residential Amenities

Policy RLP90 of the adopted Local Plan states that there should be no unacceptable impact on the amenity of any nearby residential properties, including on privacy, overshadowing and loss of light. Concerns have been raised regarding the potential overlooking of the garden of 'The Findings' due to the insertion of new windows on the Northern elevation. However, the windows in this position were already in existence at the site; the proposal simply replaces those windows with double glazed units. It is acknowledged there would be a degree of intensification of the building from ancillary outbuilding to annexe, however given the existence of these windows, it is considered on balance that the proposal would not cause a materially different impact on 'The Findings' from the existing situation at the site. As such, the proposal is considered acceptable in this regard.

Highway Considerations

An annexe is treated as the same planning unit as the existing house, thus no additional parking is required. Notwithstanding, the annexe would not alter the front parking or access arrangements. It is therefore considered that there are no material highway issues associated with this application.

CONCLUSION

The application proposes the conversion of an existing barn to an annexe. The annexe would have a physical and functional relationship with the main house and not propose any significant changes to the building. Furthermore, the annexe use would not significantly alter the way that the building is used. As such, it is considered that the annexe would function as intended and would not have a detrimental impact on neighbouring properties. The works

proposed for the conversion would not incorporate any significant changes to the building. There is therefore no objection to this proposal from a conservation/heritage perspective.

RECOMMENDATIONS

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

APPROVED PLANS

Location Plan	Plan Ref: 16/1101/1
Proposed Floor Plan	Plan Ref: 16/1101/8
Proposed Floor Plan	Plan Ref: 16/1101/9
Proposed Elevations	Plan Ref: 16/1101/12
Window details	Plan Ref: 16/1101/13
Block Plan	Plan Ref: 16/1101/14

- 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 The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as "114 West Street, Coggeshall". It shall not be sold, transferred, leased or otherwise disposed of as an independent residential unit without first obtaining planning permission from the local planning authority.

Reason

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

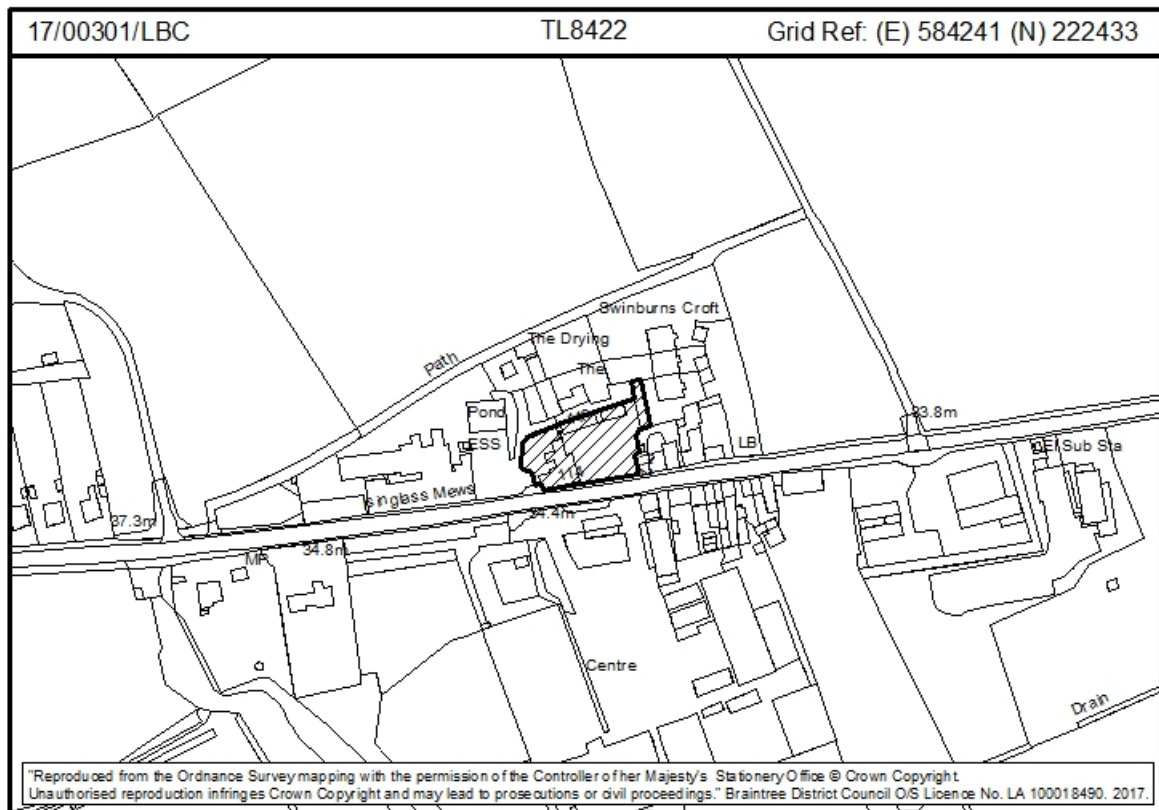
TESSA LAMBERT - DEVELOPMENT MANAGER

AGENDA ITEM NUMBER 5d

PART B

APPLICATION 17/00301/LBC DATE 17.02.17
NO: VALID:
APPLICANT: Mrs Nicola Yeates
114 West Street, Coggeshall, Essex, CO6 1NT
AGENT: Nigel Chapman Associates
Mr Nigel Chapman, Kings House, Colchester Road,
Halstead, Essex, CO9 2ET
DESCRIPTION: Conversion of existing barn to annexe
LOCATION: 114 West Street, Coggeshall, Essex, CO6 1NT

For more information about this Application please contact:
Mathew Wilde on:- 01376 551414 Ext. 2512
or by e-mail to: mathew.wilde@braintree.gov.uk



SITE HISTORY

02/00008/REF	Proposed vehicular access	Appeal Withdrawn	13.06.02
02/00009/REF	Demolition of length of existing brick wall, construction of re-arranged boundary wall with new timber gates	Appeal Withdrawn	13.06.02
01/01213/FUL	Proposed vehicular access	Refused	13.10.01
01/01215/LBC	Demolition of length of existing brick wall, construction of re-arranged boundary wall with new timber gates	Refused	30.10.01
02/01066/LBC	Proposed re-roofing and replacement of flat roof with hipped roof and peg tiles and new window	Granted	11.02.03
03/01409/FUL	Construction of swimming pool and incidental work to existing barn	Granted	02.10.03
03/01410/LBC	Construction of swimming pool and incidental work to existing barn	Granted	02.10.03
17/00300/FUL	Conversion of existing barn to annexe	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 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016.

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 Draft Local Plan 2016.

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 Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

RLP90 Layout and Design of Development
RLP100 Alterations and Extensions and Changes of Use to Listed
Buildings and their settings

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee in accordance with the Council's Scheme of Delegation as the agent is related to a staff member of Braintree District Council.

SITE DESCRIPTION

The site is located outside of Coggeshall Village Envelope on West Street. The barn subject of this application is Listed Grade II in its own right, and is of timber frame and weather boarded construction. It is believed to have formed a stables and hayloft, serving the tannery which was situated to the north and west of the site. The house to which it relates is an elegant red brick building of late seventeenth century construction, which is listed Grade II.

PROPOSAL

The application in this case proposes the conversion of an existing Grade II Listed barn within the curtilage of 114 West Street to an annexe. The barn's current use is incidental to the main dwellinghouse, incorporating a sauna and wet room at ground floor, with open plan space at first floor. The conversion of the barn requires the instillation of replacement windows but does not comprise any further external alterations. Much of the internal layout of the annexe would remain in situ (with removal of shower and wet room), but would comprise a kitchen, dining and shower room at ground floor, with a studio bedroom at first floor. This application seeks listed building consent for the proposed works. There is a linked application for planning permission (Application Reference 17/00300/FUL refers).

CONSULTATIONS

Historic Buildings Advisor

No objection:

"The applicant seeks permission to convert a barn on the northern boundary of 114 West Street, Coggeshall to serve in an annex residential function. The barn is currently utilised to serve a number of ancillary functions to the house, and includes changing rooms for the adjacent pool, a sauna and a living space at first floor level. This building is listed Grade II, and is of timber framed and weatherboarded construction. It is believed to have formed a stables and hayloft, serving the tannery which was situated to the north and west of the site, and therefore forms part of a wider group of industrial buildings, which are listed Grade II in their own right. 114 West Street itself is an elegant red brick building of late seventeenth century construction, which is listed Grade II.

In principle there is no objection to the barn being used in an ancillary residential use, as the building could be converted to this use with very little physical alterations, not least because the barn already appears to be partially used in this function. The existing wet room and sauna mean that there should be adequate pipework within the building to serve all the necessary water, waste and electricity runs needed to create the proposed bathroom, kitchen etc. within the building. The proposed layout has not adapted the current layout at first floor level, and as such it is considered to retain the historic subdivision of the building. The only alteration of note is the proposed installation of the new windows. This is however considered to be a necessary intervention, which does not ultimately greatly alter the current character of the building. In this instance, I would not object to the use of double glazing, as there is no historic precedent of glazing to replicate in this instance."

REPRESENTATIONS

One general comment has been received from 'The Finings' detailing the following summarised comments:

- Proposed annexe has no off-road parking or vehicular access rights - shouldn't be a separate dwelling
- Windows at back will overlook rear garden

REPORT

Heritage, Design and Appearance

The National Planning Policy Framework (2012) states 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 states that development involving internal or external alterations, extensions and partial demolitions to a listed building and changes of use will only be permitted if the proposed works or uses do not harm the setting, character, structural stability and fabric of the building (or structure); and do 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. The Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the development, design and use of adjoining land.

It is considered in principle there is no objection to the barn being used in an ancillary residential use, as the building can be converted to this use with very little physical alterations, not least because the barn already appears to be partially used in this function. The existing wet room and sauna mean that there should be adequate pipework within the building to serve all the necessary water, waste and electricity runs needed to create a bathroom, kitchen etc. within the building. The proposed layout has not adapted the current layout at first floor level, and as such it is considered to retain the historic subdivision of the building. The only alteration of note is the proposed installation of the new windows. This is however considered to be a necessary intervention, which does not ultimately greatly alter the current character of the building. In addition, double glazing is proposed for the windows. However, the Historic Buildings Advisor in this case would not object to the use of double glazing, as there is no historic precedence of glazing to replace in this case. As such, due to the above, it is considered there proposal is acceptable in this regard.

CONCLUSION

The application proposes the conversion of an existing barn to an annexe. The works proposed for the conversion would not incorporate any significant changes to the building. There is therefore no objection to this proposal from a conservation/heritage perspective.

RECOMMENDATIONS

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

APPROVED PLANS

Location Plan	Plan Ref: 16/1101/1
Proposed Floor Plan	Plan Ref: 16/1101/8
Proposed Floor Plan	Plan Ref: 16/1101/9
Proposed Elevations	Plan Ref: 16/1101/12
Window details	Plan Ref: 16/1101/13
Block Plan	Plan Ref: 16/1101/14

- 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 91 of the Town and Country Planning Act 1990.

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

Reason

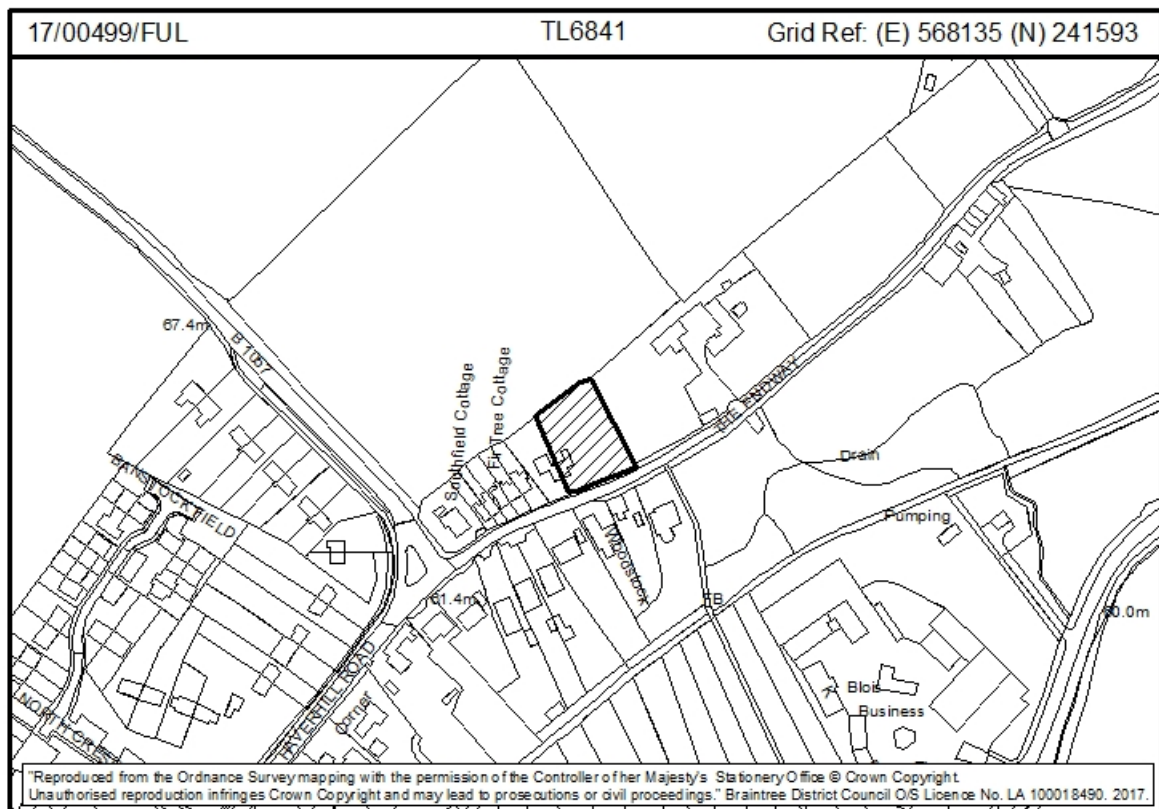
To ensure that the work does not affect the character or setting of the listed building on/adjoining the site.

TESSA LAMBERT
DEVELOPMENT MANAGER

PART B

APPLICATION NO: 17/00499/FUL DATE: 17.03.17
 VALID:
 APPLICANT: Mr And Mrs C Jennings
 15 The Endway, Steeple Bumpstead, Essex, CB9 7DW
 AGENT: Denn Architects
 Mr J Denn, 2 Bridgefoot, Hempstead Road, Radwinter,
 Saffron Walden, Essex, CB10 2TQ
 DESCRIPTION: Demolition of existing single storey rear extension and
 erection of part two storey part single storey side/rear
 extension
 LOCATION: 15 The Endway, Steeple Bumpstead, Essex, CB9 7DW

For more information about this Application please contact:
 Juliet Kirkaldy on:- 01376 551414 Ext. 2558
 or by e-mail to: juliet.kirkaldy@braintree.gov.uk



SITE HISTORY

16/02168/FUL	Demolition of existing single storey rear extension and erection of two storey side/rear extension	Refused	10.02.17
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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 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016.

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 Draft Local Plan 2016.

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 Development Framework Core Strategy

CS9 Built and Historic Environment

Braintree District Local Plan Review

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

Braintree District Draft Local Plan

SP1 Presumption in Favour of Sustainable Development
SP5 Place Shaping Principle
LPP29 Residential Alterations, Extensions and Outbuildings within Development Boundaries
LPP42 Built and Historic Environment
LPP46 Layout and Design of Development

Supplementary Planning Guidance

Essex Design Guide
Essex Parking Standards Design and Good Practice 2009
Parking Standards

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is brought before the Planning Committee in accordance with the Council's Scheme of Delegation due to a Parish Council objection.

SITE DESCRIPTION

The dwelling is located to the north of Steeple Bumpstead village on the edge of the settlement. It is located within the development boundary for Steeple Bumpstead. Although a large proportion of the garden (situated to the side and rear of the property) is located outside of the development boundary, the proposed extension is entirely within the boundary. The dwelling is situated at an elevated and prominent position from the road.

PROPOSAL

This application seeks permission for the demolition of existing single storey rear extension and erection of part two storey part single storey side/rear extension.

CONSULTATIONS

Steeple Bumpstead Parish Council

Recommend Refusal as this proposal is not proportionate and in keeping with the existing properties in the street.

REPRESENTATIONS

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

The adjoining neighbour at 13 The Endway has objected to the scheme:

- The scheme appears to have an even larger footprint than first submission which was refused due to the size and scale of the proposal.
- It is closer proximity to my property.
- It will be built over the existing public sewer which leads between and services both properties. It should be noted there is water well under the proposed development.
- Loss of light and increased overshadowing.

REPORT

Site History

A previous application for a similar proposal (16/02168/FUL) was refused in February of this year. It was stated in the decision notice, '*The proposed extension is not compatible with the original dwelling by reason of its siting, size, bulk and design and would fail to respect its existing character and appearance. Together with its scale and proximity to the adjoining neighbouring dwelling the proposal would have an unacceptable impact on neighbouring amenity in terms of loss of light to existing windows*'.

Principle of Development

The site is located within the village envelope of Steeple Bumpstead.

Policy RLP3 of the Braintree District Local Plan Review permits development within development boundaries only where it satisfies amenity, design and highway criteria and where it can take place without detriment to the existing character of the area. Policy RLP 17 permits extensions to an existing

dwelling, provided that there is no overdevelopment of the plot, the siting, the bulk, form and materials of the extension are compatible with the original development and there should be no unacceptable adverse impact on amenities of adjoining residential properties, including on privacy, overshadowing, loss of light. There should also be no material impact on the identity of the street scene, scale and character of the area. The NPPF requires planning as a core principle to always seek to secure high quality design. This is reinforced in Policy RLP 90 of the Braintree Local Plan Review which seeks a high standard of design and layout in all developments.

Subject to compliance with the above policies, other relevant policies and material planning considerations this proposal is acceptable in principle.

Design, Appearance and Layout

The NPPF states that good design is a key aspect of sustainable development. It is important to plan positively for the achievement of high quality and inclusive design for all development.

Policy RLP 90 states that the scale, density, height and elevational design of developments should reflect or enhance local distinctiveness.

The application proposes a two storey side extension of 4.2 metres in width this reflects the width of the host dwelling and is a slight reduction in scale to that of the previously refused scheme. It is considered that this is more compatible and sympathetic to the host dwelling. The proposed side extension is set back 0.5 metre from the front elevation. A porch is also proposed on the front. The ridge height of the extension is proposed slightly lower than the main ridge height. A gabled roof is proposed at the rear extension, with a roof design at the front similar to that of the existing.

The proposed two storey rear extension is situated 2.3 metres from the neighbouring boundary. It measures 3.5 metres in depth with a further single storey extension of 2.5 metres with a single roof light. A further single storey rear extension is proposed, abutting the neighbouring boundary measuring 2.3 metres in width and 3.5 metres in depth with a lantern roof.

The existing property is of a brick construction. In the previous refused application concern was raised regarding the proposed use of the material 'hardi plank'. There was concern that this would create a stark contrast and heighten the prominence of the adverse impact, particularly on the north east elevation which is visible on the approach into Steeple Bumpstead. On this revised application a window feature for the stairs is proposed on the north east elevation which breaks up the appearance of the 'hardi plank'.

It is noted that the site is substantial in area and the proposed development is not considered to be out of scale relative to the size of the site. The site is elevated from the road and exposed to the public realm. The proposed extension is compatible with the scale and character of the existing dwelling.

Subsequently, there would be no material impact on the identity of the street scene, scale and character of the area.

It is considered that the proposal has overcome the previous reason for refusal relating to design, size and bulk.

Impact on Neighbour Amenity

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

RLP 90 states there should be no undue or unacceptable impact on the amenity of any nearby residential properties.

The proposed two storey extension to the rear would be situated approximately 2.3 metres from the boundary of the adjoining neighbour at 13 The Endway and the concerns of the neighbour are noted. This proposal is further from the boundary than that of the previously refused scheme where concerns were raised that the two storey extension would breach the 45 degree light angle from the windows causing unacceptable loss of daylight to habitable rooms of the neighbouring property. This revised scheme has overcome that concern previously raised and therefore does not have an unacceptable adverse impact on neighbouring amenity by loss of light and overshadowing. The proposal has been designed to minimise impact on the neighbour from overlooking and loss of privacy. It is considered that the current proposals have overcome the previous reason for refusal.

CONCLUSION

Although the footprint of the submitted proposal is similar to that of the previously refused scheme the overall bulk and scale has reduced overcoming concerns previously raised relating to overshadowing and loss of sunlight to the neighbouring property. This proposed extension is compatible with the scale and character of the existing dwelling. Subsequently, there would be no material impact on the identity of the street scene, scale and character of the area. For these reasons it is recommended that permission should be granted.

RECOMMENDATIONS

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

APPROVED PLANS

Existing Site Plan
Proposed Plans

Plan Ref: JE 1016.01 B
Plan Ref: JE 1016.02 C

- 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

In the interests of visual amenity.

TESSA LAMBERT
DEVELOPMENT MANAGER